

Ian S. Forrester QC LL.D.

A Scot without Borders *Liber Amicorum* - Volume II

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Forrester LI D Without Borders Amicorum

**David A. O. Edward, Jacquelyn
MacLennan, Assimakis P. Komninos**



Forrester LI D Without Borders Amicorum:

The Fundamental Principles of EEA Law Carl Baudenbacher, 2017-10-24 This book features eleven contributions on the fundamental principles of EEA law legislative and judicial homogeneity reciprocity prosperity priority authority loyalty proportionality equality liability and sovereignty Written by EFTA Court and national judges high EFTA officials private practitioners and scholars it raises awareness of EEA law and provides insights for EEA and EU law practitioners and researchers It focuses on the principles at the core of EEA law some of which are common to EU and EEA law while others have a specific place in EEA law and some ensure consistency between the EEA Agreement and the Treaty on the Functioning of the European Union It is the only book to focus on the fundamental principles of EEA law *Information Exchange Between Competitors in EU Competition Law* Martin Gassler, 2021-02-12 Information Exchange Between Competitors in EU Competition Law Martin Gassler Competing firms often exchange information in order to make more informed market decisions which can help to overcome market inefficiencies However an abundance of legal and economic research as well as case law has shown that information exchange may also enable firms to engage in collusion more readily and sustain it longer This book is the first to concentrate on this challenging topic of EU competition law in such depth It focuses on pure information exchanges exchanges that are not ancillary to a wider pro competitive or anticompetitive conduct and thoroughly explains the characteristics of such information exchanges their pro competitive and anticompetitive effects and discusses all the relevant legal aspects for their assessment The author provides a robust analytical framework for assessing information exchanges under Article 101 TFEU focusing on the risk of collusive outcomes and what types of information exchange are particularly harmful With detailed attention to the leading cases on information exchange the analysis examines the most important aspects for assessing information exchange between competitors in particular the concept of a concerted practice the concepts of a restriction by object and effect including their similarities and differences the importance of evidentiary issues the issue of signalling via advance public announcements factors that facilitate collusion efficiencies of information exchange including market transparency the legal challenges of tackling mere parallel conduct facilitative practices in the Commission Guidelines including the Horizontal Cooperation Guidelines and safe harbours for certain types of information exchange The book offers clear guidance on how to identify and thus distinguish information exchange that restricts competition by its object and information exchange that restricts competition only by its effects It offers practical solutions to some of the perceived issues when assessing information exchanges With its wealth of analysis not available from other sources this concise yet comprehensive review of a much debated topic in competition law offers clear guidance for practitioners in assessing the issues surrounding information exchange The book will also be welcomed by competition law academics competition lawyers and competition authority officials throughout Europe *Judicial Independence* Carl Baudenbacher, 2019-01-30 This book is about law but it is not a law book It is aimed at all interested

contemporaries lawyers and non lawyers alike Richly seasoned with personal memories and anecdotes it offers unique insights into how European courts actually work It is generally assumed that independence is part and parcel of the role and function of a judge Nevertheless European judges sometimes face difficulties in this regard Owing to their being nominated by a government their limited term of appointment and the possibility of being reappointed or not their judicial independence can be jeopardized Certain governments have a track record of choosing candidates who they believe they can keep on a leash When this happens private parties are at risk of losing out The EFTA Court is under even more pressure since the EEA EFTA states Iceland Liechtenstein and Norway essentially constitute a pond with one big fish Norway and two minnows For quite some time now certain Norwegian protagonists have sought to effectively transform the EEA into a bilateral agreement with the EU This attitude has led to political implications that have affected the author himself The independence of the EFTA Court is also endangered by the fact that it operates alongside a large sister court the Court of Justice of the European Union And yet the EFTA Court has established its own line of jurisprudence and its own judicial style It has remained faithful to specific EFTA values such as the belief in free trade and open markets efficiency and a modern view of mankind During the first 24 years of its existence it has even had an over proportionate influence on ECJ case law Since EEA Single Market law is economic law the importance of economics an often overlooked aspect is also addressed In closing the book explores Switzerland s complicated relationship with and Britain s impending departure from the EU In this regard it argues that the EFTA pillar should be expanded into a second European structure under British leadership and with Swiss participation

