

# European Union Internal Market Law

**From International to Federal Market** Robert Schütze.2017 Scheutze proposes three models that assist in explaining the transitions in the structure of the EU internal market and analyses the changing structure of European law in relation to the European internal market. He starts by offering a historical analysis of the relationship between international law and market coordination up to the twentieth century but also provides an in-depth analysis of the constitutional principles. He then specifically addresses the decline of the international model in relation to the EU internal market and the corresponding rise of a federal market philosophy after Cassis de Dijon. The final chapter explores the exceptional constitutional principles that apply to fiscal matters. This is the second volume in Schutze's trilogy on the 'Changing Structure of European Law'. The book complements his previous volume which analysed the evolving structure of positive integration. A third volume will finally explore the formal constitutional aspects in the evolution of the European Union into a federal union of States.

**The EU Internal Market in Comparative Perspective** Dominik Hanf.2008 The European Union's internal market is the «hard core» of integration and by far its most precious asset. However a number of deep-seated factors have impeded the development of a systematic and wide-ranging academic research programme dedicated to the internal market. The purpose of this book is to begin to address this predicament with a tri-disciplinary analysis of the internal market, as scant opportunities for mutual understanding and learning across disciplines (law, economics and politics) currently exist. Internal market scholars from all three disciplines collaborated on this project, in which each chapter was read and critiqued by a scholar from a different discipline. The editors trust that this unique exercise reveals to many readers the enormous potential for in-depth and continuous analysis of the internal market and all that it entails. It also provides an accessible text for students and scholars from all three disciplines interested in the internal market.

**Introduction to European Union internal market law** .2017-12-01 Il libro costituisce un'introduzione al diritto del mercato interno europeo ed illustra e analizza l'evoluzione della disciplina del mercato interno e le sue caratteristiche e categorie giuridiche principali (Cap. 1 - Raffaele Torino), la libera circolazione delle merci (Cap. 2 - Federico Raffaele), la libera circolazione delle persone (Cap. 3 - Filippo Palmieri), la libera prestazione dei servizi e il diritto di stabilimento (Cap. 4 - Arianna Paoletti) e la libera circolazione dei capitali e dei pagamenti (Cap. 5 - Ilaria Ricci).

**Judicial Authority in EU Internal Market Law** Viliya Velyvyte.2022-11-17 This book examines the role of the European Court of Justice in the regulation of the internal market from a competence perspective. However, rather than focusing on the Court's role in enforcing the limits of EU competence in the EU's political decision making, it explores a related, albeit understudied, question: to what extent does the Court observe the constitutional limits of EU competence and its own institutional powers in the interpretation of EU internal market law laid down in the Treaties? The book provides an answer to this question through the analysis of EU free movement case law in light of the constitutional principles that govern the allocation of competences and powers in the EU: conferral, subsidiarity and proportionality, on the vertical level, and institutional balance, on the horizontal level. Why should the Court be bound by these principles? What do they mean when applied to judicial practice? To what extent are they observed in the free movement case law? The book argues that the Court's observance of the four principles has been inconsistent, thereby creating substantive and constitutional tensions in the EU's relationship with the Member States and upsetting the institutional balance of powers between the EU legislature and judiciary. Shortlisted for the UACES Best Book Prize 2023

**State and Market in European Union Law** Wolf Sauter,Harm Schepel.2009-04-16 An examination of the legal framework of the EU internal market as established in the case law of the European Court of Justice, discussing in particular EC competition law, the free movement of goods, services, persons and capital and the evolution of the interpretation of the provisions. The 'State' has been retreating from direct intervention in economic life as more goods and services, the provision of which was once thought to be a 'public' responsibility, are delivered through market mechanisms. Given the need for consistent application of EC law in the internal market, a common core conception of public authority, shielded from the discipline of EC competition law, is needed. The resulting realignment of public and private functions and responsibilities is not a linear and coherent process, especially in light of the changing nature of the European legal integration project and the progressive incorporation of non-economic values in the Treaties.

