



Escola Superior de Comércio Internacional



## **LEGAL MARKET OF THE EUROPEAN UNION**

SECOND TRIMESTER ACADEMIC YEAR 2010-2011

### **TIMES**

Monday: 17:00 – 18:15  
Tuesday: 18:30 – 19:45  
Wednesday: 18:30 – 19:45

### **Objectives:**

- Understand the fundamental principles of European Legislation.
- Know the main legal sources and principles in the European Union.
- Understand the legal particularities of specific areas such as, intellectual property, antitrust law, mergers...
- Case Law.

### **Table of contents:**

1. Introduction:  
Program, Participation, exercises, discussions and exam
2. The development of European Integration: Overview and History.
3. The institutional structure of the EU.
4. Instruments of the EU lawmaking.
5. The relationship between EU Law and national law.
6. General principles
  - 6.1. Fundamental rights
  - 6.2. Principle of Proportionality and Principle of Subsidiarity.

7. Principles of free movement.
  - 7.1. Right to move and reside within the EU
    - 7.1.1 EU Equal Opportunities Law
    - 7.1.2 The Occupation in another Member State.
  - 7.2. Free movement of goods: Duties, charges, taxes, quantitative restrictions.
  - 7.3. Free movement of capital and economic and monetary union.
  - 7.4. Freedom of establishment and to provide services
8. Trade restrictions and Public Goods
  - 8.1 Public Goods protected under EU Law
  - 8.2 Environmental Protection
  - 8.3 The public policy, security and health derogations.
9. Competition law.
  - 9.1 Antitrust and monopolies
  - 9.2 The State and the common market: State Aids
10. Other specific areas.
  - 10.1 EU Criminal Law
  - 10.2 Intellectual Property
11. Case law
12. Questions and exam preparation

## **Bibliography**

Handbook/Code:

**- Blackstone's EU Treaties and Legislation 2010-2011. Nigel Foster.**

**- EUROPEAN UNION LAW. Damian Chalmers, Gareth Davies, Giorgio Monti. Cambridge University Press. July 2010. Second Edition.**

Other references:

1. EUROPEAN UNION LAW. CORE TEXT SERIES. Margot Horspool and Matthew Humphreys. Oxford University Press. August 2010. 6th Edition

2. LAW OF THE EUROPEAN UNION. Fairhurst, John. Foundation Studies in Law Series.. July 2010. 8th Revised Edition.

3. Drout de la propriété intellectuelle. Jean-Luc Piotraut. 2<sup>e</sup> edition. Ellipses, 2010.

4. Several relevant articles will be distributed during the class.

### **Regular Term's evaluation**

The final mark of the course "Legal Market of the European Union" will be calculated on the basis of the following factors, weighed as described below:

#### **Participation: 25%**

Except for justified reasons, a minimum attendance of 80% is required to obtain a mark under "participation". If this level of attendance is not reached, this factor will be graded zero "0". Active participation in class discussions is required.

#### **Mid-term exam: 25%**

There will be 2 partial exams during the course 1 consisting of a group work to be discussed in class (debating) and 2 a writing paper.

#### **Final exam: 50%**

The final exam is a necessary condition to pass the course. In case of not attending the exam the student will receive a "not presented" grade.

### September evaluation

The final mark of the course "Legal Market of the European Union" will be calculated on the basis of the following factors, weighed as described below:

Participation: 25%

Individual paper: 25%

Exam final: 50%