

## Law of the European Union

<b>Module title</b>			
Law of the European Union			
<b>Module NFQ level</b> (only if an NFQ level can be demonstrated)	<b>Module number / reference</b>	<b>ECTS Value</b>	<b>Duration</b>
Level 8 NFQ	LLBH - LEU	15 ECTS	24 weeks.
<b>Parent programme(s).</b> Principal programme title, and embedded(s) if relevant		<b>Stage of parent programme</b>	<b>Semester No.</b>
Bachelor of Laws (Honours)		3	1 and 2
Bachelor of Laws (Honours) in Criminal Justice		3	1 and 2
Bachelor of Laws (Honours) in Commercial Law		3	1 and 2
<b>Teaching and Learning modes</b>	<b>Proportion</b> (% of Total Directed Learning)		
Classroom / Face to Face	26%		
Workplace			
Online			
Other (Identify)	74% (Independent Research and Learning)		
<b>Entry requirements (statement of knowledge, skill and competence)</b>			
Please see section 4.2 for full details of entry requirements.			
<b>Maximum number of learners per instance of the module</b>	Sixty (60)		
<b>Average (over the duration of the module) of the contact hours<sup>1</sup> per week</b>	4		
<b>Pre-requisite module title(s) (if any)</b>	None		
<b>Co-requisite module title(s) (if any)</b>	No		
<b>Is this a capstone module? (Yes or No)</b>	No		
<b>Module-specific physical resources and support required per centre (or instance of the module)</b>			
Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in conjunction with Microsoft Office in order to record the lectures when the module is being delivered for block release or for the Blended Programme when organised in advance. Zoom will also be required for the seminars through which the module will be taught (block release).			
<b>Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff working in this module.</b>			

<sup>1</sup> Effort while in contact with staff

Role e.g. Tutor, Mentor etc	Qualifications & experience required:	# of Staff with this profile (WTEs <sup>2</sup> )
Lecturer	Lecturers expected to hold at least a level 8 legal qualification, preferably with a professional legal qualification. It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.	0.25 WTE

Analysis of required learning effort		
*Effort while in contact with staff	Minimum ratio teacher / learner	Hours
Classroom and demonstrations	1:60	96
Mentoring and small-group teaching	-	-
Other (specify)	-	-
Independent Learning		
Directed e-learning (hours)		-
Independent Learning (hours)		279
Other hours (specify)		-
Work-based learning hours of learning effort		-
<b>Total Effort (hours)</b>		<b>375</b>

Allocation of Marks					
	Continuous Assessment	Supervised Project	Proctored Practical Exam.	Proctored Written Exam	Total
<b>Percentage Contribution</b>	30			70	<b>100%</b>

## Module aims and objectives

This module aims to provide learners with a historical and political perspective on the development of the European Union and its impact with the domestic legal system. The module familiarises learners with the EU legal system and the operation of the Court of Justice of the European Union, as well as the language and concepts peculiar to it.

Learners also develop an understanding of the law-making process, the sources of European Union law and the operation of the EU institutions. The module enables learners to understand and apply the remedies available under EU Law. Learners critically analyse the scope of the four freedoms and how they operate substantively within this sphere. The module also examines the concept of EU citizenship and the benefits arising thereunder as well as gender equality and competition law. This module enhances key research and written communication skills as well as enabling learners to apply EU Law to hypothetical, factual scenarios.

## Minimum intended module learning outcomes

On successful completion of this module, learners will be able to:

<sup>2</sup> WTE is the whole-time equivalent number. The number 1 indicates a fulltime person fully dedicated to the programme. 0.5 indicates a part-time person available to this programme half of the time.

