

## 6.10 Module 10 EU Internal Market and Competition Law

### 6.10.1 Headline Information about the Module

<b>Module title</b>	EU Internal Market and Competition Law
<b>Module NFQ level (only if an NFQ level can be demonstrated)</b>	Level 9
<b>Module number/reference</b>	MIBL-EUIM
<b>Parent programme(s) the plural arises if there are embedded programmes to be validated.</b>	LLM in International Commercial Law
<b>Stage of parent programme</b>	1
<b>Semester (semester1/semester2 if applicable)</b>	2 (elective)
<b>Module credit units (FET/HET/ECTS)</b>	ECTS
<b>Module credit number of units</b>	10
<b>List the teaching and learning modes</b>	Full-time, part-time
<b>Entry requirements (statement of knowledge, skill and competence)</b>	Learners should normally hold an approved honours degree in business, law or related discipline or equivalent qualification from an approved tertiary/or professional institution.
<b>Pre-requisite module titles</b>	Not Applicable
<b>Co-requisite module titles</b>	Not Applicable
<b>Is this a capstone module? (Yes or No)</b>	No
<b>Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff (staff includes workplace personnel who are responsible for learners such as apprentices, trainees and learners in clinical placements)</b>	Lecturers qualified to at least a level 9 legal qualification (LLM), preferably with a third level teaching qualification (e.g. Certificate in Training and Education).
<b>Maximum number of learners per centre (or instance of the module)</b>	60
<b>Duration of the module</b>	12 weeks
<b>Average (over the duration of the module) of the contact hours per week (see * below)</b>	2.5
<b>Module-specific physical resources and support required per centre (or instance of the module)</b>	Normal lecture room with internet access and good-quality audio-visual equipment.

Analysis of required learning effort		
Effort while in contact with staff	Minimum ratio teacher / learner	Hours
Classroom and demonstrations	1:60	30
Monitoring and small-group teaching		
Other		
Independent Learning		
Directed e-learning (hours)		
Independent Learning (hours)		220
Other hours (group project)		
Work-based learning hours of learning effort		
<b>Total Effort (hours)</b>		<b>250</b>

Allocation of marks (within the module)					
	Continuous assessment	Supervised project	Proctored practical examination	Proctored written examination	Total
Percentage contribution	50			50	100%

### 6.10.2 Module aims and objectives

The objectives of this module are twofold. Firstly, it seeks to develop within the learner an in-depth understanding of the economic and political basis for the internal market of the European Union and the laws that ensure its operation. Secondly, it requires the learner to critically analyse the European Union's policies in the sphere of competition law. The module will address a number of current legal issues in the development of the Internal Market, such as the future of the Eurozone, the position of Public Services and the impact of the developing jurisprudence on Citizenship. The learner is encouraged to critically assess the basis for competition law within the EU and engage with academic commentary and court decisions to determine whether the overall policy goals are being met.

### 6.10.3 Minimum intended learning outcomes

On successful completion of this module, the learner shall:

- (i) critically assess in-depth EU Internal Market and Competition Law and the philosophical, political and economic structures underpinning it
- (ii) apply advanced theoretical knowledge and in depth critical thinking to suggest credible and creative solutions to various international legal problems through problem and essay questions
- (iii) synthesise a holistic picture of where the rules surrounding the Internal Market fall within the overall context of EU Law
- (iv) demonstrate a critical awareness of current legal issues within EU Internal Market Law and Competition Law
- (v) present creative solutions to complex EU Internal Market and Competition legal issues
- (vi) develop advanced reasoned arguments, challenge assumptions and reach sound informed judgment in relation to focused EU Law issues
- (vii) communicate ideas in an effective manner and argue, advocate, present and persuade with clarity and accuracy.

#### **6.10.4 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs**

In the current European climate learners require the ability to elaborate on the political, legal and economic reasoning behind the formation of the internal market with an understanding of the substantive case law of the internal market.

The ability to determine the extent to which the aims of the internal market have broadened from purely economic to encompass social objectives are key to a learner's understanding in addition to Articles 101 and 102 TFEU.

