

Judicial Review of Competition Law Enforcement in the EU Member States and the UK

Overview

Judicial Review of Competition Law Enforcement in the EU Member States and the UK is a first-of-its-kind comprehensive, systematic, and comparative empirical study of judicial review of competition law public enforcement in the EU and the UK, providing a thorough understanding of the practical operation of the role of judicial review in competition enforcement. Enforcement of competition law often calls for a complex economic and legal assessment, and the review of those enforcement decisions usually falls to national courts. In this connection, however, European competition law and legal scholarship have offered scant guidance on how judicial review should and does function.

A country-by-country analysis, accompanied by a detailed introduction and an incisive comparative summary, covers all publicly available judicial review judgments – 5,707 in all – of final public enforcement actions concerning Articles 101 and 102 TFEU and relevant national provisions in the twenty-seven EU Member States and the UK rendered between 1 May 2004 and 30 April 2021. The data presented draws on a rich database built for this study by twenty-eight national teams of competition law academics and practitioners.

What's in this book:

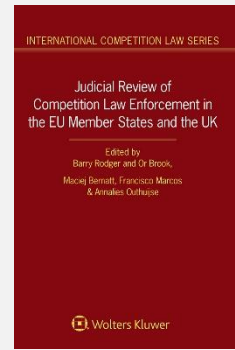
For each jurisdiction, the analysis focuses on the following aspects:

- structure of the national enforcement system;
- number of judgments rendered;
- success rate;
- types of appellants;
- competition rules subject to review;
- grounds of review;
- use of preliminary references;
- appeals involving leniency and/or settlements; and
- role of third parties.

Numerous graphs, figures, and tables support the presentation.

How this will help you:

Elucidating trends in judicial review of competition law enforcement on a comparative basis and in its data-driven assessment of how the decentralised judicial review of EU competition law meets EU integration aims, this significant book will prove to be invaluable to competition lawyers, policymakers, and academics in developing a confident understanding of precisely how judicial review in this area operates in each of the EU Member States and the UK. In addition, the book contributes not only to EU and national competition laws but also, more broadly, to comparative administrative law scholarship in Europe.



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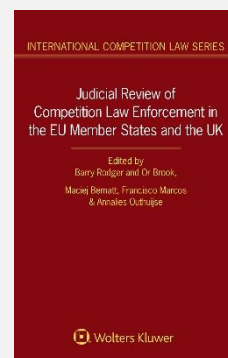
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