



# **THE FUTURE OF COMPETITION POLICY IN CANADA**



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# Canadian Competition Policy

**Calvin S. Goldman, J. D. Bodrug**



## **Canadian Competition Policy:**

*Historical Perspectives on Canadian Competition Policy* R. S. Khemani, W. T. Stanbury, 1991 This publication includes eight papers which address the following issues the beginning of Canadian competition policy 1888 1900 the administration and enforcement of competition policy in Canada 1889 to 1952 Canadian competition law reform 1919 and 1935 the history of price maintenance legislation in Canada the evolution of legislation adjudication and administration the case of the Competition Act a comparison of Canada's competitive environment in 1889 and 1989 and 1889 1989 and into the twenty first century *The Law and Economics of Canadian Competition Policy* M. J. Trebilcock, 2003-01-01 Offering a unique cross disciplinary approach to scholarship in law and economics this much needed work expounds and critically evaluates all of the major doctrines of Canadian competition policy The topics addressed each in a separate chapter include Canadian competition policy in an historical context basic economic concepts multi firm conduct horizontal agreements the merger review process predatory pricing and price discrimination vertical restraints intra brand competition inter brand competition abuse of dominance competition policy and intellectual property rights competition policy and trade policy competition policy and regulated industries and enforcement The treatment of each substantive topic is organized first around a discussion of the relevant body or bodies of economic theory and then the pertinent bodies of legal doctrine including case law Each chapter contains a critique of existing law in light of contemporary economic theory This is the only book available that offers an up to date integrated analysis of economic theory and legal doctrine in the context of Canadian competition policy

*Canadian Competition Law and Policy* John Tyhurst, 2025-02-21 Competition law is centred on the idea that competitive markets can efficiently and effectively deliver the goods services and economic growth that society desires It seeks to promote the proper functioning of markets in order to deliver such benefits as low prices consumer choice and innovative products This is done through provisions such as criminal offences for price fixing and other anti competitive agreements between competitors through the review of mergers that may prevent or lessen competition and through remedies against dominant firms that may exclude competitors or create barriers to entry Competition laws have gained importance internationally in recent decades and are now present in over 130 jurisdictions worldwide Canadian Competition Law and Policy provides a succinct and accessible analysis of the Competition Act and related legislation regulations enforcement guidelines and other guidance issued by the Competition Bureau The discussion provides extensive case examples drawn from Canadian American European and other competition law authorities to illuminate concepts and legal tests The book seeks to offer students lawyers and others interested in the subject a practical guide to the context objectives and evolution of the Canadian competition law scheme by providing an overview of the jurisprudential and legislative history an approachable outline of key economic concepts and a review of methods and approaches applied by economists and lawyers to the analysis of competition law problems While this book is focused on the law the discussion also touches on topics

related to the broader subject of competition policy which deals with such matters as how competition legislation is designed and implemented and its interplay with regulatory and other government policies that may affect the competitive market. An emerging issue in this respect is the conduct of dominant firms in digital and data driven markets and the extent to which competition law is equipped to address this conduct or may need to adapt or change to do so.

**Canadian Competition Law and Policy** addresses other fascinating and challenging examples of industry structures such as oligopolistic markets and market conduct such as tied selling and predatory pricing that require a blend of business economics law and related disciplines for their analysis.

*Competition Policy as a Dimension of Economic Policy* Robert D. Anderson, S. Dev Khosla, Canada. Industry Canada, 1995. This paper examines the relationship between competition policy and wider economic policy objectives relating to industrial restructuring and international competitiveness. While the primary focus is on Canada, the paper also discusses the competition law and policy regimes of other major industrialized economies. In addition to existing policies, the paper considers a number of issues relating to the future role of competition policy in the globalizing economy of the 1990s. The paper has seven parts: competition policy in a globalizing era; key features of competition policy in Canada; the links between competition policy and other economic policies; competition policy in foreign jurisdictions; and issues relating to the future evolution of competition policy in Canada.

Canadian Competition Law and Policy at the Centenary Institute for Research on Public Policy, 1991. This document contains papers on the following topics: the role of competition policy and its relationship to other economic policies; conspiracy; mergers; abuse of dominant position; vertical restraints; misleading advertising; deceptive marketing practices; competition policy and regulation; competition policy and intellectual property; and administration and enforcement.

*Canadian Competition Law and Policy* John S. Tyhurst, 2021-01-11. Canadian Competition Law and Policy provides a succinct and accessible analysis of the Competition Act and related legislation, regulations, enforcement guidelines, and other guidance. The book provides extensive case examples drawn from Canadian, American, European, and other competition law authorities to illuminate concepts and legal tests.

The Objectives of Canadian Competition Policy, 1888-1983 Paul K. Gorecki, W. T. Stanbury, Institute for Research on Public Policy, 1984. From the Foreword: Despite the longevity and importance of competition policy, there has been no comprehensive study of its objectives. Hence, this work by Gorecki and Stanbury fills a gap in our understanding of how the objectives of a public policy are adapted to changes in the economy, shifts in political priorities, new developments in theory, and refinements in judicial decision making.