- (i) Discuss the historical and political development of the European Union;
- (ii) Critically analyse the sources of European Union law and their relationship to national law;
- (iii) Identify the role and functions of the political and judicial institutions of the European Union and identify and appraise judicial remedies in EU law
- (iv) Describe the law-making process and demonstrate understanding as to how European Union legislation impacts on social, political and economic issues within the Member States
- (v) Engage in detailed research on distinct issues in European Union law and present analysis of this research in a clear manner
- (vi) Critically evaluate the applicability of general principles of European Union law across a range of different legal areas
- (vii) Critically analyse and discuss European Union legislation and case law on the free movement of workers, capital, services and goods and in the area of competition law.
- (viii) Critically analyse factual scenarios and apply their understanding of European Union law to them.
- (ix) Identify and explain key concepts in European Union Law.
- (x) Critically evaluate the relationship between European Union Law and the national law of the EU Member States.

## Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs

EU law traditionally is one of the core subjects for a Level 8 Degree Award in Law in Ireland. It has a significant impact on the domestic law of member states as well as some states that have bilateral Treaties with the EU, such as Norway and the United Kingdom of Great Britain and Northern Ireland, which are bound to follow large chunks of EU law.

Any understanding of domestic Irish law is incomplete without a good grounding in the principles and content of EU law, which is the rationale behind EU law forming an integral part of the programme. The Module serves to directly underpin programme-learning outcomes (iii) conceptualising and communicating legal arguments with clarity and precision. This module re-enforces the module learning outcomes (iv) critically analysing the theoretical and philosophical underpinnings of the law and (vi) effectively employ advanced research skills, including use of legal databases, to investigate, interrogate and critique the law. This module also directly underpins the Programme Minimum Learning Outcomes (i), (ii), (v), (ix) and (xi).

## Information provided to learners about the module

The learners will have in their possession their Faculty Handbooks from their previous year. The Faculty Handbook provides general information about the faculty, its staffing, resources, and operation. Detailed programme information is supplied through Moodle, including copies of the approved module descriptors from the accredited programme (detailing related teaching, learning and assessment) along with a programme timetable. Another copy will be provided to the learners upon their request.

During the first class of the Module, learners are given a detailed outline of the Module showing the schedule of delivery and the dates when assignments are released and due for submission.

Moodle is used to provide learners with ongoing access to module related information, from the handbooks and module outlines provided in advance of the module commencement, the lecture material and links to related resources provided on a scheduled basis in line with the module delivery.

## Module content, organisation and structure

Law of the European Union is a 15 ECTS credit module taught and assessed over two academic semesters. The first semester focuses on the historical, political and economic background to European integration, whilst the second semester explores the Four Freedoms of the European Union. The Learning Outcomes are articulated using the *Quality and Qualifications Ireland (QQI) Awards Standards for Honours Bachelor of Laws and Master of Laws (July 2014)* and for *Generic Higher Education and Training (July 2014)*.

### Historical, Political and Economic Background to European Integration

- Institutions: Legal Base, Powers Structure and Function
  - The Commission
  - The Council and the European Council
  - The European Parliament
  - The Court of Justice of the European Union and the General Court
  - Other institutions
  - Legislative Process
  
- Sources of EU Law
  - Primary Sources
  - Secondary legislation
  - General principles of Community law
  - Jurisprudence of the Court of Justice
  - Public International Law
  - Charter of Fundamental Rights of the European Union and the European Convention on Human Rights
  
- Relationship between European Union and domestic law
  - Development of European Union law as an autonomous legal system
  - The effect of the European Union law in the Domestic legal framework
  - Conflict and Supremacy
  - Direct Applicability and Direct Effect
  - Implementation and effect of European Union law in Ireland
  
- Judicial Processes & Remedies
  - Commission Enforcement Actions against Member States
  - Actions against EU Institutions
  - Preliminary Reference Procedure
  - Remedies for breach in National Courts
  - Contractual and Non-Contractual Liability of the Union

### Introduction to European Economic Integration and the Single Market.

Free Movement of Goods

- Articles 28 – 30 TFEU: Duties, Charges and CEE's
- Articles 110 - 113 TFEU: Discriminatory Internal Taxation
- Articles 34 - 36 TFEU: Quantitative Restrictions and MEQR's

