

LA LOI GALLAND SUR LES RELATIONS COMMERCIALES

Jusqu'où la réformer ?

**MARIE-LAURE ALLAIN, CLAIRE CHAMBOLLE
et THIBAUD VERGÉ**

Depuis le début des années 1970, le secteur commercial a connu une accumulation de lois destinées à encadrer le développement de la grande distribution (lois Royer et Raffarin) et à protéger ses petits concurrents et ses fournisseurs (loi Galland). Les effets inflationnistes de ces mesures n'ont cessé d'être dénoncés au cours des dernières années et une vague de réformes récentes a fait marche arrière en allant vers une déréglementation du secteur.

À la lumière d'analyses économiques théoriques et empiriques, cet opuscule montre que le projet de loi de modernisation de l'économie risque de se tromper de cible. Si les lois Dutreil II et Châtel apparaissent comme un dispositif satisfaisant pour supprimer les effets néfastes de la loi Galland, il faut maintenant se concentrer sur la réforme de la loi Raffarin en s'attaquant aux monopoles locaux de la distribution et en favorisant l'entrée de nouveaux acteurs : seule une concurrence accrue au niveau local permettrait de répondre à la fois aux craintes des fournisseurs et aux demandes des consommateurs.

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