Helping 61,000 people use the Web for their work

7th August 2003 No.142

CONTENTS

CONTENTS	
Editorial	1
Jobs Business Researcher Information Services Manager Media Manager	2
My Favourite Tipples from Rita Vine	3
Tips Article "The Safety of Children on the Internet" By Alison Scammell	4
Bookshelf "The Accidental Webmaster" Reviewed by Stuart Cliffe	6
Feature Article "Competition Law Resources Online" By Jonathan Crowhurst	7
Events and Gold Forthcoming Articles	
Contact Information	6

HTML Version

http://www.freepint.com/issues/070803.htm

Fully Formatted Acrobat Version

http://www.freepint.com/issues/070803.pdf

ABOUT FREE PINT

FreePint is an online network of information searchers. Members receive this free newsletter twice a month: it is packed with tips on finding quality and reliable business information on the Internet.

Joining is free at http://www.freepint.com/ and provides access to a substantial archive of articles, reviews, jobs & events, with answers to research questions and networking at the FreePint Bar.

Please circulate this newsletter which is best read when printed out. To receive a fully formatted version as an attachment or a brief notification when it's online, visit http://www.freepint.com/member>.

EDITORIAL

Branding is tricky. Re-branding is even trickier. Because names and logos are so important, everyone has an opinion about them. Re-branding also seems to take an age, and is even slower when done by committee.

We started thinking about a new logo and look for FreePint about two years ago. We worked our way through five sets of designers before finally finding one who understands what we are about. All this happened behind the scenes and without a committee, and even then it was a difficult process.

So, when my colleague Annabel Colley and I were in New York recently for the annual information industry conference organised by the SLA, we were sympathetic about the difficulties they would face in voting to change the name of the association.

Many of you will know that the name change didn't go through. So we immediately sought the thoughts of the Chair of the Branding Taskforce, Stephen Abram, and asked him for his candid views on the re-branding. He certainly was candid and you can now read the interview online http://www.freepint.com/portal/events/sla-2003/>.

As well as the difficulties of branding in the information industry, Stephen also talked about whether graduates are being given the right skills and the issues surrounding digital rights management. He also talked about electronic tagging and how it might one day be used to identify and track the location of children.

The issue of children's safety on the Internet is also the topic of our tips article today. It is a must-read for parents concerned about giving their children access to the Web. There are lots of other great articles, reviews and tips too, so I hope you enjoy today's edition of FreePint. If you have thoughts on any of the topics covered today, or have recently been battling with some re-branding issues yourself, then do join us at the Bar http://www.freepint.com/bar.

All the best William

William Hann BSc(Hons) MCLIP Founder and Managing Editor

Email: <william@freepint.com> Tel: +44 (0)1784 420044

Free Pint is a Registered Trademark of Free Pint Limited ® 1997-2003



FreePint Jobs -- a great place for information vacancies.

VACANCY SEARCHING
-- free search and set
up a weekly alert
profile.

VACANCY RECRUITING
-- Complete the form
and advertise a
vacancy
for just GBP195

NEW: 50% discount for registered charities. 10% agency discount.

Find out more today at http://www.freepint.com/jobs>

FREE PINT JOBS

http://www.freepint.com/jobs>

This week's selected listings are below. All new jobs are posted to the Bar and Bar Digest (circulation 11,000+) and matched against the 1000+ live job seeker profiles. This week's Bar 'new jobs' listing is at

http://www.freepint.com/go/b25058 and last week's at

http://www.freepint.com/go/b24951.

Here are some of the latest featured jobs:

Business Researcher (Property)

http://www.freepint.com/go/j2594 Information Graduate in enquiry role relating to property and company information plus statistical, economic and biographic data. Recruiter: Glen Recruitment

Information Services Manager

http://www.freepint.com/go/j2604 Information Services Manager in Law firm - a great opportunity to rise onward and upward in legal information field.

Recruiter: Sue Hill Recruitment

Media Manager

http://www.freepint.com/go/j2612>
Implement new technology by enhancing and developing current media asset management systems.