**The Law and Policy of Harmonisation in Europe's Internal Market** Isidora Maletić.2013-01-01 'At times when so much attention is devoted to the constitutional architecture of the European Union via Treaty amendments or supplements in the aftermath of the Euro-crisis, the core business of European market building through harmonization is all too often neglected. It deserves strong recognition that Isidora Maletić forcefully brings Art. 114 TFEU back to the agenda. Her competent study provides new insights into the major competence rule which still forms the back bone of European Integration. The constant strive of the EU for embarking on non-trade policies against the half-hearted resistance of the Member States deserves indeed a major study, spelling out the details of the rather complex article. Her comprehensive analysis detects the amazing potential of Art. 114 TFEU as a tool to co-ordinate differences in the understanding of what might be a high level of protection and it allows for new ways of co-operation between the EU and the Member States. This finding, which is backed through the analysis of the ECJ case law and the notification procedure of Art. 114 TFEU fits into the overall debate on constitutional pluralism which stays away from a hierarchical understanding of the relationship between the EU legal order and the Member States.' - Hans Micklitz, European University Institute, Italy 'This book is essential reading for anyone seeking an up-to-date and critical understanding of the success of the European Union's approach to market harmonisation.' - Veerle Heyvaert, London School of Economics, UK 'Despite all the buzz around the single currency, the heart of the EU edifice remains the internal market. Isidora Maletić's book is an outstanding contribution of original scholarship that makes this edifice look more solid than ever. By exploring the theory and practice of the archetype legal basis for EU regulatory action, this book dispels the ubiquitous claim that national derogations from European standards are reflective of a weak integration process and convincingly argues that national regulatory differentiation may instead provide opportunities for reflexive learning and risk prevention. The law and policy of harmonisation is European internal market's scholarship at its best and ought to be essential reading to all scholars interested in the dynamics of EU integration.' - Alberto Alemanno, HEC Paris, France and Editor, European Journal of Risk Regulation This innovative book explores the constitutional compromise between the European Union's legislative competence and member states' regulatory autonomy, and analyses the reconciliation of economic integration and welfare protection within the European internal market. It does so through the original lens of article 114 TFEU, the law-making clause underlying the European harmonisation process. Focusing on a critical provision and the controversial derogation mechanism contained therein, the book discusses contemporary, universally fundamental topics, such as risk assessment and related responsibility allocation within the constraints of complex legal frameworks, the preservation of regional regulatory autonomy against the background of centralised legislative norms, and the interaction of economic integration with policy interests like consumer, environmental and health protection. Highlighting the collaborative rather than adversarial value of national deviations from common European measures, the study not only complements the literature available on 'negative integration' of the internal market, but also challenges traditionally accepted axioms, revealing opportunities for risk prevention and legitimacy enhancement stemming from diverse European and national regulatory standards. This detailed book will be of wide international appeal to academics, practitioners, students, judges, policy-makers and officials working within the European Union and government representatives of individual member states, as well as anyone more generally interested in the dynamics of EU integration.

**EU Citizens' Economic Rights in Action** Sybe de Vries,Elena Ioriatti,Paolo Guarda,Elisabetta Pulice.2018-10-26 Ever since its inception, one of the essential tasks of the EU has been to establish the internal market. Despite the impressive body of case law and legislation regarding the internal market, legal and factual barriers still exist for citizens seeking to exercise their full rights under EU law. This book analyses these barriers, and proposes ways in which they may be overcome. Next to analysing the key barriers to exercising economic rights more generally, this book focuses on

three areas which represent the applications of the four basic freedoms: consumer rights, the rights of professionals in gaining access to the market, and intellectual property rights in the Digital Single Market. With chapters from leading researchers, the main pathways towards the reduction and removal of these barriers are considered. Taking into account important factors such as the global financial crisis, as well as practical barriers, such as multilingualism, the solutions provided in this book provide a pathway to enhance cross border realisation of European citizens' access to the realisation of their economic rights, as well as increase in the cultural richness of the EU. EU Citizens' Economic Rights In Action is an important book, which will be an essential resource for students of EU citizenship, and economics, as well as for EU policymakers and practitioners interested in the field.

**Solidarity in EU Law** Andrea Biondi, Eglé Dagilytė, Esin Küçük. 2018 The European Union has evolved from a purely economic organisation to a multi-faceted entity with political, social and human rights dimensions. This has created an environment in which the concept of solidarity is gaining a more substantial role in shaping the EU legal order. This book provides both a retrospective assessment and an outlook on the future possibilities of solidarity's practical and theoretical meaning and legal enforcement in the ever-changing Union.

