

List of courses taught in English Spring 2012.

The courses are only open for Master students.

Spring 2012

All courses are 7.5 ECTS except Research Seminar on European Contract Law 2 ECTS.

Courses	Lecturers
EU Constitutional Law	Gunnar Thór Pétursson
European Law on Financial Services	Hallgrímur Ásgeirsson
International and European Energy Law- Icelandic Energy Law	Catherine Banet and Kristín Haraldsdóttir
International Criminal Law	Thórdís Ingadóttir
Legal English	Erlendína Kristjánsson
Research Seminar on European Contract Law (2 ECTS)	Matthías Geir Pálsson
Trademark Law	Ásdís Magnúsdóttir

Spring 2012

L-601-ENSL Legal English

7.5 ECTS

Semester	Spring 2012
Level of course	3 rd year elective course/Master level
Prerequisite(s)	None
Schedule	3-4 lectures and discussions pr. week
Lecturer	Erlendína Kristjánsson

Learning outcome - Objectives

Upon completion of the course, students should have: an increased level in the use of advanced legal terminology; a solid understanding of the characteristics of professional and legal writing; enhanced communications skills with a special emphasis on professional presentation skills; improved pronunciation; and overall increased skills in dealing with legal matters in English.

Content: This course offers the students the opportunity to increase their overall proficiency in Legal English. Students will practise and enhance their four language skills: reading, writing, speaking, and listening. Students work systematically on acquiring and developing their legal vocabulary. This will be done through extensive reading of various legal texts, the application of reading- and vocabulary acquisition strategies, and the completion of practical language assignments. The course covers the structural differences between common law- and civil law judgements. Students will be introduced to the nature and form of legal writing by analysing various legal genres, such as the legal brief, business letters and contracts. Standard phrases in business letters and contracts will also be covered. Oral communication skills will be practised through short speeches, formal presentations, mock meetings, debates, argumentation, and lively discussions. Students will be introduced to various oral communication strategies and standard phrases for professional communication. Listening strategies will be practised through multimedia material by Cambridge University Press. The course prepares students for the International Legal English by Cambridge University (ILEC exam). The course is based on, for example, the following themes: legal systems of the world; systems of government (Icelandic, UK and USA) (The Icelandic Constitution); judiciary systems (Icelandic, UK and USA); contracts; company law; crime, and human rights.

Reading material: *International Legal English*. Translegal and Amy Krois-Lindner.
Professional English in Use: Law. Gillian Brown and Sally Rice.

Teaching and learning activities : Classes are interactive and formal lectures are kept to a minimum. Students are encouraged to take active part in discussions and are expected to use English at all times.

Course assessment: Course Evaluation: Writing: 15% / Speaking: 35% / Vocabulary: 50%

Language: English

EU Constitutional Law

7,5 ECTS

Semester: Spring 2012

Level of course: Master level, advanced

Type of course: Elective

Prerequisite(s): None

Schedule: 30-38 hours pr. semester

Lecturer: Gunnar Thor Petursson

Content: The course will focus on the emergence of an EU constitutional legal order, particularly developed by the European Court of Justice through its case law. The principles of supremacy, direct effect and state liability will be analysed thoroughly, with the aim of shedding a light on the delicate relationship between the national legal orders and that of the EU. For that purpose the initial ground breaking cases and circumstances will be thoroughly dealt with, and analysed in the light of the recent cases and Treaty amendments. Additionally the course will analyse the emergence of fundamental human rights, as general principles of EU law, and the impact of the European Charter of Fundamental Rights on the EU constitutional legal order. Lastly, the course will deal with the issue of legal remedies for individuals under EU law.

The Course is based on active student participation during seminars. The students will be required to present and discuss the most important cases, and become familiar with reading, analysing and presenting judgments. In addition, the students will be invited to read relevant and topical doctrinal materials in order to stimulate the discussions.

Learning outcome - objectives: To pass the examination the students will have to be able to show a basic understanding in the interaction between the national legal orders and the EU legal orders by using the relevant legal sources of EU law, particularly primary law (Treaties), and relevant case law of the Court of Justice, including general principles of law. The students should be able to critically analyse the jurisprudence of the Court of Justice with support of doctrinal material, and able to communicate the conclusions in a clear manner.

Reading material: Will be announced.

Teaching and learning methods: Lectures and discussions.

Course assessment: Course attendance and participation (case presentations and discussions) 20%, written exam/paper 40 %, oral (final) exam 40%.

Language of instruction: English

L-759 International Criminal Law

7,5 ECTS

Semester: Spring 2012

Level of course: Master level, advanced

Type of course: Elective

Prerequisite(s): None

Schedule: 30-38 hours pr. semester

Lecturer: Thórdís Ingadóttir

Learning outcomes - Objectives:

A student shall acquire knowledge of both substantive and procedural international criminal law. Furthermore, a student should be able to analyze actual problems.

