



Brunel Comparative Competition Law Summer School





Brunel
University
London

Brunel Comparative Competition Law Summer School

- ▶ An **integrated** and **intense** programme that combines UK, EU, Asian and international experience in this fast-moving, challenging and high-profile area.
- ▶ **Deep sector focus** with insights into the media, communications, construction, energy, financial services, retail and transportation sectors.
- ▶ An opportunity to translate academic learnings, policy and economic principles into practice through **interactive case studies** and **workshops**.
- ▶ Current experience and insights from a **leading international practitioner, policy advisor** and **author** in the field.
- ▶ **Cultural immersion** on Campus and in legal London, allowing international participants to engage with each other and build their networks in academic, professional and social settings.
- ▶ A **flexible programme** to allow participants to choose courses that meet their preferences.



Welcome

Welcome to the Brunel Comparative Competition Law Summer School.

With over 100 countries now having competition laws and many more in the pipeline, academic, policy-making and business interest in antitrust enforcement shows no signs of relenting. Many newer regimes are drawing inspiration from more established enforcement regimes including the EU and the UK, but each with their own specific features and legal risks.

The Summer School will draw on experiences from established and emerging competition regimes with a focus on India and Hong Kong, which have recently adopted competition law. The impacts will be explored across the economy and within certain sectors that have attracted regulatory scrutiny.

I very much hope that you decide to join us and we look forward to welcoming you.

Arad Reisberg
Professor of Corporate Law and Finance,
Head of Brunel Law School



Brunel University London

Brunel University London is an international university dedicated to education and research that is relevant to the global economy, industry and society. We are ranked in the top 40% of universities worldwide and we attract academics from around the world to teach courses and lead our research programmes.

Research at Brunel

We are a top 40 university in the UK for the amount of research funding we receive. Our research achievements were highlighted by the most recent Research Excellence Framework (REF) in 2014, a system for assessing the quality of research in UK higher education institutions.

Brunel's internationally respected and innovative scholars and lecturers will help you make the right connections, and develop a successful career for yourself. You can learn in an environment built to benefit society via excellence and acclaim in education, research and knowledge transfer.

Brunel and international students

With a history dating back over 50 years, Brunel University London is a thriving Institution with a distinct purpose and clear mission to bring benefit to society through excellence in education, research and knowledge transfer.

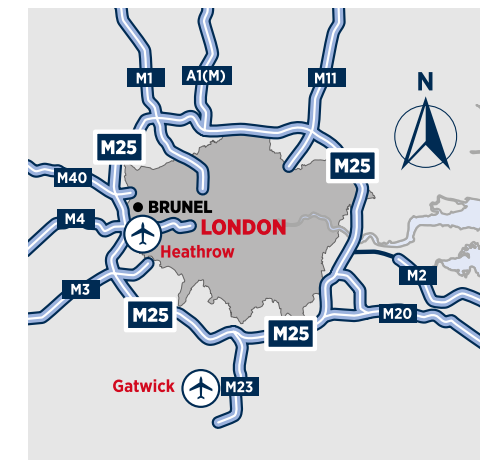
With a vibrant community from more than 110 countries, Brunel University London has been named among the world's 'most international' universities in the QS World University Rankings 2018. Brunel was also one of the world's top 25 'most international' universities in the Times Higher Education.

Our London campus university is a home away from home for our overseas students. We celebrate a wide range of cultural events and festivals throughout the year. International students have the opportunity to work collaboratively, discover how different cultures address global issues and take experiences learnt in lectures straight into the workplace.

Location

Brunel is situated in London, with the added advantage of being within 15 minutes' drive and 30 minutes' bus ride of Heathrow Airport.

Most seminars will take place on campus.



Brunel Comparative Competition Law Summer School

About the course

This course aims to:

- ▶ Provide an introduction to the EU competition law framework as a comparative benchmark for close examination of two emerging competition law jurisdictions which have recently implemented competition law: India (2009) and Hong Kong (2015);
- ▶ Explore the relationship between sector regulation and competition law in sectors that have attracted antitrust interest;
- ▶ Explore the relationship between competition law and other non-economic policy goals using the lens of regulation of the media;
- ▶ Allow participants to test their knowledge and experience in practice through interactive workshops that put them 'in role' in genuine and challenging situations;
- ▶ Draw on insight and experiences of a multi-disciplinary team which straddles the core areas. Our Summer School is led by a practitioner who practices extensively in this area and has advised on the design and implementation of new and developing regulatory regimes in the UK and internationally. She is supported by our faculty experts, many of whom have experience across the disciplines of law, economics and policy and which facilitates our integrated and synergistic approach;
- ▶ Provide an opportunity for cultural exchange in an environment where participants from the UK and overseas are able to share learnings and best practices

Who can apply?

