Competition Law and Antitrust Compliance for Leaders Training Course



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4100 € (Per Person)

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Course Introduction / Overview:

Navigating the complex landscape of competition law is no longer just a legal necessity but a strategic imperative for modern business leaders. This training course provides a comprehensive A to Z guide on antitrust principles and compliance, designed to equip participants with the knowledge to mitigate risks and foster a culture of fair competition. In an era of heightened global enforcement, understanding the nuances of market dominance, cartel prevention, and merger control is crucial for sustainable growth. The curriculum draws upon foundational principles, such as those articulated by the renowned academic Richard Whish in his seminal work, "Competition Law". Richard Whish's analysis provides a robust framework for understanding the economic and legal underpinnings of antitrust regulations. BIG BEN Training Center has developed this program to translate complex legal doctrines into actionable business strategies, ensuring your organization not only complies with the law but also leverages it for competitive advantage. Participants will explore real-world case studies, learning to identify red flags in commercial agreements, manage dawn raids, and implement effective internal compliance programs that protect the company's reputation and bottom line. This course is essential for any leader committed to ethical conduct and long-term corporate success.

Target Audience / This training course is suitable for:

- Chief Executive Officers and Board Members.
- General Counsel and In-house Legal Teams.
- Chief Compliance Officers and Compliance Managers.
- Sales and Marketing Directors and Managers.
- Procurement and Supply Chain Executives.
- Business Development and Strategy Managers.
- Heads of Mergers and Acquisitions.
- Risk Management Professionals.

Target Sectors and Industries:

- Technology and Digital Platforms.
- Pharmaceuticals and Healthcare.
- Telecommunications and Media.
- Financial Services and Banking.
- Energy and Utilities.
- Manufacturing and Industrial Goods.
- Retail and Consumer Goods.
- Transportation and Logistics.
- Governmental and Regulatory Bodies.

Target Organizations Departments:

- Executive Management and Leadership.
- Legal Department.
- Compliance and Ethics Department.
- Sales and Marketing.
- Procurement and Sourcing.
- Business Development and Strategy.
- Mergers and Acquisitions (M&A).
- Internal Audit and Risk Management.

Course Offerings:

By the end of this course, the participants will have able to:

- Identify the core principles of competition law and its impact on business strategy.
- Distinguish between illegal horizontal and vertical agreements to avoid anticompetitive conduct.
- Assess business practices for potential abuse of a dominant market position.
- Understand the key stages and legal requirements of merger control regulations.
- Develop a robust framework for an effective antitrust compliance program.
- Implement practical strategies for cartel prevention and detection.
- Manage the legal and operational challenges of a dawn raid or government investigation.
- Analyze commercial agreements for antitrust risks, including pricing and distribution policies.
- Foster a corporate culture of compliance and ethical competition.
- Apply competition law principles to digital markets and new technology sectors.

Course Methodology:

The training methodology at BIG BEN Training Center is designed to be immersive, practical, and highly interactive, moving beyond theoretical lectures to embed deep, applicable knowledge. This course utilizes a blended learning approach that combines expert-led presentations with dynamic group activities. A cornerstone of our method is the extensive use of case studies based on real-world antitrust investigations and landmark legal rulings, allowing participants to analyze complex scenarios and debate strategic responses. Interactive workshops will challenge teams to draft compliance policies, conduct risk assessments, and simulate responses to critical events like a dawn raid. Role-playing exercises will place participants in realistic business situations, such as negotiating supply agreements or participating in trade association meetings, to practice identifying and handling potential compliance risks in real-time. Ample time is allocated for Q&A sessions and peer-to-peer discussions, fostering a collaborative learning environment where participants can share experiences and insights from their respective industries. Our expert facilitators provide continuous feedback, ensuring that the learning is not just absorbed but can be confidently applied within the participant's organization to build a resilient compliance culture.

Course Agenda (Course Units):

Unit One Foundations of Competition Law and Antitrust Principles

- Introduction to the goals and economics of competition law.
- Historical context and evolution of global antitrust enforcement.
- Key legal concepts: undertakings, relevant markets, and market power.
- Understanding the main pillars: cartels, unilateral conduct, and merger control.
- Jurisdictional scope and the role of major competition authorities (e.g., EU, US).
- The relationship between competition law and intellectual property rights.
- Sources of law and guidance from regulatory bodies.

Unit Two Prohibited Agreements: Cartels and Other Horizontal Risks

- Defining horizontal agreements and illegal cartels.
- Identifying high-risk conduct: price-fixing, market sharing, and bid-rigging.
- Information exchange between competitors and its legal boundaries.
- Trade association meetings: rules of engagement and compliance protocols.
- Understanding leniency and whistleblower programs.
- Analyzing the consequences of cartel participation: fines, damages, and criminal liability.
- Practical steps for cartel prevention and detection within the organization.

Unit Three Vertical Agreements and Distribution Chains

- Understanding vertical restraints in the supply chain.
- Analyzing resale price maintenance (RPM) and its legal status.
- Exclusive distribution, exclusive dealing, and selective distribution systems.
- Assessing the legality of tying and bundling arrangements.
- Managing antitrust risk in online sales and e-commerce platforms.
- Franchising agreements and their competition law implications.
- Drafting and reviewing distribution agreements for compliance.

Unit Four Abuse of Dominant Market Position

- Defining market dominance and how it is assessed by authorities.
- Identifying abusive practices: predatory pricing and excessive pricing.
- Understanding refusal to deal and margin squeeze tactics.
- Analyzing loyalty rebates and exclusive dealing by dominant firms.
- The intersection of big data, digital platforms, and market dominance.
- Assessing the risks associated with product design and tying.
- Developing strategies to compete vigorously without abusing dominance.

Unit Five Merger Control, Investigations, and Compliance Programs

- Overview of global merger control regimes and notification thresholds.
- The substantive test for merger clearance: Significant Lessening of Competition (SLC).
- Navigating the merger review process from pre-notification to clearance.
- Understanding the powers of competition authorities: requests for information and dawn raids.
- How to manage a dawn raid: practical steps for legal and business teams.
- Designing and implementing an effective antitrust compliance program.
- Conducting internal audits, risk assessments, and delivering impactful training.

FAQ:

Qualifications required for registering to this course?

There are no requirements.

How long is each daily session, and what is the total number of training hours for the course?

This training course spans five days, with daily sessions ranging between 4 to 5 hours, including breaks and interactive activities, bringing the total duration to 20 - 25 training hours.

Something to think about:

How does the rise of digital platforms and big data challenge traditional definitions of market power and abuse of dominance in competition law?

What unique qualities does this course offer compared to other courses?

This course distinguishes itself by moving beyond a purely legalistic recitation of rules to focus on the strategic integration of antitrust compliance into core business operations. While other programs may focus heavily on legal theory, our curriculum is built around practical application and proactive risk management. We emphasize the 'how' and 'why' behind the law, using real-world case studies and interactive simulations, such as a mock dawn raid, to prepare leaders for high-stakes situations. The content is uniquely tailored to address contemporary challenges, dedicating significant attention to the complex issues arising from digital markets, big data, and e-commerce, which are often overlooked in traditional courses. Furthermore, the program is designed not just to inform but to transform, with a final unit dedicated entirely to the practicalities of building and embedding a robust compliance culture. Participants will leave not with a list of prohibitions, but with a strategic framework for making sound commercial decisions, fostering ethical competition, and turning compliance from a cost center into a source of sustainable competitive advantage and corporate integrity.