Recruiter: BBC

[The above jobs are paid listings]

Find out more today at http://www.freepint.com/jobs>

NEW: 50% Discount for Registered Charity Job Listings

Registered charities can now post their vacancies to the FreePint Jobs database and receive a 50% discount.

http://www.freepint.com/jobs>

Free Pint Forthcoming Articles

* Online Discussion Groups * Digital Preservation * Commercial Real Estate * Multikulti * Registered Design Databases * Visual Representation of Information * Open University Resources * Asylum Information * Leadership Styles * Property Real Estate * Insurance Resources * Re-entry to Work *

If you have a suggestion for an article topic or would like to write for Free Pint then please contact <penny@freepint.com> or sign up for the Author Update at <http://www.freepint.com/author.htm>.

Copyright & the Internet: Myth and Reality

This report explores issues relating to copyright and the internet, and dispels some of the myths that have built up about how copyright applies to the internet.

"I found it a very useful summary of the common issues surrounding copyright. I liked the Q&A format, and the references will undoubtedly be of use over time. As a topic which will never be far from my remit, the report is both timely and practical. Definitely good value for money, particularly the painless way of ordering, receiving and paying for the title."

www.freepint.com/shop/report/copyrightmyths

Online Information Conference

2-4 December 2003, Olympia, London, UK Book your place NOW to benefit from Super Early Bird Discounts!

http://www.online-information.co.uk/conferenceregistration.html

Hear international leaders share insight, experience and often controversial thinking on information management, content management, searching, collaboration, digital libraries & info architecture

http://www.online-information.co.uk/ol03/conference.html

Subscribe to Factiva's InfoPro Alliance Newsletter

As a member of the InfoPro Alliance, you will receive our monthly e-mail newsletter telling you about the latest enhancements to Factiva.com, product tips, TechTalk and links to our new online sessions for advanced searchers.

http://www.factiva.com/infopro

What is the ResourceShelf?

ResourceShelf is a free daily update containing news of interest to information professionals around the world.

Topics include the latest news with web search engines, research tips, new web resources, and much more.

http://www.resourceshelf.com



Rita Vine is a professional librarian and Web search trainer with Workingfaster.com http://www.workingfaster.com. She is also an editor for the Search Portfolio http://www.searchportfolio.com, a licensed desktop of the 100 top starting points for effective Web searching.

Tell us about your favourite Web sites.
Check out the guidelines at http://www.freepint.com/, author.htm>, then email penny@
freepint.com>.

MY FAVOURITE TIPPLES from Rita Vine

- Infobel telephone directories from around the world http://www.infobel.com/teldir. A portal to over 400 free white and yellow pages from around the world, with helpful annotations.
- PostalRates.Info
 http://www.postalrates.info/ this site links
 to home pages for postal authorities, postal
 code information and postal rates for countries
 around the world.
- Search Engine Colossus
 http://www.searchenginecolossus.com/ an excellent alternative to Yahoo! for finding regional portal sites.
- Braintrack http://www.braintrack.com provides links to college and university home
 pages globally. Often produces faster results for
 homepage lookup than typing the name of the
 institution into a search engine.
- Yahoo!'s Directory Page http://dir.yahoo.com
 I still rely on Yahoo's directory of selected resources and prefer this page to the cluttered Yahoo! main page. Links to "what's new" for the previous week appear at the bottom of the page
 great for Web site selectors.

EVENTS

http://www.freepint.com/events

In the UK, "Digital Resources for the Humanities" - organised by the University of Gloucestershire http://www.freepint.com/go/e190,

http://www.freepint.com/go/e190, Cheltenham, 31st August - 3rd September 2003.

"Electronic Document and Records Management for Financial Services" - organised by the Ark Group. "Building an integrated strategy forcorporate compliance to minimise the risk of penalties and fines." http://www.freepint.com/go/e229, London, 24th - 25th September 2003.

"Successful Consulting in the Public Sector". Update your selling skills and how best to present yourself. 95 pounds ex VAT for a full day, 75 pounds for Skillfair or FreePint members. http://www.freepint.com/go/e232, Henley on Thames, 25th September 2003.

"Thesauri and Taxonomies: An International Conference and Workshop". Topics include: taxonomies, thesaurus construction, XML, MultiTes, MultiCGI, standards. http://www.freepint.com/go/e228, British Library, London, 29th - 30th September 2003.

In Greece, "Libraries Without Walls 5 ... bringing together international perspectives on the delivery of library and information services to users who are not in the physical library." http://www.freepint.com/go/e223, Lesvos, 19th - 23rd September 2003.

Submit details of your event today for free promotion. Simply complete the form at http://www.freepint.com/events.

