Law Express: EU Law

Law of the European Union Sixth Edition John Fairhurst The new edition of Law of the European Union has been fully updated to include all recent changes in this rapidly expanding area of the law. The book clearly and accurately explores constitutional and administrative law as well as the major areas of substantive law which are also considered in the context of implementation within the UK. Topics are extensively illustrated with decisions from the European Court of Justice and Court of First Instance enabling students to consider the principles of law in a realistic context. New to this edition *Ratification problems with the proposed Constitutional Treaty and its future. *Incorporation of all the changes to the structure of the European Union following Bulgaria and Romania's accession to the EU on 1 January 2007. *Significant case law development with particular reference to judicial review, state liability and EU citizenship. *Detailed examination of Directive 2004/38 on the right of entry and residence of EU citizens and their family members. *Consideration of Directive 2005/36 on the recognition of professional qualifications.Key features *Clearly distinguished case summaries encourage students to quickly recognize the key cases and differentiate them from surrounding commentary.*New two colour text design and larger format enable students to follow the text with ease. *Chapter summaries highlight the main points covered in each chapter, cementing understanding. *Concise, comprehensive coverage combined with a clear principle led approach. *Four part structure which clearly highlights the main topics covered. Online Support Companion Website (www.pearsoned.co.uk/fsls) offers students: *Bi-annual legal updates. *Tutorial style questions and answers for each topic covered in the textbook. *Self-test multiple-choice questions to help students assess their progress. *Glossary of legal and commonly-used EU terms. *Web links to online European Law resources. *Flashcards designed to test understanding of key vocabulary. *Lecturers are supported through access to a new European Law Testbank. John Fairhurst BA PgDip MPhil Solicitor is Associate Dean (Staff and Student Experience), Faculty of Arts, Law and Social Sciences at Anglia Ruskin University.He was previously a Jean Monnet Tutor in EU Law and Course Director of the Diploma of Law (CPE) programme at the University of Huddersfield.

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Law Express

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'EU Law' covers both the institutions of the EU and the substantive law they produce. The new constitution is introduced, its aims and the reasons for its negotiation. Pedagogical features have been incorporated into this edition making the text easier to navigate.

It is clear that the current crisis of the EU is not confined to the Eurozone and the EMU, evidenced in its inability to ensure the compliance of Member States to follow the principles and values underlying the integration project in Europe (including the protection of democracy, the Rule of Law, and human rights). This defiance has affected the Union profoundly, and in a multi-faceted assessment of this phenomenon, The Enforcement of EU Law and Values: Ensuring Member States' Compliance, dissects the essence of this crisis, examining its history and offering coping methods for the years to come. Defiance is not a new concept and this volume explores the richness of EU-level and national-level examples of historical defiance - the French Empty Chair policy-, the Luxembourg compromise, and the FPÖ crisis in Austria - and draws on the experience of the US legal system and that of the integration projects on other continents. Building on this legal-political context, the book focuses on the assessment of the adequacy of the enforcement mechanisms whilst learning from EU integration history. Structured in four parts, the volume studies (1) theoretical issues on defiance in the context of multi-layered legal orders, (2) EU mechanisms of acquis and values' enforcement, (3) comparative perspective on law-enforcement in multi-layered legal systems, and (4) case-studies of defiance in the EU.

Law Express Question and Answer

Steiner & Woods EU Law

EU Law

Law Express: English Legal System

Law Express: Criminal Law

Rev. ed. of: External relations of the European Union legal and constitutional foundations / Piet Eeckhout. [1st ed.] 2004.

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Is the procedural autonomy of EU Member State a myth or a reality? What should this concept be taken to mean? Starting from the analysis of requirements and principles regulating, generally speaking, the relationships between Member States’ and EU law, this book provides a definition of procedural autonomy able to account for the concept’s inherent limits. Out of an analysis of the more relevant EU jurisprudence, the author identifies the rationale underlying the interventions of the ECJ on issues of procedural autonomy and the common logic that emerges from it; and reveals how, in an unchanged context of ‘procedural autonomy’ of the Member States, national procedural law becomes more and more ‘functionalized’ to the requirements of effectiveness of substantive EU law. As such, we should speak of a ‘functionalized procedural competence’ rather than of procedural autonomy. But this is by no means a case of “Paradise Lost.” The book includes a foreword by Prof. Jürgen Schwarze, one of the founding fathers of European Administrative Law.

Law Express: Employment Law

Human Rights

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LawExpress Q and A

Law Express: EU Law (Revision Guide)

The question of the sources of international law inevitably raises some well-known scholarly controversies: where do the rules of international law come from? And more precisely: through which processes are they made, how are they ascertained, and where does the international legal order begin and end? These traditional questions bear on at least two different levels of understanding. First, how are international norms validated as rules of international "law", i.e. legally binding norms? This is the static question of the pedigree of international legal rules and the boundaries of the international legal order. Second, what are the processes through which these rules are made? This is the dynamic question of the making of these rules and of the exercise of public authority in international law. The Oxford Handbook on the Sources of International Law is the very first comprehensive work of its kind devoted to the question of the sources of international law. It provides an accessible and systematic overview of the key issues and debates around the sources of international law. It also offers an authoritative theoretical guide for anyone studying or working within but also outside international law wishing to understand one of its most foundational questions. Thisandbook features original essays by leading international law scholars and theorists from a range of traditions, nationalities and perspectives, reflecting the richness and diversity of scholarship in this area.