**How Much Price Competition** Milton Moore, 1970-05-01. Milton Moore, who calls this inquiry into an effective Canadian competition policy a polite polemic, challenges the assumptions upon which competition legislation is based and questions the manner in which free enterprise operates in Canada. He addresses himself not to the academic economist but to the general public. Because realism and relevance inform his thinking, businessmen will recognize the world of business he describes as the one they inhabit. The author's basic premise is that the consumer is entitled to commodities and services at a

price equal to the lowest attainable cost But as industry is now organized there is a gross waste of resources and if the usual solution advocated for this problem free trade in manufactured products with the United States were to be effected most of what remains of our economic independence would be lost Professor Moore makes some radical proposals on the subject notably the subordination of tariff policy to competition policy and the removal of the firm's right of refusal to sell both to a degree not previously suggested The work is infused with his view that the public good takes precedence over the right of the individual to pursue his economic self interest Unless politically courageous decisions are made he warns our competition policy will continue to be the charade that it now is *Canadian Competition Policy* Canada. Bureau of Competition Policy, 1989

Fairer Play G. Bruce Doern, 1995 Competition policy is defined as those policies and actions of the state intended to prevent certain restraints of trade by private firms Canadian laws institutions and practices regarding anticompetitive measures have a significant impact on the fairness and efficiency of Canadian business and on the ultimate accrual of the benefits of competition to the Canadian public This volume reviews how Canada's core competition policy institutions and players notably the Bureau of Competition Policy and the Director of Investigation and Research have implemented the Competition Act of 1986 and in the process have dealt increasingly with cases requiring some measure of economic analysis and judgment as opposed to criminal prosecution The volume also examines the experience of other countries and offers an 8 point comparative framework against which to assess competition regimes It then suggests options for change in a number of areas of Canadian competition policy Canadian Competition Law and Policy, Second Edition John Tyhurst, 2026-04-07 Competition law seeks to promote the proper functioning of markets in order to deliver benefits to consumers such as lower prices choice and innovative products This is achieved through provisions in the Competition Act addressing price fixing mergers which may prevent or lessen competition and dominant firm practices which exclude competitors or create barriers to entry The second edition of the award winning Canadian Competition Law and Policy provides a succinct up to date and accessible analysis of the Competition Act scheme jurisprudence and enforcement guidance issued by the Competition Bureau It uses extensive case examples to illuminate concepts and legal tests and reflects recent writing and developments in the area The book also provides legislative context and history and an approachable outline of key economic concepts The second edition also touches on emerging topics like the conduct of dominant firms in digital and data driven markets and the strengthened rules governing the review of mergers The three rounds of amendments between 2022 and 2024 examined in the second edition also include a reformed test governing the behaviour of dominant firms and an expanded private enforcement regime permitting the recovery of benefits derived from anti competitive conduct These developments discussed in the book make its publication very timely as consumers businesspeople legal practitioners and policymakers alike evaluate how these changes will affect the landscape of competition law in Canada in coming years *Canada's Competition Policy Revisited* Irving Brecher, 1981 **The Law and**

**Economics of Canadian Competition Policy**, 2008      **The Law and Economics of Competition Policy** G. Frank Mathewson, M. J. Trebilcock, Michael Walker, 1990      **Canadian Competition Law and Policy** Canada. Bureau of Competition Policy, 1990 The nature and the role of competition policy in Canada's history is a subject of growing interest This bibliography provides a comprehensive picture of the development of Canada's competition law and policy over the past 100 years      *The Law and Economics of Canadian Competition Policy* Edward Iacobucci, Michael J. Trebilcock, Ralph A. Winter, Paul Collins, 2000      **Canadian Competition Policy Page**, 200? This is a site devoted to the dissemination of information on competition law and economics in Canada On this site you will find a small bibliography of articles and books which provide an overview of competition policy in Canada You will find links to relevant Canadian legislation and to international agencies involved in antitrust and competition policy      **Canada's Competition Policy** Conference Board in Canada, 1972      *Competition Law of Canada* Calvin S. Goldman, J. D. Bodrug, 2013-12-01 Written by leading members of the Competition Practice Groups of Davies Ward Phillips Vineberg LLP and Blake Cassels Graydon LLP Competition Law of Canada is the definitive work on the subject and is recognized by the Canadian legal Expert Directory 2002 as most frequently cited as the leading loose leaf service on Canadian competition law Organized in a logical easily accessible format this work provides comprehensive analysis historical perspective and practical examination of Canadian competition law All the major areas of competition law are examined in individual detailed chapters      **Big Data and Innovation**, 2018 On September 18 2017 the Competition Bureau released a discussion paper titled Big data and Innovation Implications for Competition Policy in Canada Consistent with its commitment to engage with stakeholders on important areas of public policy that paper was meant to prompt discussion on how big data should affect competition law enforcement under the Competition Act To facilitate this discussion the Bureau solicited public comments on its website and engaged with stakeholders in a variety of international and domestic fora This document is a synthesis of key themes revealed in the Bureau's review of this important topic informed by this feedback Introd p 4

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