

Law of restrictive practices and resale price maintenance.

Sweet & Maxwell - Fixing and Minimum Resale Restrictions Are Two Different Animals

Chapter 32: Restrictive Trade Practices

Introduction

The law relating to restrictive trade practices is based upon the premise that the forces of competition and the free market should regulate industry rather than their government. Only those practices which restrain or distort the free market should be controlled by the law, and voluntary self regulation through the market forces that are created by the free market should be encouraged.

- Restraints of trade which were unreasonable or contrary to public interest were actionable at law.

Competition Act

- Prohibition of anti-competitive activity is based upon the act:
 - Purpose: To maintain and encourage competition in Canada in order to promote the efficiency and prosperity of the Canadian economy, and expand opportunities;
 - Prohibited practices:
 - Establishes a number of unfair business practices such as price maintenance (attempt to keep prices higher than they would otherwise be) and price discrimination (selling at different prices to different buyers);

Resale Price Maintenance This is defined as the practice of selling goods in an outlet or reseller manner such as to lessen competition, such as selling in one area for the sake of a low price to put smaller competitors out of business.

Section 3 of the Competition Act

The Competition Act is a kind of both criminal and administrative approach to the regulation of restraint of trade, with certain trade practices subject to criminal law proceedings and punishment, and other subject to review and control.

Investigation

The Competition Bureau investigates complaints of the violation of the Competition Act. It also has the power to search and seizure as well as compel parties to provide information.

Competition Tribunal

Description: -

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Notes: Previous ed. [b62-3799], published as The law of restrictive trade agreements, 1962.

This edition was published in 1964



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Thus, managers should treat minimum RPM as any other strategic business practice that has potential benefits but can be abused, such as exclusive contracts, tie-in sales, exclusive territories, and maximum RPM.

Statutes: Resale Act, 1964, The Modern Law Review

In September 2015, the OFT's successor, the Competition and Markets Authority CMA , closed its investigation into suspected breaches of competition law in the hotel online booking sector.

The law of restrictive practices and resale maintenance (1964 edition)

If a merger would result in an HHI of less than 1,000, the FTC would probably approve it. Therefore, there are substantially fewer cases of successfully adopted consent resolutions than cases which are litigated in an adversarial setting.

Resale maintenance (RPM)

Norway's government nationalized the country's oil resources, and it has been accumulating a massive sovereign wealth fund worth billions of dollars ever since. This decision is interpreted to mean that a definition of collective market dominance admitted in the EU is not applicable in Korea.

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Their effects can reduce competition. .

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NLR does not answer legal questions nor will we refer you to an attorney or other professional if you request such information from us. He offers compliance training and develops customized compliance programs adapted to clients' specific risk profiles. UK law must apply this interpretation when dealing with inter member-state agreements between undertakings.

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CPC has addressed allegations for committed infringement of Art.

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The investigator sends the report to the parties being investigated, who may then submit their opinion about the report in writing.

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