



UNIVERSITY OF NICOSIA ΠΑΝΕΠΙΣΤΗΜΙΟ ΛΕΥΚΩΣΙΑΣ

University of Nicosia, Cyprus

Course Code LAW-375	Course Title EU Competition Law	ECTS Credits 6
Department Law	Semester Fall/Spring	Prerequisites LAW-202 plus one other from LAW-212, LAW-242 and LAW-252/6
Type of Course Law Elective	Field Law	Language of Instruction English
Level of Course 1 st Cycle	Year of Study 3 rd / 4 th	Lecturer(s) Dr. Stéphanie Laulhé Shaelou
Mode of Delivery Face-to-face	Work Placement N/A	Co-requisites None

Objectives of the Course:

Competition Law introduces the competing laws of the EU and of its member states (special emphasis on the UK and Cyprus). The constituent parts of the law, analyzing the way in which the law affects particular commercial phenomena, will be examined, with explanation of the economic context in which competition law operates. This is an area of law which is constantly changing but which lies at the core of EU law. The course will reflect the many recent developments within the context of European and international Competition Law: Regulation 1/2003 as well as instruments of EU law affecting the application of Articles 101 and 102 TFEU (old Articles 81 and 82 EC) and the modernization of Competition Law within the context of EU enlargement and the Lisbon Treaty. Overall, it considers anti-competitive agreements between firms, abuse of dominant position and mergers within the context of control market power and its abuse. Changes in national systems such as the UK and Cyprus will be considered.

Learning Outcomes:

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

1. Discuss, in relation to Article 101 TFEU (old Article 81 EC), the concept of an undertaking; the scope of agreements, concerted practices and decisions by associations of undertakings; analyse and construe the term ‘... which may affect trade between member states’; analyse, interpret and discuss the ‘... object or effect ...’;
2. Discuss the width of the coverage of Article 101 TFEU; explain the scope of Article 101(2) TFEU; explain the conditions for exemption (both individual and group exemptions); state and discuss the application of the Article 101(3)

- TFEU conditions;
3. Explain the categories of horizontal agreements; discuss oligopolies and cartels, and the Leniency Notice; explain distribution agreements and practices and relate to Block exemption regulations; discuss IP rights within the context of competition;
 4. Discuss, in relation to Article 102 TFEU (old Article 82 EC), dominance, relevant geographic and product markets (including for mergers); discuss the nature and categories of abuse; discuss the common features and differences between Articles 101 and 102 TFEU (including their relationship with the ECMR);
 5. Discuss, in relation to Practice and Procedure, the origins of EU Competition Law; state and interpret the provisions of Regulation 1/2003; discuss the substantive powers of the Commission;
 6. In relation to Member States and EU Competition Law: Discuss the co-existence of national competition rules; discuss the enforcement by national competition authorities and national courts; discuss the European Competition Network; discuss the International Competition Network;
 7. In relation to State Aids: state and explain the Treaty provisions (Articles 107 to 109 TFEU or old Articles 87-89 EC); discuss the remedies available; discuss State Aids vis-à-vis politics;
 8. Demonstrate some in-depth knowledge of specialist areas.

Course Content:

1. The goals of Competition Law; economic approaches to Competition Law; international dimension
2. Overview of EU competition law: Article 101 TFEU (old Article 81 EC)
3. Market power, market definition and entry barriers; dominance: Article 102 TFEU (old Article 82 EC)
4. Enforcement of Articles 101 and 102 TFEU; allocation of competences in the field of competition law: centralisation or decentralisation?
5. Competitor cooperation and horizontal restrictions: cartels, oligopoly, tacit collusion and collective dominance, cooperation agreements
6. Vertical Restraints: abuse of dominance through pricing and non-pricing practices
7. Concentrations and Merger Control
8. State Aids
9. The relationship between intellectual property rights and competition law

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
Jones A & Suffrin B	EU Competition Law: texts, cases and materials (4 th ed)	OUP	2010
Middleton K	<i>Blackstone's UK and EC Competition Documents</i> (6 th ed)	OUP	2009

Recommended Textbooks/Reading:

Authors	Title	Publisher	Year
Bishop & Walker	<i>The economics of EC competition law</i>	Thomson	2010
Gerber D	<i>Global competition</i>	OUP	2010
Ezrachi A	<i>EU competition law</i> (2 nd ed)	Hart	2010
Korah & Lianos	<i>Competition law</i> (4 th ed)	Hart	2010
Whish R	<i>EC Competition Law</i>	OUP	2009