AUSTRALIAN JOURNAL OF COMPETITION AND CONSUMER LAW

Volume 21, Number 2

June 2013

EDITORIAL

ARTICLES

Australian competition law still trips over barriers to entry - Paulina Fishman

The concept of barriers to entry is an important consideration in many Australian competition decisions. Technical and divisive in economics, this borrowed concept is especially muddled in the competition law context. There is an incontrovertible need for it to be explained, delineated and clarified. To that end, this article expounds the nature, effect, and theoretical foundations of barriers to entry; scrutinises particular examples of entry barriers (both structural and strategic); and broaches a number of related concepts.

Proposals for an ACCC makeover – Frank Zumbo

Has the Australian Competition and Consumer Commission (ACCC) become too big and unwieldy as a single agency? Is there any merit in breaking up the ACCC into specialist, stand-alone bodies? While it is certainly good practice to regularly review Australian's competition and consumer laws, it is also good practice to regularly review the operation of the ACCC and to assess whether its resources are being used most effectively. Ultimately, no government agency should be above independent scrutiny, and the ACCC is no exception. 109 ACCESS TO SERVICES Access criteria for declaration - The High Court's interpretation and remaining uncertainties – John Hedge 117 DEFECTIVE GOODS RV causes multi-million dollar loss, an eBay torch worth 99c shines light on cost of failing to comply with Australian standards, and charter boat survives torpedo against amendment – Larissa Detmold 123 COMMISSION CAMEOS

89

ECONOMIC(S) MATTERS

Should regulation try to replicate competitive markets? – Alex Sundakov	. 138
REPORT FROM AFRICA	
COMESA: A new regional competition regime – Lesley Morphet	141
REPORT FROM INDIA	
Consumer protection laws in India – Swati Sharma	145