

FACULTY OF LAW

GRADUATE DIPLOMA IN COMPETITION LAW

1 Background

The Faculty of Law proposes to introduce a new specialist graduate diploma entitled the Graduate Diploma in Competition Law, within the Faculty's established Graduate Law Program. The proposed graduate diploma will bring together a number of single subjects currently taught in the program, as well as several new subjects commencing in 2008. The Faculty first offered a graduate subject in competition law (entitled Advanced Restrictive Trade Practices) in 1979. Since then, and in response to the expanding scope and complexity of competition law as well as interest from the legal profession and regulatory agencies, the Faculty has expanded its subjects in the area to four, with a further four (at least) to be introduced in 2008. Currently, students wishing to obtain a formal qualification in connection with these competition law subjects must undertake the generalist Master of Laws (LLM) or Master of Commercial Law (MCL). The Faculty supports the view that the existing and proposed competition law subjects should be brought together in a specialist course and that there is a gap to be filled between taking single subjects for continuing education on the one hand and pursuing the LLM or MCL on the other.

2 Course/Program Objectives

Students who complete the Graduate Diploma in Competition Law should:

- have an advanced knowledge of the law regulating competition in Australia;
- appreciate the economic theories and policies that underpin and influence the operation of competition law;
- understand how competition law operates in practice and, in particular, the processes and issues involved in dealing with regulatory agencies and courts;
- be aware of current debates on the reform of competition law;
- be able to apply their knowledge of competition law in a commercial context; and
- have the capacity to articulate their knowledge of competition law in oral and written form.

Generic objectives

Students who complete the Graduate Diploma in Competition Law should have developed:

- attitudes towards knowledge that include valuing truth, openness to new ideas and ethics associated with knowledge creation and usage;
- the capacity for close reading and analysis of a range of sources;
- the capacity for critical and independent thought and reflection;
- the capacity to solve problems, including through the collection and evaluation of information applying interdisciplinary sources and perspectives;
- the capacity to communicate, both orally and in writing; and
- the capacity to plan and manage time.

3 Entry Requirements

Recommended separately by Academic Board.

4 Course/Program Structure

All candidates must complete four subjects drawn from a prescribed list below. Candidates who do not have a degree from a common law system must complete the preliminary subject, "Australian Legal Process and Legal Institutions". This preliminary subject does not count towards the four subjects in the Graduate Diploma.

The prescribed list of subjects will include the following existing subjects:

- 730-635 Market Power and Competition Law
- 730-810 Competition Regulation of Mergers
- 730-839 Competition Law and Intellectual Property

- 730-768 Regulation and the Law
- 351-652 Managerial Economics
- 351-727 Data and Decisions

The prescribed list will also include new subjects (see handbook entries in Appendix 3):

- 730-610 Economics for Competition Lawyers
- 730-660 Cartels and Competition Law
- 730-725 Law and Economics of Access Regulation
- 730-745 Enforcing Competition Law

At least four subjects will be offered each year and all subjects will be offered on either a yearly or a two year cycle.

Students will not be required to undertake subjects in any particular order.

5 Availability of Course

The course is intended to be available to fee-paying Australian and overseas students on a full-time or part-time basis from semester 1, 2008.

ACADEMIC BOARD RESOLUTIONS ON SELECTION

Graduate Diploma in Competition Law

The Selection Committee will evaluate the applicant's ability to pursue successfully the course using the following criteria:

- A degree in Law leading to admission to legal practice (LLB, JD or equivalent), at honours standard or equivalent; or
- A degree in a relevant discipline and at least one year of documented relevant professional experience.