

Syllabus

for course at advanced level

EU Banking and Financial Law
EU:s bank- och finansrätt

15.0 Higher Education
Credits
15.0 ECTS credits

Course code:	JU672M
Valid from:	Autumn 2015
Date of approval:	2015-02-16
Department	Department of Law
Main field:	European Economic Law
Specialisation:	A1F - Second cycle, has second-cycle course/s as entry requirements

Decision

Approved by: Faculty of Law Education Committee (delegation) 16 February 2015

Prerequisites and special admittance requirements

Students must be accepted to the Master of Laws Programme in European Economic Law and have satisfactorily completed the requirements in the programme's first course Advanced European Economic Law.

Course structure

Examination code	Name	Higher Education Credits
0100	EU Banking and Financial Intergation Law	15

Course content

This course is the second course in the Master of Laws Programme in European Economic Law. It is one of several elective specialisation courses.

The course focuses on EU banking and financial law. The course is divided into three parts. The first part of the course is devoted to EU law concerning money and has as its basis the provisions regarding free movement of capital in the Treaty on the Functioning of the European Union. In addition to the regulations for exchange and investment controls, issues with taxation of cross-border capital income and cross-border financial crime as well as illegal money laundering are discussed. The second part of the course examines regulations regarding integration of banking, insurance, and investment services, looking at past legal developments, the current legal situation, and plans for the future. Particular attention is paid to the EU's growing banking union. The course also addresses the relevant consumer protection and competition rules within the EU regarding financial services. The third part of the course concentrates on the rules for establishment of the economic and monetary union (EMU). The need for well-functioning integration and effective regulation of the EU's financial and banking markets has become increasingly clear since the introduction of the Single Currency and in the wake of the financial crisis. Therefore, different legal instruments and governance mechanisms are studied in the course, along with discussion of their advantages and disadvantages.

In relation to the compulsory introductory course in the Master programme, this course delves deeper in both substantive and methodological respects, and also provides broader perspective within a new and dynamic area of European economic law. The course provides deeper insight into the constitutional implications of integration in the areas of financial and banking law. Students are trained to formulate, discuss and solve

complex problems within banking and financial law, with the use of relevant EU legal methods. Knowledge and insights about the area's special theoretical and methodological premises are presented, such as the importance of economic reasoning and theory.

The course also aims to prepare students for their Master thesis project with a focus on the requirements for academic writing as well as the treatment of choice of methodology and research questions. The student shall prepare for the Master thesis project by writing during the course a memorandum that identifies relevant research questions. In accordance with the increasing degree of difficulty in the specialised courses, the requirements for methodological awareness and scholarly accuracy are increased at the same time as the subject choice for the Master thesis project begins to be formulated.

Learning outcomes

After successful completion of the course, the student is expected to be able to:

- demonstrate knowledge and understanding of overall principles and governance mechanisms in EU banking and financial law, as well as deeper knowledge within selected areas of EU banking and financial law,
- demonstrate deeper methodological knowledge regarding EU banking and financial law, including insight about the significance of economic theory,
- display the ability to independently identify and critically analyse complex issues and weighing of interests within EU banking and financial law;
- write an essay memorandum that identifies and critically analyses relevant scholarly issues within EU banking and financial law, with the use of appropriate methods and taking into consideration academic requirements regarding use of legal source material and proper citation of sources,
- present the essay orally, describing the choice of subject and methods,
- demonstrate knowledge of the economic, social and ethical implications of different rules and governance mechanisms within EU banking and financial law.

Education

Instruction consists of 10 weeks of full-time studies. It is structured as follows:

- A series of lectures on selected subjects in EU banking and financial law;
- Teacher-led tutorials in smaller groups, that link to the lectures and aim to improve understanding as well as prepare students for the subsequent seminars;
- Interactive seminars on selected subjects in EU banking and financial law. The students prepare written and oral assignments that involve application, investigation and argumentation and present the results during seminars, both individually and as a group.
- A concluding seminar where students present a shorter written essay memorandum with research in EU banking and financial law. The student also serves as discussant ("opponent") for another course participant's essay memorandum.

Seminars/workshops will also be organized during the course to help students with the preparation of their essay memorandum, with emphasis on the choice and delimitation of appropriately defined research questions, issues of theory and methods, and academic requirements regarding use of source material and proper citation of sources.

The language of instruction is English.

Active participation in 80 per cent of the seminars is compulsory. In the event of special circumstances, the head of the course can grant exceptions. In this case, the student shall be responsible for completing an additional assignment.

Forms of examination

Examination is based on active participation in the seminars, the essay memorandum and its oral presentation and serving as a discussant at a seminar, as well as through a written examination. When the student has completed assignments in a group, the individual student's achievement is assessed by questions at the seminars.

Regarding materials allowed for the written examination, only one copy of the course literature, statute book, and source material stated in the course literature list may be brought in to the examination.

All course requirements must be met in order to pass the course. Course grades are determined based on a combination of the individual's performance in each of the different elements of the course.

Students who initially fail the examination are given the opportunity to be assessed a second time. Students who have received a passing grade are not allowed to be assessed again in order to achieve a higher grade. Students who fail the course twice from the same examiner have the right to request a different examiner for

their next examination. This, however, does not apply if there are particular reasons that a different examiner cannot be appointed.

The grading system uses a criterion-referenced scale of seven grades with passing grades of A (Excellent), B (Very good), C (Good), D (Satisfactory), or E (Sufficient). Failing grades are Fx (Insufficient) or F (Entirely insufficient).

Grading criteria shall be made available at the latest at the beginning of the course.

Misc

Effective date

These provisions are effective from 31 August 2015.

Required reading

The reading list is established by the Faculty Education Committee. See the course website at www.jurinst.su.se for information on the required reading. The updated reading list will be available at the latest two months before the start of the course.