**The Internal Market Ideal** Jeremias Adams-Prassl, Ariel Ezrachi, Sanja Bogojević, Dorota Leczykiewicz. 2024-01-16 The Internal Market Ideal honours the pathbreaking work of Professor Stephen Weatherill, Jacques Delors Professor of European Law at the University of Oxford since 1998. For more than three decades, Professor Stephen Weatherill has been the dominant figure in internal market debates, shaping the European Union's Internal Market both at Oxford and internationally. Looming large in fields as disparate as consumer protection and sports law, his voice has guided how relevant laws and regulations are understood and how their varying virtues and pitfalls are perceived. A reference to his seminal work *The Internal Market as a Legal Concept* (OUP, 2016), the present volume is not simply a celebration of Weatherill's life, but also an examination of the legal issues surrounding the semi-integrated market of the European Union. Across nineteen essays, the collection presents a vision of the European Union not yet achieved; that is, a Union which benefits from economic growth and pursues non-economic objectives, whilst carefully balancing respect for Member States' autonomy and the European Union's self-sufficiency. An invaluable resource for students, researchers, practitioners, and policy makers in the field of European Law, *The Internal Market Ideal*, is a must read for anyone wishing to learn more about the illustrious life and work of Professor Stephen Weatherill.

**European Union Law** Margot Horspool, Matthew Humphreys. 2012-08-09 'European Union Law' provides students with a clear understanding of the law of the EU and the fundamental principles that support it. Essential information is provided in a user-friendly format to facilitate learning and understanding of this key discipline.

**The Internal Market 2.0** Sacha Garben, Inge Govaere. 2021-01-07 This edited volume brings together leading authors and actors in EU internal market law and policy, revisiting the classic themes in a contemporary context and considering (re-)directions for the future. The EU would not be where and what it is today without its internal market. It is the cradle of the EU's most important legal doctrines and the source of the most significant amount of European integration. And, as Brexit has underlined, it remains the primary political reason for EU membership. Considering the well-established and fundamental nature of internal market law, it is striking to find many crucial doctrinal questions still unanswered today, as explored by this book. Furthermore, these questions now find a new legal, social and political context: one that is acutely aware of the contested nature of the EU and its policies and the need to embed the internal market project in a broader setting of constitutional norms and values. This need is made all the more pressing by the rapidly changing and often disruptive technological context. The various contributions to this book contribute to finding a new direction for continued European integration in changing times, by rethinking, and where necessary reinventing, the role and purpose of this area that remains the EU's beating heart.

**EU Internal Market Law** Davies, Gareth Trevor Davies. 2002

**Market Supervision in the European Union** Pieter van Cleynenbreugel. 2014-09-29 In *Market Supervision in the European Union*, Pieter Van Cleynenbreugel compares the emergence of divergently structured supranational market supervision mechanisms in six different sectors of EU regulation and identifies common or converging constitutional benchmarks underlying those sector-specific administrative design developments.

**The Judiciary, the Legislature and the EU Internal Market** Phil Syrpis. 2012-05-03 Explores the dynamic relationship between courts and legislatures in the governance of the EU internal market.

**Research Handbook on the Law of the EU's Internal Market** Panos Koutrakos, Jukka Snell. 2017-01-27 While the internal market has been at the heart of the European project from the very beginning, it has rarely been the subject of sustained and comprehensive scholarly examination in its entirety. In the face of profound legal, political and policy pressures, this timely Research Handbook reflects on the cutting-edge issues, horizontal themes and the big questions which illuminate the shape of the internal market. It places the law and policy of the internal market within the context of the financial crisis and the existential questions this has raised for future European integration.

**Private Regulation and the Internal Market** Mislav Mataija. 2016-03-10 How does EU internal market law, in particular the rules on free movement and competition, apply to private regulation? What issues arise if a bar association were to regulate advertising; when a voluntary product standard impedes trade; or when a sporting body restricts the cross-border transfer of a football player? Covering the EU's free movement and competition rules from a general and sector-specific angle, focusing specifically on the legal profession, standard-setting, and sports, this book is the first systematic study of EU economic law in areas where private regulation is both important and legally controversial. Mislav Mataija discusses how the interpretation of both free movement and competition rule adapts to the rise of private regulation, and examines the diminishing relevance of the public/private distinction. As private regulators take on increasingly important tasks, the legal scrutiny over their measures becomes broader and moves towards what Mataija describes as 'regulatory autonomy.' This approach broadly disciplines, but also recognizes the legitimacy of private regulators; granting them an explicit margin of discretion and focusing on governance and process considerations rather than on their impact on trade and competition. The book also demonstrates how the application of EU internal market law fits in the context of strategic attempts by the EU institutions to negotiate substantive reforms in areas where private regulation is pervasive. Surveying recent case law of the Court of Justice of the European Union and the practice of the European Commission, Mataija demonstrates how EU internal market law is used as a control mechanism over private regulators.

