The Institutional Design of Competition Authorities: International Debates and Trends

Presenter:
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The institutional design of competition authorities has attracted much attention in the recent years both in countries which follow an administrative model and in countries which have a prosecutorial model. In a large number of countries with an administrative model changes in the nature, structure, scope of intervention, governance or tools of competition authorities have been implemented or contemplated. Heated debates on the optimal institutional design of competition authorities have taken place in many of these countries, including the United Kingdom, Spain, the Netherlands, Korea and Chinese Taipei. However, such discussions have also taken place in countries with a prosecutorial model – Australia among them, as seen in the recent and ongoing Competition Policy Review.

The lecture will explore the reasons for renewed interest in the institutional design of competition authorities and seek to explain the determinants of the existing variety of institutional designs throughout the world. Drawing on the recent work of the OECD and Professor Jenny’s extensive experience in this field, the lecture will discuss whether there is a best model of institutional design for competition authorities or, if there is no such model, the pros and cons of existing models. The trends in changes in institutional design of competition authorities will also be critically analysed with a view to enriching the current Australian debate.

Professor Frédéric Jenny

Dr Frédéric Jenny is Professor of Economics at ESSEC Business School in Paris, Judge at the Supreme Court of France (Cour de Cassation) and Chairman of the OECD Competition Law and Policy Committee (since 1994). Dr Frédéric Jenny studied in France and the United States and holds a Doctorat en sciences Economiques (University of Paris) and a Ph.D in economics (Harvard University). He has written extensively on Industrial Organization, Competition law, Trade and Economic Development and has been a Visiting Professor at leading institutions, including University College, London, the University of Cape Town, Keio University, Tokyo and Wuhan University in China. Dr Jenny has consulted to governments and competition authorities around the world and has held numerous positions on national and international advisory and editorial boards. He has been awarded France’s highest honour, as an Officier, Ordre de la Légion d’Honneur.