




5.0 credits	30.0 h	1q
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Teacher(s) :	Nihoul Paul ;
Language :	Anglais
Place of the course	Louvain-la-Neuve
Inline resources:	Powerpoint presentations used in class, additional readings and exercises will be available on Moodle.
Prerequisites :	None
Main themes :	<p>Consumer law covers various fields of law, which it examines from the perspective of consumers. A choice is made of various themes to examine every year :</p> <ul style="list-style-type: none"> <li>- safety of consumers</li> <li>- food safety</li> <li>- commercial practices.</li> </ul>
Aims :	<p>At the end of this course, you will be able to explain (e.g. to an entrepreneur) the key rules and concepts of EU Competition law, such as relevant market, restriction of competition, abuse of a dominant position, taking into account the case law and soft law studied during the course.</p> <p>When presented with a hypothetical set of facts, you should be able to i) identify whether EU competition rules apply, ii) if so, which substantive and procedural rules apply, iii) determine which authorities would be in charge of the matter and iv) outline the main steps of the reasoning to be conducted.</p> <p>You will be able to consider substantive and procedural issues both from the point of view of undertakings and from that of enforcement authorities.</p> <p>You will be able to research European courts case law and Commission decisions.</p> <p><i>The contribution of this Teaching Unit to the development and command of the skills and learning outcomes of the programme(s) can be accessed at the end of this sheet, in the section entitled "Programmes/courses offering this Teaching Unit".</i></p>
Evaluation methods :	The evaluation for this course consists of a 3 hour written exam. You will have to explain competition rules and how they apply in a specific situation. The situation will be similar enough to those covered in the course for you to reason by analogy. Example of exam questions will be provided. The exam will take place in an IT room (you will type your answers on a computer). You will have access to Eur-Lex and to Moodle.
Teaching methods :	This course is lecture-based. You will have to prepare readings, questions and sometimes exercises before class and be ready to discuss them in class. We will have a practitioner as a guest speaker and you will need to prepare an exercise for this session. Specific instructions will be posted on Moodle.
Content :	<ul style="list-style-type: none"> <li>· Introduction. Why do we protect competition? How do we protect competition? When do EU rules apply? Who applies EU Law? What use is economics to competition lawyers? Overview of EU substantive and procedural rules.</li> <li>· General notions: Undertaking, Market Power, Relevant Market</li> <li>· Article 101, paragraph 1, TFEU. Associations of undertakings. Agreements, decisions and concerted practices. The object or effect of preventing, restricting or distorting competition. The de minimis doctrine.</li> <li>· Article 101, paragraph 3, TFEU. Exemptions. The Article 101, paragraph 3 criteria. Regulation 1/2003. Block exemptions in general. Vertical restraints block exemption (Regulation 330/2010).</li> <li>· Article 102 basics. Key issues. Protecting competitors or protecting competition? Dominant position. Special Responsibility. Notion of abuse. Types of abuse. Commission's enforcement priorities.</li> <li>· Article 102 TFEU. Exclusionary abuses: Refusal to Supply ' Pricing abuses ' Predatory pricing ' Margin Squeeze ' Economic analysis ' Behavioural analysis.</li> <li>· Public enforcement of Article 101 and 102 TFEU. Overview of Regulation 1/2003 ' Commission's enforcement powers ' European Network of Competition Authorities ' Judicial Review.</li> <li>· Private enforcement of Article 101 and 102 TFEU. Competition Law as a Defense ' Actions for injunction and for damages ' Class actions</li> <li>· Merger Control: Merger Regulation ' National authorities and EU Commission ' Substantive analysis ' Judicial Review</li> <li>· Member States and Competition Rules: Duty of sincere cooperation ' State Monopolies ' Prohibition of State Aids</li> </ul>

<p><b>Bibliography :</b></p>	<p>Casebook (mandatory)                  For this course, you will need the following casebook:                  Ariel Ezrachi, <i>EU Competition Law: An Analytical Guide to the Leading Cases</i>, Oxford: Hart Publishing, 2016.                  This is a great case book. Many competition law cases are quite lengthy. In this book, you will find the key excerpts of leading cases, with a summary of facts and background explanation. This book is a must-have for this course.</p> <p>Recommended textbook                  The above-mentioned casebook is not a textbook. For a systematic and full explanation of the subject-matter, it is recommended to use a textbook in addition to the casebook. General EU Law books usually contain a few chapters on competition law. This is useful to get an overview but not detailed enough for the purposes of this course. The following specialised textbook is highly recommended. Students generally love it!                  Richard Whish et David Bailey, <i>Competition Law</i>, Oxford: Oxford University Press, 2015.</p>
<p><b>Faculty or entity in charge:</b></p>	<p>BUDR</p>

<b>Programmes / formations proposant cette unité d'enseignement (UE)</b>				
Intitulé du programme	Sigle	Credits	Prerequis	Acquis d'apprentissage
Advanced Master in International Law	DRIN2MC	5	-	
Master [120] in Law	DROI2M	5	-	
Advanced Master in European Law	DREU2MC	5	-	
Master [120] in European Studies	EURO2M	5	-	