**The Internal Market as a Legal Concept** Stephen Weatherill. 2017 1: The Internal Market as a Legal Concept 2: Finding the Internal Market in the Treaty 3: The Law, Politics, and Economics of the Internal Market 4: Principal Themes and Structure 5: The Internal Market 6: The Internal Market 7: The Personal Scope 8: Justification 9: Creativity in the Gap Between Negative and Positive Law: The Principle of Conferral Unleashed 10: Abuse 11: Fundamental Rights and National Identity in the Internal Market 12: The Internal Market as a Site of Diversity 13: The Legislative Dimension: Harmonization 14: Legislative Competence More Broadly 15: Pre-emption 16: Conclusion.

**The Substantive Law of the EU** Catherine Barnard. 2019-08 The leading textbook on the four freedoms, popular with students and academics alike. This authoritative text offers a unique balance of comprehensive, detailed coverage in a concise and readable style, providing a critical and thorough analysis of the key principles of the substantive law of the EU. An introductory chapter provides valuable context on the governance of the internal market, its evolution, and the theories behind its key principles. Each of the freedoms is then dealt with in turn, covering goods, persons, services, and capital, before moving on to discuss harmonization, the regulation of the internal market, and its future. Additional useful detail is captured in footnotes, while directed further reading lists provide support for independent study and research. This thorough coverage is fully supported by engaging case studies throughout the book which place the law in context, helping you to understand the complexities of the subject and exploring the practical implications of EU law. Diagrams, flowcharts, and tables offer further detail and illustrate key ideas and processes in an easily accessible format, while chapter overviews, chapter content lists, and a clear structure ensure readers remain on track and can find information quickly. Online resources The book is accompanied by online resources which include: -an online chapter on the common commercial policy -useful weblinks and further reading advice -a searchable table of equivalences for quick reference to article numbering changes For lecturers:

downloadable versions of the figures from the book are also available for use in lectures and handouts.

**The Boundaries of the EU Internal Market** Marja-Liisa Öberg.2020-11-05 The book examines the twofold 'boundaries' of the concept of the European Union's internal market - the geographical and the substantive - through the prism of expanding the internal market to third countries without enlarging the Union. The book offers a comprehensive analysis of the conditions under which the internal market can effectively be extended to third countries by exporting EU *acquis* via international agreements without sacrificing its defining characteristics. Theoretical rather than empirical in approach, the book scrutinises and meticulously questions the required level of uniformity within flexible integration relating to the substantive scope of the internal market, the role of foundational principles in the European Union's market edifice, and the institutional framework necessary for granting third country actors full participation in the internal market while safeguarding the autonomy of the Union's legal order.

**EU Law and the Harmonization of Takeovers in the Internal Market** Thomas Papadopoulos.2010-01-01 Although some provisions of the Directive are obligatory for all Member States, two key provisions have been made optional: the non-frustration rule, which requires the board to obtain the prior authorization of the general meeting of shareholders before taking any action that could result in the frustration of the bid; and the breakthrough rule, restricting significant transfer and voting rights during the time allowed for acceptance of the bid. Other relevant legal issues covered in the course of the analysis include the following: A { the right of establishment as a right of legal persons; A { vertical vs.

**The Interface between Competition and the Internal Market** Vasiliki Brisimi.2014-12-01 This book explores the interface between competition law and market integration in the application of Article 102 of the Treaty on the Functioning of the European Union (TFEU), focusing on the notion of 'market separation'-namely conduct that may hinder cross-border trade. The discussion reviews, among other things, the treatment of geographic price discrimination and exclusionary abuse, by which out-of-state competitors are affected. 'Market separation' cases are treated in the book as a case study for appraising the interface between competition and the Internal Market. On this basis, the book provides a comparative analysis of the Treaty requirements under Article 102 TFEU when applied in 'market separation' cases and the Treaty requirements under the free movement provisions. In addition, it utilises 'market separation' cases as a springboard for advancing an informed reformulation of the application of Article 102 TFEU when state action comes into play. All in all, the analysis presented in the book deconstructs the elements for establishing 'market separation' as an abuse of the dominant position. It shows that there is nothing that would justify a distinctive treatment of 'market separation' under Article 102 TFEU, other than a principled understanding of Internal Market law as a whole: whatever understanding one reaches about the proper shape of the Internal Market, interrogation of the proper application of competition law comes after that and thus should be informed by this understanding.

