UNIVERSIDADE LUSÍADA
LISBOA

Course Unit Program
Competition Law

Academic Year 2024/2025

1. Organic Unit

Faculty of Law

2. Course

LAW

3. Cycle

2nd

4. Course Unit

Competition Law (71613)

5. Scientific Area

6. Curricular Year

1st

7. Type of Curricular Unit / Semester

2nd Semester

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8. Class type and workload (work time)

Theoretical classes:	
Practical classes:	
Theoretical-Practical Classes	15,00
Tutorial Guidance:	20,00

9. ECTS Credits

7,50

10. Scientific Area Coordinator

11. Regent

Dr. SERGIO DA CONCEIÇÃO PIRES BRAS

12. Assistants

13. Teaching Language

Portuguese

14. General Objectives

The Competition Law course aims to provide master's students with a solid understanding of the principles, rules, and mechanisms governing competition in markets, both at the national level and within the European Union. The course seeks to develop the ability to analyze and apply legal norms designed to prevent and suppress anticompetitive practices while ensuring efficient and fair markets.

15. Specific Objectives

Understand the regulatory framework of Competition Law, including the most relevant legislative sources and case law;
Identify and analyze anticompetitive practices, namely cartels, abuse of dominant position, and mergers;
Examine the role of regulatory authorities, particularly the Competition Authority and the European Commission;
Assess the economic impact of competition rules on market participants;
Develop legal reasoning skills and critical thinking abilities in resolving concrete case

16. Skills to be acquired

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nterpret and apply the norms and principles of Competition Law to concrete situations;
Identify anticompetitive practices and assess their impact on the market;
Construct legal arguments based on case law and specialized doctrine;
Master the legal and economic instruments used in the protection and promotion of competition;
Develop critical thinking and analytical skills regarding competition dynamics and their impact on the economy.

17. Teaching Methodology

The teaching methodology will combine theoretical exposition with practical analysis, fostering interaction between the lecturer and master's students. The following methods will be employed:
Theoretical-practical classes, incorporating case studies and case law analysis;
Discussion of articles and reports from regulatory bodies.

18. Course Unit Program

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Framework
General Aspects
Origins and Evolution
Current Situation
4.1. Legislative Framework
4.2. Main Institutions
5. Fundamental Principles
6. Economic Regulation
6.1. Concept and Assumptions of Regulation
6.2. Main Objectives
6.3. Forms of State Intervention in the Economy
6.4. Theories Supporting Regulatory Intervention
6.5. Regulatory Intervention Models
6.6. Phases of the Regulatory Cycle
7. Basic Concepts of Competition Law
7.1. Undertaking
7.2. Relevant Market
7.3. Market Power and Dominant Position
7.4. Collusion and Cooperation Agreements
7.5. Other Fundamental Concepts
7.5.1. Efficiencies
7.5.2. Public Interest
8. Prohibition of Restrictive Practices
8.1. Framework (Article 101 TFEU)
8.2. Horizontal Agreements
8.2.1. Cartels
8.2.2. Consortia
8.3. Vertical Agreements
8.3.1. Resale Price Maintenance
8.3.2. Exclusive Distribution
8.3.3. Restrictions by Object
8.3.4. Restrictions by Effect
8.3.5. Economic Balance
9. Prohibition of Abuse of Dominant Position
9.1. Framework (Article 102 TFEU)
9.2. Abuse
9.3. Market Power
9.4. Types of Abuse
9.4.1. Exploitative Practices
9.4.2. Exclusionary Practices
10. Merger Control
10.1. Foundations and Objectives
10.2. Notification and Assessment Process

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10.3. Thresholds and Intervention Criteria
10.4. Remedies
10.5. Corrective Measures
11. State Aid
11.1. Framework (Articles 107 and 108 TFEU)
11.2. Compatibility Analysis and Exemptions
11.3. Notification and Control Procedures
12. The Case of Professional Sports
12.1. Framework and Specificities
12.2. Distinction Between Free Movement Cases and Competition-Centered Cases
12.2.1. Bosman Case (C-415/93)
12.2.2. Diarra Case (C-650/22)
12.2.3. Broadcasting Rights and Competitive Impact
12.2.4. Organizational Models of Leagues and Federations
12.3. Procedural Aspects
12.3.1. Competences and Investigative Powers
12.3.2. Administrative Procedures
12.3.3. Rights of Defense
12.3.4. Sanctioning Procedures
12.3.5. Types of Sanctions
12.3.6. Judicial Remedies
12.3.7. Enforcement of Decisions

19. Assessment Methods

The assessment will consist of:
Critical analysis report, prepared individually and subject to oral presentation and discussion in class;
Final written examination, including multiple-choice, short-answer, and essay questions covering the main concepts of the course.

20. Didactic Resources

National and European Union competition legislation;
Relevant case law from the Court of Justice of the European Union and national courts;
Reports and decisions from the Competition Authority and the European Commission;
Books, articles, and manuals on Competition Law.

21. Sustainability Objectives

Ensure equal access to quality technical, vocational, and cultural education;
Substantially increase the number of young people and adults with relevant qualifications, including technical and professional skills, for employment, decent work, and entrepreneurship;
Guarantee equal opportunities in higher education, including for individuals in vulnerable situations;
Promote the Rule of Law at national and international levels and ensure equality and universality in access to justice;
Contribu

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22. Keywords

Competition
Restrictive Practices
Cartels
Abuse of Dominant Position
Merger Control (or Business

23. Main Bibliography

Author(s): João Pateira Ferreira, Manuel Cabugueira, Miguel Moura e Silva, Nuno Castro Marques, Paulo Lopes Mar
Title: Manual de Regulação e Concorrência
Edition: 1ª Year: 2024
Local: Coimbra
Publisher: Almedina

Author(s): O Sancionamento das Práticas Restritivas da Concorrência
Title: Paulo de Sousa Mendes
Edition: 1ª Year: 2022
Local: Coimbra
Publisher: Almedina

Author(s): Miguel Moura e Silva
Title: Direito da Concorrência
Edition: 2ª Year: 2018
Local: Lisboa
Publisher: AAFDL

24. Complementary Bibliography

Author(s): Luiz Cabral de Moncada
Title: Direito da Regulação da Economia
Edition: 1ª Year: 2024
Local: Coimbra
Publisher: Almedina

Author(s): Maria Eduarda Azevedo
Title: Direito da Regulação da Economia
Edition: 1ª Year: 2017
Local: Lisboa
Publisher: Quid Juris

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Ficha técnica MIP / MIP Datasheet	
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Autor / Author	Dr. SERGIO DA CONCEIÇÃO PIRES BRAS
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Descritores / Descriptors	-
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