Content:

International Criminal Law has undergone major changes in the last decade. Recent conflicts and increased international obligations on states have revitalized the subject, both internationally and domestically. For instance, it is estimated that hundreds of individuals that have committed serious international crimes are in hiding in the Nordic countries alone. While international criminal courts have proliferated, illustrated by the international criminal tribunals for the Former Yugoslavia and Rwanda, states are undergoing increased obligations to investigate and prosecute these crimes. Furthermore, the establishment of the permanent International Criminal Court in 2002 has raised several issues on the relationship between international and national law. At the same time trials, or even lack of trials, have raised serious questions of the actual efficiency of the system. Similarly, the fight against terrorism and its compatibility with human rights obligations has been hotly debated. With this in mind, the course will give students comprehensive knowledge of both substantive and procedural international criminal law. Substantive coverage will include the definition of main international crimes, such as war crimes, genocide, crimes against humanity, torture and piracy. The prosecution of these crimes, both before international and domestic courts, will also be studied. Students will do assignments which relate to actual cases before domestic and international courts.

Reading material: “Reader”, prepared by the teacher

Teaching and learning activities: Lectures and assignments

Course assessment: Two assignments (total 40 percent), final written exam 60 percent

Language of instruction: English

L-738-EVRE European Law on Financial Services

7,5 ECTS

Semester: Spring 2012

Level of course: Master level, advanced

Type of course: Elective

Prerequisite(s): None

Schedule: 36 sessions

Lecturer: Hallgrímur Ásgeirsson

Learning outcome - objectives: On successful completion of the course the student will have gained knowledge of European law on financial services and its relevance for national law. The student will have acquired skills to apply this knowledge to legal issues that may arise in relation to the provision of financial services in the EU.

Content: Financial services include banking, insurance and investment services. These services play a fundamental role in the functioning of every society and economy. The provision of financial services is dependent upon a regulatory framework that promotes financial stability and confidence in the financial system, its institutions and operators. These objectives must, however, be balanced against the fact that financial services are provided in an environment subject to high degree of international competition and technological development. With this in mind, the conditions for the provision of banking, insurance and investment services in the EU Member States have been made subject to extensive harmonisation in European law. Knowledge of European law on financial services is therefore a key to understanding the national regulation in this field in the different EU Member States.

The following topics will be covered:

- Introduction to financial services

- Primary legislation
- Accounting
- Banking
- Insurance
- Investment services
- Investment funds (UCITS)
- Pension funds

Reading material: Primary focus will be given on training students to understand, interpret and apply primary legislation (Treaty on the Functioning of the EU and EEA Agreement), secondary legislation (directives and regulations) as well as case law in the area of financial services.

Teaching and learning methods: Lectures, discussions and case studies

Course assessment: Course attendance and participation 15%, written group assignment 20%, final exam (oral) 65%.

Language of instruction: English

International and European Energy Law-Icelandic Energy Law

7.5 ECTS

Semester: Spring 2012

Level of course: Master level, advanced

Type of course: Elective

Prerequisites: None

Schedule: 36 hours pr. semester. Intensive course.

Lecturer: Catherine Banet and Kristín Haraldsdóttir

Supervisor: Kristín Haraldsdóttir

Content: The course is divided into five main parts. The first four parts of the course (in total 6 ECTS) will in general cover all pertinent legal issues in international and European energy relations, and will be mainly based on contracts, legislation as well as case law. Part five (1.5 ECTS) is concerned with the legal framework of the Icelandic energy market. Students can choose to complete either 6 ECTS or 7.5 ECTS.

First part: This part provides the background to the presentation of international law, European law and national law concerning energy. It introduces legal methodology, sources of law. Emphasis is placed on practical application of legislation and general principles of law and the interaction and mutual influences between international law, European law and domestic law.

Second part: This part presents the main legal issues and principles governing the energy supply chain, i.e. generation, transmission and consumption. In relation to generation the lectures will focus on ownership issues, international production contracts, environmental concerns, renewable energy matters and legal issues related to emission trading. With respect to transmission, issues related to unbundling of energy utilities and third party access to the transmission system will be discussed as well as cross-border and security of supply. As concerns consumption, the lectures will mainly deal with topics related to market opening, public service obligations, consumer protection, energy efficiency and energy taxation. In all respects, the issues to be discussed will root either in international law (UN Law and Conventions, WTO Law, contractual law) or European Law (EU and EEA).

Third part: This part presents Energy regulation. It focuses on energy-specific regulation, regulation by competition authorities, the role of courts and arbitration tribunals as well as international institutions in general.

Fourth part: This part deals with global energy relations. The global quest for energy resources will be discussed as well as Europe's focus on external relations with the EEA, Switzerland, South East Europe and Russia. Moreover, US Energy law will be introduced.

Fifth part: This part covers the legal framework of the Icelandic energy market. It focuses on the downstream electricity market and how the relevant EU Directives have been implemented.

