

**The Enforcement of National and EC Competition Laws in Member States:  
Consistency, Coherence and Diversity**

***The Dublin 2007 Conference***

*A Joint Conference of the Irish Society for European Law and  
The United Kingdom Association for European Law*

**Friday, 23 November 2007  
Dublin, Ireland**

at

The Conrad Dublin Hotel  
Earlsfort Terrace, Dublin 2, Ireland

## PROGRAMME

8:15	<b>Registration</b>
8:50	<b>Welcome:</b> Ms Anna-Marie Curran, Chair, ISEL A&L Goodbody, Dublin
8:55	<b>Introduction:</b> ISEL Organising Committee
9:00 to 10:30	<b>Session 1: PERSPECTIVES ON ENFORCEMENT OF NATIONAL AND EC COMPETITION LAWS IN IRELAND AND THE UNITED KINGDOM</b> Introduction of Speakers: Mr Philip Andrews, McCann FitzGerald, Dublin <ul style="list-style-type: none"><li><i>The institutional framework: Are two agencies better than one? Should there be specialist competition courts/tribunals?</i></li><li><i>Should sector regulators have concurrent powers?</i></li><li><i>What standards of proof should competition authorities observe and what's the correct standard of review?</i></li><li><i>Market Investigation References: An export-ready enforcement tool?</i></li><li><i>Has criminalisation increased deterrence? Are administrative fines needed in Ireland? Who should have the power to impose fines?</i></li><li><i>What role can national competition authorities (NCAs) play in tackling protectionism in other Member States?</i></li><li><i>Do decision notes and informal enforcement decisions effectively promote compliance?</i></li></ul> <p>Panellists: Dr John Fingleton, Chief Executive, UK Office of Fair Trading, London Mr John Handoll, William Fry, Dublin Mr Stephen Kon, SJ Berwin, London Mr William J. Prasifka, Chairperson, Competition Authority, Ireland, Dublin</p> <p>Moderator: Dr Vincent Power, A &amp; L Goodbody, Dublin</p>
10:30 to 10:45	<b>Coffee/Tea Break</b>
10:45 to 12:15	<b>Session 2: CO-ORDINATION AND COLLABORATION AMONG THE EUROPEAN COMMISSION (DG COMPETITION) AND NATIONAL COMPETITION AUTHORITIES</b> Introduction of Speakers: Mr Richard Ryan, Arthur Cox, Dublin <ul style="list-style-type: none"><li><i>Cross-border investigations: how do national competition authorities (NCAs) and the European Commission collaborate on investigations and how can collaboration be improved?</i></li><li><i>Cross-border enforcement of European Commission competition decisions: Challenges and procedural hurdles</i></li><li><i>The European Competition Network (ECN): How does it work in practice in promoting the cross-border enforcement of competition law?</i></li><li><i>Co-ordination and collaboration of NCAs on national merger control regimes: timeframes, substantive tests and information exchange</i></li><li><i>The revised European Commission Leniency Notice: Practical changes</i></li><li><i>The interaction of national leniency programmes and the ECN model leniency programme: How it is envisaged to work and challenges from the practitioner's perspective</i></li></ul> <p>Panellists: Mr Philippe Chappatte, Slaughter and May, London Mr Philip Lowe, Director General, DG Competition, European Commission, Brussels Mr John Meade, Arthur Cox, Dublin Ms Elizabeth O'Neill, Treasury Solicitor's Department, United Kingdom, London</p> <p>Moderator: Ms Teresa Moreira, Member of Council, Autoridade da Concorrência, Portugal, Lisbon</p>

12:15 to 1:45

**Buffet Lunch**

1:45 to 3:15

**Session 3: PRIVATE ACTION TO ENFORCE NATIONAL AND EC COMPETITION LAWS: THE CHALLENGES AND CHANGES AHEAD IN IRELAND AND THE UNITED KINGDOM**

Introduction of Speakers: Ms Emily Gibson BL, Law Library, Dublin

- *The experience in the UK and Ireland: Why so little to report?*
- *Lessons from recent experience of private actions in the UK before the Courts and the Competition Appeals Tribunal. What is the impact of Inntrepreneur v Crehan case?*
- *European Commission initiative: Towards the White Paper 2007/2008*
- *Measuring damages and informational asymmetry: Impediments to effective private enforcement?*
- *Class action and collective action suits: The way forward?*
- *Interaction between public and private enforcement: Leniency applications and evidentiary assistance*

Panellists: Ms Rosaleen Byrne, McCann FitzGerald, Dublin  
Mr Nicholas Green QC, Brick Court Chambers, London  
Ms Helen Kelly, Matheson Ormsby Prentice, Dublin  
Mr Donnadh Woods, DG Competition, European Commission, Brussels

