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The Liability of Social Media Influencers to Consumers in Australia: Recommendations for Reform – *Asal Ozgoli*

In traditional forms of advertising, celebrities were often used to promote goods and services, particularly in the areas of fashion and beauty. However, the emergence of social media has dramatically transformed this advertising industry. Social media influencers are the new celebrities guiding consumer behaviours and choices. While social media marketing has been the subject of extensive scholarly consideration, the legal liability of social media influencers has been the subject of limited academic discourse. This article will examine whether consumers’ rights are effectively protected by implementation of Australian laws in the social media environment. It focuses on the employment status of influencers so as to analyse the adequacy of applying liability theories to any misleading advertising by them. It will then explore a number of enforcement measures and available litigation avenues for consumers to utilise in protecting their rights. 73

Reviewing Concerted Practices and Misuse of Market Power – *Arihant Agarwal*

The 2015 Harper Review suggested a plethora of amendments that should be made to the *Competition and Consumer Act 2010* (Cth). The positive response from the government was followed by making amendments to the Act in 2017 that implemented a lot of those suggestions. Among them were the introduction of “concerted practices” in s 45 and a drastic change in the method to adjudge misuse of power in s 46. In this article, the author examines these amended provisions and details the possible implementation and enforcement concerns that can develop around them. While those amendments have been brought about to enforce a stronger competition regime, the effects might not necessarily be as desired. 88

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