Learning outcome - Objectives: At the completion of the course the student should have: acquired basic knowledge of the legal and institutional framework in the field of energy law in the international and European context and be able to identify and explain the main principles and legal issues related to generation, transmission and consumption of energy. Students should also have acquired basic knowledge of the legal framework governing the Icelandic energy market, its main characteristics and identify possible legal relations and problems.

Course assessment: Assignments (50%) and final exam (50%).

Reading material: Papers, articles

Teaching and learning activities: Lectures, case studies and exercises.

Language of instruction: English

L-822 TRAL Trademark Law

7.5 ECTS

Semester: Spring 2012

Level of course: Master level, advanced

Type of course: Elective

Prerequisite(s): None

Schedule: 30-38 lessons pr. semester

Lecturers: Ásdís Magnúsdóttir

Learning outcome - Objectives

In this course students are expected to gain knowledge of trademark rights in an international perspective. It is expected that by the end of the course students are able to discuss trademark rights from the different points of view valid in the field in Europe on the one hand and in the US on the other. Special emphasize will be made on the ability of students to evaluate difficulties in the field and desirable future development in relation to the fields purpose and objectives. Where do we stand in this field today? Is the development desirable or undesirable? The protection of trademarks and their use is by nature international and it is therefore important that students can see these rights as a part of the international profile.

Content:

The protection of trademarks has never been as important for companies as in today's economies. At the same time it is safe to say that changes in the business environment has affected this field and raised questions that are in many aspects not fully answered yet. This course will provide and overview of trademark rights in an international perspective. We will look at European practice versus US practice. Trademarks in the US are somewhat differently originated than in Europe and that raises questions on whether that will affect the development in the field. We will emphasize „new problems“ in the field which are more often than not non-t

traditional trademark problems like for example the interplay between trademarks and domain names, use of trademarks on the Internet (for example the relationship between trademarks and sale of advertisements on the Internet's search engines) and geographical indications to name a few. We will use case law, both European and from the US, to a great extent.

Course assessment: Assessment in the course will be threefold: 1. Class participation- 10%. I expect students to attend all the classes and participate / contribute to discussions. 2. Paper - 30%. Students shall select a subject within the field of trademarks, gather source material and prepare a paper based on that material. Subject of the paper and subject table is due on March 4th. The paper in whole is due on April 8th. Submitting the paper is a prerequisite for taking the final exam. The paper shall be 4-5000 words in total. It is important that the paper is not more than 5000 words. 3. Oral final exam - 60%.

Reading material: N/A

Teaching and learning activities: Lectures, discussions and case studies

Language of instruction: English

L-733-MSES Seminar on European Contract Law

2 ECTS

Semester: Spring 2012

Level of course: Master level, advanced

Type of course: Elective

Prerequisite(s): None

Schedule: Intensive 10 teaching hour seminar taught in daily two hour sessions for one week.

Lecturer: Matthías Geir Pálsson

Learning outcome – objectives: The aim of the seminar is to educate the participants about European Contract Law, the ideas that lie behind it and the ongoing research and study projects in this field. The participants will learn about and discuss the beginning, development and current status of this new field of law, examine its relation to Icelandic/Nordic Contract Law and to EU and EU Law. Future developments in this field will be contemplated as well as the potential effects European Contract Law could have in Iceland.

Content: For over twenty five years a number of research and study projects have been ongoing in Europe, with the ultimate goal of harmonising Contract Law within the European Union. The reason is simple, the existence of 27 different national Contract Laws within the EU create problems and increases effort, difficulties and cost in relation to contracting. This may have negative effect on commerce and the free flow of goods within the Single Market and could even be considered an equivalent to technical barrier to trade. A harmonised Contract Law within the EU would simplify business transactions and thus increase commerce.

A number of research projects are working on European Contract Law, based on different approaches and with different goals. Some of the projects have already been concluded, including the work of the Commission on European Contract Law which produced a set of contract rules called the Principles of European Contract Law. One of the stated aims of the Principles is to form the basis for a future European Code of Contracts which eventually might replace the national Contract Law in the Member States of the European Union. The last 6-7 years the European Union has shown increased interest in this development and has it supported and/or founded some projects in this field. The existence of a common European Contract Law in the EU in the future would have a substantial effect on Contract Law within the EU/EEA.

Icelandic lawyers need to keep close eye on the development, status and future of this new field of law. The course is meant to fulfil that need.

Reading material: N/A

Teaching and learning activities The teaching will be in the form of lectures given by the teacher, short individual, written assignments by each student and presentation by the students of their assignment in class, followed by general discussion.

Course assessments The students choose a topic from a list of topics provided in advance by the teacher and write a short paper (3-4 pages long) on it. The papers will be distributed in class and each student must give a 10-15 minute long presentation of the assignment and the paper and answer questions in the general discussions that follow.

Language of instruction: English