Moderator: Judge John D. Cooke, Court of First Instance, European Communities, Luxembourg

3:15 to 3:30

**Coffee/Tea Break**

3:30 to 5:00

**Session 4: PERSPECTIVES ON JUDGING COMPETITION LAW CASES: EVOLUTION OF NATIONAL AND EC COMPETITION LAWS**

Introduction of Speakers: Mr Cormac Little, William Fry, Dublin

- *Consistency and diversity in the development of national and EC competition law before European and national courts*
- *Is judging economics in competition cases like judging other expert areas in other types of cases?*
- *Is competition law just economics? Are there non-economic values in competition law cases? Should there be specialist judges for competition cases?*
- *Should courts defer to the economic analysis of competition authorities who have decision-making powers?*

Panellists: Mr Paul Gallagher SC, Attorney General, Ireland, Dublin  
Judge Frédéric Jenny, Cour de cassation (Supreme Court), France, Paris  
Professor Richard Whish, School of Law, King's College, London  
A member from Competition Appeals Tribunal, United Kingdom, London

Moderator: The Honourable Mr. Justice Nicholas J. Kearns, The Supreme Court, Ireland, Dublin

5:00

**Closing Remarks:** Mr Christopher Vajda QC, Treasurer, UKAEL  
Monckton Chambers, London

7:30

**Conference Dinner (by subscription): €55**  
(venue to be advised)

## GENERAL INFORMATION

### ORGANISING COMMITTEE

Philip Andrews, McCann FitzGerald Solicitors, Dublin, Ireland  
Emily Gibson BL, Law Library, Dublin, Ireland  
Cormac Little, William Fry Solicitors, Dublin, Ireland  
Richard Ryan, Arthur Cox Solicitors, Dublin, Ireland  
Dr Stanley Wong, Competition Authority, Dublin, Ireland

Christopher Vajda QC, Monckton Chambers, London, United Kingdom (UKAEL Liaison)

### FURTHER INFORMATION

e-mail: [isel.dublin2007@gmail.com](mailto:isel.dublin2007@gmail.com)  
tel: +353 1 804 5481 (Rob Holmes or Sandra Rafferty) fax: +353 1 804 5401  
website: [www.isel.ie](http://www.isel.ie)

### REGISTRATION FEES

Registration Fees include attendance, all conference materials, tea and coffee breaks and lunch but NOT Conference Dinner, and are as follows:

	<i>on or before 1 October</i>	<i>after 1 October</i>
ISEL/UKAEL Member	€250	€300
Non ISEL/UKAEL Member	€350	€400
Associate ISEL Member	€150	€200
Judges	€150	€200
Full Time Academics	€150	€200
Full Time Students	€150	€200

### CONFERENCE DINNER (BY SUBSCRIPTION)

A dinner by subscription is arranged for Friday night after the Conference. The dinner (inclusive of wine, taxes and gratuities) is available for an additional fee of €55. There are a limited number of places for the dinner. The name and location of the venue (which will be in the City Centre) will be provided at registration.

### REGISTRATION AND PAYMENT

Please complete the attached Registration Form and return it, as indicated on the Form, with payment as follows:

1. Payment by cheque, bank draft or money order should be in Euro and made payable to Irish Society for European Law.
2. Payment by bank transfer in Euro should be sent to the following account:

Name of Account: Irish Society for European Law  
Bank: Allied Irish Bank  
Address: 7/12 Dame Street, Dublin 2, Ireland  
Account: 87237-237  
Sort Code: 93 20 86  
BIC/Swift: AIBKIE2D  
IBAN: IE89 AIBK 9320 8687 237 237

## HOTELS

A block of rooms have been reserved at three hotels: The Conrad Dublin, The Mespil Hotel and Bewleys Hotel Ballsbridge. The conference rates are available from 21 November to 25 November, inclusive, i.e. two nights before the Conference to two nights after the Conference. After Monday, 8 October 2007 any unreserved rooms will be released and there is no guarantee rooms will be available at the conference rates.

Given the high demand for hotel accommodation during weekends in Dublin, we recommend that you book early. ***For hotel reservations, please book directly with the hotel.***

### **The Conrad Dublin**

Quote Booking Reference: Irish Society for European Law

Earlsfort Terrace

Dublin 2, Ireland

tel: +353 1 602 8900

fax: +353 1 676 5424

website: <http://conradhotels1.hilton.com>

Room (single occupancy) with breakfast: €205 (special conference rate)

Room (double occupancy) with breakfast: €220 (special conference rate)

The Conrad Dublin is the conference venue and is located on Earlsfort Terrace across from the National Concert Hall and around the corner from St. Stephen's Green.

