University of Nicosia, Cyprus

Course Code LAW-201	**Course Title** European Union Law I	**ECTS Credits** 6
Department Law	**Semester** Fall	**Prerequisites** Two from LAW-100, LAW-122/6, LAW-132 and LAW-142/6
Type of Course Major requirement	**Field** Law	**Language of Instruction** English
Level of Course 1st Cycle	**Year of Study** 2nd	**Lecturer(s)** Dr. Stéphanie Laulhé Shaelou
Mode of Delivery Face-to-face	**Work Placement** N/A	**Co-requisites** None

Objectives of the Course:

This course will consider the background to the formation and development of the European Union. Union institutions, legislation, the relationship between EU law and the national law of the member states will also be examined. The semester will conclude with emphasis on the judicial process, grounds for review and remedies. The successive waves of EU enlargement and of amendments of the Founding Treaties up to the Treaty of Lisbon will also be emphasised.

Learning Outcomes:

After completion of the course students are expected to be able to:

1. Explain the economic and social principles underlying the formation, the development and policies of the EU and describe the changes which have taken place in the ambitions of the EU; all the amending Treaties including the Lisbon Treaty; the enlargement process to date;
2. Discuss the structure of the EU (including the previous 'three pillars') and its evolution (including as a legal person);
3. Appraise the composition, functions and powers of the institutions of the EU; Outline the main legislative processes and analyse the relative degree of power which they give to each of the institutions;
4. Evaluate the impact of EU membership on national sovereignty and explain the principles of supremacy, subsidiarity and of conferral of powers;
5. Determine the various sources of EU law and discuss their effect and relative importance; the general fundamental principles of law as far as they apply in the EU, including fundamental rights under the ECHR and the European Charter of the Protection of Fundamental Rights.

6. Analyse and appraise the concepts of direct applicability and direct effect and apply them as far as the rights of individuals to rely on a provision of EU law in their national courts are concerned; discuss the review of legality of acts of the institutions; Discuss the importance of preliminary references for questions of validity and interpretation and examine how it is triggered;
7. Discuss the rules which apply to the grant of remedies for breach of EU law by Member States and the EU's liability in contract and tort.
8. Estimate the rules and principles underlying a new legal order.

Course Content:

During the semester, the students will study the following topics:

1. The development of European integration

Origins of the European Community; evolution of the EU up to today with the Lisbon Treaty; the amending Treaties; the Pillar structure; debate and focus on the role of small nations like Cyprus

2. The institutions of the EU

3. The relationship between EU Law and National Law

Supremacy and sovereignty: political and legal problems; role of the Court of Justice of the EU;

EU powers: conferral of powers, principle of subsidiarity; Constitutional law issues in Cyprus and other member states

4. EU legislation and policy-making:

Sources of EU law; Legislative procedures; amendments made by the Nice Treaty/Lisbon Treaty

5. The nature of EU Law: direct applicability and direct effect

6. The application of EU law: Member State liability

Francovich liability; Factortame III liability; remedies in national courts.

7. Preliminary references and the building of a European judicial system

Discretionary/mandatory references: Court of Justice's guidelines; case law of UK courts; case law of Cypriot courts; misuse of Article 267 TFEU (old Article 234 EC); issues of validity.

8. Challenging Union Acts: review of legality

Article 263 TFEU (old Article 230 EC); Article 265 TFEU (old Article 232 EC); Article 277 TFEU (old Article 241 EC); Grounds for review; Consequences of illegality and invalidity, use of general principles of law

9. The liability of the EU: damages actions and money claims; Article 340 TFEU (old Article 288 EC)

Learning Activities and Teaching Methods:

Interactive lectures, tutorials, written examinations and assignments

Assessment Methods:

One written assignment, mid-term exam, final exam

Required Textbooks/Reading:

Authors	Title	Publisher	Year
Foster N	*EU Law Directions* (2nd ed)	OUP	2010
Foster N	*Blackstone's Statutes on EU legislation*	OUP	2010
Szyszcak & Cygan	*Understanding EU law* (2nd ed)	Thomson/Sweet & Maxwell	2008

Recommended Textbooks/Reading:

Authors	Title	Publisher	Year
Weatherill S	*Cases & Materials on EU law*	OUP	2010
Lenaerts K & Van Nuffel P	*Constitutional Law of the EU* (3rd ed)	Sweet & Maxwell	2010
Hartley T	*The foundations of EU law* (7th ed)	OUP	2010
Craig & de Burca	*EU Law* (4th ed)	OUP	2008
Tridimas T	*The general principles of EU law* (2nd ed)	OUP	2007