

# TRAINING SEMINAR FOR THE JUDICIARY ON THE APPLICATION OF EU COMPETITION LAW

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Members of the judiciary and their assistants attended a training seminar in Gozo on EU competition law entitled "EU Competition Law and its application in Malta". The seminar was organized by the Malta Competition and Consumer Affairs Authority in partnership with the University of Glasgow and with the support of the Judicial Studies Committee within the framework of the EU co-financed project on the Training of National Judges in EU competition law.

The training seminar was opened by introductory speeches given by Hon Jason Azzopardi, Minister for Fair Competition, Small Business and Consumers, Dr Sylvann Aquilina Zahra, Director General of the Office for Competition within the Malta Competition and Consumer Affairs Authority and Judge Joseph D. Camilleri, Chairman of the Judicial Studies Committee.

The main speakers at the seminar were Professor Rosa Greaves and Professor Mark Furse from the University of Glasgow, Dr Sylvann Aquilina Zahra and Dr Lisa Abela from the Office for Competition and Dr Yana Haber from the State Aid Monitoring Board.

The training seminar provided an excellent opportunity for the Maltese judiciary to broaden their knowledge on the application and enforcement of EU competition law. The seminar dealt with the substantive articles on competition law in the Treaty on the Functioning of the European Union and the underlying rationale behind them. The seminar specifically covered issues of public enforcement and private enforcement of competition law, as well as the interplay between these two different methods of enforcement. Both private and public enforcement have become increasingly important with the decentralisation of the application of the EU competition rules by national courts and national competition authorities following Council Regulation (EC) No 1/2003. The discussion also focused on leniency programmes in competition enforcement and the disclosure of documents in private actions drawing on existing case law on these themes.

The seminar also provided an overview of essential economic principles in competition law, an in depth explanation on the concept of effect on trade and an update on the application of EU Competition law in Malta especially in the light of the significant amendments introduced last year to the Competition Act.

The foreign speakers explained the UK experience in the judicial review of national competition authorities' decisions and the role of national courts and their obligations under EU law. The members of the judiciary and their assistants were also briefed on the application of Article 107 TFEU and the role of national courts in cases concerning state aid.

The seminar allowed ample scope for questions and discussions and included hypothetical case studies.

The seminar was closed by the Hon Chris Said, Minister for Justice, Dialogue and the Family. The Minister expressed his gratitude towards all those involved in the organization of the seminar and stressed the importance of continuous judicial training for members of the judiciary.