### **The Mespil Hotel**

Quote Booking Reference: Irish Society for European Law

Mespil Road,

Dublin 4, Ireland.

tel: +353 1 488 4600

fax: +353 1 667 1244

website: [www.mespilhotel.com](http://www.mespilhotel.com)

The Mespil Hotel is located on Mespil Road which is about 10 minutes walking distance from the conference venue.

Room only: €118 (special conference rate)

Breakfast: €12

Room (single occupancy) with breakfast: €125 (special conference rate)

### **Bewleys Hotel Ballsbridge**

Quote Booking Reference: 50543726

Merrion Road

Ballsbridge, Dublin 4, Ireland

tel: + 353 1 668 1111

fax: + 353 1 668 1999

website: [www.BewleysHotels.com](http://www.BewleysHotels.com)

The Bewleys Hotel Ballsbridge is located on Merrion Road and is about 15 minutes by car from the conference venue. Note: There are several hotels in the Dublin area using the name "Bewleys." It is advisable to refer to this conference hotel as "Bewleys Hotel Ballsbridge" or "Bewleys Ballsbridge."

Room only (single or double occupancy): €109

Breakfast per person: €11

## **TRAVELLING FROM DUBLIN AIRPORT TO CONFERENCE HOTELS**

Taxi: For travel to the conference hotels, the cost is about €25 and the travel time is between 30 to 45 minutes.

AIRCOACH bus offers services to the conference hotels. Most of the day, the waiting time at Dublin Airport is between 10 to 20 minutes. The cost is €7 one way and €12 return. At Dublin Airport, the AIRCOACH bus stop is opposite the Main Exit on the Arrivals Level. AIRCOACH buses are blue-coloured. For further information, consult their website: [www.aircoach.ie](http://www.aircoach.ie).

The recommended stops for the AIRCOACH bus service to the conference hotels are as follows:

**The Conrad Dublin:** Take the AIRCOACH bus for Leopardstown/Sandyford. Get off at the Leeson Street Lower (Stephens Hall Hotel) stop. Walk back to the corner of St. Stephen's Green and turn left onto Earlsfort Terrace. The Conrad Hotel is half way down Earlsfort Terrace on the left.

**The Mespil Hotel:** Take the AIRCOACH bus for Leopardstown/Sandyford. Get off at the Burlington Hotel stop. Walk back towards the canal along Sussex Road until you reach the canal. At the canal, turn right onto Mespil Road and the Mespil Hotel is a short walk down Mespil Road on the right (facing onto the canal).

**Bewleys Hotel Ballsbridge:** Take the AIRCOACH bus for Ballsbridge/Donnybrook. Get off at the Simmonscourt Road stop. The hotel is directly beside the stop.

### **Cancellation Policy**

For cancellations received on or before 1 November, fees paid will be refunded less a deduction of €25. For cancellations received after 1 November, fees paid will be refunded less a deduction of €125. Requests for refunds must be submitted in writing by 1 December 2007 to the ISEL by e-mail to [conference@tca.ie](mailto:conference@tca.ie).

**Registration Form**  
ISEL/UKAEL Competition Law Conference  
Friday, 23 November 2007, Dublin, Ireland

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

Institutional Affiliation: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

City: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Country: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail \_\_\_\_\_

<b>1. REGISTRATION FEES</b>	<b>On or before 1 October</b>	<b>After 1 October</b>	<b>Amount Payable</b>
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Associate ISEL Member	€150	€200	
Judges	€150	€200	
Full Time Academics	€150	€200	
Full Time Students	€150	€200	

**2. CONFERENCE DINNER** (subject to availability)

Conference Dinner €55 €55

*(Limited places)*

Please indicate any special dietary requirement: \_\_\_\_\_

**3. TOTAL AMOUNT PAYABLE**

**PAYMENT DETAILS**

- Cheque/bank draft/money order in Euro made payable to **Irish Society for European Law** for total amount is attached
- Bank transfer in Euro to Irish Society for European Law bank account for total amount payable has been made and proof of bank transfer is attached

**SUBMISSION OF REGISTRATION FORM**

By Post: ISEL/UKAEL Competition Law Conference (Attention: Rob Holmes)  
c/o The Competition Authority  
Parnell House, 14 Parnell Square  
Dublin 1, Ireland

By Fax (only for registration with payment by bank transfer)

ISEL/UKAEL Competition Law Conference (Attention: Rob Holmes)  
Dublin, Ireland  
Fax: +353 1 804 5401 Tel: +353 1 804 5481

By E-mail (only for registration with payment by bank transfer): [conference@tca.ie](mailto:conference@tca.ie)