

EU Competition Law (B001718)

Course size *(nominal values; actual values may depend on programme)*

Credits 6.0

Study time 180 h

Contact hrs

45.0h

Course offerings and teaching methods in academic year 2022-2023

A (semester 2)

English

Gent

lecture

45.0h

Lecturers in academic year 2022-2023

Adam, Stanislas

RE22

lecturer-in-charge

Offered in the following programmes in 2022-2023

[Master of Science in Teaching in Social Sciences\(main subject Laws\)](#)

6

A

[Master of Laws in Laws](#)

6

A

[Master of Laws in European Union Law](#)

6

A

[Master of Laws in International and European Law](#)

6

A

[Master of Laws in International Business Law](#)

6

A

[Exchange Programme in Law](#)

6

A

Teaching languages

English

Keywords

EU Competition law, anti-trust law, cartels, abuse of a dominant position, relevant market, concept of undertaking, internal and external territorial scope, group exemptions, merger control, State aid, contemporary issues of EU competition policy.

Position of the course

The objective is for students to acquire a thorough knowledge of the legal framework, the dynamic nature and the scope of EU competition law and policy on an interactive basis. Special attention is paid to new developments in the case law and current key issues, such as reconciling antitrust rules with the protection of intellectual property rights in the pharma sector or ensuring that victims of cartels and abuses of dominance can effectively be compensated for the damage suffered.

Contents

The legal framework of European Competition law is analysed (Articles 101-102 TFEU, merger control and State aid). It sets out the objectives, policy, framework and principles of EU competition law in a dynamic and case based context. The institutional framework and decision-making in European Competition Law is also analysed, as well as judicial review and private enforcement.

The class takes an interactive approach, possibly with occasional guest lectures (eg. EU Commission, Belgian Competition Authority).

Students have to prepare the topics of the classes in advance of class discussion so as to acquire the necessary legal tools and skills to master the EU competition law concepts examined.

Initial competences

Students should be acquainted with legal reasoning and terminology in general. They should have a basic understanding of EU law. Prior knowledge of competition law is not required.

Final competences

1 Possess a good knowledge of basic concepts and understand the dynamic nature

and scope of EU competition law and policy.

- 2 Capable of identifying and solving problems and cases in a legally sound manner.
- 3 Ability to enter into well-founded discussions with colleagues from different disciplines and/or different legal cultures.
- 4 Engage in individual readings prior to group discussions.
- 5 Capacity for individual research and appraisal and commenting of primary sources.
- 6 Critically analyse and comment EU competition decisions and judgments.
- 7 Approach the concepts and legal problems from a critical analytical perspective.
- 8 Openness toward guest lectures and/or extra-curricula activities.
- 9 To understand the implications of new societal and technological evolutions for the development of legal practice.
- 10 To assess the importance for the EU of the maintenance of cultural diversity and Member States values"

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Lecture

Extra information on the teaching methods

The method used is both case-based and research-based. An active participation of the students to class discussions on the basis of prior readings is required so as to acquire the necessary legal tools and skills to master new developments in EU Competition law.

Learning materials and price

A syllabus or slides are made available via Ufora. Legislation and judgments that are part of compulsory reading material are made available before each class.

References

Literature in syllabus.

Course content-related study coaching

Interactive support via Ufora and questions and answers by email.

Assessment moments

end-of-term and continuous assessment

Examination methods in case of periodic assessment during the first examination period

Written examination, Open book examination

Examination methods in case of periodic assessment during the second examination period

Written examination, Open book examination

Examination methods in case of permanent assessment

Assignment

Possibilities of retake in case of permanent assessment

examination during the second examination period is possible in modified form

Extra information on the examination methods

- **Written open-book exam**, comprising fictitious cases of EU competition law that they must resolve. Students may use course material (syllabus and reading assignments) during the exam.
- **Assignment** comprising:
 - 1 An **individual case analysis** in a short paper (min. 2000 words, max 2500 words) setting out a judgment/decision, offering critical analysis substantiated with academic literature.
 - 2 An **opinion brief** in the form of a written social media post and oral presentation of the post, jointly prepared by groups of maximum 6 students. The students are expected to prepare a succinct, written post presenting their critical

standpoint on the highlights/benefits/disadvantages of a topical (policy or other) development in EU or national competition law, from different perspectives (e.g. consumer or producer organisations; other interest groups, etc.), aimed at their relevant stakeholder group. They present that opinion brief during a lecture.

Calculation of the examination mark

- Written open-book exam (50%).
- The assignment (permanent evaluation) comprises an individual case analysis (30%) and an opinion brief (20%).

Please note that failure to participate to any of the above-mentioned parts of the evaluation results in failing the course.

Facilities for Working Students

No.