

EDITOR'S NOTES FOR SCHOLARS PANEL 2023

SCHOLARS PANEL ON NON-PRICE EFFECTS: TURNING SMOKE INTO FIRE

INTRODUCTION

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Reflecting a growing body of commentary globally on what has come to be seen by some as a narrow application of competition law, focused primarily on price effects, amendments to Canada's Competition Act in 2022 call on the Competition Tribunal explicitly to consider the impact of an impugned merger or behaviour on non-price aspects of competition, including quality, choice or consumer privacy. Four leading scholars appeared on the Scholar's Panel at the 2023 CBA Fall Competition Law Conference in October to examine what they see as the appropriate focus and boundaries of an inquiry into non-price competition. Their papers are published here.

- Innovation Effects in Canadian Merger Analysis—Andy Baziliauskas
- Reconsidering Welfare—Keldon Bester
- A Thumb on The Scale for Innovation—Anthony Niblett
- Public Interest and Non-Price Considerations in Merger Control—Professor Ioannis Kokkoris .