

SUBJECT DETAILS

Data on the subject	
Name	Impact of Brexit on Trade and Competition
Degree	Postgraduate in Master in International and European Business Law
Year	2017-18
Nature	
ECTS Credits	
Department	Law
Area	Law
Teaching staff	Ishita Sharma
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Telephone	
Tutoring Schedule	Upon request from students

CLASS DESCRIPTION

In June 2016, the UK voted by referendum to ‘Leave’ the EU. Majorities in Scotland and Northern Ireland voted ‘Remain’, but the total UK ‘Leave’ vote was 52%. Article 50 of the Lisbon Treaty sets out how a Member State leaves.

The EU ensures common standards and regulations allowing free movement of goods, people, services and capital across EU. This means that citizens can work and businesses can trade across the EU with minimal hassle. The UK leaving the Single Market could create new trade barriers including tariffs and new costs due to different regulations. This would make Irish businesses less competitive in the UK, with sectors including agri-food, retail and manufacturing being particularly exposed.

As UK has opted out of the single market of the EU this will have profound consequences on both trade and competition. The outcome of the UK’s EU referendum and looming exit negotiations, are already affecting trade flows between UK and EU. As of 2015, among the top 10 trading partners of the UK are the seven countries which are a part of EU.

At present, both EU and domestic competition law apply to anticompetitive behavior taking place within the UK. The competition law and policy is an area where the EU legal framework has had a particularly significant impact on the evolution of UK laws. We will look into the impacts of Brexit on trade and competition laws.

SPECIFIC DATA ON THE SUBJECT

Pre-requisites

None

Contribution of the degree to the professional profile

This subject will provide students with a general knowledge of current challenges faced by both EU and UK due to BREXIT. In particular, students will review most up to date effects of the BREXIT on trade and on competition laws. This subject aims to provide students a deep understanding of the BREXIT process from a legal perspective and the necessary analytical tools for assessing its implication when providing legal advice to corporate stakeholders.

THEMATIC AREA AND CONTENT

AREA 1: BREXIT OVERVIEW

Theme 1: Introduction

- Political background.
- Brexit referendum results.
- Challenge before the Queen`s Bench Division of the High Court of Justice and UK Government before the Supreme Court.
- UK invocation of Article 50 of the Treaty on European Union and European Union (Notification of Withdrawal) Act 2017.
- Brexit negotiation rounds.

Theme 2: EU – UK trade relationship options: a regulatory perspective.

- The Norwegian model – joining the European Economic Area.
- The Swiss model – European Free Trade agreements & bilateral treaties.
- Free Trade Agreement (the Canada / Singapore option).
- World Trade Organization option.

AREA 2: BREXIT’S ECONOMIC IMPACT & REGULATORY LANDSCAPE

Theme 1: The Impact of Brexit on Trade

- Macro-economic effect for the EU and UK.
- Single Market impact assessment and UK-EU position on the future of trade in goods, services and mobility of persons between the UK and EU member countries.
- Impact assessment on various key regulated sectors such as the industrial, IT,

agriculture, manufacturing, financial services etc.

Theme 2: Competition law and Policy after Brexit

- A brief introduction of the competition laws and policies in the UK and EU.
- Analysis of the merger control and the 'one stop shop' principle and its impact on the business between UK and EU.
- Analysis of the Article 101 and 102 of TFEU and its application in respect of anticompetitive behaviour taking place in the UK.

Theme 3: Group Discussion and assignments

- The class will be divided into two groups, one representing the UK and the other representing the EU: a detailed discussion will take place based on the economic impact on each side involved.
- The students will be divided in groups and will have to present a brief report with the help of short PPT regarding which trade relationship option should be adopted by UK and EU

BIBLIOGRAPHY AND RESOURCES

Basic Bibliography
Text books
Chapters of books
Articles
<ol style="list-style-type: none">1. Brexit: All you need to know about the UK leaving the EU (http://www.bbc.com/news/uk-politics-32810887)2. UK invocation of Article 50 of the Treaty on European Union and European Union (Notification of Withdrawal) Act 2017 http://www.legislation.gov.uk/ukpga/2017/9/contents/enacted3. Implementing EU competition rules: application of Articles 101 and 102 of the TFEU (http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=LEGISSUM:126092)
Websites
<ol style="list-style-type: none">1. https://www.gov.uk/government/organisations/department-for-exiting-the-european-union2. https://ec.europa.eu/commission/brexit-negotiations_en
Notes
Other material

SUMMARY OF STUDENT WORK HOURS			
Activity	Number of class hours	Number of independent study hours	Total number of hours
Lecture	7,5	10	
Practical class and debate	1		
In class presentation	1,5	15	
Individual work	-		
Work in collaboration	-		
Evaluation: one-minute paper	-		
Evaluation: class test			
Evaluation: exam	-		
Evaluation: exam review	-		
Others	-		
ECTS Credits:	1 (10h)	25	35

GRADE EVALUATION AND CRITERIA

Evaluation Activities	Generic Competences	Indicators	Evaluation Weighting
Individual work	Class participation and preparation of class materials.		15%
Class Debate/ Discussion		<ul style="list-style-type: none"> • Capacity of analysis, thoroughness to the content of discussion and topic. • Oral presentation skills, and clarity of statements and content presented. • Logic and persuasiveness of the student's arguments, reactivity to other students; opinions and ability to listen. • Team spirit and cooperative attitude within the class group. 	25%
Evaluation: exam (final)	The final exam will consist of group assignments. The class will be divided into groups. Each group shall elaborate a brief report with the help of a short PPT, in which they shall provide an opinion regarding the specific model to be adopted by EU and UK.	<ul style="list-style-type: none"> • Degree of assimilation of course contents and capacity to present own analysis. • The evolution will be done on the thorough research of the students. • The team effort and individual contribution to the assignment given. 	50%
Attendance		<ul style="list-style-type: none"> • Regular attendance to classes 	10%