**General Principles of EU Law and the EU Digital Order** Ulf Bernitz,Xavier Groussot,Jaan Paju,Sybe de Vries.2020-01-09 Digitalization of societies has important ramifications for citizens and businesses. The digital landscape is rapidly changing, whereas at the same time there are growing concerns about how market access in the EU's digital market as well as fundamental rights can be sufficiently safeguarded in the shadow of 'big data' and algorithms. This timely and important book presents expert analyses of how digitalization raises questions of the future role for general principles of European Union (EU) law, including the foundational principles of the EU's fundamental economic freedoms and EU competition rules. Examining a number of issues revolving around the internal market, the digital single market, competition law, intellectual property, data protection, democracy and the rule of law, the contributors provide deeply informed insights of the challenges as to: effects of the technological disruption on the doctrine of general principles; the resilience of general principles in the digital society; the need to rely on new general principles in the digital society; the realization of the digital single market; the safeguarding of fundamental rights and the rule of law. The contributors are highly esteemed scholars from major European universities. A common theme is the need for judicial evolution of EU fundamental rights law in the digital era, alongside penetrating analyses of recent Court of Justice of the European Union case law on the impact of digitalization. Dealing as it does with an area of European law of particular complexity and rapidly growing importance, the anthology provides insights and knowledge about the ways in which digitalization is rapidly changing EU law. Are general principles of EU law as developed in an 'analogue world' sufficiently resilient to withstand the rapid and often disruptive developments taking place in the digital marketplace? The fresh look at the concept of 'general principles' taken by the various contributors helps to clarify the actual application in EU law in areas related to the ongoing digitalization of our society. It will be greatly appreciated by practitioners, policymakers and academics active in any of the many fields of law affected by the digital revolution.

**Division of Powers in European Union Law** Theodore Konstadinides.2009-01-01 The European Union has flourished and expanded over the last fifty years as a unique system that lies midway between a federal state and an anarchical international system. Different actors coexist within a cooperative hegemony of Member States, and the allocation of competences and decision-making among them has always been at the centre of the integration process. In fact, demands for clearer limits to the Unionand's decision-making power and enduring tension over the nature and purpose of European integration have been the key drivers of integration and change. This deeply informed and thoughtful book thoroughly examines the manner in which the principle of division of powers has developed in EU Law over the course of European integration, and casts light on the path towards a more efficient delimitation of internal competence between the main actors: namely, the European Union and the Member States. Among the topics investigated in depth are the following: the place of the and'competence provisionsand' in the current and future EU Treaty structure; the scope and limits of the powers of institutional actors involved in EU decision-making; the contribution of the Court of Justice in declaring the pre-emptive effect and overarching precedence of Community law; the role of subsidiarity as a tool for monitoring the jurisdictional limits of the Communityand's legislative competence; areas where and'creeping competenceand' occurs; the constitutional checks and balances available to Member States against unprecedented expansion of EU competences; and the spectre of a powerful and'coreand' Europe and a and'multi-speedand' Europe of pacesetters and laggards. Addressing numerous crucial issues and' among them the degree of permanence of the nation-state in a context of ambiguous constitutional authority, and the width of the democratic base of the Unionand's and'institutional dynamicand' of cooperation and consensus and' the author lucidly describes a seeming paradox: an and'ever-closer unionand', with a growing democratic legitimacy, congruent with a supranational community that falls short of a fully-fledged democratic political entity. The countless perspectives and clarifications discovered along the way are sure to engage academics and policymakers working in the fields of the European integration project, and will provide ample insights and food for thought.

**Services of General Interest Beyond the Single Market** Markus Krajewski.2015-07-07 This is the first book ever to assess comprehensively the impact of EU international agreements on services of general interest. Services of general interest remain high on the political and legal agenda of the European Union. However, the debates about the impact of EU law on services of general interest usually focus on internal market law such as the free movement of services, competition law, state aid rules and the law of public procurement. The external and international dimensions of the European legal framework for services of general interest are often overlooked. This book addresses the impact of international trade and investment agreements on public services and the role these services play in EU external relations. It shows that the inherent tension between establishing and securing undistorted competition on markets and the logic of public services exists in international economic law in a similar way as in EU internal law. Given the contentiousness of international trade and investment agreements as well as the EU's external policies, the issues discussed in this volume are timely and relevant and contribute to the ongoing debate about the future of services of general interest in the EU with fresh ideas and perspectives. Markus Krajewski is Professor of Public and International Law at the University of Erlangen-Nuremberg, Germany.

**European Union Internal Market Law** Gareth Davies.2002 This student book focuses on a core topic in EU law. It covers the essential rules of the free movement of people, goods, services and capital, and also explains related issues, such as harmonization, the development of EU citizenship, human rights in the EU, and the regulation of e-commerce. The broader social and legal contexts of internal market law are also explored.