The module provides learners with a comprehension of the modernisation of EU Competition law undertaken over the last 8 years and the impact this has had on the methods of Enforcement.

#### **6.10.5 Information provided to learners about the module**

Learners receive the following resources and materials in advance of commencement:

- module descriptor
- module learning outcomes
- assignment and presentation briefs
- assessment strategy
- reading materials
- class notes (on a weekly basis).

Additionally, this material will be made available through Moodle, the college VLE, along with other relevant resources and activities.

#### **6.10.6 Module content, organisation and structure**

EU Internal Market and Competition Law is taught and assessed over one academic semester. The module is delivered over 12 lecture sessions of 2.5 hours' duration.

The topics covered in the module are:

- introduction: conceptions of the internal market
- economic governance & the euro
- choice of regulatory approach: article 114 tfeu
- free movement of goods: the role of article 34 tfeu
- freedom of establishment and to provide services: 'non-discriminatory rules' post gebhard
- fundamental freedoms v. fundamental rights: the impact of the internal market on the 'social state'
- union citizenship: the new frontier of the internal market
- Article 101 TFEU
- Article 102 TFEU
- competition law enforcement
- reinforcement of key principles, revision

### **6.10.7 Module teaching and learning (including formative assessment) strategy assessment**

The module is delivered by means of structured and participative style lectures. The learners are assigned reading the week previous to each class, and some learners are asked to lead the discussion of the material. The lecturer regularly encourages small group formation to discuss nascent research questions and appropriate methodology strategies. Feedback is also provided through formative assessment which supports learners taking control of their own learning.

### **6.10.8 Work-based learning and practice-placement**

There is no work based learning or practical placement involved in this module.

### **6.10.9 E-learning**

Moodle, the college VLE, is used to disseminate notes, advice, and online resources to support the learners.

### **6.10.10 Module physical resource requirements**

Normal lecture room with internet access and good-quality audio-visual equipment.

All learners have access to an extensive range of 'actual' and 'remote access' library resources. The library monitors and updates its resources on an ongoing basis, in line with the college's Library Acquisition Policy.

### **6.10.11 Reading lists and other information resources**

#### **Primary Reading**

*Bellamy & Child, (2018) European Union Law of Competition. 8<sup>th</sup> ed. Oxford University Press.*

#### **Secondary Reading**

*Chalmers, D. et al. (2010) European Union Law: Cases and Materials. 2<sup>nd</sup> ed., Cambridge*

*Craig, P., & De Burca, G. (2015) EU Law: Text, Cases and Materials. 6<sup>th</sup> ed., Oxford University Press*

*Goyder J. and Albors-Llorens A. (2009) Goyder's EC Competition Law. 5<sup>th</sup> ed. Oxford University Press*

*Jones, A., & Sufrin, B. (2016) EU Competition Law. 6<sup>th</sup> ed. Oxford University Press*

*Kerse, C. & Khan, N. (2012) EC Antitrust Procedure. 6<sup>th</sup> ed. Sweet & Maxwell*

*Moravcsik A. (1998) The Choice for Europe: Social Purpose & State Power from Messina to Maastricht. Cornell University Press*

*Whish, R. (2018) Competition Law. 9<sup>th</sup> ed. Oxford University Press.*

### **6.10.12 Specifications for module staffing requirements**

Lecturers qualified to at least a level 9 legal qualification (LLM) and preferably a third level teaching qualification (e.g. Certificate in Training and Education).

### **6.10.13 Module summative assessment strategy**

Learners are assessed by continuous assessment, in the form of an individual essay (50%) and a summative end of semester examination (50%). The examination will consist of both essay and problem style questions. The assessed work breakdown can be seen in the table below.

No.	Description	MIMLOs	Weighting
1	Individual essay	(v), (vi), (vii)	50%
2	Closed book examination	(i)-(v)	50%

### **6.10.14 Sample assessment materials**

Please see Sample Assessment Handbook.