

Competition Law in Denmark: An In-Depth Exploration by Erik Bertelsen



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★★★★★ 5 out of 5

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In the realm of business and commerce, competition law plays a pivotal role in shaping the competitive landscape, ensuring fair play and protecting consumers' interests. Denmark, known for its robust economy and commitment to fostering a competitive environment, has established a comprehensive legal framework governing competition law. Erik Bertelsen, a leading expert in the field, has penned an authoritative book that delves into the intricacies of Competition Law in Denmark, offering a comprehensive guide to this essential area of law.

Navigating the Legal Framework of Competition Law

Bertelsen's book begins by laying the groundwork for understanding the legal framework of competition law in Denmark. He meticulously examines the Competition Act, the cornerstone of Danish competition law, and analyzes its provisions related to market dominance, anti-competitive agreements, mergers and acquisitions, and state aid. The author provides

a clear and concise explanation of the legal principles underlying each aspect, supported by relevant case law and regulatory guidelines.

Enforcement Practices: Ensuring Compliance and Fair Competition

Beyond the legal framework, Bertelsen delves into the enforcement practices that ensure compliance with competition law in Denmark. He examines the role of the Danish Competition and Consumer Authority (DCCA) as the primary enforcer and discusses its investigatory powers, enforcement tools, and the procedures involved in competition law cases. Bertelsen also analyzes the interplay between the DCCA and the courts, highlighting the judicial review process and the remedies available for violations of competition law.

Key Cases Shaping the Competitive Landscape

The book further explores key competition law cases that have shaped the competitive landscape in Denmark. Bertelsen carefully dissects landmark cases involving market dominance, cartel agreements, and merger control. He provides detailed accounts of the facts, legal arguments, and court decisions, offering valuable insights into the practical application of competition law principles. These case studies serve as valuable precedents, guiding businesses and legal practitioners in their understanding and compliance with competition law.

Assessing Market Dominance: Defining the Boundaries

One of the central themes of competition law is the concept of market dominance. Bertelsen dedicates a significant portion of his book to analyzing the criteria and tests used to determine market dominance under Danish law. He examines the factors considered by the DCCA and the

courts, including market share, barriers to entry, and the behavior of dominant firms. Bertelsen's analysis provides valuable guidance for businesses seeking to avoid abusing their dominant position and for competitors challenging potential anti-competitive conduct.

Anti-Competitive Agreements: Prohibited Practices and Exceptions

The book also addresses anti-competitive agreements, which are prohibited under Danish competition law. Bertelsen thoroughly examines the various types of agreements that can violate competition law, such as price fixing, market allocation, and bid rigging. He analyzes the legal tests and defenses available to businesses, including the "rule of reason" and the "ancillary restraints" doctrine. Bertelsen's insights help businesses navigate the complex landscape of anti-competitive agreements and avoid costly legal consequences.

Mergers and Acquisitions: Striking the Balance

Mergers and acquisitions are essential for economic growth and innovation, but they can also raise competition concerns. Bertelsen examines the Danish merger control regime, which seeks to balance the benefits of mergers with the need to prevent excessive concentration of economic power. He analyzes the merger notification thresholds, the review process, and the remedies that may be imposed to address competition concerns. Bertelsen's analysis provides valuable guidance for businesses contemplating mergers and acquisitions, enabling them to navigate the regulatory landscape and mitigate potential competition law risks.

State Aid: Balancing Public Intervention and Fair Competition

The book also delves into the complex issue of state aid, which involves government subsidies or other forms of financial support to businesses. Bertelsen examines the rules governing state aid under Danish law and EU law, highlighting the compatibility criteria and the potential distortions to competition. He analyzes the role of the DCCA and the EU Commission in monitoring and enforcing state aid rules, providing insights into how businesses can comply with these regulations and avoid illegal state aid.

: A Comprehensive Guide to Competition Law in Denmark

Erik Bertelsen's Competition Law in Denmark is an indispensable resource for anyone seeking a comprehensive understanding of this complex and dynamic area of law. Whether you are a business executive, a legal practitioner, a researcher, or simply interested in the competitive landscape of Denmark, Bertelsen's book provides a wealth of knowledge and insights. Its clear and accessible writing style, combined with in-depth analysis and practical examples, make it an invaluable guide for navigating the intricacies of Competition Law in Denmark.



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