Institutional Innovations in Competition Policy and Sectoral Regulation

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GW Benchmarking Project

• Competition Law Systems
  – 1989: About 30
  – Today: About 130

• Interest in Institutional Design
  – Relationship across policy domains
  – Public utility price and access controls
ACCC: Much Studied Framework

- Multi-Function Configuration
  - Competition
  - Consumer
  - Access
- Advocacy Role
- Collective Governance
- Regional Integration
This Morning’s Agenda

• Notable Trends
• Policy Implications
• Joint Work with Marianela Lopez-Galdos
• Caveat: Personal Views Only
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Multi-Function Agencies

- More Than 50%
- Common Mandates Beyond Competition
  - Consumer
  - Public procurement
- Increasing Adoption of Access Oversight
Main Challenges

- Policy Integration
  - For synergies
  - For coherence
- Resource Allocation
- Governance
More Reliance on Market Studies

- Advocacy and Policy Guidance Tools
- Market Studies with Remedies
  - UK markets regime
  - New adopters
  - Possibilities for ad hoc price caps
  - Avoid distorted application of competition law?
Main Challenges

• Capability
  – Technical detail
  – Broader policy considerations

• Expectations
  – UK studies of energy and retail banking
Policy Integration by Contract

• Concurrency Systems
• UK Competition Network
International Cooperation with Similarly Configured Peers

- Substantive Mandates
- Governance
- Data Collection
- Assessment