UK Company and Director Research – Cross-linked

- So you want to find out who runs a particular company?
- Then a bit about where the Directors are based?
- Then which other companies they're involved with?
- And so the trail unfolds ...

All possible using FreePint Financials. Free to search. Pay-as-you-go reports. No setup fees. No subscription. http://www.freepint.com/icc

FREE PINT BAR In Association with Factiva a Dow Jones & Reuters Company

Knowing the make-up of the FreePint membership, it's no surprise that Knowledge Management (KM) is such a popular topic at the FreePint Bar. Have you come across 'K-Logging' yet? Do you know what it is? http://www.freepint.com/go/b25009>. Are there any KM-related videos around? A couple have been suggested but do you know of any more? http://www.freepint.com/go/b24894>. Could you help someone studying for a Masters with their survey into how to "... better understand areas for development to enable the effective use of IT as part of a KM solution" http://www.freepint.com/go/b25063>.

The information world (like most others) is filled with acronyms and jargon, and there have been some interesting views on the meaning of words describing various information providers, including aggregators, infomediaries, intermediaries and indexers. Do you have your own view on their meaning? <http://www.freepint.com/go/b24860>.

Still in the information world, can you help someone wanting to benchmark their use of Automated Call Distribution (ACD) technology in their Information Centre? http://www.freepint.com/go/b24856>.

Talking about IT, do you know of a UK publication that focuses on technology transfer? http://www.freepint.com/go/b24973. Do the Intranet and Internet teams work together in your organisation? http://www.freepint.com/go/b25059.

What about a subscription-based global economic database providing information such as GDP forecasts, industry growth figures, business confidence, net direct investment flows, which might also let you download the data into Excel. Any suggestions? http://www.freepint.com/qo/b2495

Finally, and always a popular theme, some suggestions for software and sites to monitor changes in Web sites automatically http://www.freepint.com/go/b24867.

The FreePint Bar is where you can get help with your tricky research questions, for free! <www.freepint.com/bar>

Help with study for information-related courses is available at the FreePint Student Bar <www.freepint.com/student>.

Alison Scammell runs Just Before Dawn, a specialist editorial agency providing copywriting services for clients in the IT sector. Using a combination of in-house and freelance expertise, Just Before Dawn has supplied case studies, white papers, newsletters and articles to some of the world's largest computer companies. Contact Alison via http://www.justbefor edawn.com>.

TIPS ARTICLE

"The Safety of Children on the Internet" By Alison Scammell

The issue of the safety of children on the Internet is rarely out of the headlines. Unsurprisingly, the most pressing concerns relate to the dangers facing children who use chat rooms. Despite the fact that such dangers have been very well publicised, it seems that one basic guideline - not to arrange to meet contacts made online - continues to be ignored by large numbers of children and young people.

In 2002, a study from the University of Central Lancashire found that one in ten chat room users, aged between 9 and 16, had attended a face-to-face meeting with people they had met online. As Rachel O'Connell, Head of the Cyberspace Research Unit which conducted the study explained: "Our research indicates that there are thousands of children in the UK who remain unaware of basic Internet safety guidelines, despite having access to these new technologies, either at home or at school. It is essential that we challenge this lack of knowledge, get the message across to children, teachers, parents and carers, and help keep children safe".

The dangers of chat rooms are clearly just the tip of the iceberg. Other issues include inappropriate Web content and offensive spam delivered directly to children's email accounts. Excessive commercialism and advertising, which invade a child's privacy, is also a cause for concern.

The innocent use of photographs of children on the Internet is another controversial matter, presenting dilemmas for schools who wish to publish photographs of school events or achievements. At a purely practical level, children may be unaware of the dangers of computer viruses and may be downloading harmful files onto family computers.

So what can parents, carers, teachers and children themselves do to ensure the Internet is a safe environment, without negating the many positive benefits that the Web brings? A consensus has emerged on the range of measures which can help to ensure children's Internet experiences are safe and positive. These include parental involvement, codes of safety, filtering/blocking software and chatroom moderation. This article provides a brief overview of some of the many issues concerning Internet safety for children.

Parental Involvement

This is the starting point for Internet safety. Getting involved in how and why their children use the Internet (and being able to educate children in standard Internet safety practices) is considered the most effective way for children to be protected. The emphasis should be on the positive aspects of Internet searching rather than a list of "don'ts". Open communication between children and parents is crucial as well as the avoidance of knee-jerk reactions such as banning or unnecessarily limiting access to the Internet. If this happens it is likely that our children will simply decide to access the Internet in secret.

