



Competition Law Course Descriptor

Course Title	Competition Law	Faculty	Law
Course Code	NCHLW655	Course Leader	Stephen Dnes
Credit Points	30	Teaching Period	Michaelmas and Hilary
FHEQ Level	6	Date Approved	June 2020
Compulsory/ Optional	Optional for undergraduate combined and single honours students, and for Senior Status students		
Pre-requisites	None		
Co-requisites	None		

COURSE SUMMARY

This course aims to provide an advanced understanding of modern competition law. It focuses on (i) cartels and restrictive agreements; (ii) abuse of a dominant position, and (iii) the review of mergers and acquisitions under competition law. In other words, it seeks to cover the main areas of competition law that a student would be most likely to encounter in practice, enforcement, or further legal research.

COURSE AIMS

- To provide an introduction to the theory of competition and allied economic concepts that are used to define and interpret legal concepts
- To provide an overview of prohibitions on restrictive agreements and cartels, and the debates relating to their scope
- To gain critical appreciation and evaluation of the scope of laws designed to prevent and manage strong market positions, especially the prohibition on abuse of a dominant position under the UK Chapter II prohibition
- To understand and be able to apply the rules that apply to review of mergers and acquisitions under competition law in the UK and internationally
- To develop skills in dealing with large and open-ended legal assignments, e.g. through the review of a hypothetical commercial transaction or recent case law developments where the frontier of knowledge may be unknown

LEARNING OUTCOMES

On successful completion of the course, students will be able to:

KNOWLEDGE AND UNDERSTANDING

- K1c understand core concepts used in competition law, e.g. the relevant market, market power, demand differentiation, substitute products, etc.
- K2c appreciate the role of regulatory subjects like competition law in modern business law practice, especially as relates to cross-border capital formation and the business law that relates to it
- K3c gain a thorough understanding of the core elements of competition law as debated and practiced, notably the cartel prohibition, reviews of restrictive agreements, and prohibitions on the abuse of a dominant position

COGNITIVE SKILLS

- C1c the ability to deal with guidance, policy and law from a variety of sources, and to resolve areas where these sources conflict
- C2c the ability to work with large data sets and complex documents, including large regulatory documents and complex cases
- C3c an introduction to interdisciplinary elements of legal practice, e.g. the interaction of competition law with economic policy

TRANSFERABLE AND PROFESSIONAL SKILLS

- T1c development of skills relevant to international commercial law practice including the review of mergers and acquisitions
- T2c engagement with policy questions relating to the economic and consumer protection elements of competition law
- T3c the ability to give advice based on legal issues posed

TEACHING AND LEARNING

Teaching and learning strategies for this course will typically include:

- 30 hours in total of full-cohort lectures and seminars
- Two x 45 minute two-to-one tutorials
- Two x 30 minute one-to-one tutorials¹
- One revision session

Course information and supplementary materials are available on the College's Virtual Learning Environment (VLE).

¹ One-to-one tutorials will only be offered to undergraduate combined and single honours students.

At the end of Michaelmas and Hilary, students will attend Collections (formal meetings) in which they receive comprehensive and collated feedback about their performance over the term.

Students are required to attend and participate in all the formal and timetabled sessions for this course. Students are also expected to manage their directed learning and independent study in support of the course.

EMPLOYABILITY SKILLS

- The course addresses core needs for practicing lawyers, especially research, communication, and presentation skills
- The course teaches skills allowing continuing professional development
- The course enables students to work with large data sets and allied disciplines, e.g. economics and finance, as part of their assessment of complex cases

ASSESSMENT

FORMATIVE

Students will be formatively assessed during the course by means of set assignments. These do not count towards the end of year results, but will provide students with developmental feedback, helping students to become more sophisticated in their analysis of statutes and case law.

SUMMATIVE

Assessment will be in two forms:

AE:	Assessment Activity	Weighting (%)	Online submission	Duration	Length
1	Written assignment	40	Yes	N/A	3,000 words
2	Examination	60	N/A	3 hours	N/A

The examination will consist of a number of questions from which the student will have the choice of answering a specified number. Both the examination and the written assignment will be assessed in accordance with the assessment aims set out in the Programme Specification.

FEEDBACK

Students will receive formal feedback in a variety of ways: written (including via email correspondence); oral (within one-to-one tutorials or on an *ad hoc* basis) and indirectly through discussion during group tutorials. Students will also attend the formal meeting, Collections, at the end of Michaelmas and Hilary in which they will receive constructive and developmental feedback on their term's performance.

Feedback is provided on written assignments (including essays, briefings and reports) and through generic internal examiners' reports, both of which are posted on the College's VLE.

INDICATIVE READING

Note: Comprehensive and current reading lists for courses are produced annually in the Course Syllabus or other documentation provided to students; the indicative reading list provided below is used as part of the approval/modification process only.

BOOKS

The course leader reviews the currency of text and casebooks and makes a recommendation based on the currency and relevance of the materials at the start of the course. In recent years, Graham, *EU and UK Competition Law* has been used, but this is no longer being updated and may need to be replaced.

JOURNALS

The leading law journals are referred to in the course, e.g. Modern Law Review, Cambridge Law Review, and the Law Quarterly Review. Sometimes, continental, Commonwealth and U.S. journals are referred to, guided by the needs of the topic. Economic materials may also be assigned where relevant, e.g. work from leading economic journals.

ELECTRONIC RESOURCES

Westlaw, Lexis and Bailii provide access to the main cases. Additional materials are drawn from the websites of the UK Competition and Markets Authority and other relevant regulators.

INDICATIVE TOPICS

Students will study the following topics:

- An introduction to competition law, policy, and economics
- Merger control in the EU and UK
- Multijurisdictional merger control
- Contemporary case study 1
- Horizontal and vertical agreements -- introduction
- Vertical agreements – Detailed study
- Dominance and monopolization: Pricing abuses
- Dominance and monopolization: Non-pricing abuses
- Contemporary case study 2

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Modifications (As per AQF4)			
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