

## MODULE SPECIFICATION

**Code:** UJXU58-20-3    **Title:** European Union Law    **Version:** 2  
**Level:** 3    **UWE credit rating:** 20    **ECTS credit rating:** 10

**Subject type:** Non MAR subject (but standard module equivalent)

**Owning Faculty:** FBL

**Faculty Committee approval:** QSC    **Date:** 01/10/2011

**Valid from:** September 2011 (revised 2012)

**Pre-requisites:** None

**Co-requisites:** all other Foundations subjects, the other (8th) area of legal study (Independent Research Project) and English Legal System

**Excluded combinations:** None

**Learning outcomes:**

At the end of this subject students will be able to demonstrate:

### Knowledge and understanding

1. Knowledge and understanding of the principal issues of substantive law of the EU
2. An appreciation of the underlying social, economic and political issues that underpin the European Union
3. Knowledge and understanding of the law making process of the EU
4. An appreciation of the institutional structures of the EU

These skills are developed through lectures and seminar activities and are assessed in any coursework which is part of the assessment schedule in any given academic year, and examination.

### Intellectual skills

1. Skills of analysis and synthesis
2. An ability to evaluate critically existing law
3. An ability to apply problem-solving techniques to complex legal and factual situations

These skills are developed through lectures and seminar activities and are assessed in any coursework which is part of the assessment schedule in any given academic year, and examination.

### Subject /practical skills

1. An ability to conduct effective legal research
2. An ability to present reasoned legal argument (both orally and in writing)
3. Problem solving skills in the context of EU law
4. An ability to find, analyse and evaluate primary and secondary EU law

These skills are developed through preparation for and participation at seminars. The ability

to research using both primary and secondary sources also form part of the independent research skills needed to complete any coursework which is part of the assessment schedule in any given academic year.

### Transferable skills

Skills that are developed include:

1. Oral and written communication skills: oral communication is developed through and evidenced by interactive activities involved in the seminars. High quality written communication skills are required for any coursework and for the examination tasks.
2. Time management skills: these are developed through and evidenced by the ability to cope with an intensive study in a new discipline, whilst working to a demanding schedule of class contact, preparation for classes and for assessments.
3. Use of IT is developed both as a research tool and for the presentation of coursework. IT skills are also of increasing importance in the search for and retrieval of legal sources from the internet and legal databases.
4. Team-working is developed most obviously through seminar activities, where small group discussion (groups of 4 or 5) is followed by more general debate between the whole seminar group and the tutor.

### **Syllabus outline:**

1. Introduction  
The historical, economic and political context of European integration
2. Institutions of the European Union  
The European Commission  
The European Parliament  
The Council, COREPER, and the European Council  
The Court of Justice of the European Union
3. Law-making in the European Union  
Forms of secondary legislation  
Legislative processes in the EU  
Influencing the decision making process
4. Jurisdiction of the CJEU  
Preliminary references  
Enforcement proceedings  
Review of acts of the institutions
5. General Principles of EU law  
Supremacy of EU law  
Direct effect and direct applicability  
Indirect effect  
State liability  
Protection of individual rights  
Proportionality
6. Free Movement of Goods  
Customs duties and charges having equivalent effect  
Discriminatory internal taxes of a Member State  
Quantitative restrictions and measures having equivalent effect
7. European citizenship and Free Movement of Persons  
European citizenship  
Free Movement of Workers (and their families)

## **Teaching and learning methods:**

The aims of the subject are to:

- provide the student with knowledge and understanding of the nature and workings of EU law and law-making structures and processes;
- provide the student with an appreciation of the pervasive nature of EU law and of its importance and effect on domestic UK law;
- enhance the student's independent study and research skills; and
- develop the student's critical awareness and understanding of major components of EU law and European integration.

The emphasis throughout the subject is to provide the student with the opportunity and facilities to question, understand, analyse and evaluate EU law in its historical, political, economic, social and practical context.

### Class Contact

#### Full Time

The class contact is as follows:

1 hour per week plenary session in lecture room

1 hour per week seminar discussion

2 hours per fortnight workshop sessions for purposes of interactive consideration of practical tasks and discussion of current syllabus topic.

In any given academic year there will normally be:

- 11 lectures, including one revision lecture
- 12 hours of workshops (6 x 2 hours), including a revision workshop
- 11 hours of seminars, including one revision seminar

Consequently, in any academic year, there will normally be 34 hours of contact time for each student. In addition, students will have been given directed study to complete in the week between the end of TB1 examinations and the start of TB2 classes.

#### Part Time CPE

In any academic year, the class contact for the subject is normally as follows:

At the September Induction tuition session:

- 2 hours introductory lecture (whole cohort)
- 1 hour 30 minutes seminar session

At each of the following tuition sessions a block of 3 ½ hours comprising:

- 1 ½ hours plenary session (whole cohort)
- 2 hours seminar sessions (max of 12 students per seminar group)

Consequently, in any academic year, there will normally be 21 hours of contact time for each student. In addition, students will have been given directed study to complete during the summer between the end of Year 1 examinations and the start of Year 2 tuition sessions.

## Lectures.

The principal purposes of lectures are to:

- provide students with an overview of a particular topic;
- stress the important issues within the topic;
- explain the more difficult issues within a topic; and
- stimulate interest in the topic and provide alternative views.

Students are given pre-reading of the topic to be considered in the lectures, so that students can attend the lectures having done some preliminary preparation.

## Seminars on the Full Time and Part Time course.

These are fully inter-active teaching sessions, where students have the opportunity to raise questions and issues and to contribute to discussions. Seminars involve problem-solving and the analysis and synthesis of conceptual and contextual issues. Students are expected to fully participate in seminar discussions. The principal functions of seminars include:

- (a) to monitor the acquisition by students of knowledge, understanding and skills mentioned in the Learning Outcomes; and
- (b) to allow students to evaluate, analyse and synthesis legal materials and issues in an inter-active environment.

