

Contents

<i>List of Contributors</i>	xii
<i>List of Abbreviations</i>	xiii
1. Introduction: The GAL Competition Project: The Global Convergence of Process Norms	1
<i>Eleanor M. Fox and Michael J. Trebilcock</i>	
I. The birth and evolution of the project	1
II. Themes—A synthesis	4
III. Summaries of country/jurisdictional studies	12
IV. Concluding reflections	44
Appendix: The Template—Outline of Elements Addressed in the Jurisdictional Studies	47
History	47
Structure	47
Mandate and boundaries of the competition authority	47
Procedural characteristics	47
Critical evaluation	48
2. Australia and New Zealand: Their Competition Law Systems and the Countries' Norms	49
<i>Simon Peart</i>	
I. Competition law enforcement and governance: Australia and New Zealand	49
II. Structure	56
III. Mandate and central substantive provisions	66
IV. Procedural characteristics	74
V. Critical evaluation	105
3. Canada: The Competition Law System and the Country's Norms	109
<i>Edward Iacobucci and Michael J. Trebilcock</i>	
I. History	109
II. Structure	112
III. Mandate	119
IV. Procedural characteristics	125
V. Critical reflections on institutional design issues in Canadian competition policy	140
VI. Conclusion	146

4. Chile: The Competition Law System and the Country's Norms	149
<i>Francisco Agüero and Santiago Montt</i>	
I. Introduction	149
II. History	151
III. Structure and procedure	154
IV. Mandate and boundaries of the Competition Authority	160
V. Procedural norms	163
VI. Critical evaluation	183
Annex	186
General methodological aspects	186
Qualitative methodology techniques: Interviews and document analysis	186
Quantitative methodology technique: Survey	187
National Economic Prosecutor's Office (NEPO)	188
Competition Tribunal	190
5. China: The Competition Law System and the Country's Norms	194
<i>Jessica Su and Xiaoye Wang</i>	
I. History	194
II. Structure	202
III. Mandate and boundaries of the Anti-Monopoly Enforcement Agencies	211
IV. Procedural characteristics	217
V. Critical evaluation	227
6. Japan: The Competition Law System and the Country's Norms	232
<i>Harry First and Tadashi Shiraishi</i>	
I. History of antitrust enforcement	232
II. Institutional structure	236
III. Mandate	237
IV. Procedural characteristics of Japan's enforcement system	240
V. Evaluation and potential reforms	262
VI. Conclusion	264
7. South Africa: The Competition Law System and the Country's Norms	266
<i>Dennis Davis and Lara Granville</i>	
I. History and structure	266
II. Mandate of the competition authorities	271
III. Procedural norms	281
IV. Critical evaluation	325
8. The United States: The Competition Law System and the Country's Norms	329
<i>Harry First, Eleanor M. Fox, and Daniel E. Hemli</i>	
I. The history of antitrust enforcement	329
II. Institutional structure	334

III. Competition mandate	340
IV. Procedural characteristics of the US enforcement system	344
V. Evaluation	379
VI. Conclusion	383
9. The European Union: The Competition Law System and the Union's Norms	384
<i>Ioannis Lianos and Arianna Andreangeli</i>	
I. Institutional structure and institutional performance norms	384
II. Mandate	405
III. Due process norms in case-by-case decision-making	407
IV. Administrative performance norms	432
V. Conclusions: suggestions for reform and improvement	436
10. The International Institutions of Competition Law: The Systems' Norms	444
<i>Eleanor M. Fox and Amedeo Arena</i>	
I. Introduction	444
II. The World Trade Organization	447
III. The other international institutions	476
IV. Findings and critical evaluation	484
<i>Index</i>	489