

## Diploma in Law (Malta): Intake October 2021

<b>Assessment Task:</b> Written assignment based on chosen questions	
<b>Module:</b> <i>Award in European Laws</i>	<b>Tuition Centre:</b> 21 Academy <b>Licence Number:</b> 2018-017
<b>Level:</b> Award MQF Level 5	<b>Student Name:</b>
<b>Date:</b>	<b>ID Number:</b> <same no. submitted in student profile>
<b>Assignment Deadline:</b> 5 May 2022	
<p><b>Task</b> The purpose of this unit is to develop an understanding of a particular topic you will write about which forms part of European Law.</p> <p><b>Note</b> This assessment provides students with an opportunity to put into practice the relevant provisions of the law in relation to the topic they choose to write about forming part of Company Law.</p> <p><b>Note</b> <i>You should plan to spend approximately 20 hours researching each of the 2 assignment questions, preparing for and writing the assignments for assessment. The nominal word count for each assignment is 1,700 words.</i></p>	
<b>Choose and answer 2 questions from the following:</b>	
<p><b>Question 1:</b> ‘The European Union’s institutional structure is unique: it combines the structural characteristics of traditional international organisations with features of states. Inter-governmental and supranational features exist in this system side by side and form a distinctive blend’. Discuss this statement with particular reference to the main decisions makers in the Union, namely, the Council, the Commission and the Parliament.</p> <p><b>Question 2:</b> Article 288 TFEU states that: “A regulation shall have general application. It shall be binding in its entirety and directly applicable in all Member States” whereas “A directive shall be binding as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods’. It has been suggested that, partly because of the doctrine of direct effect, the distinction between Regulations and Directives has become increasingly blurred. Discuss.</p> <p><b>Question 3:</b> “The Treaty on the Functioning of the European Union classifies the various domains of activity of the Union into ‘categories and areas of Union competences’, each ‘category’ being comprised of a number of ‘areas’.’ These categories are contained in Articles 2 to 6 TFEU having as objective, the division of competences between the Union and the Member States while conferring upon the Union the competences to attain objectives in common. Intimately linked to this division of competences are the principles of subsidiarity and proportionality. Discuss.</p> <p><b>Question 4:</b> “The Francovich judgment set the foundations for the Principle of State Liability in so far as establishing the three elements required for state liability. Further ECJ judgments developed further on the Francovich decision. Explain the principle of State Liability and its development with CJEU decisions.</p>	
<b>Pass Mark - 50%</b>	<b>Total Assignments Weighting - 100%</b>
<b>By submitting I confirm that this assessment is my own work</b>	
<b>Mark:</b>	<b>Signature:</b> <main assessor>
<b>Date</b>	<b>Signature:</b> <quality assurance>