**Fundamental Rights in EU Internal Market Legislation** Vasiliki Kosta.2015-11-05 This book attempts to systematise the present interrelationship between fundamental rights and the EU internal market in the field of positive integration. Its intention is simple: to examine the way in which, and the extent to which, fundamental rights protection is realised through EU internal market legislation. To that end, the analysis is conducted around four rights or sets of rights: data protection, freedom of expression, fundamental labour rights and the right to health. The book assesses not only

what substantive level of protection is achieved for these fundamental rights, but it also estimates whether there is a 'fundamental rights culture' that informs current legislative practice. Finally, it asks the overarching question whether the current state of harmonisation amounts to a 'fundamental rights policy'. The book offers a much more varied picture of the EU's fundamental rights policy in and through the EU internal market than perhaps initially expected. Moreover, it builds the case for a more conscious approach to dealing with and enhancing fundamental rights protection in and through internal market legislation, and advocates a leading role for the legislature in the establishment of an internal market that is firmly based on respect for fundamental rights.

*The Oxford Handbook of European Union Law* Anthony Arnall, Damian Chalmers. 2015-07-23 Since its formation the European Union has expanded beyond all expectations, and this expansion seems set to continue as more countries seek accession and the scope of EU law expands, touching more and more aspects of its citizens' lives. The EU has never been stronger and yet it now appears to be reaching a crisis point, beset on all sides by conflict and challenges to its legitimacy. Nationalist sentiment is on the rise and the Eurozone crisis has had a deep and lasting impact. EU law, always controversial, continues to perplex, not least because it remains difficult to analyse. What is the EU? An international organization, or a federation? Should its legal concepts be measured against national standards, or another norm? The Oxford Handbook of European Union Law illuminates the richness and complexity of the debates surrounding the law and policies of the EU. Comprising eight sections, it examines how we are to conceptualize EU law; the architecture of EU law; making and administering EU law; the economic constitution and the citizen; regulation of the market place; economic, monetary, and fiscal union; the Area of Freedom, Security, and Justice; and what lies beyond the regulatory state. Each chapter summarizes, analyses, and reflects on the state of play in a given area, and suggests how it is likely to develop in the foreseeable future. Written by an international team of leading commentators, this Oxford Handbook creates a vivid and provocative tapestry of the key issues shaping the laws of the European Union.

Professional Services in the EU Internal Market Tinne Heremans. 2012-01-31 Professional services are a key component of the EU internal market economy yet also significantly challenge the legal framework governing this internal market. Indeed, specific professional regulatory structures, which are often the result of a blend of government and self-regulation, hold clear potential for conflict with EU free movement and competition law rules. Hence this book looks at the manner in which both free movement and competition laws might apply to such self- and co-regulatory set-ups, and at the leeway given to quality considerations (apparently) conflicting with free movement or competition objectives. In addition, since court action will seldom suffice to genuinely integrate a market, the book also explores those instruments of EU secondary legislation that are likely to impact the most on the provision of professional services. However, the book goes beyond a mere inventory to ask how EU Internal Market policy could contribute to the optimal legal environment for professional services. A law and economics analysis is employed to investigate the need for specific professional rules, the preferred type of regulator (self-, co- or government regulation), and the level - national and/or European - at which regulation should be adopted. As becomes clear, the story of the market for professional services is one of market and government failure; the author is thus left to compare imperfect situations where market failures compete with rent-seeking efforts, the tendency towards over-centralisation and national protectionism. This book offers both an in-depth legal analysis of the EU framework as it applies to professional services as well as a more normative evaluation of this framework based on insights from law and economics scholarship. It will therefore be a valuable resource for all practitioners, policy-makers and academics dealing with professional services, as well as, more generally, with questions of quality and self-regulation.

**EU Law and Governance** Mark Dawson, Floris de Witte. 2022-05-05 What is the EU for? In light of the current state of European integration, EU law cannot meaningfully be appreciated without understanding the political, social and cultural context within which it operates. This textbook proposes a fresh, accessible and interdisciplinary take on the subject that is suitable for one-semester and introductory courses wishing to engage the reader with the wider context of the EU project. It situates the institutions, legal order and central policy domains of the EU in their context and offer students the tools to critically analyse and reflect on European integration and its consequences. With pedagogical features such as further reading, class questions and essay/exams questions to support learning, this textbook enables students to form their own informed opinion on whether the EU offers an appropriate answer to the many questions that it is asked.

Enforcement in the EU Single Market Jacques Pelkmans, Anabela Correia de Britto. 2012 Enforcement of, and compliance with, laws and regulations in the single market of the European Union are of crucial economic importance for business, consumers, and the EU economy at large. This book provides a comprehensive overview of the current EU enforcement landscape. The traditional method of regulation enforcement, trying cases of infringement in the Court of Justice of the European Union, remains critical as a last resort, but it is increasingly seen as being very slow and costly. The authors reveal that EU law enforcement now relies heavily on a range of preventive initiatives to keep technical issues from developing into infringement problems. These measures tend to be quicker, far less costly, less formal, and highly effective in maintaining a properly functioning internal market. While these improvements are welcome news for the single market, the authors caution that EU enforcement still has thorny problems to resolve in areas such as public procurement.