This course will be of particular interest to:

- ▶ **Postgraduate Law Students:** LLM students or graduates with a dual interest in EU and Indian/Hong Kong competition law and, more specifically, media and sector regulation.
- ▶ **Practitioners:** Lawyers in private practice in Asia and in Europe focusing on domestic and, actually or potentially, international competition law and economic regulation.
- ▶ **In-house:** In-house lawyers and compliance officers in Asian businesses with international operations, seeking a greater understanding of competition law.
- ▶ **Academics:** Academics with a dual interest in EU and emerging markets competition law and, more specifically, media and sector regulation.
- ▶ **Policy and government:** Policy-makers, lawyers, case officers and economists in government departments, and competition and regulatory authorities internationally.

Award

All participants that satisfactorily complete their elected courses will be given a Certificate of Completion.

Accommodation

Please check our website for details on accommodation.



Integrated Summer School Programme

Participants will have an opportunity to take part in a combination of any one or all of the following learning events taking place over the duration of the Summer School.

| Course | Induction/Cultural immersion | Academic Programme | Course test |
|--|------------------------------|--|---|
| Course 1: EU and Indian Competition Law | 17 June (3:00 - 5:00) | 18-22 June Day School (9:00 - 5:00 pm) | 25 June Course test (9:00 - 11:00) |
| Course 2: Comparative Media Ownership Regulation | 17 June (3:00 - 5:00) | 18-22 June 5 evening lectures (6:00 - 7:30 pm) 23 June Day School (9:00 - 5:00 pm) | 24 June Submission of marked essay (deadline: midnight) |
| Course 3: Hong Kong Competition Law | 25 June (9:00 - 11:00)* | 26-29 June Day School (9:00 - 5:00 pm) | 30 June Course test (11:00 - 1:00) |

*Unless participants have already arrived and have participated in the induction/cultural immersion for Courses 1 and/or 2 on 17 June



Course 1: EU and Indian Competition Law

The programme is a five-day intensive masterclass on EU and Indian competition law, including practical workshops and course evaluation.

With a view to placing Indian competition law in its international context this course provides an in-depth examination of EU and international competition law and its influences on India, as well as existing competition law trends in India and other Asian economies.

The Indian Competition Act 2002, implemented in stages since 2009, significantly updates India's competition law, which was considered lacking in teeth. Modelled largely on laws prevailing in the European Union and influenced by similar regulation in the U.S., the Indian competition laws borrow many concepts from foreign jurisdictions. Now over seven years on from full implementation India's competition authority - the Competition Commission of India - has issued significant rulings but challenges remain.

The course will explore:

- ▶ The key legal, economic and policy foundations of competition law.
- ▶ The role of economics in competition law.
- ▶ The treatment under EU competition of agreements, commercial practices and mergers and their impact on international transactions.
- ▶ The intersection between IP and competition law.
- ▶ The application of competition law to activities by the state including EU state aid law.
- ▶ Issues for competition law risk management including dawn raids, criminalisation and leniency.
- ▶ The relationship between competition law and sector regulation and the application of competition law in specific industry sectors (e.g. communications, energy, financial services, healthcare, transport).

- ▶ India's competition law: evolution, practice and challenges.
- ▶ The growth of competition law in Asia including recent developments in the ASEAN countries, China and Hong Kong.

Key benefits:

- ▶ Insights from the EU, Indian and international experience in this fast-moving and high-profile area.
- ▶ Interactive case studies and workshops.
- ▶ Experience and presentation from a leading practitioner and author in the field, Suzanne Rab who has advised on some of the largest competition law deals internationally and is an author of leading texts on competition law. Suzanne is the author of "Indian Competition Law, an International Perspective" (first published by Wolters Kluwer, May 2012; with a supplement of cartel regulation published in January 2013). The book is the first-of-its-kind international comparative analysis of the Competition Act 2002 published contemporaneously with the coming into force of Indian competition law and merger control.
- ▶ Certificate of Completion on satisfactory completion of the course and subject to course test.
- ▶ Opportunity to combine the course with Course 2 (Comparative Media Ownership Regulation) and Course 3 (Hong Kong Competition Law).

