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Erasmus Intensive Course – Law Faculty of Lisbon University

## **Introduction to European Private Law - From national rules on Contract and Tort to supranational European Union Obligation Law**

### Course syllabus

#### Class 1

**Introduction:** Differences of national private laws in Europe / legal families / Common Law – Civil Law; the problems of diverging legal rules within the EU

#### Class 2

##### **Approximation of Private Law:**

Competences of the EU in general; competences executed; instruments of EU-law

#### Class 3

**Traditional European Contract Law** – Harmonization by directives;

Example: Unfair Contract Terms Directive 93/13/EEC / Consumer Sales Directive; Revival:

Two proposals for Directives on Contracts for Online and other Distance Sales of Goods and Contracts for the Supply of Digital Content (COM(2015) 635 of 9.12.2015)

#### Class 4

**A new Strategy:** Development, format and functions of the (Draft) Common Frame of Reference/DCFR; Structure and contents of the DCFR; the four Principles and the General Part of the DCFR

#### Class 5

**Unified EU Principles on Contracts and Tort:** DCFR Book IV.A “Sales” / Proposal of Common European Sales Law (CESL); Principles of European Tort Law (PETL) vs. DCFR Book VI “Noncontractual liability arising out of damage caused to another“

## Reading List

- Antoniolli/Fiorentini* (Eds), A factual assessment of the draft common frame of reference (2011)
- Bussani/Werro* (Eds), European Private Law: A Handbook Vol I (2009) / Vol. II (2014)
- Bogdan / Maunsbach*, EU Private International Law: An ECJ Casebook, 2<sup>nd</sup> ed. (2012)
- Cafaggi / Muir-Watt* (Eds.), Making European Private Law – Governance Design (2008)
- Hartkamp/Hondius* (Eds), Towards a European civil code, 4<sup>th</sup> ed. (2011)
- Howells/Schulze* (Eds), Modernising and Harmonising Consumer Contract Law (2009)
- Micklitz*, Understanding EU consumer law, 2<sup>nd</sup> ed. (2014)
- Micklitz/Cafaggi* (Eds), European Private Law after the Common Frame Of Reference (2010)
- Moccia* (Ed), The making of European private law: why, how, what, who (2013)
- Larouche* (Ed), Economic analysis of the DCFR - The work of the Economic Impact Group within CoPECL (2010)
- Sagaert / Storme / Terryn* (Eds), The Draft Common Frame of Reference: national and comparative perspectives (2013)
- Schulze* (Ed.), Common Frame of Reference and Existing EC Contract Law, 2<sup>nd</sup> ed. (2009)
- Schulze / Schulte-Nölke* (Eds.), European Private Law – Current Status and Perspective (2011)
- Schulte-Nölke/Tichy* (Eds), Perspectives for European Consumer Law - Towards a Directive on Consumer Rights and Beyond (2010)
- Sammut*, Constructing Modern European Private Law: A Hybrid System (2016)
- Twigg-Flesner* (Ed), European Union Private Law (2010)
- Vranken*, Fundamentals of European Civil Law, 2<sup>nd</sup> ed. (2010)