



Marmara Üniversitesi - Avrupa Araştırmaları Enstitüsü

Avrupa Hukuku (İngilizce)

Ders İzleme Programı

2021-2022 Güz Yarıyılı

Ders Kodu	Ders Adı	Ders Türü	Haftalık Ders Saati		Kredi	ECTS	Kampüs / Haftalık Gün ve Saati / Derslik
			T	U			
EUL730.1	EU Competition Law	Ders	3	0	6.00	6.00	--
Önkoşul Dersi			Önkoşullu Dersi				
Öğretim Üyesi	Dr. MEHMET FEVZİ TOKSOY		Öğrenci Görüşme Gün ve Saati		Please contact during the course day to set a meeting.		
E-posta	fevzi.toksoy@actecon.com		Ofis / Oda No				
Telefon							
Dersin Tanımı	COURSE DESCRIPTION The aim of this course is to demonstrate the fundamentals of EU competition policy, which is one of the most important Community policies. It is not only important because it has an enormous proportion of cases before the Court of Justice, but also because it involves economic, financial and intellectual interests. Firstly, the meaning of competition, such as perfect competition and workable competition will be made clear, together with an explanation why there is a need of a regulation and a policy of competition. Then the Articles 101 and 102 of the EU Treaty concerning the regulation of competition will be explored in depth. Agreements, decisions and concerted practices between undertakings, which prevent, restrict or distort competition within the EU will be examined. Distributorship, licensing and franchising agreements will be looked at. The exemption procedure will be explored together with the different types of Block Exemptions. Then the concept of dominance in the market and which practices can be defined as abuses of dominant position will be examined. Regarding the policy rules, together with the theoretical background example case law will elaborate the comprehension of the subject matter. LEARNING OUTCOME □ Student will learn sources of EU Competition Law and their application methods. □ Student will learn basic prohibition of EU Competition Law and its rules of procedure. □ Student will learn penal sanctions of EU Competition Law and their determination and application process. □ Student will internalize European Union system in a manner that relations between industry and competition are more easily perceived among member states of European Union.						
Dersin Kitabı ve/veya Kaynaklar	COURSE MATERIAL Materials will be taken from online sources, the most important of which is the official website of the European Union (http://ec.europa.eu/competition/index_en.html). As set out in the course schedule, we will be reading descriptions of the various structures and fields of EU competition law directly from this site and students will become proficient in locating relevant, current law in a broad range of topics. Other online sources are as follows: http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=en http://www.internationalcompetitionnetwork.org/ http://www.rekabet.gov.tr http://www.oecd.org/topic/0,2686,en_2649_37463_1_1_1_37463,00.html http://papers.nber.org/jel/L4.html http://www.ftc.gov/ Suggested textbooks of this course are: 1. Van Bael, I. & Bellis, F. Competition Law of the European Community (2009) 2. Whish, R. Competition Law (Sixth Edition) 3. Goyder, J., EU Distribution Law (2005) 5. Cook, C.J. & Kerse C. S. EC Merger Control (2009) 6. Jones, A. & Sufrin, B., EC Competition Law: Text, Cases and Materials (2007) 7. Korah, V. Cases & Materials on EC Competition Law (2006) Legislative Documentation: - European Union Consolidated Versions of the Treaty on European Union and of the Treaty on the Functioning of the EU - Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty, Official Journal L 1, 04.01.2003, p.1-25 - 2006 - Guidelines on the method of setting fines imposed pursuant to Article 23(2)(a) of Regulation No 1/2003., Official Journal C 210, 1.09.2006, p. 2-5 - Commission notice on immunity from fines and reduction of fines in cartel cases, Official Journal C 298, 8.12.2006, p. 17 - Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation), Official Journal L 24, 29.01.2004, p. 1-22 - http://ec.europa.eu/competition/state_aid/legislation/compilation/index_en.html - Decision No 1/95 of the Association Council (1995) between the EU and Turkey on implementing the final phase of the Customs Union Competition-related extracts Full text - Official Journal L 35, 13.2.1996, p. 1-47 ,						
Açıklamalar							
HAFTA	Konular					Kaynak No - İlgili Bölüm	
Değerlendirme Araçları	Ölçme Aracı	Adet	Tarih	Başarı Notuna Katkısı (%)	Yarıyıl / Yılıçi Değ. Notuna Katkısı (%)	Sınav Türü	
	Yarıyıl / Yılsonu Sınavı	1	-	60		-	
	Bütünleme Sınavı (varsa)	0	-			-	
	Yarıyıl / Yılıçi Değerlendirme Bilgileri						
YİDN		1		40	100	Ara Sınav	