Essential information

Duration:

5 days with additional half day exam. Induction will take place on 17 June 2018

How to apply

You can apply online at: www.brunel.ac.uk/law/brunel-comparative-competition-law-summer-school

Course 2: Comparative Media Ownership Regulation

The course will explore the market, legal and regulatory trends shaping the media and communications sector in India and Internationally.

Competition and diversity in media and communications are fundamental to a healthy economy and democracy. In India and internationally there is no consensus on the exact manner and scope of interventions that are appropriate to protect competition and pluralism in media markets.

Many emerging economies including India are seeking to adopt their own regulation in this area taking their lead from the UK. The issues have been brought into sharp focus in India in recent years. First, the enactment and implementation of modern - but sector neutral - competition law under the Competition Act 2002 has caused a step change in regulation towards an economics and effects-based approach. Second, the India telecoms regulator has launched controversial reform proposals to apply a media-specific approach to ownership regulation.

The challenges of regulating media ownership and plurality have been given renewed focus by Walt Disney Company's proposed purchase of 21st Century Fox, heralded as a deal that will reshape the media landscape and taking place against ongoing regulatory review in the UK of the Fox's planned takeover of Sky.

The course will explore:

- ▶ Guiding principles and fundamental concepts of competition law and regulation in the media.
- ▶ Market definition in the media sector.
- ▶ Competition law and the media: EU and Indian perspectives.
- ▶ Merger control and media plurality.

- ▶ Vertical integration in the media sector and its effect on competition
- ▶ Media regulation and the cable sector: Case studies and international comparisons
- ▶ Impact of the Internet.
- ▶ The regulatory reform agenda.

Key benefits:

- ▶ Insights from the Indian and international experience in this fast-moving and high-profile area.
- ▶ Interactive case studies.
- ▶ Experience and presentation from a leading practitioner and author in the field, Suzanne Rab who has advised on some of the largest media deals internationally and is author of leading texts on competition law and regulation including: "Media Ownership and Control: Law, Economics and Policy in an Indian and International Context" (Hart Studies in Competition Law, 2014).
- ▶ Certificate of Completion on satisfactory completion of the course and subject to course test.
- ▶ Opportunity to combine the course with Course 1 (EU and Indian Competition Law) and Course 3 (Hong Kong Competition Law).

Essential information

Duration:

5 evening lectures (days 1-5) plus one day workshop on day 6

How to apply

You can apply online at: www.brunel.ac.uk/law/brunel-comparative-competition-law-summer-school



Course 3: Hong Kong Competition Law

The programme is a five-day intensive masterclass on Hong Kong's competition law, including practical workshops and course evaluation.

The Hong Kong Competition Ordinance 2012, which fully entered into force on 14 December 2015, has implemented a new comprehensive competition law in Hong Kong. This is the first time that an economy-wide competition law has been adopted in Hong Kong, in contrast to the previous regime that regulated solely the telecommunications and broadcasting sectors.

With a view to placing Hong Kong's competition law in its international context, this course provides a comparative insight into international competition law and its influences on Hong Kong's competition law, as well as existing competition law trends in Hong Kong and other Asian economies.

The course will explore

- ▶ The policy background to development and enactment of competition law in Hong Kong, including the growth of competition law in the ASEAN countries, China and Hong Kong.
- ▶ The basic provisions of the Competition Ordinance including: The First Conduct Rule; the Second Conduct Rule; the Merger Rule and the Telecommunications Rule.
- ▶ The procedural and enforcement framework including complaints, leniency and appeals.
- ▶ The significance of the Competition Ordinance for key sectors of the Hong Kong economy including: broadcasting and telecommunications; construction; energy; financial services; retail; transportation.

Key benefits

- ▶ Insights from the Hong Kong, Asian and international experience in this fast-moving and high-profile area.
- ▶ Interactive case studies.
- ▶ Experience and presentation from a leading practitioner and author in the field, Suzanne Rab who has advised on some of the largest competition matters internationally and is author of leading texts on competition law and regulation including: "Hong Kong Competition Law" (Hart/Bloomsbury, 2016).
- ▶ Certificate of Completion on satisfactory completion of the course and subject to course test.
- ▶ Opportunity to combine the course with Course 1 (EU and Indian Competition Law) and Course 2 (Comparative Media Ownership Regulation).

