



UNIVERSITY OF AMSTERDAM

The University of Amsterdam's
Amsterdam Center for Law and Economics (ACLE) &
Research Group Market Regulation jointly present a workshop on

Merging Market Authorities: Mix & Match

Thursday, 1 December 2011

12.30-17.00 hours

Ministry of Economic Affairs, Agriculture and Innovation

Bezuidenhoutseweg 30 2594 AV Den Haag

Main Hall

Introduction

With determination, the Dutch cabinet is preparing an institutional merger between the Dutch competition authority (NMa), the telecom regulator (OPTA) and the consumer authority (CA). The integration is scheduled to take effect on January 1st, 2013, and expected to generate significant synergies in terms of shared expertise and resources. The objective is to create an agency which has broad oversight of markets across the economy and which is capable of reacting more efficiently and effectively to market developments.

However, the integration of sector-specific and generic regulators raises fundamental questions, for example with regard to the independence of the integrated authority, the alignment of objectives, and the fit of legal and economic tools of enforcement. The reorganization will have to build on currently divergent supervisory approaches. The new agency must integrate different objectives, legal competences and processes of supervision within the confines of relevant national and EU law, as well as sort out the allocation of human and financial resources. Experiences with similar operations elsewhere, for example in New Zealand and the United Kingdom, have been mixed. Accordingly, a strong institutional design for the new super-market overseer is paramount.

This workshop offers an opportunity for a plenary discussion on the merger's impact on the quality of supervision. Leading academics in public governance, law and economics will introduce various aspects of setting up a successful integrated market authority. There will be ample opportunity for discussion with the floor. The workshop will be of interest to officials, practitioners, lawyers and consultants, as well as academics.

Workshop program

- 12.00 Registration, welcome with coffee
- 13.00 Opening by chairpersons:
Adrienne de Moor-van Vugt (University of Amsterdam)
Maarten Pieter Schinkel (University of Amsterdam)
- 13.15 Mark Dierikx (EL&I): ‘Towards a new market authority’
- 13.30 Chris Fonteijn (NMa): ‘The added value of a new market authority’
- 13.45 Saskia Lavrijssen (University of Amsterdam): ‘The fragility of independent agencies in the European Union’
- 14.30 Coffee break
- 15.00 Stavros Zouridis (Tilburg University), ‘How effective are regulators? Pre-merger empirics and post-merger predictions’
- 15.45 Martin Cave (Imperial College Business School): ‘Market authorities moving in together: Some economics of setting up shop’
- 16.30 General discussion
- 17.00 Drinks

Registration

Participation in this workshop is free of charge. The number of available places is limited, so registration is required before 15 November at:

<http://mergingregulators.acle.nl>

For further information, please contact the ACLE office at: acle@uva.nl

Speaker bio’s (in order of appearance)

Adrienne de Moor-van Vugt is Professor of Administrative law at the Faculty of Law of the University of Amsterdam, where she leads the Research Group Market Regulation.

Maarten Pieter Schinkel is Professor of Competition Economics and Regulation at the Department of Economics of the University of Amsterdam. He is co-director of the Amsterdam Center for Law and Economics.

Mark Dierikx is Director-General Energy, Telecom and Competition at the Dutch Ministry of Economic Affairs, Agriculture and Innovation (EL&I). He was appointed

1 July 2011. Previously, he held positions in various Dutch ministries, including as DG Foreign Economic Relations, DG Water, and DG Aviation and Maritime Affairs.

Chris Fonteijn is Chairman of the Board of the NMa since July 2011 and the intended Chairman of the new regulatory authority after the merger. Until then, he will also continue to hold his position of Chairman of the Commission of OPTA, which he has held since September 2005. Mr. Fonteijn previously was a partner at NautaDutilh.

Saskia Lavrijssen is Professor of Consumer and Energy at the Faculty of Law of the University of Amsterdam. She is affiliated with the Amsterdam Centre for Energy.

Stavros Zouridis is Professor of Public Administration in the School of Politics and Public Administration of Tilburg University.

Martin Cave holds the BP Centennial Chair at the London School of Economics, based part-time in the Department of Law. Professor Cave is co-author, together with Richard Baldwin (LSE) of *The Oxford Handbook of Regulation*, Oxford University Press, Oxford, 2010.

Partners

This workshop is organised with the kind support of the Dutch Ministry of Economic Affairs, Agriculture and Innovation (EL&I).
