

§ Law in Context

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Public Services in EU Law

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Public Services In Eu Law Law In Context

Brendan G. Carr



Public Services In Eu Law Law In Context:

Public Services in EU Law Wolf Sauter, 2015 **Public Services in EU Law** Wolf Sauter, 2014-11-27 Comprehensive analysis showing that utilities and welfare services are important building blocks for the EU social market economy

Public Employment Services and European Law Mark Freedland FBA, Paul Craig QC FBA, Catherine Jacqueson, Nicola Kountouris, 2007-09-27 How can the EU's community of welfare states adapt their public policies to economic globalization? What happens when the economic and social aims of the EU come into conflict? This book examines the developing legal regimes and regulation of public services in the UK and other European countries. Public services are examined through a case study of the complex area of public employment services. These are job placement and vocational training services which aim to maximize employment and minimize unemployment within EU member States. Active Labour Market policies. Employment services are at the centre of a complex web of rules in both hard and soft forms of law deriving from the EU national public law and from private and at times contractual agreements. They also lie at the crossroads of a series of trends in regulation and priorities have been inspired by an array of conflicting policy rationales. These policy rationales include the establishment of an open and competitive European internal market, the establishment of an efficient welfare state, the scaling down of state administrative machinery, the fulfilment of core public service responsibilities and the creation of public private partnerships. Public employment services provide a highly informative and novel case study of the interaction and conflict between the economic and social aims of the EU and between regulation at national and supranational levels and the changing forms which this regulation has taken. **Public Employment Services and European Law**, 2007-09-27

Employment services are at the centre of a complex web of rules deriving from the EU national public law and from private agreements. This book examines the law and regulation of public services through case studies of the public employment services in EU member states. Public Services and EU Competition Law Daniele Gallo, 2022-06-09 This monograph which was also designed as a short reference book for specialized undergraduate and graduate courses on EU law intends to shed light on and legally frame the evolution of the doctrine of services of general economic interest (SGEIs). The book emphasizes the pivotal role played by SGEIs in striking a fair balance between market and social objectives. To this end, the book claims first of all that SGEIs have a dual nature inasmuch as they act as a limitation to derogation from the free market and simultaneously as a value and positive obligation addressed at national authorities, undertakings and EU institutions. The EU notions of access to public services and universal service are the clearest signal of such phenomenon. Secondly, the book claims that the transfer of competences from the Union to the Member States and the reaffirmation of Member States' sovereignty in crucial sectors of the economy are not the only solutions to foster social rights. In fact, this narrative is apt to undermine the foundations, spirit and purpose of the process of European integration, especially at a time like the present when new forms of populism and anti-Europeanism are on the rise and when a European response is imperative to counter

the spread of the coronavirus in European countries The book concludes that SGEIs regulation is an area of law where the EU institutions have generally successfully put into action and consolidated the social market economy principles on which the EU was founded This is even further proof that the EU is not merely the reflection of interests linked to market completion but also and foremost a Community based on the rule of law The book will be a valuable resource for academics and researchers in EU Law European Public Law and EU competition law Understanding Public Services E.K. Sarter,Elizabeth Cookingham Bailey,2023-02-28 Dive inside this textbook for an accessible guide to the discipline of public services Perfect for students it offers a comprehensive account of core public service topics and explains the fundamental elements of working in the public services Outlining their role in the welfare state it explores the policies providers and legalities shaping the context in which public services operate Students will study concepts of organisational change strategy management leadership and funding and engage with timely discussions around contemporary public issues such as equality sustainability and climate change Key features to support student learning include objectives at the beginning of each chapter case studies and examples end of chapter summaries reflective questions further reading recommendations and resources Bringing together authors with expertise in politics and public policy social policy and law this book is essential reading for everybody studying public services **EU Law Stories** Fernanda Nicola,Bill Davies,2017-05-29 This book retells the multiple stories behind the rulings of the European Court revealing their context their history and the legal and non legal strategies of their actors **Universal Service in WTO and EU law** Olga Batura,2015-10-07 This book is a systematic comparative study of WTO and EU law relevant for universal service provision and a timely contribution to the ongoing scholarly and policy debates about the concept and scope of universal service Universal service is one of the most significant regulatory issues worldwide and it is likely to remain so The central question dealt with by the author is how the technologically intensive sector of telecommunications services can be regulated in a socially fair way in the light of liberalisation and the immense importance of ICTs in the Information Society The author investigates whether the legal frameworks of WTO and EU can meet the challenges of the rapid and dramatic technological and social change and formulates relevant policy recommendations The book is of interest to both scholars and practitioners in several disciplines such as EU and WTO law telecommunications law and regulation political science regarding market regulation and governance as well as European integration and WTO Olga Batura is affiliated to the Leuphana Law School University of L neburg Germany and to the European Humanities University in Vilnius Lithuania *Higher Education Institutions in the EU: Between Competition and Public Service* Andrea Gideon,2017-02-05 This book investigates the impact of EU law and policy on the Member States higher education institution HEI sectors with a particular emphasis on the exposure of research in universities to EU competition law It illustrates how the gradual application of EU economic law to HEIs which were predominantly identified as being within the public sector creates tensions between the economic and the social spheres in

