



Institut Européen
d'Administration Publique – Antenne Luxembourg

European Institute
of Public Administration – Antenna Luxembourg

Tutorial: EU Law for Non-Lawyers

Luxembourg, 9 & 10 February 2009

Seminar Venue:

European Institute of Public Administration
Antenna Luxembourg (Master room)

PROGRAMME

Description and Objectives: As the body of national law derived from EC directives and regulations expands into all areas of government, officials in both national and EU administrative bodies can no longer plead 'ignorance' of their role as administrators and enforcers of EU law and legal principles. This series of one-day tutorials will provide a concentrated, in-depth introduction to the most important rules of European law for civil servants. It is divided into modules, starting with fundamental issues and proceeding to the most important field of substantive law: the internal market.

- Day 1 - EU Legal System and EU Acts and Fundamental Principles and ECJ Procedures
- Day 2 - The Internal Market and the Fundamental Freedoms, including Mutual Recognition

This design and the division of the programmes into one-day modules will offer the participants a high degree of flexibility in adapting the event to their needs by enabling them to choose the fields most appropriate for them. Furthermore, as these rules must be respected by all, this series aims to inform non-lawyers of the obligations imposed by European law to which they are subject.

The aim is to provide the participants with a practical understanding of the legal system of the EU, the most important principles to bear in mind in any field of government activity, as well as the internal market and its latest developments. This will be presented in a way that clearly shows their relevance and impact on their daily work. In this way they can avoid actions that prove to be incompatible with European rules and that would therefore become devoid of legal force and could lead to compensation claims against officials and their authority. Another aim is to describe these legal topics in a manner that is easy to understand for non-lawyers, as the latter must also know them to avoid errors

Method: These tutorials will involve high-intensity coaching by EIPA specialists for a small group of participants (maximum 15), allowing an individualisation of training for the specific positions of participants in order to demonstrate the relevance and consequences of the rules for their daily work, while also offering new perspectives and differing views as a result of interaction between the participants.

Target Group: All officials and specialists in the national and local administrations and EU institutions and agencies whose work is affected – directly or indirectly – by European Union legislation, e.g. by participation in EU law-making (preparation and negotiation), law approximation or application of national laws derived from EU law

Monday 9 February 2009

08.30 Registration of participants

**PART 1: THE EU LEGAL SYSTEM:
SOURCES AND EFFECTS OF EU LAW AND ECJ PROCEDURES**

09.00 Welcome and mutual introduction

- presentation of EIPA and the European Centre for Judges and Lawyers
- presentation of programme (including objectives and methodology) and speakers
- individual presentation of participants

William BULL, Programme Leader, Researcher, European Centre for Judges & Lawyers, European Institute of Public Administration (EIPA), Antenna Luxembourg

Participants

09.30 The participants' perception of the role of EU law in their work

The participants will be asked to discuss the subject of the tutorial and its relevance to their work, thereby giving them the opportunity to indicate items of individual interest that they would like to see addressed in the programme.

Participants and *William BULL*

10.10 Coffee Break

Introduction to the Legal System of the European Union

10.30 The Sources of Law and the Legally Binding Acts

Explanation of the current three-pillar structure of the EU and the difference between EC and EU law, followed by presentation of the sources of EU law according to their hierarchy: Primary law (the treaties) and Secondary law (the legally binding acts – regulations, directives and decisions), as well as unwritten law (general principles of EU law).

William BULL

11.15 The nature and effect of EU law in its relation with Member States

Presentation of fundamental concepts governing the relationship between European law and the domestic law of Member States which distinguish the EU from other international organisations: Direct and Indirect Effect, Supremacy and State Liability.

William BULL

12.00 Lunch

ECJ Procedures

13.30 Enforcement Actions against Member States, as well as Direct Actions against the Community

Description of the enforcement actions which can be brought by the Community against Member States (including the possible types of breach by the latter): the Infringement Procedure and the imposition of pecuniary penalties. In addition, the various kinds of direct actions which can be brought before the ECJ against the Community (the action for annulment and the objection of illegality, the action for failure to act and the action for damages) will also be discussed.

Carla BOTELHO, Lecturer, European Centre for Judges and Lawyers, European Institute of Public Administration (EIPA) Antenna Luxembourg

14.50 Coffee break

15.10 Workshop: Lessons to be drawn

The participants will be asked to discuss the knowledge acquired in the tutorial with a view to assessing, with the help of the trainer and a national expert, how EU law applies to their situation and the (potential) relevance/ effects it may have as regards their daily work, as well as how they can become aware of new rules applicable to them.

