

## NIRMA UNIVERSITY

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| <b>Institute:</b>           | Institute of Law                           |
| <b>Name of Programme:</b>   | B.A.,LLB. (Hons.) and B.Com.,LL.B. (Hons.) |
| <b>Course Code:</b>         | 2IE2012                                    |
| <b>Course Title:</b>        | European Legal System                      |
| <b>Course Type:</b>         | Institute Elective                         |
| <b>Year of Introduction</b> | 2022-23                                    |

### Course Learning Outcomes (CLO)

| L | T | Practical component |    |   |   | C |
|---|---|---------------------|----|---|---|---|
|   |   | LPW                 | PW | W | S |   |
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At the end of the course the students will be able to:

1. Analyze the historical foundation and the development of Civil and Common law in European Union
2. Evaluate the Treaty mechanism and the Institutional frameworks that governs the European Union
3. Assess the functioning of legal systems post Brexit time
4. Reflect on the foreign Investment laws that guides the European Union countries
5. Examine the financial crisis in the European Union and the Banking laws which regulates the same.
6. Review the internet and privacy laws and regulations operating in the European system.

### Syllabus

**Total Teaching hour: 60**

#### Unit-I

#### Introduction to European Law

**12 Hours**

- Historical foundations
- European Union : Civil Law (legal system) and Common Law (Legal system)
- Concepts of sovereignty of European Union (EU) law
- Direct effect, Direct Applicability
- Proportionality, Non-discrimination

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| Unit-II  | <b>Structure and Development of European Union</b>   | <b>12 Hours</b> |
|          | <ul style="list-style-type: none"> <li>• Treaty of Paris (1952)</li> <li>• Treaty of Lisbon (2009)</li> <li>• European Institutions</li> <li>• European Commission</li> <li>• European Court of Justice</li> <li>• Court of First Instance (General Court)</li> </ul>  |                 |
| Unit-III | <b>Features of Legal systems of Select European Countries</b>  | <b>12 Hours</b> |
|          | <ul style="list-style-type: none"> <li>• France Legal System</li> <li>• German Legal System</li> <li>• Norwegian Legal System</li> <li>• Swedish Legal System</li> <li>• Brexit: Implications for EU and India</li> </ul>  |                 |
| Unit-IV  | <b>Law Relating to Foreign Investment</b>  | <b>8 Hours</b>  |
|          | <ul style="list-style-type: none"> <li>• Introduction</li> <li>• Foreign Trade Policy of EU</li> <li>• Foreign Investment Policy of EU</li> <li>• Foreign Bilateral Trade and Investment</li> </ul>  |                 |
| Unit-V   | <b>Banking Laws in EU</b>  | <b>10 Hours</b> |
|          | <ul style="list-style-type: none"> <li>• Introduction</li> <li>• Financial Crisis</li> <li>• Present reform in Banking sector</li> </ul>   |                 |
| Unit-VI  | <b>Privacy and Cyberspace in Europe</b>  | <b>6 Hours</b>  |
|          | <ul style="list-style-type: none"> <li>• General Data Protection Regulations (GDPR):<br/>Main Elements-Introduction</li> <li>• Principles</li> <li>• Personal Data</li> <li>• Parties</li> <li>• Data Protection Officer and Data Protection<br/>Authority</li> <li>• Consent</li> <li>• Lawful Processing</li> <li>• Privacy Impact Assessment</li> <li>• Privacy-by-Design</li> <li>• Sanctions</li> </ul> |                 |

Self-Study:

- Protecting the rule of law in the EU Existing mechanisms and possible improvements.  
[https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/642280/EPRS\\_BRI\(2019\)642280\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/642280/EPRS_BRI(2019)642280_EN.pdf)
- Sources and scope of European Union law.  
<https://www.europarl.europa.eu/factsheets/en/sheet/6/sources-and-scope-of-european-union-law>

Suggested  
Readings /  
References:

- Partington, M. (2021). Introduction to the English legal system. Oxford University Press.
- Rosenfeld, M., & Sajó, A. (Eds.). (2012). The Oxford handbook of comparative constitutional law. OUP Oxford.
- Singh, M. P. (Ed.). (2011). Comparative Constitutional Law: Festschrift in Honour of Professor PK Tripathi. Eastern Book Company.

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