the EU Given the reluctance of the Member States to openly develop an EU level HEI policy these tensions appear as unintended consequences of the traditional application of the EU Treaty provisions in areas such as Union Citizenship the free movement provisions and competition policy to the HEI sector These developments may endanger the traditional non economic mission of European HEIs In this respect the effects of Union Citizenship and free movement law on HEIs have received some attention but the impact of EU competition law constitutes a largely unexplored area of research and this book redresses that imbalance The aim of the research is to show that intended and unintended consequences of the EU economic constitution s are enhanced by a parallel tendency of Member States to commercialise formerly public sectors such as the HEI sector The book investigates the potential tensions through doctrinal analysis and a qualitative study focussing on the exposure of HEI research to EU competition law as an under researched example of exposure to economic constraints It concludes that such exposure may compromise the wider aims that research intensive universities pursue in the public interest Andrea Gideon is a Postdoctoral Research Fellow at the Centre for Law Business National University of Singapore for which she has suspended her position as Lecturer in Law at the University of Liverpool In her current project she is investigating the application of competition law to public services in ASEAN Her previous research concerned tensions between the economic and the social in the EU with a focus on EU competition law in which research area she earned her PhD at the University of Leeds in 2014

EU Public Procurement and Innovation Pedro Cerqueira Gomes, 2021-01-29 This insightful book provides readers with a practical and theoretical explanation of the ways in which the new tailor made Innovation Partnership Procedure can be used throughout all Member States in the European Union With a focus on the Procurement Directive for the public sector Directive 2014/24/EU Pedro Cerqueira Gomes argues that innovation is a crucial policy of the EU that must be extended to public procurement implying interesting harmonisation challenges mostly regarding the use of the Innovation Partnership Procedure and the national administrative law traditions of the Member States

Paradoxes of European Legal Integration Anne Lise Kjær, Mikael Rask Madsen, 2016-12-05 Focusing on paradoxes and tensions of European legal integration this book investigates four complex and inherently contradictory processes constitutionalization and democratization institution building and market making cross cultural communication and European discourse and cultural exceptionalism and normalization to offer a new framework for understanding contemporary European integration The volume features contributions from some of the biggest names in European legal philosophy to include Neil MacCormick Yves Dezalay and Bryant Garth Pierre Legrand Heikki Mattila and David Nelken It presents a timely interdisciplinary approach to an important and topical area and will be of interest to those concerned with the place of socio legal processes language and culture in the continuous advancement of the EU project

Individual Rights in EU Law Bjarte Thorson, 2016-06-25 This book explores the EU law notion of individual rights It examines which sorts of rules grant EU legal rights to individuals how it is decided if a right is conferred and which individuals may claim the

judicial protection of a right It further discusses the legal implications and consequences of holding an EU legal right with respect to the interpretation and application of EU law in general and to specific remedies such as declaratory remedies injunctions restitution and damages On a more overarching level the book explores the question of how the idea of EU law rights relates to other fundamental EU law concepts such as the principles of effectiveness and direct effect and discusses the legal stringency of the EU courts rights language in light of the overall aim of European integration It thus contributes to the body of literature that aims to shed new light on the borders of the sui generis legal order that is EU law

