



British Institute of
International and
Comparative Law

Competition Law Forum

13th Annual BIICL Mergers and Markets Conference

Sponsored by



25 May 2016, 14.00-18.10
BIICL, Charles Clore House, 17 Russell Square, London WC1B 5JP

Programme

Introduction by Dr. Liza Lovdahl Gormsen (Director, Competition Law Forum and Senior Research Fellow)

Panel 1 14.00-15.10 **Review of the year and current issues**

Chair: Simon Priddis - Partner, Freshfields Bruckhaus Deringer

Daniel Beard QC - Monckton Chambers

Sheldon Mills - Senior Director, Mergers, Competition and Markets Authority

Topics to be discussed:

- Legal certainty and institutional effectiveness in merger control
- An increasing information burden for merging parties?
- Phase I counterfactuals: time to update the guidelines?
- Phase 2 referrals within a single integrated agency: independence and efficiencies
- Remedies at Phase 1 and Phase 2: scope for a new approach?

15.10-15.30 **Coffee break**

Panel 2 15.30-16.40 **Maximising your chance for success at phase I**

Chair: Adrian Majumdar - Partner, RBB Economics

Edward Anderson - Head of Commercial & Competition Law, Sainsbury's

Kate Collyer - Deputy Chief Economic Adviser, Competition and Markets Authority

Martin McElwee - Partner, Freshfields Bruckhaus Deringer

Topics to be discussed:

- Engage or enrage: how best to communicate with the CMA in pre-notification and at Phase I.
- Poll-itics: where does the CMA currently stand on surveys?
- Shifting sands: What is the CMA's latest view on screens in local mergers?
- In documents we trust: what evidence carries the most weight at Phase I?
- Too big to clear: when is fast-track best?

16.40-17.00 Coffee break

Panel 3 17.00-18.10 The 'market' for market investigations

Chair: Rod Carlton - Partner, Freshfields Bruckhaus Deringer

Phillip Evans - Deputy Panel Chair and Inquiry Chair, Competition and Markets Authority

Robin Finer - Head of Department, Competition, Financial Conduct Authority

Bojana Ignjatovic - Partner, RBB Economics

Topics to be discussed:

- Is there a problem on the demand side – do politicians and consumers understand the 'service'?
- Are there supply side concerns – co-operation vs. competition among the CMA and sector regulators?
- Does the incumbent (CMA) offer a superior service? Experience from recent cases
- The new entrant's offering (FCA): a 'stripped down' service, but better value?
- Do we need service innovations at the 'diagnosis' stage: evidence gathering and analysis?
- Are we seeing useful innovation at the 'prescription' stage: remedy selection and pre-testing?
- Challenges and opportunities for the authorities as this 'market' evolves

18.10-19.00 Reception