As there is no reliable way to protect children completely, the emphasis must be on educating

children in how to behave safely online and to encourage them to discuss any problems or bad experiences they encounter. Filtering software is certainly an option in helping to create a safer Web environment but it is not a perfect solution. Although widely used in schools, children may use the Internet elsewhere, at home, friends' houses, cafes or libraries where filters may not be used. It is therefore preferable to ensure a child is equipped with the appropriate knowledge and Internet safety awareness skills.

Another generally accepted piece of advice is for parents to locate the computer in a communal part of the house, where parents can more easily supervise online activity. I believe it is also important to allow children a certain degree of privacy, quiet and some independence. Achieving this while maintaining a supervisory presence is not an easy thing to dobut then whoever said parenthood was easy?

I have found that the discussion on the need for parental involvement frequently overlooks the fact that so many parents are unfamiliar with the Internet and may not have easy access to the Web for themselves. Even parents who are regular Internet users may find it difficult to keep up with what their Web-savvy kids are doing.

At my own children's school we have been running a series of Internet training sessions primarily aimed at parents with little or no Web experience. Most of the attendees had computers at home, but these were used mainly by their children or partners (the courses were exclusively attended by mothers) and as a consequence they felt increasingly out of touch. This initiative, HITS (Highfield Internet Training Scheme) provides comprehensive training in the Internet basics as well as Internet safety guidance and advice on the use of filtering software and other safety tools. By empowering parents to use the Internet safely and effectively, we have also provided parents with the opportunity to become more involved in their children's school work.

Safety Codes

The most frequently cited safety code mnemonic aimed at children is 'SMART'. This varies slightly according to different sources but generally comprises the following:

- S Keep your personal details SECRET. Never use your parent's credit card without their permission and never give away your name, address, passwords or mobile phone number it's like handing out the keys to your home.
- M Never MEET someone you have contacted in cyberspace without your parent's/carer's permission, and then only when they can be present.
- A Don't ACCEPT emails, open attachments or download files from people or organisations you don't really know or trust - they may contain viruses or nasty messages.
- R REMEMBER that someone online may not be who they say they are. If you feel uncomfortable or worried in a chat room simply get out of there!
- T TELL your parent or carer if someone or something makes you feel uncomfortable or worried.

Filtering/Blocking Software

Most people agree that the use of filtering



Related Free Pint links:

- 'Security' articles and trade associations in the FreePint Portal http://www.freepint.com/go/p127
- Post a message to the author, Alison
 Scammell, or suggest further resources at the FreePint Bar
 http://www.freepint
 .com/bar>
- Read this article online, with activated hyperlinks
 http://www.freepint .com/issues/070803.h tm#feature>
- Access the entire archive of FreePint content http://www.freepint.c om/portal/content/

software alone does not represent adequate protection for children. Filtering software either blocks access to sites on a 'no' list or enables access only to a list of approved sites. Other filters assess the source of the domain name or even the amount of skin content in an image. Restricting access to approved sites may be the most practical and effective way of controlling Internet access and is probably the most suitable option for schools.

Filtering software can be very problematic. Its effectiveness can vary, either by over-blocking content that is inoffensive and potentially useful, or in failing to adequately screen out unwelcome material. When evaluating software packages it is also advisable to check whether filtering can be customised for each user.

Some ISPs offer filtering tools as part of familyfriendly branded products but for the most effective filtering capabilities additional software will need to be purchased. Packages will offer a range of features, including Internet monitoring and restricting time spent online. Guidelines for choosing filtering software can be found at:

http://www.iwf.org.uk/filtering/commercial_sof tware/its/its_consumer.html> http://kids.getnetwise.org/tools/>

Examples of filtering software are:

<a href="http://www.cybersitter.com

It is also possible to set your Web browser to block sites according to the ICRA (Internet Content Rating Association) label they carry. ICRA labels are based on the PICS (Platform for Internet Content Selection) industry standard and the Web site owners can apply for an ICRA label on their site. For more information, click on 'Parents' and 'About ICRA' at: http://www.icra.org/

A good way to help children access suitable sites is to use a search engine specially designed for children such as:

http://www.ajkids.com/>

Chatroom Moderation

Not surprisingly, the use of chat rooms and instant messaging figure as some of the most important areas for concern for parents.

