UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Eu Commercial Law

2627-1-F7704M005

Learning objectives

The objective of this course is to provide students with a solid foundation of knowledge regarding the rules governing business activities in the European Union, as well as the critical thinking skills necessary to evaluate their purposes, effectiveness, and responsiveness to the needs of a rapidly evolving economic and social system. By the end of the course, students will be able to apply European rules concerning the regulation of the internal market and competition to real-world scenarios, taking into account recent changes introduced as part of the twin green and digital transition. Furthermore, they will be able to competently analyze and discuss the topics addressed during the course.

Contents

The program covers the regulation of the internal market—the free movement of goods, the movement of workers and businesses, the freedom to provide services, and the free movement of capital—as well as competition law. Additionally, class discussion and study will focus on the evolution of the internal market toward greater corporate sustainability and the introduction of rules specifically designed to regulate the digital market.

Detailed program

1. Introduction to the Legal Order of the European Union. The institutional framework, the system of powers/competences, and the system of sources of law. The relationship between domestic law and European Union law: Italian case law on the matter.
2. The Internal Market: Free Movement of Goods (Articles 26–37 TFEU) and case law of the Court of Justice on the matter.
   2.1 The Customs Union. The prohibition of quantitative restrictions. Exceptions to the free movement of

goods: the Deforestation Regulation. Quality labels (PDO, PGI, TSG).
3. Free Movement of Workers (Articles 45–48 TFEU)
4. Right of Establishment and Freedom to Provide Services (Articles 49–62 TFEU). Case law of the Court of Justice on the matter.
5. Company Law. Mutual recognition and treatment of foreign companies in the European Union; right of establishment and freedom to provide services by companies (Articles 54 and 62 TFEU). Harmonization of company law and the right of establishment: directives on companies, EEIG (European Economic Interest Grouping), and the European Company (SE).
6. Free Movement of Capital and Freedom of Payments (Articles 63–66 TFEU). Economic and Monetary Union (Articles 119, 120, 127, 128 TFEU).
7. Competition Rules and State Aid in the European Union Legal Order (Articles 101–109 TFEU). Agreements between undertakings; abuse of a dominant position. Application of competition rules to public undertakings. Overview of the Merger Control Regulation (Regulation (EC) No. 139/2004). State aid and its recovery. The relationship between EU and national competition rules.
8. The "Green" Transition and Corporate Social Responsibility. European Green Deal, EU Directive 2024/825 on green claims, and Directive 2024/1760 on corporate sustainability due diligence.
9. The Digital Transition. Overview of the Digital Markets Act and the Digital Services Act.

Prerequisites

Public Law

Teaching methods

Interactive Teaching and Learning Methods: Learning is primarily based on interactive lectures, case study analysis, and active classroom debates. Seminars: To address current affairs, some seminars may be delivered by experts and officials from European institutions.
Group Work and Class Discussions: Designed to promote soft skills such as public speaking, concise synthesis, and teamwork, alongside legal research abilities.
Independent Study: Students will be introduced to tools for continuous self-learning throughout the course, including digital platforms, specialized journals, podcasts, and official institutional resources from the WTO and the EU.

Assessment methods

Midterm Exams: No midterm exams are scheduled. Final Exam: The course concludes with an oral exam consisting of open-ended questions to evaluate students' knowledge of the program and their ability to critically reflect on the topics covered. On a voluntary basis, students may take a written exam at the end of classes, consisting of open-ended questions and case analysis based on the principles discussed in class.
Group Project: Designed to enhance analytical and presentation skills, this optional project allows students to earn up to two points to be added to their final grade.
Evaluation Criteria: The examination board will evaluate students based on their mastery of the subject matter, proper use of legal terminology, critical thinking skills, and clarity of exposition.

Textbooks and Reading Materials

S. Cafaro, E. Chiti, B. Cortese, *Diritto dell'Unione europea*, Bologna, 2025. Chapters I, IV, V, VII, IX, XII to XVI, XIX.
Additional lecture materials will be made available on the course's e-learning platform.

Semester

Second Semester

Teaching language

Italian

Sustainable Development Goals

QUALITY EDUCATION | DECENT WORK AND ECONOMIC GROWTH | INDUSTRY, INNOVATION AND INFRASTRUCTURE | RESPONSIBLE CONSUMPTION AND PRODUCTION | CLIMATE ACTION | PEACE, JUSTICE AND STRONG INSTITUTIONS