



Tutorial

EU Law for Non-Lawyers

Luxembourg, 8 & 9 February 2010

Seminar Venue:

European Centre for Judges and Lawyers (Master room)



PROGRAMME

Description:

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.

Module 1 (Day 1)	The Community Legal System, EC Legal Acts and Fundamental Principles, and the Member States' Obligations to give effect to the Acts and Principles
Module 2 (Day 2)	The Internal Market and the Fundamental Freedoms and how guidance is provided by the European Court of Justice

This division of the programme into one-day modules will offer the participants 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.

Methodology:

These tutorials will involve high-intensity coaching by EIPA specialists for a small group of participants (maximum 20), 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.

Objective:

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.

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.

PROGRAMME

Monday 8 February 2010

08.30 REGISTRATION

MODULE 1: THE EU LEGAL SYSTEM:

EU LEGAL ACTS AND FUNDAMENTAL PRINCIPLES, AND THE MEMBER STATES' OBLIGATIONS TO GIVE EFFECT TO THE ACTS AND PRINCIPLES

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 and Lawyers, European Institute of Public Administration, EIPA Luxembourg

09.45 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

10.00 Coffee Break

The Legal System of the European Union

10.30 The sources of law and the legally binding acts

Presentation of the new structure of the EU legal system following the entry into force of the Lisbon Treaty, focusing on the sources of law and their hierarchy: Primary law (the treaties) and Secondary law (the 'legislative acts' – regulations, directives and decisions), as well as unwritten law (particularly the so-called 'general principles' of EU law).

Sofia PAPOUTSI, Researcher, European Centre for Judges and Lawyers, EIPA Luxembourg

11.30 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: The principle of primacy, direct and indirect effect.

William BULL

12.30 Lunch

Member States' Obligations

14.00 Implementation of EU law and private/public enforcement actions against Member States

This session will provide an overview of the implementation of EU law at national level, as well as the possible consequences for Member States of failing to comply with this obligation, including both enforcement actions which can be brought by the EU against Member States (the infringement procedure and the imposition of pecuniary penalties), and private actions which may be brought by private individuals before national courts (the principle of state liability).

Peter GOLDSCHMIDT, Senior Lecturer and Director, European Centre for Judges and Lawyers, EIPA Luxembourg

16.00 Coffee break

16.30 Debriefing: Lessons to be drawn as regards the impact of EU law on Member States and individual officials

Briefing by a national expert on the direct and indirect impact of EU law on national administrations and their officials and more specifically on the organisation, management and personnel policies of the public administration. In this context, the meaning of article 39.4 as regards the free movement of workers and its effect on the recruitment policy will be discussed as well as the effects of the directives in the field of social policy on the public employment policy in general.

In the field of the more indirect impact of EU law on national public administrations, the effects of the participation of civil servants in the different EU committees, expert groups at national level are discussed (e.g. the coordination challenge at national level).



The participants will also be asked to discuss how EU law applies to their situation and the (potential) relevance/ effects it may have as regards their daily work, which specific skills are required as well as how they can become aware of new rules applicable to them.

Danielle BOSSAERT, Seconded National Expert, EIPA Maastricht and Participants

18.00 Reception

Tuesday 09 February 2010

MODULE 2: THE INTERNAL MARKET AND THE FUNDAMENTAL FREEDOMS, AND HOW GUIDANCE IS PROVIDED BY THE EUROPEAN COURT OF JUSTICE

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 and Lawyers, EIPA Luxembourg

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.

Participants and William BULL

09.45 Coffee Break

The Internal Market and the Four Freedoms

10.00 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 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

11.00 Coffee break

11.15 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

12.30 Lunch

14.00 Free movement of services and persons (including the right of establishment)

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/case law in this area.

