

**Course syllabus**

Subject name	Administrative and Regulatory Law
Field of study	Administrative Law
ECTS credits	3
Semester	2 (Spring)
Language	English
Professor/s	José Carlos Laguna de Paz
Department	Administrative Law
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1. Description

This course aims to provide students with an understanding of the legal framework of economic regulation and competition law.

Regulation covers not only access to the market, but also supervision and the government response in areas where market competition is not considered sufficient to achieve the desired regulatory outcomes.

The course will study the principles of regulation (including legality, administrative discretion, administrative and judicial review, accountability and transparency) and the role of regulatory bodies.

It will also deal with basic tools of administrative intervention: licensing, public procurement, inspections, resolution, administrative sanctions, and others.

These will be tested in the legislation and practice covering public utilities and services of general economic interest (energy, telecommunications, transports, financial sector, media etc).

2. Course learning objectives

Students should be able to understand:

1. The role of economic regulation and competition law.
2. The differences between regulatory systems, particularly the so called civil law and common law systems.
3. The current multi-level regulation, which is made at international, European and national level.



4. The basic principles of administrative law, regulation and competition law (legality, administrative discretion, administrative and judicial review, accountability and transparency).
5. Regulation of public services, services of general economic interest and network industries.

3. Contents / Programme

List of topics:

Topic 1: What is regulation?

Topic 2: Multi-level regulation: international, European and State regulation.

Topic 3: Legality, administrative discretion and judicial review.

Topic 4: The role of regulators.

Topic 5: Access to the market.

Topic 6: Administrative supervision and intervention tools.

Topic 7: Public procurement.

Topic 8: Administrative sanctions.

Topic 9: Competition law and State aids.

Topic 10: State liability.

4. Bibliography

- BALDWIN, Robert, MARTIN CAVE, MARTIN LODGE. «Introduction: Regulation - The field and the developing agenda.» En *The Oxford Handbook of Regulation*, Robert BALDWIN, Martin CAVE and Martin LODGE. Oxford University Press, 2010.
- BALDWIN, ROBERT, MARTIN CAVE, MARTIN LODGE. «The Future of Regulation.» En *The Oxford Handbook of Regulation*, Robert BALDWIN, Martin CAVE and Martin LODGE. Oxford University Press, 2010.
- *Understanding Regulation*. Second Edition. Oxford University Press, 2012.
- CRAIG, Paul, *Administrative Law*. 7 th edition. Sweet&Maxwell, 2012.
- *EU Administrative Law*. 2 nd Edition. Oxford University Press, 2012.
- «Judicial Review and Anxious Scrutiny: Foundations, Evolution and Application.» *Public Law*, no. 1 (2015): 60-78.
- «Judicial review in questions of law: a comparative perspective.» En *Comparative Administrative Law*, by Susan ROSE-ACKERMAN and Peter L. LINDSETH. Edward Elgar, 2010.



DUNNE, Niamh, *Competition Law and Economic Regulation*, Cambridge University Press, 2015.

LEYLAND, Peter, ANTHONY, Gordon, *Administrative Law*, 8th edition, Oxford, 2012.

LAGUNA DE PAZ, José Carlos, *Derecho Administrativo Económico*, Civitas, 2016.

- «What to keep and what to change in European electronic communications policy?» *Common Market Law Review* 49, no. 6 (2012): 1951-1975.
- «Understanding the limits of judicial review in European competition law.» *Journal of Antitrust Enforcement* 2, no. 1 (2014): 203-224.
- «Protecting the Environment without Distorting Competition.» *Journal of European Competition Law & Practice* 3, no. 3, 2012.
- «In Search of Efficiency in Telecoms. Agreements Between Undertakings in European Competition Law.» *Competition and Regulation in Network Industries* 15, 2014, 357-381.

WHISH, Richard, David BAILEY. *Competition Law*. 7th Edition. Oxford University Press, 2012.

5. Workload distribution

Activities	Hours
Classroom-based activities (Lectures, seminars and practical sessions)	22
Guided activities	11
Independent study	40
Exam	2
Total	75

6. Assessment criteria

TOOLS	%	OBSERVATIONS
Ongoing assessment	20%	Class participation, practical exercises, case studies, online activities.
Final exam	80%	Test