Monitoring software (such as http://www.iambigbrother.com) is available which allows a parent to check on a child's Internet activity, including chatroom conversations. However, many people believe that this simply creates an atmosphere of distrust in the family and may cause children to use alternative ways to access the Internet, increasing the risks.

There is a considerable debate about the efficacy of moderating chatrooms. Some moderation is based on software while other chat rooms use human moderators. Many people believe that all unmoderated chatrooms are unsafe but even fully human-moderated chatrooms carry risks. Chatroom users can still assume false identities and selecting suitable moderators is not easy - because physical contact with children is not involved, moderators are currently not required

to be screened for criminal records. Given the complexity of online transactions, moderation is a highly skilled activity and can never guarantee 100% safety.

More information about safe use of chatrooms can be found at:

http://www.chatdanger.com/

Further Information

The safety of children on the Internet is a complex and fast-changing subject. This article has merely provided an outline of some of the main issues but further information can be obtained from the following Web sites:

Home Office:

http://www.wiseuptothenet.co.uk Internet Watch Foundation (IWF): http://www.iwf.org.uk

Kid Smart: http://www.safekids.com
Wise Kids: http://www.wisekids.org.uk

GOLD

One year ago Sam Vaknin discussed the Balkan economy and Terry Kendrick wrote a useful piece on searching in Google.

 FreePint No.118 8th August 2002. "The Economies of the Balkan" and "Answering Quick Reference Enquiries Using Google" http://www.freepint.com/issues/080802.htm

In August 2001 Guy Aron looked at 35mm SLR or digital photography sources on the Web. Mike Mecham's topic was political and economic information on Latin America.

 FreePint No.93, 2nd August 2001. "Photography through the Web - Part 1" and "Latin America" http://www.freepint.com/issues/020801.htm

David Ogden covered UK genealogy in his tips article this time three years ago. Stephen Lafferty's interesting feature focussed on "different forms of surveillance, from closed-circuit television (CCTV) cameras through to DNA databases and loyalty cards".

 FreePint No.68, 3rd August 2000. "Netting your Ancestors: Genealogy Sites on the Internet for tracing UK Ancestors" and "Surveillance and Privacy"

http://www.freepint.com/issues/030800.htm

Four years ago, Marylaine Block interviewed the author of "Secrets of the Super Net Searchers" and "Researching Online For Dummies". Dr. Pita Enriquez Harris discussed how we learn and process tops of information.

 FreePint No.44, 5th August 1999. "Interview: Reva Basch, Super Searcher" and "How will we survive Information Overload?" http://www.freepint.com/issues/050899.htm

Five years ago our tips article by Alison Scammell (who also writes today) linked to plenty of trade association links. Nick Gilbert showed us where to go to access up-to-date news online.

 FreePint No.20, 6th August 1998. "Trade Associations on the Web" and "The Need For News Aggregation" http://www.freepint.com/issues/060898.htm



Stuart Cliffe is CEO of the National Association of Bank + Insurance Customers, a watchdog group protecting the interests of private and business users of financial services in the UK. He is a consultant, writer and presenter on insurance, financial and internet matters and runs DoubleCheck Ltd, which finds errors in bank/mortgage statements and traces dormant and unclaimed funds. He is also involved with <http://www.365alive.net> - a fixes and information-based technical website, through which he can be contacted.

Related links:

- Find out more about this book online at the FreePint Bookshelf
 http://www.freepint .com/bookshelf/accid ent.htm>
- Read customer comments and buy this book at Amazon.co.uk
 http://www.amazon .co.uk/exec/obidos/A SIN/1573871648/free pint0c> or Amazon.com
 http://www.amazon .com/exec/obidos/ASI N/1573871648/freepi nt00>
- "The Accidental Webmaster" ISBN 1573871648, published by Information Today Inc, written by Julie M. Still.

FREE PINT BOOKSHELF

http://www.freepint.com/bookshelf

"The Accidental Webmaster" Written by Julie M. Still Reviewed by Stuart Cliffe

Someone once pointed out that you need to know 90% of an answer to ask a sensible question. This seriously affects anyone starting out on any new venture, since by definition we all start from a zero knowledge-base, and slowly and painstakingly work up.

I've found a sort of confirmation of this principle in that my judgement of a really good presentation is often based on how strongly I feel 'yes but of course I knew that' after the event.

