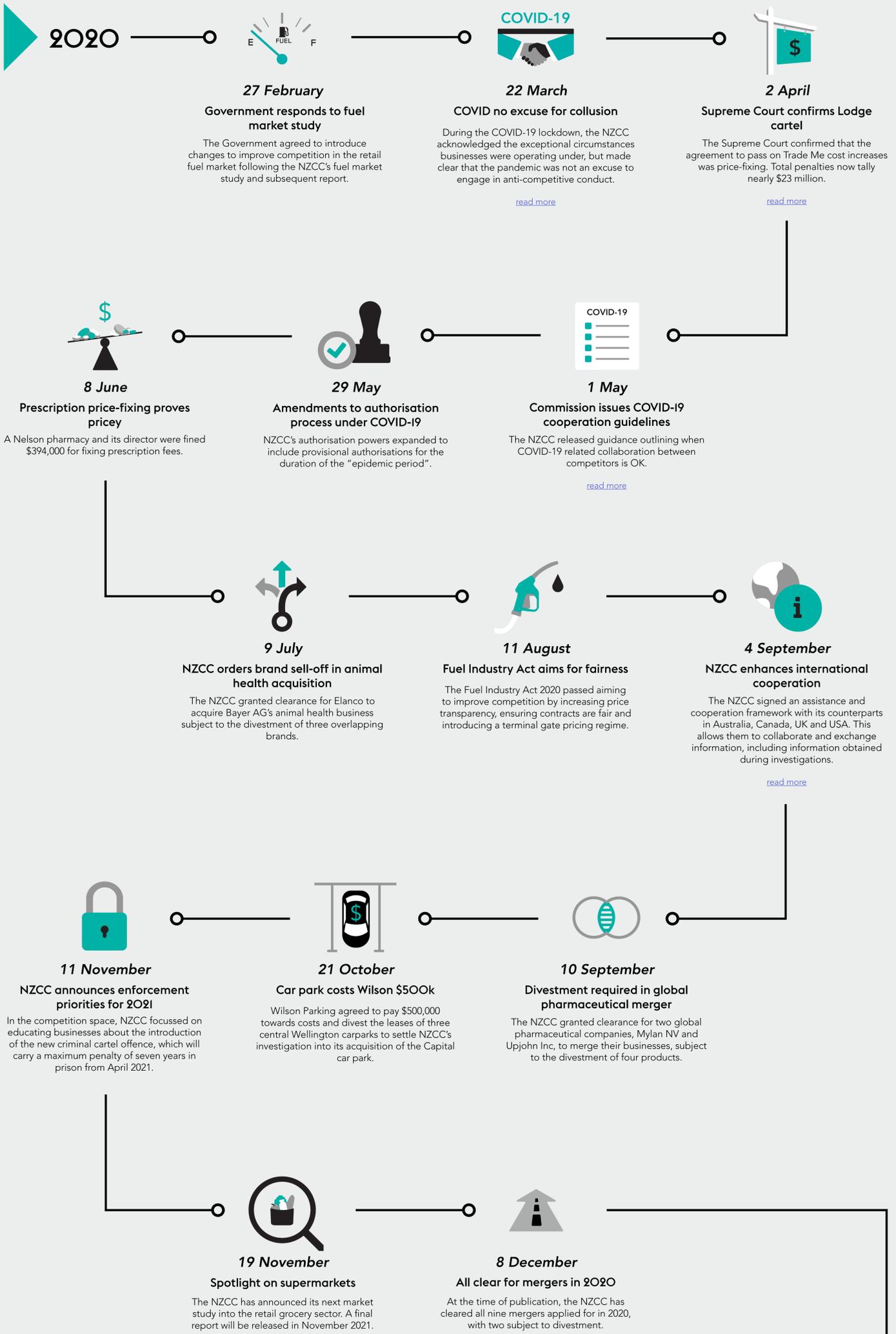


Competition Law Year in Review



on the horizon 2021

Misuse of market power amendment
After a lengthy gestation, it looks like a bill to amend NZ's misuse of market power regime to bring it in line with Australia's will go before parliament in early 2021.
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The beginning of the end for IP exceptions
MBIE's proposal to repeal the IP exceptions in the Commerce Act is expected to go before Parliament in early 2021.
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Incarcerating cartelists
Cartel conduct will become a criminal offence next year, with up to seven years imprisonment for individuals who intentionally engage in cartel behaviour. The new provisions take effect on 8 April 2021.
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Cartel prohibition to include land covenants
Proposed Commerce Act reform is intended to expand the scope of the cartel prohibition to include land covenants. Covenants were mistakenly removed when the cartel provisions were amended in 2017.
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Proposal to increase penalties for merger control breach
There are plans to increase the maximum penalties for breach of the merger control prohibition to match those for breach of restrictive trade practices provisions, ie the greater of \$10 million, three times commercial gain or 10% of group turnover.
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