Regulation 1/2003 and EU Antitrust Enforcement Luca Prete,Kris Dekeyser,Celine Gauer,Johannes Laitenberger,Nils Wahl,2022-11-22 For nearly twenty years EU antitrust enforcement has been governed by Regulation 1 2003 which ushered in a sweeping reform of the procedures for the application of Articles 101 and 102 TFEU This systematic article by article expert commentary on the Regulation with additional perspectives and critical views by particularly experienced and qualified authors provides an in depth examination of the Regulation s legal achievements implications and promise for the future Analysis of each of the Regulation s articles covers such aspects as legislative history rationale and context practice of the Commission and where relevant of the national competition authorities case law of the Court of Justice of the European Union international aspects and outstanding and problematic issues Along with many of the article commentaries boxes have been added on specific issues of particular salience The critical reflections of the book s second part include perspectives from members and staff of the Court of Justice of the European Union and of the European Commission s Directorate General for Competition and Legal Service heads of national competition authorities and of national courts counsel economists consumer organisations and academics There are also comparisons with various aspects of antitrust enforcement in France Germany the Netherlands and the United States With this unparalleled book practitioners and in house counsel as well as case handlers and policymakers will approach any competition case before the Commission with full awareness of the

applicable procedural rules They will gain a clear understanding of the enforcer s powers and duties as well as of the various options available to the undertakings involved in antitrust proceedings and their rights *Ian S. Forrester Qc LL.D. a Scot Without Borders Liber Amicorum* - David Edward,Jacquelyn MacLennan,Assimakis Komninos,2015-12-01 It is with great pleasure that we present this Liber Amicorum Volume II on the year of Ian Stewart Forrester QC LL D s 70th birthday and at this point of transition in his extraordinary professional life Following the success of Liber Amicorum Volume I this Volume II pays tribute to Ian outstanding career offering a unique combination of contributions that tackle some of the most stimulating and current topics in competition policy and antitrust laws Born in Glasgow from a Scottish family Ian practiced law in multiple cities Brussels New York and London to mention some Ian arrived in Brussels in 1973 as one of the first generation of UK lawyers at the time when the UK joined the European Union He participated in many of the leading cases in the formation of key principles of EU law particularly EU competition law such as Bosman Bullock Distillers GSK Servier Pfizer Magill IMS Health and Microsoft Ian lived these cases professionally and academically debating these and other cases with students professors and researchers He has been a mentor to many younger lawyers and is also a prolific writer of seminal articles His good spirits and quirky sense of humour have made him friends and professional connections all over the world and this Liber Amicorum Volume II is an occasion to mark the outstanding merits of a remarkable man and express the long lasting and affectionate friendship Ias S. Forrester QC LL.D. David A. O. Edward,Jacquelyn MacLennan,Assimakis P. Komninos,2015 Athenaeum and Literary Chronicle James Silk Buckingham,John Sterling,Frederick Denison Maurice,Henry Stebbing,Charles Wentworth Dilke,Thomas Kibble Hervey,William Hepworth Dixon,Norman Maccoll,Vernon Horace Rendall,John Middleton Murry,1866 **The Athenaeum** ,1866 Yearbook of International Organizations 2014-2015 (Volume 4) Union Of International Associations,Union of International Associations,2014-09-17 The Yearbook of International Organizations provides the most extensive coverage of non profit international organizations currently available Detailed profiles of international non governmental and intergovernmental organizations IGO collected and documented by the Union of International Associations can be found here In addition to the history aims and acitvities of international organizations with their events publications and contact details the volumes of the Yearbook include networks between associations biographies of key people involved and extensive statistical data Providing both an international organizations and research bibliography Volume 4 cites over 46 000 publications and information resources supplied by international organizations and provides nearly 18 000 research citations under 40 subject headings This volume also includes a research bibliography on international organizations and transnational associations

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