- Free Movement of Persons
  - Definition of a worker
  - Position of part-time workers
  - Workers families
  
- Union Citizenship
  - Citizenship as a fundamental status
  - Benefits accruing from Union citizenship
  - Citizenship Directive 2004/38
  
- Freedom of Establishment and to Provide Services
  - Non-discriminatory restrictions on establishment
  - Establishment of companies
  - Article 56 TFEU and Member State social services
  - Position of illegal activities
  - Non-discriminatory restrictions on establishment
  
- Free Movement of Capital
  - Free movement of capital
  - EMU and the common European currency
  
- Equal Treatment of Men and Women
  - Principles of equal pay and equal treatment
  - Protection for maternity
  - Positive discrimination
  - Social security
  
- Competition Law
  - Article 101 TFEU
  - Article 102 TFEU Enforcement procedures
  - Article 107 TFEU
  - Interface between European Union and domestic competition law

### Module teaching and learning (including formative assessment) strategy

The module uses participative lectures, which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources and directed reading. Formative assessment is provided in the form of interactive exercises such as directed class discussion topics which reference current affairs pertaining to EU Law at the time of instruction. Formative assessment is also provided through tutorial-style discussions, group work and exercises. These focus on specific case law and problem-based learning requiring learners to analyse the law and apply it to practical EU law disputes or issues.

Learners also engage in collaborative work in pairs or small groups to brainstorm what learning has been achieved at the end of lectures. In order to support learners through the examination process, they engage in the answering of sample examination questions and correction of their own or peer's papers, thereby familiarising themselves with the marking criteria. Learners also engage in activities where they draft their own exam questions in order to recap and consolidate a particular topic.

Learners undertaking the course via blended learning benefit from varied and additional options for engagement to compensate their reduced attendance of campus. These include webinars, screencasts (recorded lectures), discussion fora, and increased use of the College's VLE (Virtual Learning Environment), Moodle.

In addition to what has been stated, classroom assessment and benchmarking techniques are deployed to encourage learners to develop more agency in terms of their own learning including in-class presentations, group work, peer-review exercises and reflective practice. The variety of teaching, learning and assessment techniques reflect an enhanced emphasis on skills acquisition to deepen practical knowledge. Finally, the attention of learners is drawn to current industry practice and technology used in the specific area of law to add a further dimension to learning, tracking the actual practice of legal professionals.

## Work-based learning and practice-placement

Law of the European Union is a class based 15 ECTS credit module and does not require work-based learning and practice placement.

## E-learning

Moodle, the College Virtual Learning Environment is used to disseminate notes, advice, and online resources to support the learners. E-learning activities include learner feedback, forums where learners contribute, formative quizzes and video links. The learners will also have access to a number of other online resources through the library such as access to databases and research tools (Westlaw.ie, Westlaw.uk, JustisOne (vLex) and Hein Online) as well as access to online copies of books published from Bloomsbury Online.

## Module physical resource requirements

Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in conjunction with Microsoft Office in order to record the lectures when the module is being delivered for block release or for the Blended Programme when organised in advance. Zoom will also be required for the seminars through which the module will be taught (block release).

## Reading lists and other information resources

### **Primary reading**

- *Foster, N. (2021) Foster on EU Law. Oxford: OUP*
- *Barnard, C. (2022) The Substantive Law of the EU: The Four Freedoms. Oxford: OUP*
- *Chalmers, D. Davies, G. & Monti, G. (2019) European Union Law. Cambridge: CUP*
- *Craig, P. & De Búrca, G. (2020) European Union law: Text, Cases and Materials. Oxford: OUP*
- *Foster, N. (2023) Blackstone's EU Treaties and Legislation. Oxford: OUP*
- *Hartley, T. (2014) The Foundations of European Union Law. Oxford: OUP*
- *Bellamy & Child (2018) European Union Law of Competition. Oxford: OUP*