Market Integration and Public Services in the European Union Marise Cremona, 2011-03-03 In a period when the nature and scope of the European internal market is hotly contested this collection offers a topical analysis of the most pressing issues relating to market integration and public services in the EU As the debate continues over the balance between state control and market freedom questions are also raised about the relationship between EU regulation and national policy choices and the joint responsibility of the Union and the Member States Outlining the most important current issues relating to market integration and public services in the EU this book also addresses the underlying systemic questions of the relation between public services and markets and services and the consumer Chapters also examine the application of state aids and procurement law to public services The final two chapters focus on two public service sectors where the mix of Treaty rules case law and legislation has operated in rather different ways public service media and health services

Public Services in EU Trade and Investment Agreements Luigi F. Pedreschi, 2020-05-30 This book examines the impact of EU trade and investment agreements on public services a topic that continues to be the subject of heated political debate It surveys a broad range of EU agreements and provides a comprehensive up to date analysis of the rules and disciplines of such agreements that can affect the provision of public services Going beyond the existing literature it asks whether the treatment of public services in EU trade and investment agreements is coherent with the special status of public services in internal EU law specifically internal market law while also challenging the notion that trade and investment agreements automatically pose serious threats to public services The book will be of keen interest to legal scholars and students specialising in EU and or international economic law together with national and international policy makers Luigi F Pedreschi is affiliated to the European University Institute in Florence Italy and currently works as a Research Associate at the Robert Schuman Centre for Advanced Studies also located in Florence

Research Handbook on European State Aid Law E. Szyszczak, 2011-11-01 Erika Szyszczak and the team have come up trumps with a modern comment on state aid and policy Thank you Phillip Taylor MBE and Elizabeth Taylor The Barrister Magazine This fine collection of essays demonstrates in a very articulate way why EU State aid law has taken the centre stage of EU law In eighteen chapters the reader is provided with a fascinating snapshot of the main issues and developments of the law The key elements of the EU policy are analysed in a critical way often leading to new insights In addition the book contains a wealth of material greatly facilitating further

research Piet Jan Slot University of Leiden The Netherlands European state aid law needs more self questioning and more intellectual debate In my view this Research Handbook is a very valuable contribution to this necessary process It correctly identifies the most intellectually problematic issues within state aid law and asks the right questions This may be due to the balance in the excellent selection of contributors coming both from the academia and from practice This guarantees on the one hand that the questions are relevant in practice and not purely theoretical but also provides on the other hand for a rigorous analytical approach when confronting the issues The result is a fresh and interesting new look to many of the basic issues of state aid law Jos Luis Buendia Sierra Garrigues Brussels Belgium and King s College London UK This Research Handbook provides an in depth exploration of some of the most difficult and controversial issues in current State aid law and policy It is unusual in providing not only a legal but also an economic and political science perspective on this rapidly developing area of EU law The Handbook will be a welcome addition to the shelves of State aid practitioners and academics alike Kelyn Bacon Brick Court Chambers London UK This timely new Handbook reflects on current issues that confront State aid law and policy in the EU State aid was a neglected area of competition law until attempts to modernise it became central to the Lisbon process 2000 where the aim was to encourage intelligent State aid by reducing aid to specific sectors and by making better use of aid for horizontal projects central to EU integration concerns This policy framework has underpinned the new approach to State aid policy in the EU in recent years and informs many of the chapters in this book Contributions from leading academics regulators and practising lawyers discuss topics devoted to modernisation problems faced by recent enlargements of the EU the role of State aid in the fiscal crisis and recession the role of the private market investor test regional aid environmental aid and the review of the Altmark ruling Perspectives on State aid law and policy from the disciplines of economics and political science are also explored in detail Research Handbook on European State Aid Law will appeal to academics regulators national and EU government officials practitioners and postgraduate students who are involved in State aid law State Aid Law of the European Union Herwig Hofmann,Claire Micheau,Bucura C.

