

Merger Control in Ireland

Marco W Hickey. Round Hall (2013), www.roundhall.ie. ISBN: 978 1 8580 069 56. Price: €265.

It has taken me some time to review this ambitious work, which just falls short of 900 pages. The book represents the only dedicated and detailed treatment of merger control law and practice in Ireland.

Hickey's work is designed with practitioners primarily in mind, as it deals comprehensively with the decisional practice of the Competition Authority and the key case law of the Irish courts. The detail devoted to these precedents will no doubt also find favour with students.

For those international practitioners looking at the possibility of Irish merger filing as part of a wider merger review strategy involving multinational filings, the key value will lie in Hickey's treatment of the peculiarities of the Irish system compared to the European standards of review and process that have developed over time, all of which are clearly flagged and explained in detail. From a domestic perspective, Hickey's comprehensive coverage of the procedural aspects of merger reviews in Ireland should prove to be an invaluable reference source for both the legal and business communities.

The substantive aspects of merger review are presented in such a way as to provide valuable guidance on the reasoning of the Competition Authority in its treatment of mergers. Those readers searching for a polemic against decision-making practice in Ireland might be disappointed, as Mr Hickey seeks to present the case precedents as objectively as possible, allowing the decision-making practice to speak for itself on all the key issues of market definition, market power, and theories of harm.

For those interested in the application of merger policy in Ireland and its connection to EU doctrine, policy and procedure, Marco Hickey's book serves as an excellent companion to any of the leading EU merger control texts, such as Cook and Kerse's *EC Merger Control*, Levy's loose-leaf *European Merger Control Law*, Lindsay's *The EC Merger Regulation: Substantive Issues*, and Hoeg's most recent *European Merger Remedies*. Hickey's contribution is most notable because of its ability to shed light on the workings of an ECN member authority that has not been afraid to develop its own way of implementing and interpreting guidance emanating from the European Commission.

This book should be welcomed by practitioners, business decision makers, and students with an interest in Irish merger control and competition law more generally. However, as merger review has an inevitable tendency to develop through the application of new economic approaches and enforcement priorities, as reflected in new decisions, legislation and guidance, there may well be a need (and one hopes that there will also be a demand) for this to become a regularly updated series.

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