Public Economic Law (Master Year 1 / Fall)

Master in International and European Business Law / Faculty of Social Sciences, Economics and Law

Introduction

Public economic law generally refers to the legal regimes applicable to public action in the economy. This course aims at investigating the State's and other public institutions' involvement in the economy both as business actors and as regulators. We will examine the various public and private law structures and instruments through which national and local authorities participates in business, both at the national and international level. We will also explore the main tools used by public authorities to regulate economic activities and channel business to achieve certain goals. This course will also serve as an introduction to other courses taught in the Master on International and European Business Law, such as competition law or international investment law. See further the table of contents below.

TABLE OF CONTENTS
General Introduction
Section 1. State's Modes of Intervention in the Economy
Section 2. Definition and Specificities of Public Economic Law
Section 3. Sources of Public Economic Law
Part I. The Economic Constitution
Section 1. Institutions Involved in Economic Management and Regulation
Local and national institutions, European and international institutions
Section 2. General Principles of Public Economic Law
Economic freedoms, equality of treatment, legal certainty
Part II. Public Institutions as Business Actors
Section 1. Public Institutions as Business Operators
Economic public sector, legal regime public enterprises, legal regime of market participation
Section 2. Public Institutions as Business Partners
Procurement, public-private partnership, concessions
Part III. Public Institutions as Business Regulators
Section 1. Access to Market Regulation
French law regimes restricting access to an economic activity, foreign direct investment screening, restrictive measures
Section 2. Regulation of Market Structure
Monopoly, special and exclusive rights, services of general economic interest, EU and French merger control
Section 3. Regulation of Market Operation
Price control, free competition, sectorial regulations, horizontal and vertical agreements, cartels, abuse of dominance
Section 4. Regulation of Internal Market Support
State aids, private investor test, compatibility, temporary frameworks, EU and French judicial control

Duration

1 semester

Teaching languages

- English

Conditions of submission

If you need more information about this course, kindly send an email to: incomingdri@icp.fr

Section 5. Regulation of External Market Support
Foreign subsidies regulation, scrutiny power and procedure, articulation with WTO law

Objectives

- Understanding the roles and forms of public institutions' intervention in the economy
- Acquire knowledge on the basic legal concepts of national, European and international public economic law
- Being able to critically assess public economic law norms and structures

Admission

Prerequisite

Prerequisites training

None.

Program

Methods of Instruction

Before class: Readings
During class: Presentation of basic elements on each topic by the teacher and discussion in class.

Assessment and Final Grade

Oral participation in class: 25%
Final written exam: 75%

Course Requirements

For students of the Catholic Institute of Paris, to be enrolled in the Master on International and European Business Law
Exchange students admitted by the Catholic University of Paris may also attend this course.