Module Number: BL 3386

Module Title: European Union Law

Number of Aston Credits: 20

Total Number of ECTS Credits: 10

(European Credit Transfer)

#### **Staff Member Responsible for the Module:**

**Ryan Murphy** 

Aston Law

ABS Building, Room 411, Extension TBC.

Email: TBC

Availability: <a href="http://wass.aston.ac.uk/wass">http://wass.aston.ac.uk/wass</a> (online booking system)
Administrator, Basia Nowakowska, ABS 428, Extension 3185

Other Staff Contributing to the Module: None

Pre-Requisite(s) for the Module: None

**Module Learning Outcomes:** 

### **Knowledge and Understanding**

- 1. Know and understand the concepts and principles associated with the constitutional and administrative law of the EU.
- 2. Locate those constitutional principles within the social, economic and political contexts in which they operate.
- 3. Critically assess the efficiency and effectiveness of EU constitutional and administrative law with particular regard to the impact legal rules have on individuals and businesses operating within the internal market.
- 4. Be critically aware of the relationship between the European Court of Justice and the domestic courts in the operation of the EU legal order.
- 5. Be able to describe the main features of the internal market of the EU.
- 6. Be able to discuss and create a critique of recent developments in the internal market generally and particularly in relation to the free movement of goods and the free movement of capital.

#### **Skills Outcomes**

- 1. To demonstrate self-direction and time-management in researching primary and secondary sources of EU law.
- 2. Improve ability to use a variety of research tools with a particular emphasis on the use of ICT for legal research.
- 3. Improve ability to synthesise large amounts of disparate material into a coherent written or oral argument.
- 4. Develop an awareness of how self-assessment can be used to enhance learning.
- 5. Develop understanding of how to identify relevant legal tests in case studies and apply those tests to novel legal situations.

#### **Module Content:**

- a) The historical development of the EU from Coal and Steel Community to constitutional legal order. What are the aims of European integration? What is the future of the European Union?
- b) The institutional structure of the EU and the law making process.
- c) The main constitutional principles of EU law, to include: conferral, subsidiarity, general principles of law and fundamental rights.
- d) Enforcing EU law in the national courts: supremacy, direct effect, national remedial autonomy and state liability.
- e) Enforcing EU law in the Court of Justice of the European Union: Articles 258-260 TFEU (enforcement proceedings), Article 263 TFEU (action for annulment), Article 340 TFEU (non-contractual liability of the Union) and Article 267 TFEU (preliminary references).
- f) An introduction to the internal market of the European Union.
- g) The fundamental freedoms (goods, workers, services and capital) and horizontal issues in their application.
- h) Case study: the free movement of goods.
- i) Case study: the free movement of capital and Economic and Monetary Union.

# **International Dimensions:**

By its very nature, any study of the European Union involves a discussion of international law and how it affects the UK legal order. To this end, a significant issue explored in the unit is the relationship between the UK and EU legal orders. In addition, specific sections of the course explicitly consider the relationship between the EU and "third countries" (countries who are not members of the Union). This is most noticeable in the discussion of the free movement of capital.

# **Corporate Connections:**

Around one third of the course is dedicated to an examination of the internal market and its impact on businesses wishing to trade in the European Union. In addition, the constitutional and administrative part of the unit will be delivered in a way that draws upon real life examples and case studies.

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#### Links to Research:

The tutor has research interests in the constitutional and internal market law of the EU. More particularly, the tutor has explored, at doctoral level, the principles underpinning the free movement of capital in the Union. Examples from this research will be used to inform the teaching methods employed.

## **Learning and Teaching Rationale and Methods:**

(Including composition of learning hours)

a) Method of teaching – Lectures, seminars, VLE and independent study.

The lectures will introduce students to the concepts of the course and promote an understanding of how those concepts fit together. They are intended to provide a conceptual framework which students can develop further through their independent study. The lectures will be designed to be both flexible and interactive. As far as is possible, the lectures will also develop the skills associated with this module. This will result in an enhanced learning experience for students within a traditional lecture environment.

The seminars will afford students the opportunity to rigorously test their understanding and knowledge as well as develop their communication and reasoning skills. Seminars will be largely student-led with the preparation provided intended to be a catalyst for further discussion.

## b) Duration

Lectures (inc. revision and mid-point review)	45 hours
Seminars (inc.class presentations and discussions)	11 hours
Private study (incl. seminar preparation and revision)	117 hours
Coursework preparation	24 hours
Examination	3 hours
Total	200 hours

**Ethical Approval:** (If primary research is involved)

Not applicable

# **Assessment and Feedback Rationale and Methods:**

#### Formative assessment:

The formative assessment will have a strong focus on self-assessment. This will allow the students to develop their own learning techniques, strategies and methods. A wide range of formative assessment will be undertaken, to include:

- Written formative problems and essays (with written and oral feedback)
- Presentations (in the form of a mini-moot)
- Class mini-reviews of progress
- The use of reflective learning journals
- The use of a mid-point review of teaching and learning

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• Extensive use of VLE as a tool for assessment and learning

# Summative assessment:

One piece of coursework (maximum 2,500 words) (weighting 30%), in addition to one three hour unseen examination at the end of the academic year (70%). The examination will be closed book (except for the ability of students to use their own clean copies of the recommended statute book in the examination).

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