While I may know many of the highlights, the presentation of in-depth, well-researched knowledge as part of a coherent overall picture including the extra 10% I didn't know - is what makes the experience truly worthwhile.

The Accidental Webmaster by Julie M Still is definitely in the 'good presentation' category:

Still is the author or editor of four books, and the experience shows; she writes good, clear text and presents concepts in logical progression. She is a librarian, and the chapter-by-chapter 'recommended reading' builds to a substantial bibliography of related material, supported by a Web Resources section.

The Accidental Webmaster takes a situation that is becoming more common - an individual being asked or led by circumstances to set up a website - and then uses Ms Still's own experience to flesh out the bare necessities of finding ISP space and generating content.

Some of the choices she made might have initially been more luck than judgement, but she has taken the opportunity to look back at all the options available and decide whether or not she took the right one.

Ms Still has read and interviewed widely on the subject and presents background detail to support her own experience plus additional comments in areas where she has not (yet) been active.

This book is not a technical treatise on how to

create a home page with HTML and Java, Flash and MP3s. The nuts and bolts of website creation have already been covered comprehensively elsewhere, and are mentioned here only in the context of how to manage their use.

The most important focus of the book is web content: what should be included and what avoided. How to manage the task - and how to avoid being buried in the consequent workflow.

Julie Still has created and managed websites very successfully and her opinions deserve due weight. Additional research allows the book to cover most types of potential site from boy scout to business, and most considerations from copyright to chatrooms.

If you have to set up a website, or have been volunteered by the family or your boss to manage the web content of a group activity, read this book first.

If you don't already have the technical skills it's fairly easy to acquire them. The book however will alert you to the wider implications of what you are about to get involved with.

It may give you some useful ideas, and it will certainly supply a strong basis for some very sensible questions.

Free Pint Limited ® 1997-2003

To subscribe, unsubscribe, change your subscriptions or password, visit http://www.freepint.com/member or email <subs@freepint.com. For details about contributing, advertising or to see past issues, please visit the Web site at http://www.freepint.com/ or email <info@freepint.com.

Please note: Free Pint (ISSN 1460-7239) is a registered trademark of, and published by, Free Pint Limited. The publishers will NEVER make the subscriber list available to any other company or organisation.

The opinions, advice, products and services offered herein are the sole responsibility of the contributors. Whilst all reasonable care has been taken to ensure the accuracy of the publication, the publishers cannot accept responsibility for any errors or omissions.

This publication may be freely copied and/or distributed in its entirety. However, individual sections MAY NOT be copied and/or distributed without the prior written agreement of the publishers. Write to William Hann <william@freepint.com> for more details. Product names used in Free Pint are for identification purposes only, and may be trademarks of their respective owners. Free Pint disclaims any and all rights in those marks. All rights reserved.

FREE PINT

Contributors to this issue:

William Hann (FreePint Managing Editor), Penny (FreePint Administrator), Annabel Colley (FreePint Relations), Jonathan Crowhurst, Alison Scammell, Stuart Cliffe, Rita Vine, Plain Text http://www.plain-text.co.uk/ (proof reading).

Advertisers/Sponsors of this issue:

Imark, Sue Hill Recruitment, Glen Recruitment, BBC, Factiva, Resourceshelf, Willco.

Managing Editor William Hann BSc(Hons) MCLIP william@freepint.com

© Free Pint Limited 1997-2003 http://www.freepint.com/>

WEB: www.freepint.com EMAIL: info@freepint.com SUBSCRIPTIONS: subs@freepint.com

AUTHORS: www.freepint.com/author.tm ADVERTISERS: www.freepint.com/advert.htm

ISSN: 1460-7239

Free Pint Limited

4-6 Station Approach Ashford, Middlesex TW15 2QN, United Kingdom Tel: +44 (0)1784 420044 Fax: +44 (0)1784 420033

Technology by Willco

http://www.willco.com/

FEATURE ARTICLE

"Competition Law Resources Online" By Jonathan Crowhurst



Jonathan is a Tax and Competition Law Library assistant at a city law firm. He is going to City University in October 2003 to read an MSc. in Library and Information Studies. Jonathan graduated from the University of Leicester in 1998 with a first class degree in Ancient History and Archaeology and worked in market research and insurance before deciding to become an information professional last year. He enjoys reenactment, history and genealogy amongst other things in his spare time.

