


Teacher(s)	Sibony Anne-Lise ;
Language :	French
Place of the course	Louvain-la-Neuve
Prerequisites	<p>EU Law [<a href="#">LDROI1226</a>].</p> <p>If you have not taken such a course so far, you will need to catch up on some essential elements: the principle of primacy, vertical and horizontal direct effect (definition, conditions and implementation), the distinction between directives and regulations.)</p>
Main themes	<p>This course deals with how EU law protects consumers. Such protection comprises two main aspects. First, EU law aims to ensure consumer safety and lays down rules for both product safety and food safety. Second, EU law seeks to ensure fairness for consumers. To this effect, it regulates unfair terms in B2C contracts and prohibits unfair commercial practices.</p> <p>EU consumer law is specific in that it protects consumers while at the same time pursuing the internal market objective. This explains that both the EU legislator and the European Court of Justice make sure that consumer protection rules do not result in unacceptable barriers to trade.</p> <p>This course focuses on consumer protection and is complementary with other substantive EU law courses, in particular the courses on internal market [<a href="#">LDREU2206</a>] and competition law [<a href="#">LDREU2208</a>]</p>
Learning outcomes	
Evaluation methods	<p>The exam is written and lasts 2 hours. It consists of short essay questions and a hypothetical case study. Past exam questions will be posted on Moodle.</p> <p>Assessment criteria for the essay questions are as follows:</p> <ul style="list-style-type: none"> <li>• ability to identify correctly the relevant legal rules (including the absence of irrelevant elements)</li> <li>• ability to adequately explain applicable legal rules</li> <li>• clear and adequate structure of written answer (link with the question, logical order of arguments, link between sentences and between paragraphs)</li> </ul> <p>Assessment criteria for the problem questions are as follows:</p> <ul style="list-style-type: none"> <li>• ability to identify correctly a legal issue in a given factual situation,</li> <li>• ability to identify correctly the applicable rule(s)</li> <li>• ability to enunciate clearly the relevant legal rule(s)</li> <li>• ability to adequately explain applicable legal rules, taking your fictitious interlocutor's needs into account</li> <li>• ability to justify the choice of a legal rule with regard to practical aims</li> <li>• exact knowledge of legal rules</li> <li>• ability to select relevant knowledge in relation to a given question or problem</li> <li>• logical reasoning,</li> <li>• quality and sufficiency of reasons given to justify the analysis proposed or the point of view argued,</li> <li>• correct use of legal vocabulary</li> <li>• adequate structure of written answer (link with the issues identified, logical order of arguments, link between sentences and between paragraphs)</li> </ul> <p>The exam takes place in IT rooms. During the exam, students can access to Eur-Lex, Curia, Belgium-Lex, as well as language support tools. Students will post their answers on Gradescope. They will need to have accessed Gradescope at least once before the exam.</p> <p>QWERTY keyboards will be available for students who request one in advance.</p>
Teaching methods	<p>This course includes lectures and requires active participation from the students. They will work in pairs to prepare discussions or practical exercises (hypotheticals). The aim of this course is not only to develop problem-solving skills. It also aims to enable students to develop their ability to think about the law. They will, therefore, be invited to think critically about certain aspects of European consumer law, its effectiveness, the appropriateness of the solutions it offers and ways of improving them.</p>
Content	<p>The topics covered will include the main aspects of consumer law. The law as it stands will be analysed in the light of contemporary issues: How is consumer law adapting to the digital economy? Can consumer law contribute to making consumption more sustainable?</p> <ol style="list-style-type: none"> <li>1. Introduction</li> <li>2. Unfair commercial practices</li> </ol>

	<p>3. Pre-contractual information  4. Right of withdrawal  5. Unfair terms  6. Consumer protection in the purchase of digital goods and content  7. Consumer protection and product liability  8. Consumer protection and food safety  9. Consumer protection and sustainable consumption  10. Access to justice and enforcement of consumer law</p>
Inline resources	<p>The books used for this course are available in electronic format</p> <ul style="list-style-type: none"> <li>• Geraint Howells, Christian Twigg-Flesner, Thomas Wilhelmsson, <i>Rethinking EU Consumer Law</i>, Routledge, 2018 (available on the publisher's website as well as on DIAL.ebooks (via the library after identification).</li> <li>• Mathieu Combet (dir.) <i>Le droit européen de la consommation au XXIe siècle : état des lieux et perspectives</i>, Bruylant, 2022 (via StradaLex)</li> </ul> <p>Reading materials, ppt, exercises and past exam questions will be available on Moodle</p>
Bibliography	<p><b>Manuel recommandé</b>  Geraint Howells, Christian Twigg-Flesner et Thomas Wilhelmsson, <a href="#">Rethinking EU Consumer Law</a>, Routledge, 2018 (accessible sur le site de l'éditeur et via DIAL e-book)</p> <p><b>Références additionnelles</b>  Mathieu Combet (dir.) <i>Le droit européen de la consommation au XXIe siècle : état des lieux et perspectives</i>, Bruylant, 2022 (accessible via StradaLex)</p> <p><b>Droit Belge</b>  Code annoté – Droit de la consommation, Jacques Laffineur, Grégory Renier, Pierre-Alain Rouffiange, Larcier 2022.</p> <p><b>Droit Français</b>  Jérôme Julie, <i>Droit de la consommation</i>, LGDJ, coll: Précis Domat, 4ème éd., 2022 (manuel)  Jean Calais-Auloy, Henri Temple, Malo Depince, <i>Droit de la consommation</i>, 10ème éd., Dalloz, 2020 (manuel)  Guy Ramond et Sabine Bernheim-Desvaux, <i>Droit de la consommation</i>, 6ème éd., Lexis-Nexis, 2022 (manuel)  Yves Picod, <i>Droit de la consommation</i>, 5ème éd., Sirey, 2020 (manuel)  Code de la consommation 2024, annoté et commenté par Yves Picod, Nathalie Picod et Eric Chevrier, 28e éd. Dalloz, 2023</p> <p><b>Introduction à l'approche comportementale en droit de la consommation</b> Oren Bar-Gill, <i>Seduction by contract: Law, Economics and Psychology in Consumer Markets</i>, Oxford : OUP, 2012.</p>
Other infos	<p>Every week, you will have to read cases or other materials and/or prepare a problem. Instructions will be posted on Moodle.</p> <p>The documents allowed in the examination are:</p> <ul style="list-style-type: none"> <li>• EU treatises (any edition),</li> <li>• the course pack: only the version printed at DUC</li> <li>• The Belgian Code of Economic Law (or equivalent from Erasmus students' home jurisdiction)</li> </ul> <p>The course pack must not be annotated to be allowed at the exam. However, it may contain highlighted text. Bookmarks (flags) may be used to facilitate navigation through the collection.</p>
Faculty or entity in charge	BUDR

<b>Programmes containing this learning unit (UE)</b>				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Advanced Master in European Law	DREU2MC	5		
Master [120] in Law	DROI2M	5		