William BULL and Participants
and

Martha PAWLUCZYK, Adjudication Manager Overseas Registration, Royal Pharmaceutical Society of Great Britain, London (invited)

16.00 Coffee break

16.20 Debriefing: The impact of EU law on Member States and individual officials

Briefing by a national expert on the impact of EU law on national administrations and their officials, their powers and duties and the corresponding limitation of these powers at every level of administration. In turn, the obligation of national officials and their administrations to rectify errors in dealing with EU rules or pay compensation for non-compliance with EU law will also be analysed.

Participants with *William BULL* and *Martha PAWLUCZYK* (invited)

17.50 Evaluation of the tutorial

18.00 Reception

Tuesday 10 February 2009

08.30 Registration of participants

**PART 2: THE INTERNAL MARKET AND THE FUNDAMENTAL FREEDOMS,
INCLUDING MUTUAL RECOGNITION**

09.00 Welcome and mutual introduction

Presentation of programme (including objectives and methodology), speakers and participants

William BULL, Programme Leader, Researcher, European Centre for Judges & Lawyers, European Institute of Public Administration (EIPA), Antenna Luxembourg

Participants

09.30 The participants' perception of the role of the Internal Market in their work and their expectations

The participants will be asked to discuss the subject of the seminar and its relevance to their work, thereby giving them the opportunity to indicate items of individual interest that they would like to see addressed in the programme.

William BULL and Participants

10.00 Coffee Break

Introduction to the Internal Market and the Four Freedoms

10.20 Introduction: The Concept of the Internal Market and its role in the European Integration Process

Explanation of the nature of and theory behind the internal market, as compared to other forms of economic integration. In particular, the participants will be given a brief historical overview of the European integration process from an economic perspective and the fundamental role and importance of the internal market in this context. Finally, certain principles and features common to all of the four freedoms will also be outlined.

William BULL

10.50 Free Movement of Goods and the principle of mutual recognition

Presentation of the law on free movement of goods, including the relevant Treaty provisions and landmark judgments of the European Court of Justice in this area. The judge-made principle of mutual recognition will also be introduced in this context, thereby providing the participants with a practical understanding of the concept of so-called 'negative harmonisation' and its importance for national administrations.

William BULL

- 12.00** Lunch break
- 13.30** **Free Movement of Services and Persons (including the Right of Establishment) and the Mutual Recognition of Diplomas**
Overview of the law on free movement of services and persons (workers and establishment), drawing relevant comparisons and distinctions between these freedoms in order to demonstrate the interrelationship that exists between them. The presentation will cover both primary law and significant secondary legislation in this area and, in particular, the new Directive on the Recognition of Foreign Diplomas.
Dr. Des. Mariana SCHMIEDER, Assistant Researcher, EIPA Antenna Luxembourg
- 14.45** Coffee break
- 15.00** **Workshop: Case study on mutual recognition**
The participants will be asked to solve a practical case concerning the mutual recognition of diplomas using the knowledge acquired thus far and with the help of the trainer and a national expert, the aim being to illustrate how the principle of mutual recognition works in practice and how it may be of relevance to their daily work.
Participants with William BULL
and
Martha PAWLUCZYK
- 15.30** **Debriefing: The impact of the fundamental freedoms on Member States and individual officials**
Briefing by a national expert on the impact of the fundamental freedoms and the principle of mutual recognition on national administrations and their officials, followed by a discussion based on the personal experiences of the expert and the participants, as well as the difficulties encountered during the preceding workshop.
William BULL and Participants
and
Martha PAWLUCZYK
- 16.20** **Evaluation of the tutorial**
- 16.30** END OF THE TUTORIAL

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GENERAL INFORMATION

Hotel reservations

The European Institute of Public Administration has made optional room reservations at the below-mentioned hotels. All rates are including breakfast and tourist tax.

