

Draft January 8, 2009

**Barbados Competition Authority & Fordham Competition Law Institute
Program in Competition Law and Policy
March 16-20, 2009**

Two Day Overview Course for General Audience
March 16-17, 2009

Overall goals: Provide the audience consisting of broad range of stake holders a general overview of competition law and policy, focusing on goals and benefits of sound competition policy and law enforcement. The two day event should provide an introduction to all main areas of competition law enforcement, but also explain the broader policy goals of a competition regime and how these goals can affect enforcement priorities. There will also be a discussion of international trends with emphasis on how the competition regime of Barbados fits within these trends. All sessions will include time for Q&A.

<u>Monday, March 16, 2009</u>	
9.30 – 11.00 <i>Competition Law and Policy: Overview, goals, policies and trends & the competition regime in Barbados</i>	
This session will be used to discuss benefits of competition law enforcement, goals and policies various competition regimes pursue, and how they can influence enforcement standards and priorities; there will also be time to discuss the basic features and goals of competition law enforcement in Barbados (and perhaps Caricom).	Barry Hawk
11.30 – 12.30 <i>Horizontal Agreements: Cooperation among competitors</i>	
This session will use the example of horizontal agreements to explain differences between "per se" and rule of reason" approaches and discuss the evaluation of the risks and benefits of collaboration among competitors.	Barry Hawk
<u>Lunch</u>	
2.00-3.00 <i>Horizontal Agreements II: Cartels</i>	
This session will provide an introduction to the harms caused by hard core cartels, competition law analysis, methods of detection, and policies concerning sanctions.	Andreas Reindl
3.30-4.30 <i>Distribution Agreements</i>	
This session will focus on how suppliers can organize the distribution of their products, restraints they can impose on their distributors, and how such constraints could raise competition concerns. There will be opportunity to discuss restrictions on trade within trading blocks, to the extent relevant for Caricom.	Andreas Reindl

<u>Tuesday, March 17, 2009</u>	
9.30-11.00 <i>Mergers</i>	
This session will discuss the reasons for adopting merger review, introduce theories of harm in the context of mergers, and explain how competition authorities can take the benefits of mergers into account.	Erika Brown-Lee
11.00-12.30 <i>Dominance I</i>	
This session will focus on some basic principles, concerns and difficulties in single firm conduct cases. There will also be time to discuss practical examples related to specific conduct. This and the afternoon sessions should address predation, excessive prices, refusals to supply, and tying/bundling.	Barry Hawk
<u>Lunch</u>	
2.00-3.30 <i>Dominance II</i>	
More areas of dominance, with focus in particular on conduct related to regulated industries and the role of regulation	Barry Hawk
4.00-4.45 <i>Competition law in small economies & Summing up</i>	
This sessions will discuss whether the size of an economy should influence competition law, policy, and enforcement priorities; it will also provide an opportunity to reviews topics mentioned earlier during the course as well as trends in competition law and policy	[Andreas Reindl]

**Three Day Course for Competition Authority Leadership and Staff
March 18-20, 2009**

Overall goals: Provide a smaller audience, consisting of competition authority leadership and staff, an opportunity to discuss competition law and policy issues directly relevant for their work. There will be a greater emphasis on case discussion, investigatory techniques, transfer of knowhow by speakers from other competition authorities, and discussion in break out groups.

<u>Wednesday, March 18</u>	
Day 1 will be used to discuss merger analysis, focusing on various theories of harm, efficiencies, and the gathering and evaluation of evidence	
9.15 – 10.30	<i>Horizontal Mergers</i> Erika Brown-Lee
11.00-12.30	<i>Case Hypothetical</i>
Lunch	
2.00-3.30	<i>Vertical and conglomerate mergers</i>
4.00-4.45	<i>Merger review process</i> Erika Brown-Lee
<u>Thursday, March 19</u>	
Day 2 will focus on single firm dominance issues, covering the steps in the evaluation of a case, economic theories of harm, and analytical approaches in single firm conduct cases. Specific topics can be selected based on the competition authority's preferences. There will be one or two opportunities to discuss hypotheticals in breakout groups.	
9.15 – 10.30	<i>Dominance & Substantial Market Power</i>
11.00 - 12.30	<i>Conduct I: Tying, discounts</i>
Lunch	
2.00 – 3.15	<i>Conduct II: Predation</i> [Ken Danger]
3.45 – 5.00	<i>Conduct III: Refusals to deal and margin squeeze</i>
<u>Friday, March 20</u>	
Day 3 will complete the overview of substantive competition law issues and provide opportunities to discuss practical aspects of case work in a competition authority.	

9.15 – 10.45 <i>Conducting an investigation & competition cases in court: how to obtain and evaluate evidence, how to defend competition cases before judges</i>	Erika Brown-Lee
11.15 – 12.30 <i>Working effectively within a competition authority</i>	Erika Brown-Lee
Lunch	
2.00 – 4.30 <i>Distribution Agreements</i>	Andreas Reindl