

Syllabus

for course at advanced level

EU Competition Law

EU:s konkurrensrätt

15.0 Higher Education

Credits

15.0 ECTS credits

Course code: JU674M
Valid from: Autumn 2015
Date of approval: 2015-02-16
Department Department of Law

Main field: European Economic Law
Specialisation: A1F - Second cycle, has second-cycle course/s as entry requirements

Decision

Approved by: Faculty of Law Education Committee (delegation) 16 February 2015

Prerequisites and special admittance requirements

Students must be accepted to the Master of Laws Programme in European Economic Law and have satisfactorily completed the requirements in the programme's first course Advanced European Economic Law.

Course structure

Examination code	Name	Higher Education Credits
0100	EU Competition Law	15

Course content

This course is the second course in the Master of Laws Programme in European Economic Law. It is one of several elective specialisation courses.

The purpose of the course is to give students an overview of EU rules in competition law and convey specialised knowledge about the application of the rules in specific areas with regard to the underlying economic principles and the political context. The course focuses on the fundamental provisions in the Treaty on the Functioning of the European Union concerning ensuring effective competition in the EU. The legal provisions are studied from an economic and comparative perspective. The course teaches how the competition rules are applied in specific areas, e.g., media and telecommunications. Particular attention is paid to the interplay between the competition rules and intellectual property law. The course makes students aware of current developments in related areas, e.g., the EU rules regarding state aid and public procurement. The EU procedural rules that ensure the effective enforcement of competition law are studied in addition to substantive law provisions and principles. The course highlights the significance of the EU Charter of Fundamental Rights and of the European Convention on Human Rights.

In relation to the introductory compulsory course in the Master programme, this course provides deepening in substantive and methodological respects. It offers deeper insights into the constitutional standing of competition law within the EU legal order, and the connection between competition law and Internal Market law. At the same time, students are given the opportunity to broaden their knowledge in an important area of European economic law.

The course also aims to prepare students for their Master thesis project with a focus on the requirements for academic writing as well as the treatment of choice of methodology and research questions. The student shall prepare for the Master thesis project by writing during the course a memorandum that identifies relevant research questions. In accordance with the increasing degree of difficulty in the specialised courses, the requirements for methodological awareness and scholarly accuracy are increased at the same time as the subject choice for the Master thesis project begins to be formulated in step with the more advanced knowledge of methods.

Learning outcomes

After successful completion of the course, the student is expected to be able to:

- demonstrate knowledge and understanding of overall principles and governance mechanisms in EU competition law, as well as deeper knowledge within selected areas of EU competition law, particularly the interplay between competition law and intellectual property law,
- demonstrate deeper methodological knowledge regarding EU competition law, including insight about the significance of economic theory,
- display the ability to independently identify and critically analyse complex competition law issues with application of EU legal methods and with consideration of economic theory,
- write an essay memorandum that identifies and critically analyses relevant scholarly issues in EU competition law, with the use of appropriate methods and consideration of academic requirements regarding use of source material and proper citation of sources,
- present the essay memorandum orally, describing the choice of subject and methods, and discuss others' research,
- demonstrate knowledge of the economic and other social implications of different legal rules and governance mechanisms within EU competition law.

Education

Instruction consists of 10 weeks of full-time studies. It is structured as follows:

- A series of lectures on central parts of EU competition law, as well as on certain selected areas of EU competition law;
- Teacher-led tutorials in smaller groups, that link to the lectures and aim to improve understanding as well as prepare students for the subsequent seminars;
- Interactive seminars on selected subjects in EU competition law, with a focus on the application of EU competition law rules in certain markets, and particularly on the interaction between competition law and intellectual property law. The students work with analysis of caselaw from the Court of Justice of the European Union as well as other material from relevant competition law and economic theory. The students prepare written and oral assignments that involve application, investigation and argumentation and present the results during seminars, both individually and as a group.
- A concluding seminar where students present a shorter written essay memorandum with research in EU competition law. The students also serves as discussant ("opponent") for another course participant's essay memorandum.

Seminars/workshops will also be organized during the course to help students with the preparation of their essay memorandum, with emphasis on the choice and delimitation of appropriately defined research questions, issues of theory and methods, and academic requirements regarding use of source material and proper citation of sources.

The language of instruction is English.

Active participation in 80 per cent of the seminars is compulsory. In the event of special circumstances, the head of the course can grant exceptions. In this case, the student shall be responsible for completing an additional assignment.

Forms of examination

Examination is based on active participation in the seminars, the essay memorandum and its oral presentation and serving as a discussant at a seminar, as well as through a written examination. When the student has completed assignments in a group, the individual student's achievement is assessed by questions at the seminars.

Regarding materials allowed for the written examination, only one copy of the course literature, statute book, and source material stated in the course literature list may be brought in to the examination.

All course requirements must be met in order to pass the course. Course grades are determined based on a combination of the individual's performance in each of the different elements of the course.

Students who initially fail the examination are given the opportunity to be assessed a second time. Students who have received a passing grade are not allowed to be assessed again in order to achieve a higher grade. Students who fail the course twice from the same examiner have the right to request a different examiner for their next examination. This, however, does not apply if there are particular reasons that a different examiner cannot be appointed.

The grading system uses a criterion-referenced scale of seven grades with passing grades of A (Excellent), B (Very good), C (Good), D (Satisfactory), or E (Sufficient). Failing grades are Fx (Insufficient) or F (Entirely insufficient).

Grading criteria shall be made available at the latest at the beginning of the course.

Misc

Effective date

These provisions are effective from 31 August 2015.

Required reading

The reading list is established by the Faculty Education Committee. See the course website at www.jurinst.su.se for information on the required reading. The updated reading list will be available at the latest two months before the start of the course.