



**LUND**  
UNIVERSITY

Faculty of Law

## **JAEN28, New Challenges of the Internal Market in the EU, 15 credits**

*New Challenges of the Internal Market in the EU, 15 högskolepoäng*  
Second Cycle / Avancerad nivå

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### **Details of approval**

The syllabus is an old version, approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2013-02-07 and was valid from 2013-01-17, spring semester 2013.

### **General Information**

The course New Challenges of the Internal Market in the EU is an elective course in the Master's Programme in European Business Law at the Faculty of Law. The course is also open to students on the programme leading to a Swedish Professional Law degree and who follow the Master's Programme in European Business Law in their studies at advanced level. The course is also open to international students participating in exchange programmes with the Faculty of Law.

*Main field of studies*

European Business Law

*Depth of study relative to the degree requirements*

A1F, Second cycle, has second-cycle course/s as entry requirements

### **Learning outcomes**

The aim of the course is to enable students to deeply understand the basic mechanism that underlies the Internal market of the European union, especially in relation to the challenges the Internal market is currently facing.

### **Knowledge and understanding**

To pass the examination the student shall:

- show in-depth understanding of how the Treaty rules regarding the Internal market work
- show a systematic understanding of the working methods of the Union Courts
- reflect on the relationship between the Court of Justice and the Union legislator

in developing EU law

- reflect on the relationship between the Union and the Member States in the regulation of the Internal market show an understanding for conflicts of interests and other complex problems that the Internal market faces today.

### **Competence and skills**

To pass the examination the student shall:

- show ability identifying conflicting issues within the CJEU's case law
- show ability to critically analyse the development of Community law in important areas of the Internal market
- discuss and give suggestions on the direction that the European union should take in these areas.

### **Judgement and approach**

Students shall train inter-disciplinary working methods with colleagues from different cultural backgrounds and of the opposite gender. They shall simultaneously perform independent investigation and take full responsibility for the development of their own knowledge in an objective, but critical manner. To pass the examination the students shall be able to consider and discuss social and ethical responsibilities within a commercial environment and make personal judgments based on these reflections.

### **Course content**

The course gives the students a perspective and knowledge helping them to understand the mechanisms of the internal market and its ongoing deepening process. It shows that harmonization policy is an exercise in distributing competence to regulate the market between the Union and its member states and that this can be a very sensitive legal and political matter. In the light of this, the course focuses on modern and complex problems that the Internal market are facing today, problems that yet have to be solved. By comparing different areas and solutions, the students will get a true understanding of the European integration process in general and the relationship between the Court of Justice, the Union legislator and the member states in particular. The course starts with an introductory part and is thereafter centered on different challenges of the Internal market. The areas studied varies with the development of the Internal market. The course includes 5 to 6 topical areas which relate to the four freedoms and it gives the students a possibility to focus especially on one of those areas in an individual research paper (written analysis).

### **Course design**

Teaching is structured in lectures and seminars. The student obtains knowledge and competences by individual studies of course literature and other course material, in particular case law from the Court of Justice and EU legislation, and by taking active part of lectures and seminars.

The students are requested to comment on a case from the Court of Justice (written commentary) and write an analysis regarding one of the five challenges listed above (written analysis). The commentary and the analysis will also be presented orally

### **Assessment**

Examination will be based on the commentary and the analysis (in writing and orally), as well as on the level of active participation during the seminars. In assessing the final grades, weight will be placed on the active participation and oral presentation (40%) and the written commentary and analysis (60%). In order to pass the course, students need to achieve at least a pass on both the oral and written components.

*Subcourses that are part of this course can be found in an appendix at the end of this document.*

## **Grades**

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

### **B – Pass**

In order to pass the student must show a good understanding of how the Treaty rules regarding the Internal market work and show an ability to assess critically and analyse the jurisprudence of the Court of Justice with support of problem based learning methods. The student must show an ability of analysing not only the course materials but also other relevant sources, including EU legislation, case-law and relevant doctrine.

### **BA – Pass with credit**

In order to achieve this grade, the student must, in addition to what is required to pass, show an in-depth understanding of the relationship between the Court of Justice and the Union legislator in developing EU law and an the ability to reflect on the relationship between the Union and the Member States in the regulation of the Internal market. The student must also be able to express his or her ideas clearly and concisely in writing.

### **AB – Pass with distinction**

In order to achieve the highest grade the student must, in addition to what is required to pass with credit (BA), be able to explore independently a particular aspect of the development of the Internal market and critically analyse the relationship between the Court of Justice and the Union legislator in developing Union law. The student shall also demonstrate a deep understanding of the relationship between the Union and the Member States as regards the regulation of the Internal market and the conflicts of interests and other complex problems that the Internal market faces today.

## **Entry requirements**

Passed examination in courses corresponding to the first year of the Master's programme in European Business Law equivalent to 45 credits.

## **Further information**

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

## Subcourses in JAEN28, New Challenges of the Internal Market in the EU

Applies from H09

0901 New Challenges of the Internal Market in the EU, 15,0 hp  
Grading scale: Fail, Pass, Pass with credit, Pass with distinction