### **Secondary reading**

- Alter, K.J. (2003) *Establishing the Supremacy of European Law: The Making of an International Rule of Law in Europe*. Oxford: OUP
- Andrew Duff, *Constitutional Change in the European Union*, (Palgrave Macmillan, 2022)
- Diamond Ashiagbor. *Economic and social rights in the European Charter of Fundamental Rights (2004)* *European Human Rights Law Review*
- Arnall, A. & Wincott, D. (2005) *Accountability and Legitimacy in the European Union*. Oxford: OUP
- Asif Hameed, *UK Withdrawal from the EU: Supremacy, Indirect Effect and Retained EU Law 85(3)* *Modern Law Review* (2022)
- Federico Fabrini, *The European Court of Justice, the European Central Bank, and the Supremacy of EU Law*, 23(1) *Maastricht Journal of European and Comparative Law* (2016)
- Frischhut, Markus, 'The ethical spirit of EU values: status quo of the union of values and future direction of travel' (1st ed, *EU Values*, 2022)
- Horspool, M. & Humphreys, M. (2012) *European Union Law*. Oxford: OUP
- Iyiola Solanke, *EU Law (2nd ed)* *Cambridge University Press*, 2022)
- Justin Lindeboom, 'Why EU Law Claims Supremacy', 38(2) *Oxford Journal of Legal Studies* 2018
- Kapteyn, P.J.G. (2008) *The Law of the European Union and the European Communities*. London: Kluwer
- McNab, A. (2013) *Bellamy and Child: Materials on European Union Law of Competition*.
- Von Bogdandy, A. & Bast, J. (2011) *Principles of European Constitutional Law*. Oxford: Hart
- Weatherhill, S. (2016) *Cases and Materials on EU Law*. Oxford: OUP
- Whish, R. (2015) *Competition Law*. Oxford: OUP
- White, R.C.A. (2004) *Workers, Establishment and Services in the European Union*. Oxford: OUP
- Williams, A. (2005) *EU Human Rights Policies: A Study in Irony*. Oxford: OUP

### **e-Resources**

- *Bloomsbury Professional Online*
- *JustisOne – Vlex*
- *Westlaw.ie*
- *Westlaw UK*
- *Heinonline*
- *Griffith College Library Website*

### **Specifications for module staffing requirements**

Lecturers qualified to at least a Level 8 legal qualification (LLB (Honours), preferably with a professional legal qualification and a third level teaching qualification (e.g. Certificate in Education, Learning and Development offered by Griffith College). Learners also benefit from the support of the Programme Director, Faculty Administrators, a dedicated Learning Technologist Office, the Learning Supports Office, at least one Learner Representative for each Stage, the Students' Union and a free (off campus) Counselling Service.

## Module summative assessment strategy

Theoretical knowledge will be assessed by both continuous assessment (30%) and a summative end of year examination (70%). The continuous assessment shall consist of a written assignment (30%). In line with ongoing developments to protect the academic integrity of the course, the assignment shall take the form of a problem question heavily embedded in the application of constitutional law principles to relatively unique, and domestically tailored, factual circumstances. The examination will consist of both essay and problem style questions. Essay style questions will place emphasis on the demonstration of understanding pertaining to Constitutional Law. Problem Style questions will enable learners to apply the principles of Constitutional Law to a factual scenario.

The assessed work breakdown can be seen in the table below.

No.	Description	MIMLOs	Weighting
1	Assignment (3,500 words)	viii	30%
2	Exam	i-vii	70%

**Reassessment/Repeat assessment strategy:** Griffith College regulations state that learners must pass all component elements of the module to be deemed to have passed the module.

- In the event of a learner failing components of / this module, they will be required to submit a new individual repeat assignment which will be made available on Moodle to learners, and which must be submitted as per faculty instructions.
- In the event of a learner failing the group assessment element of this module, a new individual repeat assignment will be made available on Moodle to learners which must be submitted as per faculty instructions.
- In the event of the learner failing the exam, learners will take the re-sit exam at the next available sitting, details of which will be made available to learners via Moodle.

## Sample assessment materials

Please see sample assessment supplementary document.

