

City University of Hong Kong

**Information on a Course
offered by School of Law
with effect from Semester A in 2014/2015**

Part I

Course Title: Competition Law

Course Code: LW6161E

Course Duration: One semester

Credit Units: 3

Level: P6

Medium of Instruction: English

Prerequisites: Nil

Precursors: Nil

Equivalent Courses: LW6161C, LW6161E and LW5561 Competition Law

Exclusive Courses: LW6561C and LW6561E Competition Law

Part II

Course Aims

This course aims to conduct systematic study of competition laws and regulations by using comparative approach. It will deal with mainly four aspects, i.e., monopoly agreement, abuse of dominant position, concentration and administrative monopoly. Students are expected to understand the competition policies behind the relevant competition laws and regulations, as well as the importance of consumer protection.

Course Intended Learning Outcomes (CILOs)

Upon successful completion of this course, students should be able to:

No.	CILOs	Weighting (if applicable)	Alignment of CILOs with PILOs	
			Stream	PILO No. Contributed to
1.	Identify, analyse and critically explain the substantive laws and regulations concerning anti-monopoly and consumer protection in the PRC and in other jurisdiction.	25%	IEL	1-2

2.	Assess and scrutinize conducts that must be tackled in line with relevant laws and regulations as well as underlying policies.	25%	IEL	1-2
3.	Analyse, compare and critically evaluate: <ul style="list-style-type: none"> ❖ issues and concerns in the field of anti-monopoly and consumer protection law ❖ the operation of the substantive rules of anti-monopoly and consumer protection law ❖ the objectives of anti-monopoly and consumer protection law and the practical implications of the rules in the commercial/social context 	25%	IEL	3-4
4.	Apply the principles of anti-monopoly and consumer protection law to solve legal problems by: <ul style="list-style-type: none"> ❖ researching on issues of anti-monopoly and consumer protection law ❖ analysing and resolving problems concerning issues of anti-monopoly and consumer protection law ❖ communicating their solutions coherently and accurately 	25%	IEL	3-4

Teaching and Learning Activities (TLAs)

(Indicative of likely activities and tasks designed to facilitate students' achievement of the CILOs. Final details will be provided to students in their first week of attendance in this course)

CILO No.	TLAs	Hours/week (if applicable)
CILO 1-4	<ul style="list-style-type: none"> • Students will acquire knowledge of the substantive rules of anti-monopoly and consumer protection law. • Preparation outside the class <p><i>Seminars by the instructor</i></p> <ul style="list-style-type: none"> • Students will be given guidance on their reading and research for their seminars and presentations. • Students will, by responding to questions and performing exercises, develop their analytical and critical capabilities discuss important issues of liability pertaining to topics covered in the syllabus. <p><i>Seminars</i></p> <ul style="list-style-type: none"> • Instructor will introduce students to issues, concerns and aspects of the operation of the substantive rules applicable to anti-monopoly and consumer protection laws. • Instructor will show how legal problems are solved by applying principles and rules and compare international legal principles related to anti-monopoly and consumer protection law. <p>Preparation for seminars</p> <ul style="list-style-type: none"> • Students will research issues of anti-monopoly and consumer protection law. <p>Presentations</p> <ul style="list-style-type: none"> • Students will give presentations on selected topics in which they will scrutinise, analyse and evaluate issues and concerns in the field of anti-monopoly and consumer protection law and provide a comparative aspect. 	3

Assessment Tasks/Activities

(Indicative of likely activities and tasks designed to assess how well the students achieve the CILOs. Final details will be provided to students in their first week of attendance in this course)

AT No.	Type of Assessment Tasks/Activities	Weighting (if applicable)	CILO Assessed	Remarks
AT 1	Seminar and presentation will test students' ability to research, analyse and critically evaluate some issues and problems in the field	30%	2, 3	
AT 2	Examination	70%	1-4	3 hours

Students are required to attend at least 70% of the classes (lectures, seminars, presentations). If a student does not meet this requirement, he/she may be disqualified for assessment.

Students must obtain a minimum mark of 40% in both coursework and examination and an overall mark of 40% in order to pass the course.

Grading of Student Achievement: Standard (A+, A, A-...F). Grading is based on student performance in assessment tasks/activities.

Part III

Keyword Syllabus

Legal structure and economic realities; elementary regulation; monopoly and market performance; concentration; abuse of dominant position; administrative monopoly; consumer protection; anti-monopoly law in China.

Detailed Syllabus

1. A general introduction to the interaction between the legal structure and economic realities;
2. A further introduction to the nature of monopoly and the distinction between monopoly and monopolizing conduct;
3. A detailed discussion and evaluation of monopoly agreement;
4. A detailed discussion and evaluation of abuse of dominant market position;
5. A detailed discussion and evaluation of mark concentration;
6. A detailed discussion and evaluation of administrative monopoly;

Recommended Reading Text(s)

1. **Competition law in China : laws, regulations, and cases / Peter J. Wang, Sébastien J. Evrard, Yizhe**
Wang, Peter J., author.
Oxford, United Kingdom : Oxford University Press, 2014.
2. **Competition law and financial services / David Harrison.**
Harrison, D. M. (David M.), 1955- author.
Milton Park, Abingdon, Oxon ; New York, NY : Routledge, 2014.
3. **Landmark cases in competition law : around the world in fourteen stories / edited by Barry Rodger.**
Alphen aan den Rijn, the Netherlands : Kluwer Law International, c2013.
4. **EU and US competition law, divided in unity? : the rule on restrictive agreements and vertical intra**
Nagy, Csongor István, 1979-
Farnham, Surrey ; Burlington, VT : Ashgate, c2013.
5. **Competition law and intellectual property : a European perspective / edited by Giandonato Caggiano,**
Alphen aan den Rijn : Wolters Kluwer Law & Business ; Frederick, MD : Sold and distributed in North, Central and South America by Aspen Publishers, Inc., c2012.
6. **Competition law in China / Xiaoye Wang [and] Jessica Su.**
Wang, Xiaoye.
Alphen aan den Rijn, The Netherlands : Kluwer Law International ; Frederick, MD : Sold and distributed in North, Central, and South America by Aspen Publishers, c2012.
7. **Competition law in the BRICS countries / edited by Adrian Emch, Jose Regazzini, Vassily Rudomino.**
Alphen Aan Den Rijn : Wolters Kluwer Law & Business ; Frederick, MD : Sold and distributed in North, Central and South America by Aspen Publishers, Inc., c2012.
8. **Market power in EU antitrust law / Luis Ortiz Blanco ; translated by Andrew Read.**
Ortiz Blanco, Luis.
Oxford ; Portland, Or. : Hart, 2012.
9. **Research handbook on the economics of antitrust law / edited by Einer Elhauge.**
Cheltenham : Edward Elgar, c2012.
10. **ASEAN competition law / general editors, Robert Ian McEwin, Kala Anandarajah.**
Singapore : LexisNexis, 2011.
11. **Antitrust law and economics / edited by Keith N. Hylton.**
Cheltenham, UK ; Northampton, MA : Edward Elgar Publishing, 2010.
12. **European antitrust law : prohibitions, merger control and procedures / Lorenzo Federico Pace.**
Pace, Lorenzo Federico.
Cheltenham, U.K. : Edward Elgar, c2007.