Typically, a seminar session may involve:

- consideration of some self-test questions given to students in advance (the principal functions of which are to guide students in their preparation for the seminar; to ensure broad coverage of subject matter within the topic, and to highlight important and more difficult issues within the topic); and
- consideration of a problem based scenario (the principal functions of which are to consider specific areas within a topic in more detail; to stress the importance of students adopting a logical methodology to dealing with such scenarios, and to illustrate the practical application of EU law in fact-based scenarios).

## Assessment

Assessment in any given academic year takes the form of either:

- (a) Coursework and Examination
  - (i) An unseen examination of two and a half hours duration at the end of the Teaching Block. Students will be required to answer no more than three questions from a minimum of six questions. Students are permitted to take their own, unannotated copy of the relevant statute book in the examination. The examination requires students to adapt their knowledge and demonstrate their understanding of the law in relation to novel situations and under time constraint; and
  - (ii) a coursework task set on a syllabus topic requiring students to demonstrate their ability to research a topic and to produce an appropriate response to the task set. For example, this may take the form of a critical analysis of the syllabus topic, an evaluative response to proposed reforms of the law in that context; advice to a hypothetical client based on a factual scenario provided by the tutor; the draft of a short scholarly article or conference paper etc.

OR

(b) Examination only

An unseen examination of three and a half hours duration at the end of the Teaching Block. Students will be required to answer four questions from a choice of eight questions. Students are permitted to take their own, unannotated copy of the relevant statute book in the examination. The examination requires students to adapt their knowledge and demonstrate their understanding of the law in relation to novel situations and under time constraint.

**Reading strategy:**

At the start of the academic year, each student will be provided with some core published materials for the subject, being a text book; a book of cases and materials, and a book of legislation (see below: Indicative Sources).

Any **essential** reading will be indicated clearly to students (normally by a combination of Topic Outlines; workshop / plenary instructions and seminar instructions). Essential reading for a particular topic or class will normally be a combination of parts of the core material provided to students and / or other specific references that students will need to access for themselves (eg case reports, journal articles, Law Commission reports, etc).

If **further reading** is expected, this will be indicated clearly to students (normally by a combination of Topic Outlines; workshop / plenary instructions and seminar instructions).

Students will be encouraged to make full use of the printed and electronic resources available to them through membership of the University (for the purposes of both class contact preparation and research in preparation for coursework and examination assessments). These include (amongst other things) a range of printed case reports, legislation, texts and journals, as well as a range of electronic journals and a wide variety of resources available through web sites and information gateways (including online study and legal research sites provided by the Law Library). The University Library's web pages provide access to subject relevant resources and services, and to the library catalogue. Many resources can be accessed remotely. Students will be presented with opportunities within the curriculum to develop their information retrieval and evaluation skills in order to identify relevant resources effectively.

**Indicative sources:**

Each year the subject team will determine which texts are to be purchased for the individual use of the students studying this subject. The selection may vary from one year to another but will normally comprise, as a minimum, one student textbook appropriate in style for the intensive nature of the course; one casebook and one volume of selected statutes. In addition students will be referred to the range of materials in the Bolland Library and they will be expected to fully utilise the variety of legal journals available both in hard copy and electronically, as part of their research for coursework in the Foundation subjects.

By way of illustration, in the 2011 / 2012 academic year, the texts provided to students will be:

Kaczorowska, European Union Law, 2nd<sup>h</sup> ed, Routledge  
Blackstone's EU Treaties & Legislation

**Assessment**

EU Law is taught and examined at the same stage of the Diploma as Property and Equity & Trusts. In any given academic year, there will be a coursework in two of these three subjects. Consequently, in two of each three-year cycle, there will be assessed coursework in EU Law. In every academic year, there will be an unseen examination in each of the three subjects.

(The fourth subject for TB2 and Year 2 is the Independent Research Project).

### **Weighting between components A and B**

In an academic year in which there is an assessed coursework

**A:** 75%      **B:** 25%

In an academic year in which there is no assessed coursework

**A:** 100%

### **First attempt within CPE Regulations**

In an academic year in which there is an assessed coursework

#### **Component A**

1 Unseen examination of two and a half hours duration. Students are permitted to take their own, unannotated, copy of the relevant statute book into the examination.

#### **Component B**

1 Coursework task

In an academic year in which there is no assessed coursework

#### **Component A**

1 Unseen examination of three and a half hours duration. Students are permitted to take their own, unannotated, copy of the relevant statute book into the examination.

### **Second attempt within CPE Regulations**

**(further attendance at taught classes is not required)**

In an academic year in which there is an assessed coursework

#### **Component A**

1 Unseen examination of two and a half hours duration. Students are permitted to take their own, unannotated copy of the relevant statute book into the examination

#### **Component B**

1 Coursework task

In an academic year in which there is no assessed coursework

#### **Component A**

1 Unseen examination of three and a half hours duration. Students are permitted to take their own, unannotated, copy of the relevant statute book into the examination.

### **Third and last attempt within CPE Regulations**

**Attendance at taught classes is not required.**

In an academic year in which there is an assessed coursework

**Component A**

1 Unseen examination of two and a half hours duration. Students are permitted to take their own, unannotated copy of the relevant statute book into the examination

**Component B**

1 Coursework task

In an academic year in which there is no assessed coursework

**Component A**

1 Unseen examination of three and a half hours duration. Students are permitted to take their own, unannotated copy of the relevant statute book into the examination