European Union Internal Market and Labour Law Catherine Barnard. 2009 The interaction between labor market regulation and the EU's internal market poses increasing challenges for both lawyers and policy makers throughout the EU. From a policy point of view, the Lisbon Agenda and the reality of globalization have driven the EU towards a reformative approach to labor law in the context of its employment strategy. In the legal arena, the mixture of different national labor standards and free economic exchange has turned explosive in the wake of EU enlargement. This book explores the intricate, complex, and sometimes contentious relationship between the EU's agenda for a free internal market and the protection of labor standards within the EU. Its immediate focus is on recent legal developments, both in case law and in legislation. But these developments are addressed in a more general approach that seeks to give an overall background and context. *European Union Internal Market and Labour Law: Friends or Foes?* - the result of a conference held in the aftermath of the instantly famous cases of *Laval* and *Viking* - also reports on a panel discussion between stakeholders.

*The Law of the European Union and the European Communities* Pieter Jan Kuijper, Fabian Amtenbrink, Deirdre Curtin, Bruno De Witte, Alison McDonnell. 2018-09-28 The Law of the European Union is a complete reference work on all aspects of the law of the European Union, including the institutional framework, the Internal Market, Economic and Monetary Union and external policy and action. Completely revised and updated, with many newly written chapters, this fifth edition of the most thorough resource in its field provides the most comprehensive and systematic account available of the law of the European Union (EU). Written by a new team of experts in their respective areas of European law, its coverage incorporates and embraces many current, controversial, and emerging issues and provides detailed attention to historical development and legislative history of EU law. Topics that are constantly debated in European legal analysis and practice are touched on in ways that are both fundamental and enlightening, including the following: .powers and functions of the EU law institutions and relationship among them; .the principles of equality, loyalty, subsidiarity, and proportionality; .free movement of persons, goods, services, and capital; .mechanisms of constitutional change - treaty revisions, accession treaties, withdrawal agreements; .budgetary principles and procedures; .State aid rules; .effect of Union law in national legal systems; .coexistence of EU, European Convention of Human Rights (ECHR), and national fundamental rights law; .migration and asylum law; .liability of Member States for damage suffered by individuals; .competition law - cartels, abuse of dominant position, merger control; .social policy, equal pay, and equal treatment; .environmental policy, consumer protection, public health, cultural policy, education, and tourism; .nature of EU citizenship, its acquisition, and loss; and .law and policy of the EU's external relations. The fifth edition embraces many new, ongoing, and emerging European legal issues. As in the previous editions, the presentation is notable for its attention to how the law relates to economic and political realities and how the various policy areas interact with each other and with the institutional framework. The many practitioners and scholars who have relied on the predecessors of this definitive work for years will welcome this extensively revised and updated edition. Those coming to the field for the first time will instantly recognize that they are in the presence of a masterwork that can always be turned to with profit and that helps in

understanding the rationale underlying any EU law provision or principle.

*Regulating the Internal Market* Niamh Nic Shuibhne.2006-01-01 The insight given by the book. . . is absolutely indispensable for those who interact with the internal market. It is a goldmine of thought waiting to be discussed, used and put to the test. Ida Otken Eriksson, *European Law Journal* This fascinating book explores the management of the internal market from a legal perspective. While the EU agenda is currently dominated by the processes of Treaty reform, this assessment of both market and constitutional governance evaluates the coherence or otherwise of the project at the very core of European integration. Confronted with a free market nearing completion, with a relatively formulaic application of internal market law, the book portrays how this is mirrored in a growing tendency to hand the market back to the Member States and, increasingly, to authorities and bodies (both public and private) therein. We see too, however, an internal market framework that strains to cope with a series of challenges, both internal and external to the EU itself. The approach of the contributors is twofold on one hand they reflect thematically on questions of regulation which cut across the spectrum of the market and its freedoms. On the other hand they adopt more sector-specific lenses (including, for example, regulation of the media and the Internet) through which contemporary regulatory dynamics can be reconsidered. Providing analysis of contemporary challenges facing the internal market, this book will be of great interest to academics, researchers and students working in the field of EC law. It will also appeal to national and Community policy makers as it seeks to locate the constitutional and regulatory boundaries of the internal market sphere. *European Union Internal Market* Gareth Davies.2003-09-09 First published in 2003. Routledge is an imprint of Taylor & Francis, an informa company.

