

## *Course syllabus*

### **The Free Movement of Goods, and Persons in the EU**

**Title of course in Hungarian:** Az áruk és a személyek szabad áramlása az EU-ban

**Language of instruction:** English

**Department:** Department of International and European Law

**Type of course:** obligatory/elective

**Level of programme:** MA (LLM)

**Number of lessons per week:** 2 hours/week

**Semester:** I./II.

**Credit point value:** 3

**Code of course:**

**Prior course(s) required:** -

**Course supervisor:** Dr. András Osztovits, PhD, associate professor, head of department

**Lecturer(s):** Dr. András Osztovits, PhD, associate professor, head of department

#### **Course description, purpose of the course:**

The central issue of establishing the European Communities was to create a single market. The discussion of these legal materials will therefore be placed within the context of the more general issues concerning the customs union and taxation respectively.

This course also deals with the free movement of employed persons (workers), with the free movement of the self-employed and of companies (establishment and services) and with the more recent category of European citizens. The course explains the close interrelation between the free movement of services and the free movement of persons (freedom of establishment and freedom to provide services).

#### **Course outline, description of acquired knowledge, skills and competences:**

1. The rise of the concept of the European single market and the importance of the regulation of trading in goods
2. The working of commonly known obstacles in the free movement of goods: customs, charges having equivalent effect, non-tariff barriers. Taxation and similar means of intervention.
3. Other means that affect the free movement of goods: competition law, procedural and conflict of laws, substantive private law, etc.
4. The basis of Community competences and the available instruments to regulate the free movement of goods and services
5. Major European legal provisions in the free movement of goods 1.
6. Major European legal provisions in the free movement of goods 2.
7. The case law of the European Court of Justice relating to the free movement of goods 1.
8. The case law of the European Court of Justice relating to the free movement of goods 2.
9. The case law of the European Court of Justice relating to the free movement of goods 3.
10. Regulating import from third countries: the working of Community Customs Code
11. A comparison of the regulatory system of the free movement of goods and the system of the GATT
12. Major European legal provisions in the free movement of persons as workers 1.
13. Major European legal provisions in the free movement of persons as workers 2.
14. The case law of the European Court of Justice relating to the free movement of persons
15. Other dimensions that flow from the free movement of persons (e.g. administrative and judicial co-operation)

**Interim course requirement(s):** course attendance, presentation of the relevant practice of the EU Court of Justice

**Type of evaluation:** exam evaluation/course performance evaluation

**Method of evaluation:** written/oral exam

**Obligatory course materials:**

Course Compendium on the The Free Movement of Goods and Persons in the EU – A selection of study material (legal sources, court decisions, studies) designed for the course by the course lecturer(s). The Compendium is aimed at the use of the LL.M.program students solely and is not intended for commercial circulation. A copy of the Compendium is available to every student in the program.

**Recommended additional sources:**

- Gráinne de Búrca – Paul Craig: *EU law – text, cases, materials*, New York : Oxford University Press (5th edition), 2011 (Chapters 1-10.) 1304 pages ISBN 978-0199576999
- Barnard, Catherine: *The Substantive Law of the EU: The Four Freedom*, New York : Oxford University Press, 2010 (3<sup>rd</sup> ed.) 752 pages ISBN 978-0199562244
- Metzinger, Péter - Nemessányi, Zoltán - Osztovits, András: *Freedom of Establishment for Companies in the European Union*. Budapest : Complex, 2009. 208 pages ISBN 9789632950471
- Allan F. Tatham: *EC law in practice - a case-study approach*, Budapest : HVG-ORAC, 2006. 706 pages ISBN: 9637490469