Mihaescu-Evans,2016 The rules controlling State aid and subsidies on the EU and the WTO level touch nearly every aspect of national law Written by a team of experts from the judiciary practice academia and officials this book provides a thorough and analytic approach to this vital area of law *Social Services of General Interest in the EU* Ulla Neergaard,Erika Szyssczak,Johan Willem van de Gronden,Markus Krajewski,2012-10-30 The EU has limited legislative competence in the field of social law However the Member States are increasingly modernizing social services and social welfare protection attempting to make social services more efficient by increasingly looking to the market for the provision of such services This policy move brings social services into the radar of EU law The EU response to this sensitive issue has resulted in a piecemeal and fragmented approach towards the treatment of a new policy area of Social Services of General Interest SSGI in EU law and policy This book is a first contribution towards charting how SSGI have emerged as a special category of SGI

in the EU the reaction of the Member States and stake holders and how policy is being made through new governance processes carve outs and safe havens in legislation and soft law especially in the light of the new values of the EU introduced by the Treaty of Lisbon 2009 It takes an inter disciplinary approach and will be of interest to lawyers economists and political scientists who are interested in EU policy making as well as practioners EU and national policy makers Ulla Neergaard is Professor of EU law at the Faculty of Law University of Copenhagen Denmark Erika Szyszczak is a Jean Monnet Professor of European Law ad personam Professor of European Competition and Labour Law at the University of Leicester Barrister Littleton Chambers UK Johan W van de Gronden is Professor of European Law at the Radboud University of Nijmegen The Netherlands Markus Krajewski is Professor of Public and International law at the University of Erlangen Nuremberg

Modernization and Accountability in the Social Economy Sector Ferreira, Augusta, Marques, Rui, Azevedo, Graça, Inácio, Helena, Santos, Carlos, 2019-05-31 The social economy sector SES faces pressures for greater accountability to their funders users and citizens and a growing need to report good practices in the social economic and financial impact that they have on the community However these entities often face difficulties related to the lack of an accounting framework that allows them to properly disseminate the results of their activities Thus practices that involve financial reporting and an assessment of their social economic and financial impact are needed to improve their accountability sustainability and operational performance Modernization and Accountability in the Social Economy Sector is an essential reference source that discusses future avenues of development for the management of SES entities accounting control in SES management and measures of performance in the SES Featuring research on topics such as online communication social accounting and value reporting this book is ideal for managers financial consultants academicians researchers and students interested in accounting management internal control auditing and technology use in the SES *Public Services and the European Union* Laura Nistor, 2011-09-15 Politically sensitive and economically important welfare services such as health care health insurance and education have opened up a heated debate in the EU The application of EU law to welfare services raises discontent from the part of the Member States who perceive their systems to be under threat Resisting to the application of the EU law is sometimes seen as part of protecting those values This book suggests that this resistance is largely unjustified EU law is not damaging to welfare systems but it provides adequate balancing mechanisms to ensure that all interests are protected The approach taken in analysing the impact of EU law on welfare services is to look at the negative integration process and answer the questions related to the extent to which EU law applies to welfare services and the kinds of safeguards the Court offers for these services The proportionality principle distinguishes itself as the central element in balancing national and Community interests Being part of the broader integration process negative harmonization creates legislative lacunae and therefore this book also looks at alternative solutions to the negative harmonization process namely positive and soft law

Language and Culture in EU Law Susan Šarčević, 2016-03-09 Written by distinguished legal and linguistic scholars and

practitioners from the EU institutions the contributions in this volume provide multidisciplinary perspectives on the vital role of language and culture as key forces shaping the dynamics of EU law The broad spectrum of topics sheds light on major Europeanization processes at work the gradual creation of a neutralized EU legal language with uniform concepts for example in the DCFR and CESL and the emergence of a European legal culture The main focus is on EU multilingual lawmaking with special emphasis on problems of legal translation and term formation in the multilingual and multicultural European context including comparative law aspects and an analysis of the advantages and disadvantages of translating from a lingua franca Of equal importance are issues relating to the multilingual interpretation of EU legislation and case law by the national courts and interpretative techniques of the CJEU as well as the viability of the autonomy of EU legal concepts and the need for the professionalization of court interpreters Union wide in response to Directive 2010 64 EU Offering a good mix of theory and practice this book is intended for scholars practitioners and students with a special interest in the legal linguistic aspects of EU law and their impact on old and new Member States and candidate countries as well

Adopting the Melody of Expression: An Mental Symphony within **Public Services In Eu Law Law In Context**

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