Special features

- ▶ A full learning and cultural experience through a combination of classroom sessions, cultural immersion, social activities and interaction (including course dinners, dining/tour/seminar at the Inns of Court, and course dinners).
- ▶ Opportunity to interact and share insights with peers from the UK, EU and international legal and economics community across the public and private sector.
- ▶ Beyond text-book learning, you will apply your learning in real-life scenarios under the guidance of a practitioner barrister with over 20 years of experience in UK, EU and international competition law and economic regulation.

Teaching and learning

- ▶ A combination of classroom learning and workshops, seminars and visits allows for participants to gain maximum exposure to the subject areas in a format that appeals to different learning styles.
- ▶ Use of video and interactive media to bring to life case studies and drawing from the latest techniques in adult education
- ▶ Course evaluation to record your satisfactory completion of the course.

Career prospects

The Summer School will be of benefit to participants at different points in their careers. For those assessing their options for future careers in the area of competition law and regulation or those seeking a stronger intellectual and practical foundation for the application of these disciplines in their current work.

- ▶ As competition law and economic regulation are increasingly adopted worldwide, participants considering opportunities in these areas in law, policy and economics will benefit from the comparative and specialist experience and immersion.
- ▶ Those with a policy focus will benefit from the insights into best practices in both established and newer regimes.
- ▶ Many of the emerging regimes contain substantive and procedural features which are inspired by EU law and where an understanding of this regime continues to be valued internationally. The UK has been at the vanguard of developing a world class competition regime and centre of excellence in these areas and is expected to remain so in the coming years.

- ▶ Increasingly, this is an area where a strong academic foundation and practical experience of law and economics and in specific sectors is important. The Summer School provides an environment combines these elements.
- ▶ Often this area is not covered in depth on undergraduate courses and participants taking the course may find it useful to attend the Summer School to test their interest in further in-depth study.

Essential information

Duration:

*5 days with additional half day exam. Induction will take place on 25th June 2018 for those participants not already enrolled in the Summer School on Course 1 and/or 2.

**this consists of 4 full teaching days plus London trip and immersion*

How to apply

You can apply online at: www.brunel.ac.uk/law/brunel-comparative-competition-law-summer-school

Summer School consolidated programme timetable

| Description | Key |
|--|-----|
| Course 1: EU and Indian Competition Law | |
| Course 2: Comparative Media Ownership Regulation | |
| Course 3: Hong Kong Competition Law | |
| Induction and Cultural Immersion | |
| Optional Activity | |

| Timing | Session | Note |
|---------------------------|--|---|
| Sunday, 17 June | | |
| 3:00 - 5:00 | Induction/Cultural immersion for Course 1 and 2 | |
| Monday, 18 June | | |
| 9:00 - 5:00 | Course 1: Day School | |
| 6:00 - 7:30 | Course 2: Evening Session | |
| Tuesday, 19 June | | |
| 9:00 - 5:00 | Course 1: Day School | |
| 6:00 - 7:30 | Course 2: Evening Session | |
| Wednesday, 20 June | | |
| 9:00 - 1:00 | Course 1: Day School | |
| 1:00 onwards | Free time for Course 1 participants unless participating in the Course 2 Evening Session 3 (in which case, travel to London) | |
| 6:00 - 7:30 | Course 2: Evening Session | Media ownership and control: Merger control and media plurality. Participants in Course 1 and Course 3 will be able to attend Session 3 of Course 2 which will take place at Serle Court Chambers in Lincoln's Inn. Participants will make their own arrangements for travel to London. |
| Thursday, 21 June | | |
| 9:00 - 5:00 | Course 1: Day School | |
| 6:00 - 7:30 | Course 2: Evening Session | |

