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Victorian solicitors: If this particular educational activity is relevant to your immediate or long term needs in relation to your professional development and practice of law, then you should claim one unit for each hour of attendance, refreshment breaks not included.

Victorian Bar Members: This lecture is a Victorian Bar accredited Compulsory Continuing Legal Education (CLE) activity and carries one point.

Information about the Competition Law Graduate Program is available at:

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Speakers

Caron Beaton-Wells

Brent Fisse

Peter Heerey J.

Bob Baxt A.O.

Convenor

Dr Pamela Hanrahan, Deputy Director
Centre for Corporate Law & Securities Regulation
The University of Melbourne

Date

25 February 2008

Time

6.00pm – 7.30pm

Refreshments will be served from 5.30pm

Venue

Melbourne Law School,
185 Pelham Street, Carlton,
Room G08 (Ground floor)

Cost:

\$90 + \$9 GST = \$99



THE UNIVERSITY OF
MELBOURNE

CCLSR
CENTRE for
CORPORATE
LAW and
SECURITIES
REGULATION

SEMINAR

**CRIMINALISING CARTEL
CONDUCT: ISSUES OF
LAW AND POLICY**

25 February 2008

The Cartel Criminalisation Exposure Draft Bill, Discussion Paper and the Draft ACCC-DPP MOU: Key Points and Critical Legal & Policy Questions

On 11 January 2008 the government released an Exposure Draft of the long awaited bill to criminalise serious cartel conduct, together with a Discussion Paper, and draft Memorandum of Understanding between the ACCC and DPP. The government is seeking submissions on the draft bill by 29 February.

This seminar will inform and facilitate public debate on this major development in competition law enforcement and business regulation. There will be a joint paper by Dr Caron Beaton-Wells and Mr Brent Fisse highlighting the key points and critical legal and policy issues, with commentaries by Justice Peter Heerey of the Federal Court and Professor Bob Baxt AO.

Copies of the Exposure Draft Bill, Discussion Paper and Draft MOU are available at: <http://www.treasury.gov.au/contentitem.asp?NavId=&ContentID=1330>

Speaker Details

Dr Caron Beaton-Wells is the Director of Studies for Competition Law at the Melbourne Law School. She teaches Competition Law in the Juris Doctor program and co-teaches Enforcing Competition Law in the graduate program. Dr Beaton-Wells oversees the competition law graduate program which was launched in 2007, offering more than 10 interdisciplinary subjects and the only specialist qualification in competition law in Australia. She has published widely in the area, including Proof of Antitrust Markets (Federation Press, 2003) and more recently, "Capturing the Criminality of Hard-Core Cartels: The Australian Proposal" (2007) 31 Melbourne University Law Review 1. She has been invited to give papers at major competition law conferences in Australia, including "Criminalising Cartels: A Slow Conversion?" at the 5th Annual University of South Australia Trade Practices Workshop, 2007. Dr Beaton-Wells has been a member of the Victorian Bar since 1997 and is a member of the Trade Practices Committee, Business Law Section of the Law Council of Australia.

Mr Brent Fisse is a Sydney trade practices and competition lawyer and an Associate of the Ross Parsons Centre of Commercial, Corporate and Taxation Law, having previously been a Professor of Law at the University of Sydney. He has advised competition agencies and major corporations on enforcement, liability and compliance issues. His publications include: Corporations, Crime and Accountability (with John Braithwaite, 1993); The Impact of Publicity on Corporate Offenders (with John Braithwaite, 1983), and the fifth edition of Howard's Criminal Law (1989). He is member of the Law Council of Australia's Trade Practices Committee and the American Bar Association Section of Antitrust Law. He is also a Senior Fellow at the University of Melbourne, and an Adjunct Professor of Law at La Trobe University. He will teach Cartels and Competition Law in the Melbourne Law Masters program in 2008.

Justice Peter Heerey was appointed a Judge of the Federal Court of Australia in 1990 and has sat at trial or appellate level on a number of major competition law cases including Melway, Boral and Visy. His Honour has published papers in Australian and overseas professional and academic journals and has been a Judge in Residence at several leading overseas universities. His Honour is Deputy President of the Australian Competition Tribunal and chairs the Advisory Board for the Graduate Program in Intellectual Property Law in the Melbourne Law Masters.

Professor Bob Baxt is a partner at Freehills and a former Chairman of the (then) Trade Practices Commission. He has extensive experience in advising government and clients in competition policy and corporate law and is Chairman of the Law Committee of the Australian Institute of Company Directors and a member of the Executive of the Business Law Section of the Law Council of Australia. Professor Baxt is the General Editor of both the Company and Securities Law Journal and the Australian Business Law Review and was awarded an Order of Australia in 2003 for services to the law. He is also a Professorial Fellow of the University of Melbourne and the Chairman of the Graduate Program in Competition Law in the Melbourne Law Masters program.

CRIMINALISING CARTEL CONDUCT: ISSUES OF LAW AND POLICY

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