Until recently I was the Library Assistant for the Competition and European Law department at a city law firm. In my role I was responsible for updating our know-how collection -- principally European and UK legislation pertaining to competition -- maintaining indexes of merger cases going through the European and UK Competition authorities, regulatory documents from the various competition authorities at European and UK level and providing current awareness services, along with assisting with information requests from fee earners in the Department.

Competition law is very complex, being directed both at European parliament level and also at EU Member State level, in this case being the UK where a number of regulatory bodies deal with competition issues. In this tips article I want to share some online information resources for competition law, and attempt to explain who does what in the system which appears to be a veritable alphabet soup to the uninitiated.

EU LAW

One of my main roles was to keep track of mergers and joint ventures notified to the European Commission. The EC Merger Regulation (ECMR), Council Regulation 4064 of 1989 was designed as a control for large- scale mergers which might create or strengthen a dominant position in the Community market. The Regulation deals with mergers that have a Community-wide dimension, the criteria for which are assessed on the basis of turnover which must be greater than 5,000 million Euros on a worldwide basis or 250 million Euros on a Community basis. Below this, the merger scrutiny is carried out by the individual Member State's competition authorities. Mergers with a Community dimension are required to be notified to the Commission before they are signed off.

The principal EU body dealing with Competition is the Directorate General of Competition, part of the European Commission

http://www.europa.eu.int/comm/competition/index_en.html. They scrutinise all mergers which fall into this community dimension and can approve, conditionally approve, investigate, prohibit, or refer mergers back to the competition authority of the party's home State. Mergers falling under the ECMR are notified in the Official Journal of the European Communities which can be found on the European legal database, EurLex

http://www.europa.eu.int/eur-lex/en/index.html. This carries the Official Journal C series - information and notices - and L series - Legislation - from 1998 onwards, as well as case law of the Court of Justice and the Court of First Instance.

The merger notices are all published in the C series - the thing to look out for on the contents is "prior notification of a concentration". I would go through each new issue and print off the merger notice for our index, and enter the details from the Notice on it. Each page

containing a notice is hyperlinked to a PDF document of the material. Once a merger has been approved, or a further investigation is decided, the announcement is made through a Commission press release which can be obtained from the RAPID press release site http://www.europa.eu.int/news/index_en.htm. They are generally headlined "Commission approves merger between X and Y" or "Commission announces probe into Z merger".

If an investigation is launched, a notice of an initiation of proceedings is published in the Official Journal C series. Generally, approval is given one month from when the merger was first notified. A decision to investigate takes around the same time frame, and then the approval will clearly depend on any concerns raised by the probe.

Finally, once a merger has been cleared, one or two days after the press release, the official merger decision is published back on the DG Competition Web site. These are mainly on the "What's New page"

<http://www.europa.eu.int/comm/competition/mergers/cases/index/by_event_recent.html>, and Decisions available to download will have a PDF logo next to them. They are not always in English, but are around 3-9 pages in length, depending on the complexity of the merger. If a merger has been approved it is given a 6(1)(b) clearance, or can be given a 6(2) which is where the merger has been approved but with conditions and obligations on the part of the companies involved. An Article 8 decision is a prohibition, while an Article 9 decision means that the EU has referred the merger back to the competition authorities of the Member States of the companies.

A database of previous Merger decisions can be found at the DG Competition Web site and can be searched by case number, company name or nature of decision

http://www.europa.eu.int/comm/competition/mergers/cases/. As if this was not enough, in December 2002 the Director of EU Competition, Mario Monti (also known as "Super Mario") decided to launch reforms of the ECMR to improve merger decision making and give them a sound economic basis. Further details can be found on the merger review section of the DG Competition site, including press releases and legal notices

http://www.europa.eu.int/comm/competition/mergers/review/>.

The Directorate General of Competition also deals with antitrust cases and probes into cartels, price fixing and other anti-competitive agreements which are prohibited under Article 81 of the EC Treaty. It has the power to fine companies who are in breach of the rules. Further details of how the Commission deals with anti-competitive behaviour can be found at http://www.europa.eu.int/comm/competition/antitrust/cases/index/by_event_recent.html.