| Timing | Session | Note |
|---------------------------|---|---|
| Friday, 22 June | | |
| 9:00 - 5:00 | Course 1: Day School | |
| 6:00 - 7:30 | Course 2: Evening Session | |
| 7:30 for 8:00 | Course 1 and Course 2 Dinner | |
| Saturday, 23 June | | |
| 9:00 - 5:00 | Course 2: Day School | |
| Sunday 24 June | | |
| | No structured activities | Participants in Course 2 must submit their marked essay by midnight. Check website for more details. |
| Monday, 25 June | | |
| 9:00 - 11:00 | Induction/Cultural immersion for Course 3 | For those participants who have not already completed induction for Course 1/2 on 17 June |
| 9:00 - 11:00 | Course 1 Test | |
| 11:00 onwards | Participants who are not taking Course 3 may leave. Free time or travel to London for lunch in Middle Temple and Walking Tour | Participants must decide to book for the lunch and walking tour when making their booking. |
| 1:00 - 4:00 | Lunch in Middle Temple and Walking Tour | Participants will make their own arrangements for travel to London if choosing this option. They will have an opportunity to meet with the Summer School lead over lunch. |
| Tuesday, 26 June | | |
| 9:00 - 5:00 | Course 3: Day School | |
| Wednesday, 27 June | | |
| 9:00 - 5:00 | Course 3: Day School | |
| Thursday, 28 June | | |
| 9:00 - 5:00 | Course 3: Day School | |
| Friday, 29 June | | |
| 9:00 - 5:30 | Course 3: Day School | |
| 7:30 for 8:00 | Course 3 Dinner | |
| Saturday 30 June | | |
| 9:00 - 11:00 | Revision | |
| 11:00 - 1:00 | Course 3 Test | |
| 1:00 | End of Summer School | Results of course tests along with Certificates of Completion will be sent to participants following completion of the Summer School and upon satisfactory completion. |

Fees

Fees for the course include: cultural immersion, tuition, course dinner on 22 June (Course 1/2) and/ or 29 June (Course 3), Course Completion Certificate (on satisfactory completion of elective courses).

| Course or combination option | Price |
|--|-----------------|
| Course 1: EU and Indian Competition Law | GBP [2,500.00] |
| Course 2: Comparative Media Ownership Regulation | GBP [1,450 .00] |
| Course 3: Hong Kong Competition Law | GBP [2,500.00] |
| Discount packages | |
| Course 1 + Course 2 | GBP [3,250] |
| Course 1 + Course 3 | GBP [3,500] |
| Course 2 and Course 3 | GBP [3,250] |
| Full Summer School (Course 1, Course 2 and Course 3) | GBP [3,950.00] |



We will be offering an **early bird** discount of 10% to participants who are taking the full Summer School and sign up by 1 April 2018.

Participants on the Summer School may choose lunch and a Walking Tour at Middle Temple on 25 June at an additional cost and subject to availability. Please inquire when making your booking as places are strictly limited and will be available on a first come first serve basis.

Participants in Course 1 and Course 3 will be able to attend Session 3 of Course 2 at no additional cost should they wish. This takes place at Serle Court Chambers in Lincoln's Inn in London on 20 June (6: 00 - 7:30 pm) and will be on the subject of merger control and media plurality.

The fees do not include the costs of travel to London for Session 3 of Course 2 (20 June) or the optional lunch and Walking Tour at Middle Temple (25 June), for which participants must make their own travel arrangements.

You can apply online at:
www.brunel.ac.uk/law/brunel-comparative-competition-law-summer-school

Further information

Course books

The following are recommended reading for the Summer School:

MEDIA OWNERSHIP AND CONTROL LAW,
ECONOMICS AND POLICY IN AN INDIAN
AND INTERNATIONAL CONTEXT
Suzanne Rab and Alison Sprague



August 2014 344pp
 Hbk 9781849466356 RSP: £65 20%
 Discount Price: £52 (+ postage)
 Pbk 9781509913893 RSP: £29.99 20%
 Discount Price: £23.99 (+ postage)

HONG KONG COMPETITION LAW
 Conor Quigley QC Suzanne Rab



November 2016 512pp
 Hbk 9781509906420 RSP: £150 20%
 Discount Price: £120 (+ postage)

Books can be ordered from the Hart Publishing website www.hartpublishing.co.uk using the discount code on the flyer at the checkout. Discount codes on the flyers will be valid throughout 2018

Hong Kong Competition Law
www.bloomsburyprofessional.com/uk/hong-kong-competition-law-9781509906420/
 Media Ownership and Control
www.bloomsburyprofessional.com/uk/search?q=Media+Ownership+and+Control&Gid=1

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 E-mail: exportregion1@macmillan.com

