

## EDITORS' NOTE

### REGULATION RECONCEIVED

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This volume of the Macquarie Law Journal originates from the Division of Law Seminar Series of 2007, titled *A Place at the Table: Regulation Reconceived*. The focus of the seminars was to reassess the manner in which regulation is conceived and how it has changed. From the welfare state of the seventies, it is clear that we have moved quickly to embrace the market economy. This has brought with it remarkable shifts in the role of government and governance. Governments everywhere have moved from 'rowing to steering' and this impacts directly on individuals and institutions.

The seminars were held each Thursday at lunchtime. Speakers from a variety of backgrounds presented fifteen seminars in the series covering a range of topics from the role of risk based regulation to examining specific sites where the modes of regulation are changing rapidly. Considerable surprise that regulation could be so interesting was often expressed, resulting in a sense of excitement at seeing things differently. The seminars were stimulating with many of the presenters staying back to discuss issues at length with their colleagues. It would appear that in hindsight, the focus of the seminars were timely indeed. The global financial crisis has demonstrated the difficulties of regulating the global market place, raising again questions about the right type and mix of regulatory strategies and who should participate in regulation.

This volume contains nine articles on regulation. It begins with a discussion of a number of influential regulatory theories before going on to evaluate different areas of regulatory activity. The diverse discussion illustrates that there is no easy fix and there remain many unresolved questions. It highlights the important role for the academy in engaging in the task of reconceiving the manner in which we understand regulatory space and the actors within it.

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**RECONCEIVING REGULATION: A PLACE AT THE TABLE****MACQUARIE UNIVERSITY, DIVISION OF LAW  
2007 SEMINAR SERIES PROGRAM**

- 29 March 2007 Professor Julia Black, London School of Economics  
'Risk Based Regulation'
- 5 April 2007 Dr Nick James, University of Queensland  
'Distracting the Masses: Corporate Convictions and the  
Legitimisation of Neoliberalism'
- 26 April 2007 Professor Karen Yeung, King's College London  
'Reconceiving Regulation: The role of the media'
- 3 May 2007 Mr Steve Mark, NSW Legal Services Commissioner  
'Profit v Ethics in the Legal Profession: a Conundrum or  
is it just Greed? The views of a regulator'
- 17 May 2007 Dr Andrew Frazer, University of Wollongong  
'Reconceiving Labour Law: The New Regulationist  
Perspective'
- 31 May 2007 Assoc. Prof. Malcolm Voyce, Macquarie University  
'Rural Support for Farmers: from Governing through  
'Character' to Governing through the 'Entrepreneurial  
Subject'
- 7 June 2007 Ms Karen Lee, University of New England  
'Self Regulation, Public Participation and the Installation  
of Wireless Facilities Exempt from Local Planning  
Requirements'
- 16 August 2007 Mr John Selby, Macquarie University  
'New Institutional Economics and the .au Domain Name  
Space'
- 23 August 2007 Professor Gail Pearson, University of Sydney  
'Regulation Reconceived: Financial Literacy'
- 13 September 2007 Ms Vijaya Nagarajan, Macquarie University  
'Odd Beginnings and Effective Outcomes: Reflecting on  
the Origins of the Authorisation Process in the Trade  
Practices Act'

- 4 October 2007 Judge John Goldring, District Court, NSW  
'Consumer Protection, Globalisation and Democracy'
- 11 October 2007 Ms Liz Spencer, Bond University  
'A Theoretical Analysis of the Effectiveness of Disclosure in the Regulation of Franchising in Australia'
- 18 October 2007 Assoc. Prof. Andrew Buck, Macquarie University  
'Regulating the Citizen: A multidisciplinary project on citizenship'
- 25 October 2007 Professor Bryan Horrigan, Macquarie University  
'Transformational Changes and Comparative Approaches in Regulating Corporate Responsibility and Governance in the Public and Private Sectors'
- 8 November 2007 Professor Bryan Horrigan & Mr Simon Rice  
Macquarie University  
'Regulatory Options for Enhancing Rights-Protection by Parliament, Courts, the Executive and Corporations – Beyond a Bill of Rights for NSW'