

LW4664: EUROPEAN COMPETITION LAW AND POLICY

Effective Term

Summer Term 2023

Part I Course Overview

Course Title

European Competition Law and Policy

Subject Code

LW - Law

Course Number

4664

Academic Unit

School of Law (FL)

College/School

School of Law (FL)

Course Duration

One Semester

Credit Units

3

Level

B1, B2, B3, B4 - Bachelor's Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

Students should have completed:-

LW2600 Legal Research and Writing and LW3666 Legal Research and Writing I or LW2604A & B Legal Research and Writing I & II; and

LW2602A & B Law of Contract I & II; and

LW2603A & B Law of Tort I & II.

Precursors

Nil

Equivalent Courses

LW5664 European Competition Law and Policy

Exclusive Courses

Nil

Part II Course Details

Abstract

This course aims to

- enable students to reflect critically upon the basic principles and policies at the heart of European Competition law;
- offer an understanding of how the law governs business practices that may restrict competition in economic markets through private and public enforcement; and
- equip students to analyse how competition law can curb anticompetitive activities and facilitate free competition.

Course Intended Learning Outcomes (CILOs)

CILOs	Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Describe and explain the concepts and principles related to the individual law course under the G-LEAP		x	
2	Apply the concepts and principles to solve hypothetical or real situations		x	x
3	Communicate ideas, arguments or advice clearly and coherently both orally and in writing	x	x	x
4	Critically analyse and evaluate concepts, principles and policy underpinning the area of law covered by the course	x	x	x

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

Teaching and Learning Activities (TLAs)

TLAs	Brief Description	CILO No.	Hours/week (if applicable)
1	Lectures - students will acquire basic knowledge of the relevant concept and principles, including by asking or responding to questions	1	

2	Group discussions/ exercises - students will get an opportunity to apply law or legal principles to practical situations; Tutorials – students will apply their understanding of legal concepts and principles to solve hypothetical situations		2	
3	Tutorials - oral presentations and written submissions; Consultations		3	
4	Lectures - students will develop critical analytical abilities by observing and participating in discussions; Guided reflective pre/post-class reading		4	

Assessment Tasks / Activities (ATs)

ATs	CILO No.	Weighting (%)	Remarks (e.g. Parameter for GenAI use)
1 Continuous Assessment: - to be decided by the individual course leader - Participation in tutorials and other exercises	1, 2, 3, 4	50	
2 Coursework and/or End- of-course examination: to be decided by the individual course leader			

Continuous Assessment (%)

50

Examination (%)

50

Examination Duration (Hours)

2

Additional Information for ATs

Again, although precise assessment tasks will be determined the visiting faculty and/or the course leader so as to ensure a proper alignment with CILOs and TLAs, few potential assessment tasks are specified below. Taking into account the nature of the subject and the duration of the course, the visiting faculty and/or the course leader will decide if the assessment will be wholly by coursework or by a combination of coursework and examination. The nature of examination (whether closed book or open book) will also be determined by the visiting faculty and/or the course leader. The exact assessment tasks will be notified to students at the beginning of the course.

Assessment Rubrics (AR)

Assessment Task

Attendance and participation in tutorials and other exercises presentation)

Criterion

Demonstration of concentration on tutorials and other exercises. Demonstration of ability and willingness to answer questions in tutorials and to participate in group discussion. Demonstration of oral presentation skills and willingness.

Excellent (A+, A, A-)

Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good (B+, B, B-)

Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair (C+, C, C-)

Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal (D)

Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure (F)

Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

End-of-course examination

Criterion

Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.

Excellent (A+, A, A-)

Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good (B+, B, B-)

Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

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Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

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Failure (F)

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Additional Information for AR

Grading of Student Achievement: Refer to Grading of Courses in the Academic Regulations (Attachment) and to the Explanatory Notes.

Students may be required to do class work orally or in writing at different intervals of the course. Students are encouraged to read more materials apart from the reading materials listed for the tutorial to enrich their performance in the class.

To pass this course student must obtain an aggregate mark of 40% and a minimum of 30% in each of the coursework and the examination elements of the assessment. Coursework for this purpose means those ways in which students are assessed otherwise than by the end of session examination.

Part III Other Information**Keyword Syllabus**

European Community Law, European Competition Law, Antitrust law, Mergers and acquisitions, Cartels, Monopoly, Dominance, Market power, Abuse of dominance, Globalisation, Co-operation, Public enforcement, Private enforcement, Article 81 EC, Article 82 EC, Regulation 1/2003, European Community Merger Regulation (ECMR).

Detailed Syllabus

The course comprises the following units which are covered in lectures and tutorials:

- Introduction to European Community law;
- Introduction to European competition law and policy;
- Antitrust economics;
- Article 81 EC - horizontal & vertical agreements;
- Article 82 EC - abuse of dominant position;
- Oligopolies, tacit collusion and unilateral action;
- The European Merger Regulation;
- Public Enforcement of competition law;
- Private enforcement of competition law;
- The international dimension – extraterritoriality, cooperation and harmonisation.

Reading List**Compulsory Readings**

	Title
1	Students will receive handouts and extracts of the relevant legislation to accompany the lectures. It is recommended that students also use one of the following sources in preparation for the course.
2	D Chalmers, C Hadjiemmanuil, G Monti and A Tomkins, <i>European Union Law</i> (CUP, 2006). Students are advised to read chapter 1.
3	M Furse, <i>Competition Law of the EC and UK</i> (6th edition, OUP, 2008). Students are advised to read the following chapters: 1, 4, 5, 6, 8, 9, 13, 14, 16, 18, and 19. [This text book covers both the EC and UK competition laws. It provides a detailed account of the relevant policy and law. The above chapters focus on EC Competition Law.]
4	A Ezrachi, <i>EC Competition Law, An Analytical Guide to the Leading Cases</i> (Hart, 2008). Students are advised to read the following chapters: 1, 2, 3, 4, 5, 6, 7, 8, and 10. [This case book focuses on EC competition law. It includes an introduction to each of the subjects covered in the course and analysis of the leading cases from the European Courts and Commission.]

Additional Readings

	Title
1	Nil