



CRA International Conference: Economic Developments in European Competition Policy

Hot Topics in Antitrust Part II

‘The Proper Limits of Competition Policy’

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INTRODUCTION

- **Topicality**
 - HL Select Committee on Regulators' Report on Economic Regulators
 - *CC Grocery Retailing* market investigation
- **Task**
 - To assess what competition policy (and authorities) should cover, how matters outside its scope may be dealt with, and who decides the trade-off



COMPETITION AUTHORITY REMIT (1)

- CC as an example; not totally typical but interesting
- Institutional independence
- Public interest test changed to competition
- Retained role of Ministers for public interest



COMPETITION AUTHORITY REMIT (2)

- Merger control
- Market investigations
- Acknowledgment of the wider context
 - Deregulatory recommendations
 - Regulated sector objectives



COMPETITION, CUSTOMERS & CONSUMERS

- SLC/AEC and ‘detrimental effect on customers’
- Efficiencies
- ‘Relevant customer benefits’
- Stretching the competition analysis?



COMPETITION POLICY AND OTHER POLICIES (1)

- Policy framework and issues
 - National champions
 - IPRs
 - State aids



COMPETITION POLICY AND OTHER POLICIES (2)

- Institutional framework
 - The UK approach
 - More general applicability?



CONCLUSION

- Trade-off between competition policies and other policies is essentially for Government
- Competition policy may not be everything, but it is almost everything. An element of pragmatism is sometimes required.