- **Hotel Novotel Kirchberg******, Centre européen, Plateau de Kirchberg at the rate of €145 (Reservation code: IEA020809). The hotel is located outside the city centre, within walking distance of the Jean Monnet Building.
(Tel.: 43 77 68 51; Fax: 43 91 95; Email: H1930-RE2@accor.com or H1930-RE3@accor.com)
- **NH Luxembourg*****, Route de Trèves (Airport), 10 minutes from Kirchberg, at the rate of €139. (Reservation code: 83167092)
Free shuttle service between the hotel and Kirchberg
(Tel.: 34 89 31 657; Fax: 34 89 31 623; Email: i.vandenbroeck@nh-hotels.com)
- **Hotel Parc Plaza****** at the rate of €153 (Reservation code: PL175205)
Hotel Parc Bellevue*** at the rate of €96 (Reservation code: BV175204)
5, avenue Marie-Thérèse, city center, 10 minutes from “Centre Aldringen”
(Tel.: 45 61 41-1; Fax: 45 61 41 222; Email: reservation@goeres-group.com; www.hpb.lu)
- **Hotel Français*****, Place d'Armes, right in the city centre, 2 minutes from “Centre Aldringen”, at the rate of €10. (Reservation code: 2919)
(Tel.: 47 45 34; Fax: 46 42 74; Email: hinfo@pt.lu; www.hotelfrancais.lu)

Should you wish to make use of this possibility, please phone or fax the reservation department of the hotel at one of the above-mentioned numbers and mention the before-mentioned reservation code. Payment is to be made directly and personally to the hotel on checking out. Please note that any optional bookings not confirmed one month before the seminar dates will automatically be cancelled by the hotels.

Luxembourg City has two main bus stations, one in the city centre called "Centre Aldringen" and one next to the railway station called "Air Terminus". All buses, wherever they go, are passing through these two stations. Bus no 18, with departure every ten minutes, is going direction Kirchberg, stopping right in front of Hotel Novotel, which is within walking distance of all European Institutions as well as just around the corner from the Chambre des Métiers building.

Meals

Should you require a special menu (e.g. vegetarian, diabetic), please inform the Programme Organiser in due time so that this can be arranged.

Participation

The fee applicable to each activity is clearly indicated on the registration form. Unless stated differently on the registration form, the fee includes participation in the activity, lunches and beverages during the activity, documentation and participation in the reception/cocktail.

Travel and accommodation costs are at the expense of the participant or his/her administration.

Pre-payment of the fee is a condition for participation in an activity. Prior to the activity each participant will receive an invoice which can be paid by bank transfer or by credit card.

Registration

You may register through our website www.eipa.eu using the online registration form or by faxing or mailing the attached registration form duly completed.

Discounts

For this seminar, EIPA Luxembourg offers a **50 Euro** discount for all registrations received and paid before **9 January 2009**.

For more information, please visit EIPA's website: www.eipa.eu (FAQ – special discounts).

Confirmation

Confirmation of registration will be forwarded to participants on receipt of the completed registration form.

Cancellation policy

EIPA reserves the right to cancel the seminar up to 2 weeks before the seminar starting date. In that case, registration fees received will be fully reimbursed. EIPA accepts no responsibility for any costs incurred (travel, accommodation, etc...).

For administrative reasons, a fee of €150 will be charged for cancellations received after 4 February 2009. There is no charge for qualified substitute participants.

The mention of a speaker's name in the programme does not commit EIPA. In the event that an announced speaker does not appear, EIPA will do its utmost to find a suitable replacement.

REGISTRATION FORM

Tutorial: EU Law for Non-Lawyers

Luxembourg, 9 & 10 February 2009

Surname: _____ Title: _____
First name: _____ M / F
Current position: _____
Organisation: _____
Department: _____
Work address: _____
Postal code & town: _____ Country: _____
Tel. no. (work) : _____ Fax no.: _____
E-mail address: _____

PAYMENT- 0950401

The participation fee includes participation in the seminar, documentation, 2 lunches, 1 reception/cocktail and beverages. EUR 695

For this seminar, there will be discount of €50 for all participants who have registered and who's payment has been received before 9 January 2009 (EUR 645)

Method of payment

Bank transfer

The participants or their administration will receive an invoice for the payment of the registration fee
Invoice address (if different from the abovementioned address):

.....
E-mail:

Credit card / Debit card

Eurocard/Mastercard

Visa Card

Card no.: Expiry date:/.....

Name Card holder: (in case this differs from above)

Address Card holder: (in case this differs from above)

Postal code: Country: (in case this differs from above)

Card Validation Code: (This refers to the last three digits of the number on the BACK of your card)

Meals :	Lunch 1st day	<input type="checkbox"/> will attend	<input type="checkbox"/> will not attend
	Lunch 2nd day	<input type="checkbox"/> will attend	<input type="checkbox"/> will not attend
	Reception	<input type="checkbox"/> attend	<input type="checkbox"/> will not attend
	Vegetarian/Diabetic Meals	<input type="checkbox"/> yes	<input type="checkbox"/> no

Please return the completed registration form to:

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