In recent years the European Union has enjoyed a significant increase in its profile at both national and international levels. This book explains how the legal rules which underpin the process of integration in the European Union have been shaped in order to give effect to the Union's objectives. It is accordingly suitable as an introductory text designed to expose the reader to the basic constitutional and substantive principles of European Union law. Union law exerts an increasingly profound impact on domestic law and this book will equip a lawyer unfamiliar with the principles of Union law with an awareness of when and why Union law is of relevance in domestic litigation. The evolution of Union law continues apace. Increasingly its law has developed as an instrument of market integration and of market regulation. However recent years have witnessed controversy concerning the appropriate allocation of responsibilities between the Union's own institutions and national authorities. This book provides a fully up-to-date assessment of the changing shape of the European Union and its legal structure.

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Law Express Question and Answer: EU Law (Q&A revision guide)

Law Express: EU Law 5th edition PDF eBook

The Legal Reasoning of the Court of Justice of the EU

Law Express: Jurisprudence

Tort Law

This book addresses the impact of EU law beyond its own borders, the use of law as a powerful instrument of EU external action, and some of the normative challenges this poses. The phenomenon of EU law operating beyond its borders, which may be termed its 'global reach', includes the extraterritorial application of EU law, territorial extension, and the so-called 'Brussels Effect' resulting from unilateral legislative and regulatory action, but also includes the impact of the EU's bilateral relationships, and its engagement with multilateral fora and the negotiation of international legal instruments. The book maps this phenomenon across a range of policy fields, including the environment, the internet and data protection, banking and financial markets, competition policy, and migration. It argues that in looking beyond the undoubtedly important instrumental function of law we can start to identify the ways in which law shapes the EU's external identity and its relations with other legal regimes, both enabling and constraining the EU's external action.

What is the nature of the relationship between the fields of new technology and EU law? What challenges do new technologies pose for the internal market and the fundamental principles of the EU? The first part of the collection explores the EU's approach to the regulation of scientific and technological risk, and the link between the regulation of technology and the internal market. In detail, the chapters analyse the interaction between EU law, bioethics and medical and health technologies. The second part of the collection enhances on this, and the chapters scrutinize specific policy areas in order to explain the alternate ways in which EU policy and technology cooperate.

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Law Q&a Revision and Study Guide

Procedural Autonomy of EU Member States: Paradise Lost?

EU Law Revision Guide and Q AndA

Law Express: Contract Law

European Union Law

The Court of Justice of the European Union has often been characterised both as a motor of integration and a judicial law-maker. To what extent is this a fair description of the Court's jurisprudence over more than half a century? The book is divided into two parts. Part one develops a new heuristic theory of legal reasoning which argues that legal uncertainty is a pervasive and inescapable feature of primary legal material and judicial reasoning alike, which has its origin in a combination of linguistic vagueness, value pluralism and rule instability associated with precedent. Part two examines the jurisprudence of the Court of Justice of the EU against this theoretical framework. The author demonstrates that the ECJ's interpretative reasoning is best understood in terms of a tripartite approach whereby the Court justifies its decisions in terms of the cumulative weight of purposive, systemic and literal arguments. That approach is more in line with orthodox legal reasoning in other legal systems than is commonly acknowledged and differs from the approach of other higher, especially constitutional courts, more in degree than in kind. It nevertheless leaves the Court considerable discretion in determining the relative weight and ranking of the various interpretative criteria from one case to another. The Court's exercise of its discretion is best understood in terms of the constraints imposed by the accepted justificatory discourse and certain extra-legal steadying factors of legal reasoning, which include a range of political factors such as sensitivity to Member States' interests, political fashion and deference to the 'EU legislator'. In conclusion, the Court of Justice of the EU has used the flexibility inherent in its interpretative approach and the choice it usually enjoys in determining the relative weight and order of the interpretative criteria at its disposal, to resolve legal uncertainty in the EU primary legal materials in a broadly communautaire fashion subject, however, to i) regard to the political, constitutional and budgetary sensitivities of Member States, ii) depending on the constraints and extent of interpretative manoeuvre afforded by the degree of linguistic vagueness of the provisions in question, the relative status of and degree of potential conflict between the applicable norms, and the range and clarity of the interpretative topoi available to resolve first-order legal uncertainty, and, finally, iii) bearing in mind the largely unpredictable personal element in all adjudication. Only in exceptional cases which the Court perceives to go to the heart of the integration process and threaten its acquis communautaire, is the Court of Justice likely not to feel constrained by either the wording of the norms in issue or by the ordinary conventions of interpretative argumentation, and to adopt a strongly communautaire position, if need be in disregard of what the written laws says but subject to the proviso that the Court is assured of the express or tacit approval or acquiescence of national governments and courts.

