

STAGE 3

Module	EU Law
Course code	LLBH-EU
Credits	15
Important notes	Available for year abroad students only.
Allocation of marks	30% Continuous assessment 70% Final examination

Intended Module Learning Outcomes

On successful completion of this module, learners will be able to:

1. Assess the historical and political development of the European Union, with particular emphasis on recent expansion;
2. Analyse the sources of European Union law and their relationship to national law;
3. Identify and critically discuss the role and functions of the political and judicial institutions of the European Union and identify and appraise judicial remedies in EU law
4. Describe the law making process and demonstrate understanding as to how European Union legislation impacts on social, political and economic issues within the Member States
5. Engage in detailed research on distinct issues in European Union law and present analysis of this research in a clear manner;
6. Critically evaluate the applicability of general principles of European Union law across a range of different legal areas
7. Critically analyse and discuss European Union legislation and case law on the free movement of workers, capital, services and goods and in the area of competition law;
8. Critically analyse factual scenarios and apply their understanding of European Union law to them

Module Objectives

1. To imbue the learner with a historical and political perspective on the development of the European Union
2. To develop within the learner an understanding of the law making process, sources of European Union law, the operation of the EU institutions and the impact of EU law within the domestic legal system.
3. To familiarise the learner with the EU legal system and the operation of the Court of Justice of the European Union, as well as language and concepts peculiar to it.
4. To enable learners to develop a facility with both the judicial process and remedies
5. To develop an understanding as to how the four freedoms operate substantively within this sphere.

Module Curriculum

Historical, Political and Economic Background to European Integration

- Institutions: Legal Base, Powers Structure and Function
 - The Commission
 - The Council and the European Council
 - The European Parliament
 - The Court of Justice of the European Union and the General Court
 - Other institutions
 - Legislative Process

- Sources of EU Law
 - Primary Sources
 - Secondary legislation
 - General principles of Community law
 - Jurisprudence of the Court of Justice
 - Public International Law

- Relationship between European Union and domestic law
 - Development of European Union law as an autonomous legal system
 - The effect of the European Union law in the Domestic legal framework
 - Conflict and Supremacy
 - Direct Applicability and Direct Effect
 - Implementation and effect of European Union law in Ireland

- Judicial Processes & Remedies
 - Commission Enforcement Actions against Member States
 - Actions against EU Institutions
 - Preliminary Reference Procedure
 - Remedies for breach in National Courts
 - Contractual and Non Contractual Liability of the Union

Introduction to European Economic Integration and the Single Market.

- Free Movement of Goods
 - Articles 28 – 30 TFEU: Duties, Charges and CEE's
 - Articles 110 - 113 TFEU: Discriminatory Internal Taxation
 - Articles 34 - 36 TFEU: Quantitative Restrictions and MEQR's

- Free Movement of Persons
 - Definition of a worker
 - Position of part-time workers
 - Workers families
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- Union Citizenship
 - Citizenship as a fundamental status
 - Benefits accruing from Union citizenship
 - Citizenship Directive 2004/38

- Freedom of Establishment and to Provide Services
 - Non-discriminatory restrictions on establishment
 - Establishment of companies
 - Article 56 TFEU and Member State social services

- Position of illegal activities
 - Non-discriminatory restrictions on establishment
- Free Movement of Capital
 - Free movement of capital
 - EMU and the common European currency
- Equal Treatment of Men and Women
 - Principles of equal pay and equal treatment
 - Protection for maternity
 - Positive discrimination
 - Social security
- Competition Law
 - Article 101 TFEU
 - Article 102 TFEU Enforcement procedures
 - Article 107 TFEU
 - Interface between European Union and domestic competition law