Lecturer from the European Centre for Judges and Lawyers, EIPA Luxembourg

15.30 Coffee break

The Guidance of the European Court of Justice

15.45 The system of preliminary references

Presentation of the preliminary ruling procedure and discussion of practical cases in this respect, the aim being to illustrate how the European Court of Justice gives guidance on both the validity and interpretation of EU laws.

Carla BOTELHO, Senior Lecturer, European Centre for Judges and Lawyers, EIPA Luxembourg

16.45 Debriefing: The impact of rulings of the European Court of Justice on Member States and individual officials

Briefing by a national expert on the impact of 'precedents' laid down by the European Court of Justice based on the personal experience of the expert and the participants, followed by a discussion of how these may be of relevance to the participants' daily work.

Peter KUGEL, EU Regulatory and Product Defense Lawyer, Brussels and Participants

17.45 Evaluation of the tutorial

18.00 **END OF THE TUTORIAL**



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 (<http://businesstravel.accorhotels.com/fr/reservation/bookings.shtml>)

Code client: SC000002048 – Contract No 308506).

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 €105. (http://www.nh-hotels.com/events/en/event-detail/3156/eu_law_for_non_lawyers.html)

Reservations can as well be made by email (book.luxembourg@nh-hotels.com), fax (+352 3489319413) or phone (+352 348931607), referring to the reference number 107890502.

Free shuttle service between the hotel and Kirchberg

- Hotel Parc Plaza**** at the rate of €143 (Reservation code: PL246720)

Hotel Parc Bellevue*** at the rate of €95 (Reservation code: BV246704) 5, avenue Marie-Thérèse, city center, 10 minutes from "Centre Aldringen" (Tel.: 44 23 23 -2323; Fax: 45 61 41 220; Email: reservation@goeres-group.com; www.goeres-group.com)

- Hotel Français***, Place d'Armes, right in the city centre, 2 minutes from "Centre Aldringen", at the rate of €110. (Reservation code: G.6691)

(Tel.: 47 45 34; Fax: 46 42 74; Email: info@hotelfrancais.lu; www.hotelfrancais.lu)

- Hotel Melia*****, 1 Park Dräi Eechelen (10 Rue Fort Thuengen) at a rate of €135 (Reservation code EIPA) (Tel.: +352 27333 - 1; Fax: +35227333; Email: reservations.melia.luxembourg@solmelia.com)

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

10% Special discount for civil servants

EIPA offers its members a discount of 10% of the registration fee for its open enrolment seminars and training courses. This discount is available to all civil servants working for one of EIPA's member countries.

20% Lot 8 discount for EU officials

Officials of EU Institutions, bodies and Agencies which have signed a framework contract under LOT 8 are entitled to a 20% discount.

50€ discount

For this seminar, EIPA Luxembourg offers a €50 discount for all registrations received and paid before 11 January 2010.

Please note that discounts cannot be accumulated. It is clearly stated on EIPA's website for which seminars and training courses the reductions are offered. Full fees apply to all other seminars and training courses

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 29 January 2010. 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, 8 & 9 February 2010

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

Payment 1050401

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

€ 695

*For this seminar, there will be discount of €50 for all participants who have
registered and who's payment has been received before 11 January 2010*

(€ 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

American Express 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: (the last three digits on the BACK of your card)
(Exempt from VAT by virtue of Article 11, para. 1 (o), subpara. 2 of the Dutch Law on VAT of 1968)

MEALS

Lunch Day 1: will attend will not attend Reception: will attend will not attend

Lunch Day 2: will attend will not attend Vegetarian/Diabetic Meals: yes

Please return the completed registration form to:

Ms Christiane LAMESCH
European Institute of Public Administration
Antenna Luxembourg
2 Circuit de la Foire Internationale
L - 1347 LUXEMBOURG

Tel.: +352 426 230 302
Fax: +352 426 237
E-mail: c.lamesch@eipa.net



Your name and address will be part of EIPA's database for our mailing purpose only.
Please tick if you do not want to be included in our mailing database.