Course faculty biographies

Arad Reisberg, Professor of Corporate Law and Finance, Head of Brunel Law School



Course Sponsor

Professor Arad Reisberg joined Brunel in May 2016 as the Head of the Brunel Law School and Professor of Corporate Law and Finance. Previously, he was a Reader in Corporate and Financial Law at UCL Faculty of Laws (2009-2016), and a Lecturer in Law (2006-2009). Arad acted as Director, UCL Centre for Commercial Law (2007-2016) and was UCL Laws Vice-Dean (Research) between 2009 to 2012. Arad was formerly a Senior Arts Scholar (2001-2003) and a Tutor at Pembroke College Oxford, where he taught law at 6 colleges at Oxford University between 2001 to 2005. He has also been a Visiting Lecturer at Oxford University (2005), a Lecturer at

Warwick Law School (2005-2006). More recently, Arad was a Visiting Professor of Law at Brooklyn Law School (teaching during Fall Term 2012), a Visiting Scholar and the First Fellow at the Centre for Business Law, National University of Singapore (NUS) during March 2013 and a Visiting Professor of Law at NUS (teaching for the Faculty during August 2014). He is the recipient of numerous academic scholarships and awards, and has written widely on shareholder remedies and directors' duties.

Arad is the author of *Derivative Actions and Corporate Governance* (Oxford University Press, 2007), the first book to provide a detailed and theoretical explanation of the law governing derivative actions and sits on the Editorial Boards of the *Journal International Corporate Rescue* and the *Journal of Corporate Ownership and Control*, and is a contributing author to *Annotated Companies Legislation* (Oxford University Press). He is currently the Consultant Editor, *Halsbury's Laws of England* (Companies Title). Since July 2016 Arad has been a Member, Financial Markets Law Committee Advisory Group on Brexit at the Bank of England <http://www.fmlc.org/brexit.html> and an Invited Member, Financial Markets Law Committee, Radar Programme, Bank of England since 2014.

Suzanne Rab



Course Lead

Suzanne Rab is a barrister at Serle Court Chambers. Suzanne has wide experience of EU law and competition law matters combining cartel regulation, commercial practices, IP exploitation, merger control, public procurement and State aid.

Suzanne's practice has a particular focus on the interface between competition law and economic regulation. She advises governments, regulators and businesses across the regulated sectors including in the communications, energy, financial services, healthcare/ pharmaceuticals, TMT and water sectors.

Suzanne has significant experience of advising on the development, implementation and application of new competition laws and regulatory regimes in line with international best practices, including in emerging markets.

In private practice as a solicitor for 15 years prior to joining the bar, she has held positions at magic circle and leading international antitrust practices. Most recently she was an antitrust partner with a leading US practice. She has also held the role of director at PricewaterhouseCoopers working within its strategy, economics and forensics teams.

Suzanne is the author of "Indian Competition Law, an International Perspective" (first published by Wolters Kluwer, May 2012; with a supplement of cartel regulation published in January 2013). The book is the first-of-its-kind international comparative analysis of the Competition Act 2002 published contemporaneously with the coming into force of Indian competition law and merger control. Suzanne is also co-author of "Media Ownership and Control: Law, Economics and Policy in an Indian and International Context" (Hart Studies in Competition Law, 2014) and "Hong Kong Competition Law" (Hart/Bloomsbury, 2016).

Suzanne speaks French and has worked in a bilingual office while practising as a solicitor. She is the Course Lead at Brunel University and a visiting Professor at Imperial College London and an associate lecturer with the Open University.

Dr Jurgita Malinauskaite, Senior Lecturer in Law , Associate Dean for Equality & Diversity



Course Facilitator

Dr Jurgita Malinauskaite is a senior lecturer in law at Brunel University London and Associate Dean for Equality and Diversity (CBASS). She is an expert in Competition law, EU law, and Commercial Comparative law and has been extensively researching harmonisation within the EU. She is also a Visiting Professor at the Vytautas Magnus University (Lithuania). Previously, she lectured at the University of Westminster (2003-2007). Before committing herself to academia, Jurgita served as a Competition lawyer at the Competition Council of Lithuania (2001-2002). In addition to her law degrees, Jurgita has a degree in Business and

Management with a foundation of economics, which enables her to have a better understanding of complex economic concepts and theories, for instance, in competition law. She has written widely on harmonisation of competition law and policy, and competition law enforcement.

Jurgita is the author of *Merger Control in Post-Communist Countries: EC Merger Regulation in Small Market Economies* (Routledge, 2010), the first book to provide a detailed analysis of the development of merger control in small 'new' Member States. Her second monograph *Harmonisation of EU Competition Law Enforcement* will be published in 2018 by Springer.



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www.brunel.ac.uk/law/brunel-comparative-competition-law-summer-school

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