



## **DIRECTOR'S REPORT 2012**

This is the twenty third year in which the Competition Law and Policy Institute of New Zealand has successfully delivered a dynamic and thought provoking workshop in which a wide range of well regarded, world class speakers from various jurisdictions, including our own, are invited to participate. The workshop was held in the splendidly lofty premises of Simpson Grierson in central Auckland and the Board is grateful to Simpson Grierson for once again making this space available enabling both lower costs and registration fee.

This year the Workshop focused on competition concerns raised by the existence and conduct of platform companies in the digital environment as well as developments on the home front. We were very fortunate this year in our keynote speaker Howard Shelanski, recently appointed Director of the Bureau of Economics at the United States Federal Trade Commission and Professor of Law at Georgetown University. Professor Shelanski has both formal legal and economic credentials and is well known to academics and practitioners alike for his definitive book (co-edited with François Lévêque ) *Antitrust Regulation in the European Union and United States : Legal and Economic Perspectives* (Northampton, Mass.: Edward Elgar 2009) and for other scholarly articles such as his most recent "Antitrust Enforcement in Regulated Industries", 100 California Law Review. 487-517 (2012) co-authored by equally well known Justice Breyer and Professor Kahn. It was also very opportune that Professor Shelanski was well placed and agreed to also act as commentator on Dr Michael Pickford's paper dealing with New Zealand's lenient merger control regime, comparing it with that operating in Europe and the United States.

Other contributors enhancing the workshop this year were the regulators Dr Mark Berry and Sarah Court from the New Zealand Commerce Commission and Australian Competition and Consumer Commission respectively. As far as local contributors go, we were very fortunate to have available papers by John Billington QC and Brian Dickey addressing the (as yet untested in a New Zealand court) logistics of prosecution and defence of cartel claims as well as oral presentations on the subject by John Billington and Nick Flanagan. Stoking some debate too were the opinions of Allison Ferguson and Ben Hamlin on the impact of judicial review on Commerce Commission decisions. We should also not overlook the careful insights of Dr Chris

Noonan in relation to the extraterritorial reach of the Commerce Act and the equally insightful views of his commentators Troy Pilkington and Sarah Keene.

I would also like express my gratitude to the other session chairs (John Land, Associate-Professor Yvonne van Roy, James Craig, Peter Taylor and Sarah Keene) for their considerable efforts behind the scenes as well as on the day itself and to all those who participated in the ensuing discussions. Last, but certainly not least, those of us who went to the Workshop dinner at Mantells in Mt Eden very much enjoyed the way in which our guest speaker Philip Williams entertained us in his own inimitable style.

As CLPINZ Director, I have been blessed with a very supportive Advisory Board and the efficient services of our ever helpful Secretary-Treasury, Val Browning. If you have enjoyed and benefited from the 2012 Workshop I sincerely hope you will consider participating again, this time next year.

A handwritten signature in blue ink, appearing to read "John Land". The signature is fluid and cursive, with a large initial "J" and "L".