**The Concept of State Aid Under EU Law** Juan Jorge Piernas López.2015-08-06 How has the evolution and transformation of the Common Market affected the legal concept of State aid? How has State aid adapted to the development of the European Union? These questions and more are answered in Juan Jorge Piernas López's examination of the historical, political, constitutional, and economical events that have affected the development of State aid in the EU. Examining three key, interwoven arguments, this book provides a richer understanding of current formulas which depict the concept of aid through the prism of policy and enforcement considerations. First, the book demonstrates that the concept of aid is a 'living instrument' that has been applied in accordance with the main policy priorities of the European Commission. Second, contrary to what has been affirmed in other literature, the evolution of this concept has been influenced by the broader advancement of the case law of the Court of Justice in different periods of the integration process. Third, the author contends that the study of the evolution of the concept of aid in light of policy and case law provides a holistic outlook valuable to the decision making process of difficult cases. In this regard, the book provides criteria to interpret and discuss cases including *Sloman Neptun*, *Philip Morris*, and *Azores*, beyond the analysis traditionally adopted in this field.

*Abuse of EU Law and Regulation of the Internal Market* Alexandre Saydé.2014-12-01 How can the concept of abuse of European Union law - which can be defined as undesirable choice of law artificially made by a private citizen - generate so much disagreement among equally intelligent individuals? Seeking to transcend the classical debate between its supporters and adversaries, the present study submits that the concept of abuse of EU law is located on three major fault-lines of EU law, which accounts for the well-established controversies in the field. The first fault-line, which is common to all legal orders, opposes legal congruence (the tendency to yield equitable legal outcomes) to legal certainty (the tendency to yield predictable legal outcomes). Partisans of legal congruence tend to advocate the prohibition of abuses of law, whereas partisans of legal certainty tend to oppose it. The second fault-line is specific to EU law and divides two conceptions of the regulation of the internal market. If economic integration is conceived as the promotion of cross-border competition among private businesses (the paradigm of 'regulatory neutrality'), choices of law must be proscribed as abusive, for they distort business competition. But if economic integration is intended to promote competition among Member States (the paradigm of 'regulatory competition'), choices of law by EU citizens represent a desirable process of arbitrage among national laws. The third and final fault-line corresponds to the tension between two orientations of the economic constitution of the European Union, namely the fear of private power and the fear of public power. Those who fear private power most tend to endorse the prohibition of abuses of law, whereas those who fear public power most tend to reject it. Seen in this way, the concept of abuse of EU law offers a forum in which fundamental questions about the nature and function of EU law can be confronted and examined in a new light. In May 2013, the thesis that this book was based on won the First Edition of the European Law Faculties Association Award for Outstanding Doctoral Thesis.

*The Internal Market and the Future of European Integration* Fabian Amtenbrink,Gareth Davies,Dimitry Kochenov,Justin Lindeboom.2019-04-18 A definitive reassessment of the constitutional, economic, institutional and judicial dimensions of the EU internal market, including Brexit.

*European Union Internal Market Law* Gareth Davies.2003 EU Internal Market Law is the first student book to focus on this core topic of EU law. It provides a clear explanation of the essential rules of free movement of persons, goods, services and capital, and also covers related issues, such as harmonisation, the development of EU citizenship, human rights in the EU, and the regulation of e-commerce, the broader social and legal contexts of internal market law are also explored.

*Trade Regulation and Policy in the EU Internal Market* Maletić, Isidora.2022-06-21 Exploring the importance of the EU Services Directive (Directive 2006/123), this book provides an expansive insight into the controversial legislation regulating the internal market in services, whilst examining the challenges of positive harmonisation. In addition, by analysing the functioning and judicial interpretation of the directive, it considers EU trade regulation values and the broader significance of EU regulation in global regulatory standard setting.

*European Union Internal Market Law* Friedl Weiss,Clemens Kaupa.2014-06-19 This is the market's most student-friendly textbook on EU internal market law, covering everything students need to know about the legal and regulatory framework of the internal market and eliminating the need for a full EU law text. Concise and focused, chapters explore the underlying socio-economic and historical contexts of EU law, and offer a thorough examination of the law's technical aspects, ensuring that students gain a rich understanding of the way that legal rules and structures have developed from key political and social debates. Key concepts are illustrated by excerpts, summaries and discussions of classic and modern cases. Numerous features include text boxes, illustrative cases, legal interpretations, tables, and suggestions for further reading, which support students with little background knowledge of the subject, leading them to total mastery of the material.

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