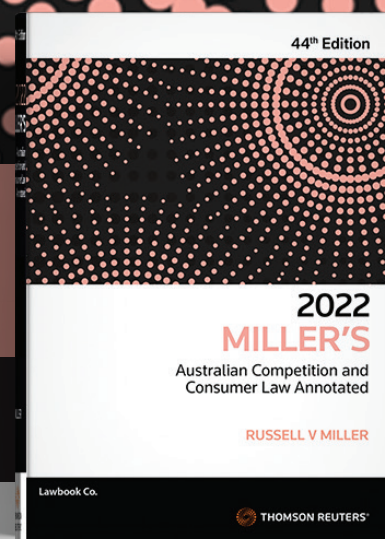


# MILLER'S AUSTRALIAN COMPETITION AND CONSUMER LAW ANNOTATED, 44TH EDITION 2022

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*Miller's* provides the full text of the *Competition and Consumer Act* with Russell Miller's expert insight into how its sections operate.

The 44th edition of *Miller's* is your essential resource for keeping pace with legislative and case law developments in competition and consumer law. Businesses and advisers need to come to grips with the *Competition and Consumer Act 2010* as it impacts on various aspects of day to day corporate activity.

Practitioners and businesses will benefit from the updated legislation in this 44th edition, and from Russell Miller's annotation commentary at provision level, guiding readers through the meaning of the law with the benefit of judicial interpretation of the provisions of the Act. The book also contains related regulations and materials.

## MILLER'S 2022 HIGHLIGHTS

The 44th edition of Miller includes new legislation, over 80 new annotations, over 300 updates and over 130 additional court decisions including:

- **Authorisations** – summaries of over 60 new authorisation decisions, including decisions prompted by the COVID-19 pandemic.
- **Cartels** – the latest criminal cartel cases, *DPP v Wallenius Wilhelmsen Ocean AS* and *Country Care Group v DPP*, plus an immunity process challenge in *DPP v Citigroup*.
- **Franchising** – review of the approach to interpreting the Franchise Code applying *Freedom Foods Pty Ltd v Blue Diamond Growers*.
- **Merger 'gun jumping'** – recent ACCC action where mergers close before it has completed its investigations.
- **Mergers** – admissibility in later proceedings of information supplied to the ACCC when seeking an informal merger clearance - *ACCC v BlueScope Steel*
- **Misleading conduct** – claims for immunity for expert witness misstatements considered in *Borody v Vickers*.
- **Misleading conduct** – updated annotations on the test for liability after *ACCC v TPG Internet*, *Trivago NV v ACCC*, *Hashtag Burgers v In-N-Out Burgers*, *ACCC v Google No 2* and *State Street v Maurice Blackburn*.
- **News Media and Digital Platforms Mandatory Bargaining Code** – New Part IVBA inserted with effect from 3 March 2021.
- **Penalties** – review of the principles in assessing penalties taking account of recent decisions in *Volkswagen Aktiengesellschaft v ACCC*, *ACCC v Telstra*, *Pattinson v Australian Building and Construction Commissioner* and *Director of Consumer Affairs Victoria v Gibson (No 3)*.
- **Unfair contract terms** – proposed significant changes to the unfair contract terms regime including imposing civil penalties to be introduced in 2022, extension of the provisions to insurance contracts from 5 April 2021, and the latest Federal court decision *ASIC v Bank of Queensland*.
- **Unconscionable conduct** – expansion of the annotations taking account of recent Federal Court decisions including *Ali v ACCC*, *ACCC v Quantum Housing Group* and the split High Court decision in *ASIC v Kobelt*.

## KEY DEVELOPMENTS

*Miller's Australian Competition and Consumer Law Annotated, 44th Edition 2022* will offer an extensive array of features to assist practitioners and students working with the *Competition and Consumer Act 2010* and related legislation.

These include:

- **Authored annotations** written by Russell Miller explaining the operation of the legislation and providing a detailed analysis of the relevant case law
- Thomson Reuters **authored subsection headings** for all provisions of the *Competition and Consumer Act 2010*
- **History notes** including the date of effect of the amending provision
- **Cross-references** indicating where a particular regulation affects a section of the *Competition and Consumer Act 2010*
- **Editor's notes** providing information about transitional, application and savings provisions and notification of amendments which have received assent but which commence on a future date.

## CONTENTS

- Tables
- Competition and Consumer Act 2010
- Competition and Consumer Regulations
- ACCC Immunity Policy for Cartel Conduct
- ACCC Merger Review and Authorisation Guidelines
- Related Regulations and Materials.

### Legislation consolidated to 1 January 2022

**Releasing:** March 2022

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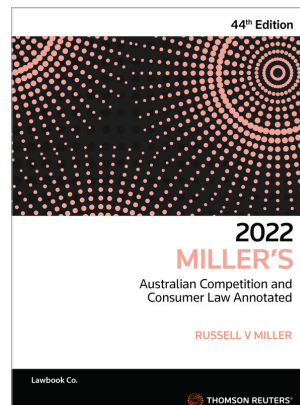
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