

Syllabus

for course at advanced level

Competition Law
Konkurrensrätt

**15.0 Higher Education
Credits**
15.0 ECTS credits

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|--------------------------|---|
| Course code: | JU451A |
| Valid from: | Autumn 2019 |
| Date of approval: | 2015-09-03 |
| Changed: | 2018-04-05 |
| Department | Department of Law |
| Main field: | Legal Science |
| Specialisation: | A1N - Second cycle, has only first-cycle course/s as entry requirements |

Decision

Approved by the Education Committee of the Faculty of Law (by delegation) on 3 September 2015. Revised by decision of the Education Committee of the Faculty of Law (by delegation) on 8 March 2016. Revised by the head of department (by delegation) on 5 April 2018.

Prerequisites and special admittance requirements

For access to lectures and examination, students must fulfil the general requirement for admission to elective courses, i.e. having passing grades amounting to at least 150 credits on mandatory courses within the law program, including passing grades in the mandatory courses Private Law A, B, C and D, European Law, Criminal Law, Civil and Criminal Procedure. Exchange students admitted by the Department of Law at Stockholm University are also given access to the course.

Course structure

| Examination code | Name | Higher Education Credits |
|------------------|-----------------|--------------------------|
| 0100 | Competition Law | 15 |

Course content

The aim of this course is to examine the legal rules of EU Competition Law taking into account the underlying economic principles and wider policy issues. The course concentrates on the foundations for the system of rules, consisting of Articles 101 and 102 of the TFEU and the Merger Regulation, which together are enforced in order to ensure that effective competition prevails on the markets in EU. The course offers, to some extent, both an interdisciplinary (legal and economic) and comparative perspective with the aim of understanding the function and use of competition law in society. It examines the application of the competition rules in certain sectors, such as in media and telecommunications, and in this context, the interplay between competition law and intellectual property law is studied. However, the emphasis is on the basic rules of competition. The course touches the legal development in related areas, such as in EU state aid law and in reference to the EU rules on public procurement. In addition to substantive rules and principles, EU civil procedural rules and principles that ensure the effective impact of EU competition law, are studied. The implications of the EU's Charter of Fundamental Rights and the European Convention on Human Rights are covered.

The course also aims to prepare students for their graduate thesis (Master's thesis), by focusing on academic writing, e.g. on the process of making methodological choices and the selection of research issues. In this course, students will prepare for their graduate thesis by writing an essay where research questions will be

identified.

Learning outcomes

Knowledge and understanding

Upon completion of the course, students are expected to be able to:

- independently understand and apply EU competition law in a broad sense and be able to use the principles and tests that can be inferred from the case law of CJEU, and demonstrate an understanding of economic and other social effects of different EU competition law regulations and control mechanisms;
- demonstrate a deeper methodological knowledge of EU competition law, including insights on the importance of economic theory.

Skills and abilities

Upon completion of the course, students are expected to be able to:

- write and present a short essay, where relevant jurisprudential issues relating to EU competition law are identified and analysed critically by using an appropriate method and taking into account academic requirements regarding the use of sources, etc.

Judgement and approach

Upon completion of the course, students are expected to be able to:

- demonstrate in-depth ability to critically evaluate the impact of competition law on social development in the EU.

Education

The course consists of a series of lectures and seminars. Attendance and active participation at 80% of the lectures and at all seminars is mandatory. Active participation means that the student should prepare for the seminars and participate in the analysis and discussion of the cases at the seminars. Absence results in a requirement to write an extra paper.

In addition to the seminars, it is also mandatory to write an essay. The essay is graded (scored) and is part of the evaluation for the grade the student receives for the course as a whole.

The language of instruction is English.

Forms of examination

Examination is conducted through active participation in class, the writing and oral presentation of an essay, as well as a written final exam. The minimum score required on each examined course moment in order to pass the entire course, together with the maximum scores achievable, are stated in the course description. The final grade in the course is based on the total amount of points achieved on the written examination (75%) and the essay (25%). Other tasks are assessed using the grades Pass (G) or Fail (U).

Grading criteria are specified in the course description. In order to pass the course, students must achieve all intended learning outcomes.

The language of examination is English.

Assessment criteria for the essay are as follows:

- Subject and problem formulation
 - Factual knowledge and insight into the subject, including insights into economic methods and theory
 - Presentation
 - Material and method
 - Analysis and argumentation, including independence in formulating, systematizing and presenting one's own analysis with possible legal solutions based on existing legal rules and practices
 - Conclusions, sources and formal requirements
 - Language
 - Oral presentation and ability to respond to feedback in a relevant way
- Permitted aids for the written examination are specified in the course description.

Students who receive a failing grade on a regular examination will have the opportunity to retake the examination. Students who have received a passing grade on an examination may not retake the examination to attain a higher grade. A student who has failed the same examination twice is entitled to have another examiner appointed, unless there are special reasons to the contrary.

The final course grade is set using the following scale: Pass with Distinction (AB), Pass with Credit (BA), Pass (B) or Fail (U).

Students are entitled upon request to receive grades according to the seven-point ECTS scale. The request

should be made by the student before the examination as determined by the Department of Law.

The grade according to the seven-point scale is then valid instead of the regular grade. Passing grades according to the seven-point scale are: A (Excellent), B (Very Good), C (Good), D (Satisfactory) and E (Adequate). Failing grades are Fx (Inadequate) or F (Totally Inadequate).

A student with a certificate of special pedagogical support issued by Stockholm University has the right to alternative/accommodated forms of examination in accordance with the certificate.

Misc

Completed course requirements are valid for two years. This also applies to students who drop the course during the early course withdrawal period.

The course requirements in effect at the time of the student's first registration on the course may be completed within two years. After two years, the course requirements included in the most recently revised syllabus will apply.

Students who have been admitted to the master's programme in European Economic Law at the Department of law, Stockholm University, and who have included the course in a previous degree are not entitled to credit the course within the framework of the master's programme.

Entry into force

These provisions will apply as of 2 September 2019.

Required reading

The course literature will be determined by the head of department. Please refer to the course website and the course description for information about the required reading. The current reading list will be made available at least two months before the course starts.