Related Free Pint links:

- 'Law' articles and trade associations in the FreePint Portal http://www.freepint .com/go/p76>
- Post a message to the author, Jonathan Crowhurst, or suggest further resources at the FreePint Bar http://www.freepint.com/bar
- Read this article online, with activated hyperlinks
 http://www.freepint .com/issues/070803.h tm#feature>
- Access the entire archive of FreePint content http://www.freepint.c om/portal/content/

UK Competition Law

The principal bodies dealing with competition at national level are:

- The Competition Commission
 http://www.competition-commission.org.uk/
 - "The CC conducts in-depth inquiries into mergers, markets and theregulation of the major regulated industries, undertaken in response to a reference made to it by another authority."
- The Office of Fair Trading http://www.oft.gov.uk/Business/default.htm - The objective of the OFT in terms of its competition remit (it also deals with consumer concerns) is to stop anti-competitive practices, such as abuse of a dominant market position. The Competition Enforcement (CE) Division of the OFT "plays a key role in enforcing current legislation including The Competition Act 1998, stopping cartels and other damaging anticompetitive agreements, stopping any abuse of a dominant market position, promoting a strong competitive culture across a wide range of markets, informing business, through a widespread education programme, about changes in legislation and working with the European Commission on EC cases". The OFT maintains a register of mergers notified under the Enterprise Act 2002, the Competition Act 1998 and the Fair Trading Act 1973.

The DTI http://www.dti.gov.uk/ccp/ - "Our mission is to deliver a competitive framework for the growth of successful businesses and a fair deal for consumers. We want to help UK consumers and businesses enjoy more choice, better service, safer products and competitive prices". It is also the DTI's responsibility to clear mergers notified under the Fair Trading Act 1973, or refer them to the Competition Commission for further scrutiny. An example of this is when four of the five bidders for Safeway supermarket were referred to the Competition Commission. That enquiry is still ongoing at time of writing https://www.competition-commission.org.uk/inquiries/current/safeway/ind

The main regulations for Competition law in the UK are:

The Enterprise Act 2002, which came into force on 20 June 2003, the Competition Act 1998 and the Fair Trading Act 1973. There are various other separate bits of legislation dealing with industry sectors such as the Communications Act 2003, which received Royal Assent on July 17 and covering competition issues in the newspaper and broadcast media sectors, the Railways Act 1993, the Telecommunications Act 1984 and the Water Industry Act 1991. UNAMENDED versions of these Acts can be found at the HMSO web site http://www.hmso.gov.uk/: be warned, these are all as originally published and may not reflect their current legislative status.

Finally, there are a number of regulatory bodies which deal with the statutory requirements of specific industry sectors, ensuring that there is fair competition and that these benefits are ultimately passed on to the consumer. In no particular order, these are:

- The Department for Transport (DfT) -http://www.dft.gov.uk/
- Independent Television Commission (ITC) -http://www.itc.org.uk/
- Office of Gas and Electricity Markets (OFGEM) -http://www.ofgem.gov.uk/
- Office of the Rail Regulator (ORR) -http://www.rail-reg.gov.uk/
- Office of Telecommunications (OFTEL) -http://www.oftel.gov.uk/
- Office of Water Services (OFWAT) -http://www.ofwat.gov.uk/
- Postal Services Commission (PSC) -http://www.psc.gov.uk/
- The Strategic Rail Authority (SRA) -http://www.sra.gov.uk/

All of these Web sites will contain official documentation, annual reports, current work, publications available to download, press releases, up-to-date legislation and changes in the regulation of these sectors. All of these sites have a "What's New" page containing the most up to date information pertaining to the industry that these bodies regulate. For example, the recent ruling by OFTEL which has forced BT to reduce its wholesale internet prices is on the OFTEL Web site

http://www.oftel.gov.uk/press/releases/2003/pr44_03.htm.

The Communications Act 2003 will mean the end of the ITC, the Broadcasting Standards Commission (BSC), OFTEL and the Radio Authority (RAu) and the Radiocommunications Agency (RA), as they will all merge to form OFCOM https://www.ofcom.org.uk/. OFCOM will be the new communications regulator and is scheduled to be operational by the end of 2003.

Conclusion

Competition law operates at many levels and is a constantly evolving legal mechanism. The law and the regulatory bodies established by statute can regulate, authorise and direct businesses which in many cases are responsible for vital infrastructure functions such as transport and communications. If companies are found to be in breach of competition law punitive fines can be levied, with the aim to make markets fair and competitive, with the end results of this hopefully passed onto the consumer and the public.