

<b>Academic subject: EU Competition Law: market and undertakings</b>			
<b>Degree Class:</b> LM 52 (International Relations) and LM 63 (Administrative Sciences) IUS /14 - EUROPEAN UNION LAW		<b>Degree Course:</b> POLITICAL SCIENCE INTERNATIONAL RELATIONS //POLITICAL SCIENCE SCIENCE OF ADMINISTRATIONS	
		<b>Academic Year:</b> 2020/2021	
		<b>Kind of class:</b> mandatory	<b>Year:</b> II <b>Period:</b> I sem.
			<b>ECTS: 8</b> divided into <b>ECTS lessons: 64</b> <b>ECTS</b> <b>exe/lab/tutor:</b>
<b>Time management, hours, in-class study hours, out-of-class study hours</b> lesson: 64 exe/lab/tutor: in-class study: out-of-class study: 136			
<b>Language:</b> Italian / for Erasmus students classes could be hold in English	<b>Compulsory Attendance:</b> No, however it is strongly recommended		
<b>Subject Teacher:</b> Angela Maria Romito	<b>Tel: +39/080.571.77.75</b> <b>e-mail:</b> angalamaria.romito@uniba.it	<b>Office:</b> Department of Political Science  Room 16 Floor III	<b>Office days and hours:</b> Usually on Wednesday, 9-12 previous appointment by email
<b>Prerequisites:</b> A basic knowledge of EU law is recommended			
<b>Educational objectives:</b> The proposed content is intended to build a knowledge of competition law not as an abstract and formal set of rules, but as a phenomenon in progress (for instance, the "sharing economy" or the protection of personal data, the pharmaceutical market). To this end, general issues will also be addressed through the analysis of recent cases relating to their application. <u>For incoming Erasmus students</u> can be agreed with the teacher study texts and specific programs that still include the study of the structure of the EU legal system.			
<b>Expected learning outcomes (according to Dublin Descriptors)</b>	<b>Knowledge and understanding:</b>  The course aims to provide students knowledge of the different areas of competition law and of the practical implications of a the legal rules in the functioning of the internal market. Starting from the historical origin and evolution of antitrust law, the institutional aspects of European Union law will be analyzed, as well as the legal categories and institutions specific to this branch of law. Their knowledge from a public and private point of view, is increasingly required to consultants who assist companies operating on a permanent cross-border basis.		
	<b>Applying knowledge and understanding:</b>  The goal is to acquire the ability to apply the theoretical knowledge to the practical experience of the markets in a systematic and critical way;		
	<b>Making judgements:</b>  The aim is to develop a critical assessment of EU market policy phenomena and their impact on the state economy		
	<b>Communication:</b>  The goal is to hold communication skills related to the discipline with a technical legal language specific and appropriate		

**Lifelong learning skills:**

It stimulates the acquisition of the autonomy of judgment with respect to competitive phenomena (from the institutional balance within the EU in the field of competition to the decentralized application of the rules at national level) as well as the ability to critically assess the knowledge learned and the ability to apply in economic realities;

**Course program**

The course examines the competition rules applying to undertakings and Member States. Classes explore the tools used by Commission and competition authorities in Europe.

The course will analyse the following topics

- COMPETITION RULES APPLYING TO UNDERTAKINGS: arts. 101-102 TFEU on the agreements between undertakings and the abuse of dominant position Regulation No 1/2003, the modernization of EU competition law and the role of the Commission and the national competition authorities; Directive No 2014/104, actions for Damages for infringements of competition law and the procedural tool for the protection of damaged parties;
- COMPETITION RULES APPLYING TO MEMBER STATES: arts. 107-108 TFEU; Regulation No 2015/1589 and the procedure for the assessment of the compatibility of a national measure; illegal, incompatible and abusive aids; damage compensation.
- MERGERS BETWEEN UNDERTAKINGS.
- PUBLIC and PRIVATE ENFORCEMENT

**Teaching methods:**

Classes will be held in the form of lectures and class discussion, with a case study method. The purely case-based approach aims to make students understand the real impact of the antitrust law on the proper functioning of the market. Attending students will be actively involved in the discussion to develop the hermeneutical and critical skills necessary for a correct approach to the subject.

During the lessons the professor will use media support (slides, presentations or video).

**Auxiliary teaching:**

As Erasmus students, the teaching methods will consist in the study of the proposed textbook, to which the professor can offer her support.

**Assessment methods:**

The final examination will consist of an oral interview with several questions on the textbook.

For attending students (for the purpose of the exam, will be considered attending students at no less than 80% of the total hours of lessons), the exam is carried out in principle in oral form on the above program. Attending students may, however, individually agree with the professor (i) the possibility of presenting a written paper to be discussed in class, or (ii) the possibility of preparing a Powerpoint presentation (to be illustrated in front of the classmates. In such cases the program may be correspondingly reduced, and the final evaluation will be the sum of the presentation and the oral interview.

For non-attending students, the exam takes only place in oral form.

**CRITERIA FOR EVALUATION**

Final grade in 30s. The criteria identified for the assessment are:

- the demonstrated ability to systematically understand the subject
- the hold of the research method
- the ability to synthesize
- the ability to display a technical-legal language in a clear and proper way
- the critical ability

**Bibliography:**

**For attending students**

- L. DANIELE, Diritto del Mercato Unico Europeo e dello Spazio di Libertà, Sicurezza e Giustizia, Milano, 2019. SOLO i Capitoli 6 e 7

**AND**

- A.M. ROMITO, Ruolo e funzioni dell'European Competition Network, Bari, 2020

Material study support will be distributed only to students attending the classes.

**For non-attending students**

M LIBERTINI, European Union Competition Law, Milan (Giuffrè Editore), 2014, according to the following indications:

Chapter I

Chapter II, Para. 1-12 (up to p. 165) and Para 15 ( up to p.225) and 16

Chapter III

Chapter IV

Chapter V

Chapter VI, para 1,2,3 (until p.468, excluding para. 3.1 to 5.5) and 6

Chapter VII, para. 1,2,3 (up to p. 521), 4 and 5 (up to p.542) Chapter VIII

with the integration of judgments, essays and up-to-date articles on private antitrust enforcement indicated on the teacher's web page just before the start of the course.

**OR**

F. GHEZZI, G. OLIVIERI, "Antitrust law", Giappichelli, 2019, with the addition of sentences, essays and articles on state aid indicated on the teacher's website shortly before the start of the course.

For incoming Erasmus students study textbooks and specific programs - that still include the study of the structure of the EU legal system - can be agreed with the Professor.