Law Express: Contract Law is designed to help you to relate all the reading and study throughout your course specifically to exam and assignment situations. Understand quickly what is required, organise your revision, and learn the key points with ease, to get the grades you need. Tested with examiners and students.

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A Study on the "Functionalized Procedural Competence" of EU Member States

Concentrate Questions and Answers Public Law

New Technologies and EU Law

Ensuring Member States' Compliance

Law Express: English Legal System 5th edn

As well as setting out the law itself, the authors examine the principles behind tort law, and discuss some of the issues and debates arising from it.

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Eu Law

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LAW EXPRESS QUESTION AND ANSWER

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Concentrate QandA Public Law offers unrivalled exam and coursework support for when you're aiming high.The new Concentrate QandA series is the result of a collaboration involving hundreds of law students and lecturers from universities across the UK. The result is a series that offers you better support and a greater chance to succeed on your law course than any of its rivals. This essential studyguide contains a variety of model answers to give you the confidence to tackle any essay or problem question, and the skills you need to excel.DTKnowing the right answer is a start, knowing how to structure it gets you the highest marks: annotated answers guide you step by step through the structure of a great answer, and show you how to ensure you focus on the heart of the questionDTRecognize and recall: user-friendly layout ensures that it is easy to find key information, and diagram answer plans help you visualize how to plan and structure your answersDTAim high: avoid common mistakes, use the further reading suggestions to help you take things further and demonstrate your understanding of key academic debates to really impressDTDon't just rely on the exam to pick up your marks: a unique coursework skills chapter offers advice on researching, referencing and critical analysis - not available in any other QandA seriesThis study guide is also accompanied by a wealth of online extras at www.oxfordtextbooks.co.uk/orc/qanda/ which include:DTAdditional essay and problem questions for you to practise your technique. Questions are annotated, highlighting key terms and legal issues to help you plan your own answers. An indication of what your answers should cover is also provided.DTVideo guidance on how to put an answer plan togetherDTOnline versions of all the diagram answer plans from the bookDTA glossary of key termsDTPodcasts from expert examiners on revision and exam technique, coursework technique, and advice on how to tackle other assessment methods such as MCQs and presentations

This is an open access title available under the terms of a CC BY-NC-ND 3.0 International licence. It is free to read at Oxford Scholarship Online and offered as a free PDF download from OUP and selected open access locations. Comprehensively examining the legal effects of EU concluded treaties, this book provides a thorough analysis of this increasingly important and rapidly growing area of EU law. The EU has concluded more than 1000 treaties including recently its first human rights treaty (the UN Rights of Persons with Disability Convention). These agreements are regularly invoked in litigation in the Courts of the member states and before the EU courts in Luxembourg but their ramifications for the EU legal order and that of the member states remains underexplored. Through analysis of over 300 cases, the author finds evidence of a twin-track approach whereby the Court of Justice of the European Union (CJEU) adopts a maximalist approach to Treaty enforcement where EU agreements are invoked in challenges to member state level action whilst largely insulating EU action from meaningful review vis-à-vis agreements. The book also reveals novel findings regarding the use of EU agreements in EU level litigation including: the types and which specific EU agreements (including the types of provisions) have arisen in litigation; the nature of the proceedings (preliminary rulings or direct actions) and the number of occasions in which they have been addressed in challenges to member state or EU action and the outcomes; who has been litigating (individuals, institutions, or member states) and which domestic courts have been referring questions to the CJEU. The significance of the judicial developments in this area are situated within the context of the domestic constitutional ramifications for member state legal orders thus revealing a neglected dimension in the constitutionalization debates which traditionally emphasized the ramifications of internal EU law for the domestic constitutional order without expressly accommodating the constitutional significance of this external category of EU law nor the different challenges that this poses domestically. This volume will serve as a reference point for future work in this area and will also be of assistance to EU law practitioners dealing with EU agreements.

EU External Relations Law

The Oxford Handbook on the Sources of International Law

Law Express: Family Law (Revision Guide)

EU Law Beyond EU Borders

Revise with the help of the UK's bestselling law revision series. Designed for students, this book will help you: Understand how to review essential cases, statutes, and legal terms Learn how to assess and approach the subject by using expert advice Learn how to lead further discussions Find additional support on our Law Express companion website, which contains a host of extra resources to provide you with pre-exam guidance. Visit go.pearson.com/uk/lawexpress Ewan Kirk is a Senior Lecturer and Course Director of the LLB (Hons) Law course in the School of Law at Birmingham City University.

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Contract Law

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The Extraterritorial Reach of EU Law

The Legal Effects of EU Agreements