

Master in Parliamentary procedures and legislative drafting (EUPADRA)



U N I V E R S I D A D
COMPLUTENSE
M A D R I D



Course Syllabus

Academic Year 2016/17

Course Title: EU Legislative procedure

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Course description

The course will focus on the legislative procedure of the European Union (hereinafter, EU). It will be divided in five seminars. The first two will be dedicated to the explanation of the EU decision-making procedures, examining in detail the ordinary legislative one and its operation in practice (specially the interaction between the EU institutions). The third lesson will be devoted to the participation of National Parliament's in the EU legislative procedure, analyzing in particular the case of the Spanish Parliament. And the last two will be related with transparency and citizen's participation in the European legislative process. The objective is to give an overview of how laws are adopted at the EU, not only examining the formal rules but also understanding the way in which legislation is made in practice. A practical seminar will be organized in order to explain the use of the Legislative Observatory of the European Parliament, a database for monitoring the EU decision-making process.

Assessment

Students will be asked to write one paper (between 4,000 and 5,000 words), related with one of the issues tackled during the course, chosen in agreement with the instructors.

Course Structure

	Topic
Class 1	<p>The Ordinary Legislative Procedure: stages and operation in practice</p> <ul style="list-style-type: none"> - Rasmussen, Anne; Burns, Charlotte; Reh, Christine: Legislative codecision in the European Union: experience over twenty years and implications, <i>Journal of European Public Policy Series</i>, 2014, 1st. ed. - General Secretariat of the Council, Guide to the ordinary legislative procedure, November 2011. - Joint Declaration of the European Parliament, the Council and the Commission of 13 June 2007 on practical arrangements for the codecision procedure (Article 251 of the EC Treaty) / European Parliament Rules of Procedure, Annex XX of the Rules of Procedure, published also in the Official Journal, OJ C 145, 30.6.2007, p. 5.
Class 2	<p>Other decision-making procedures and differentiated law-making</p> <ul style="list-style-type: none"> - Damian Chalmers, Gareth Davies, Giorgio Monti, <i>European Union Law: Text and Materials</i>, Cambridge University Press, 2014. - Tuytschaeuer, Filip: <i>Differentiation in European Union law</i>, Oxford, Portland: Hart, 1999.
Class 3	<p>The role of national parliaments in the European legislative procedure. The Cortes Generales case: theory and practice of the Spanish parliamentary approach to the EU.</p> <ul style="list-style-type: none"> - <i>The Palgrave handbook of national parliaments and the European Union</i> / Heffler, Claudia, 1982- , Basingstoke: Palgrave Macmillan, 2015.
Class 4	<p>Transparency in the legislative procedure and citizen's participation</p> <ul style="list-style-type: none"> - S.E. Dudley "The role of transparency in regulatory governance: comparing US and EU regulatory systems", <i>Journal of risk research</i> 2015, p. 1-17 - José Carlos Cano Montejano: <i>Transparencia e Hiperregulación en la UE</i>, Dykinson, 2015.
Class 5	<p>Smart Regulation: aspects and implementation characteristics of a new approach of regulating regulation</p> <ul style="list-style-type: none"> - Better Regulation Package, 19.5.2015, European Commission - Mandelkern Report on Better Regulation, Final Report, European Commission - Better Regulation Framework Manual, Practical Guidance for UK Government Officials, march 2015

Reference Books (for consultation):

- Craig, Paul and De Búrca, Gráinne, *EU Law: Text, Cases and Materials*, Oxford, 2015.
- Chalmers, Damian; Davies, Gareth; Monti, Giorgio: *European Union Law: Text and Materials*, Cambridge University Press, 2014.
- Hosli, Madeleine [et. al], *Decision-making in the EU before and after the Lisbon Treaty*. London; New York: Routledge, 2015.
- Martínez Sierra, José Manuel: *El procedimiento legislativo de la codecisión*, Tirant lo Blanch, 2008.
- Smith, E.: *National Parliaments as Cornerstones of European Integration*. London: Kluwer International Law, 1996.
- Norton, Ph.: *National Parliaments and the European Union*. Frank Cass. London, 1996.