


5.00 credits	30.0 h	Q1
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Teacher(s)	Sibony Anne-Lise ;
Language :	French
Place of the course	Louvain-la-Neuve
Prerequisites	EU Law [ <a href="#">LDROI1226</a> ]. 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.)
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	<p><b>At the end of this learning unit, the student is able to :</b></p> <p>After completing this course, students will have a basic command of EU consumer protection rules. They will possess the know-how to apply them to simple factual situations. At the end of the course, students will be able to identify whether or not European consumer law governs a given factual situation and, if it does, which rules apply, in conjunction with national law.</p> <p>1 This course also aims to provide opportunities to learn skills that are useful beyond the practice of European consumer law, in particular: 1) being able to identify legal rules applicable to a given factual situation and relevant in order to reach a practical aim; 2) being able to present in writing the legal analysis of a given factual situation clearly and correctly.</p>
Evaluation methods	<p>The exam is written and lasts 2 hours. It takes place in an IT room. You will have access to Eur-Lex, Curia, Belgium-Lex, as well as language support tools. The exam consists of one or more questions and a case study. You will be given examples of exam questions.</p> <p>The exam consists of short essay questions and a hypothetical case study. You will find past exam questions 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>

Teaching methods	This course is partly lecture based and partly a seminar. As a rule, each meeting will consist of a lecture, a discussion on readings to be prepared before class or a problem/case study to be resolved before or during the class. Developing your problem-solving skills is not the sole goal of this course. It also aims to give you an opportunity to enhance your capacity to discuss the law critically. This is why you will be invited to reflect on the effectiveness and fairness of EU consumer law as it stands and on ways to improve the law.
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? Does consumer law contribute to sustainable consumption?</p> <ol style="list-style-type: none"> <li>1. Introduction</li> <li>2. Unfair commercial practices</li> <li>3. Pre-contractual information</li> <li>4. Right of withdrawal</li> <li>5. Unfair terms</li> <li>6. Consumer protection in the purchase of digital goods and content</li> <li>7. Consumer protection and product liability</li> <li>8. Consumer protection and food safety</li> <li>9. Consumer protection and sustainable consumption</li> <li>10. Access to justice and enforcement of consumer law</li> </ol>
Inline resources	<p>The textbook used for this course is available free of charge in electronic version on the publisher's website as well as on DIAL.ebooks (via the library after identification).</p> <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, <i>Rethinking EU Consumer Law</i> (Routledge, 2018).</p> <p><b>Autres ouvrages de référence (droit européen)</b>                  Le droit européen de la consommation, Sous la direction de Yves Picod, Mare &amp; Martin, 2018.                  Norbert Reich, Hans-Wolfgang Micklitz, Peter Rott, Klaus Tonner, <i>European Consumer Law</i>, Intersentia, 2014 (2nd ed).                  Stephen Weatherill, <i>EU consumer Law and Policy</i>, Edward Elgar, 2nd ed., 2013.</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.                  Omri Ben-Shahar and Carl E. Schneider, <i>More than You Wanted to Know : the Failure of Mandated Disclosures</i>, Princeton: Princeton University Press, 2014.                  Oren Bar-Gill et Omri Ben-Shahar, Regulatory techniques in consumer protection, <i>CMLRev.</i> 2013, 109-126.</p> <p><b>Références additionnelles</b>                  Droit Belge                  Andrée Puttemans (coord.), <i>Le droit de la consommation dans le nouveau Code de droit économique</i>, Bruxelles: Larcier, 2014. Ouvrage de droit belge qui fait une large part à la transposition en droit belge des instruments de droit européen.                  Droit Français                  Jean Calais-Auloy, Henri Temple, Malo Depince, <i>Droit de la consommation</i>, Dalloz, 2020 (manuel)                  Guy Ramond, <i>Droit de la consommation</i>, 5 édition, Lexis-Nexis, 2019 (manuel)                  Yves Picod, <i>Droit de la consommation</i>, 4e édition, Sirey, 2018 (manuel)                  Hélène Aubry, Sabine Bernheim-Desvaux, Laurent Bloch, Isabelle Bon-Garcin, Laetitia Bougerol, Garance Cattalano, Jérôme Chacornac, Gaël Chantepie, Anne-Sophie Choné-Grimaldi, Emmanuelle Claude, <i>Droit de la consommation 2021/22</i>, Dalloz, 2020 (guide pratique)</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 paper documents allowed in the examination are: treatises (any edition), the course pack (only the version printed at DUC) and bilingual dictionaries.</p> <p>To be allowed at the exam, the course pack must not be annotated. 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		