



HERBERT
SMITH
FREEHILLS



LIZA CARVER

REGIONAL HEAD OF PRACTICE - COMPETITION,
REGULATION AND TRADE, AUSTRALIA

Sydney
Australia

Liza is a partner who leads the firm's Competition, Regulation and Trade practice in Australia. Liza specialises in complex mergers clearances, regulatory cases, defending clients in investigations and legal actions by the ACCC in the energy, transport, manufacturing, retail and communications industries.

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BACKGROUND

- University of Sydney (Bachelor of Economics)
- University of Sydney (Bachelor of Laws)
- University of Sydney (Master of Laws)
- Admitted in New South Wales and High Court

KEY SERVICES

Competition, Regulation and Trade
Competition Disputes

KEY SECTORS

Energy
Renewables

EXPERIENCE

Liza joined Herbert Smith Freehills as a partner in February 2015 after being a partner in another law

firm.

Between 1993 and 1999 Liza was an Associate Commissioner with the Trade Practices Commission and the Australian Competition & Consumer Commission (ACCC).

Between 2005 and 2009 Liza was one of the 3 inaugural Commissioners of the Australian Energy Markets Commission (AEMC). As AEMC Commissioner Liza led the drafting of the pricing and access rules for electricity & gas transmission and distribution.

- Liza has been ranked by *Chambers Global* in 2008, 2009, 2010 and a Band 1, leading lawyer between 2011 and 2015. In 2015 clients described Liza in the following terms: “we find her quite exceptional in the competition and regulatory space.”
- *Best Lawyers* awarded Liza Lawyer of the Year 2011 – Regulatory - Sydney

Liza's experience includes:

MERGER CLEARANCES

Liza has particular expertise in obtaining merger clearances from the ACCC in numerous acquisitions in the energy, communications, building and construction materials, transport, food, manufacturing sectors. Many of these cases have involved the successful negotiation of structural and behavioural undertakings to secure ACCC clearance. Liza also has the unique experience of successfully taking 2 merger clearance matters to court after opposition from the ACCC. Liza was the lead partner in the 2004 Federal Court against the ACCC in relation to the clearance of the partial acquisition of Loy Yang Power by AGL and in 2014 was the lead partner in the first successful merger authorisation case in the Australian Competition Tribunal under the current regime (AGL & Macquarie Generation)

ACCESS & INFRASTRUCTURE REGULATION

Liza is a leading practitioner in the area of access and economic regulation of infrastructure including in the energy, transport and communications sectors and has advised clients in all aspects of utility, competition and access regulation. Regulatory clients have included major gas pipeline, electricity networks, rail, port and communications infrastructure businesses in Australia including CKI, APA, Telstra, Transgrid, Brisbane Airport and NSW Ports Authority.

Liza has represented many of these clients including Transgrid, Telstra, APA & SA Power Networks in more than a dozen access and related economic regulatory cases in the Australian Competition Tribunal over a 15 year period under the National Gas Law, the National Electricity Law and the telecommunications access regime.

ACCC INVESTIGATIONS & ENFORCEMENT & CARTELS

Liza has extensive experience in the full range of contentious competition law and enforcement including in major misuse of market power (s.46) cases brought by the ACCC. Liza was the lead partner in the landmark Cement Australia section 46 case which involved a 10 week Federal Court trial.

Liza represented the first immunity applicants under the 2009 criminal cartel regime. Liza has also

represented clients in proceedings in the Federal Court to challenge compulsory information production notices (155 Notices) issued by the ACCC.

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