

TRANSNATIONAL MONOGRAPHIES

The Liberalization of Postal Services in the European Union

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The Liberalization Of Postal Services In The European Union European Monographs 34

Theodore Konstadinides

The Liberalization Of Postal Services In The European Union European Monographs 34:

Division of Powers in European Union Law Theodore Konstadinides, 2009-01-01 The European Union has flourished and expanded over the last fifty years as a unique system that lies midway between a federal state and an anarchical international system. Different actors coexist within a cooperative hegemony of Member States and the allocation of competences and decision making among them has always been at the centre of the integration process. In fact, demands for clearer limits to the Union's decision making power and enduring tension over the nature and purpose of European integration have been the key drivers of integration and change. This deeply informed and thoughtful book thoroughly examines the manner in which the principle of division of powers has developed in EU Law over the course of European integration and casts light on the path towards a more efficient delimitation of internal competence between the main actors namely the European Union and the Member States. Among the topics investigated in depth are the following: the place of the and competence provisions and in the current and future EU Treaty structure the scope and limits of the powers of institutional actors involved in EU decision making the contribution of the Court of Justice in declaring the pre-emptive effect and overarching precedence of Community law the role of subsidiarity as a tool for monitoring the jurisdictional limits of the Community and its legislative competence areas where and creeping competence and occurs the constitutional checks and balances available to Member States against unprecedented expansion of EU competences and the spectre of a powerful and core Europe and a multi-speed Europe of pacesetters and laggards. Addressing numerous crucial issues and among them the degree of permanence of the nation state in a context of ambiguous constitutional authority and the width of the democratic base of the Union and its institutional dynamics and of cooperation and consensus and the author lucidly describes a seeming paradox: an and ever closer union and with a growing democratic legitimacy congruent with a supranational community that falls short of a fully fledged democratic political entity. The countless perspectives and clarifications discovered along the way are sure to engage academics and policymakers working in the fields of the European integration project and will provide ample insights and food for thought.

Practical Regulation of the Mobility of Sportsmen in the EU Post Bosman Stefaan Van den Bogaert, 2005-01-01 Sport is a recreational, social, educational, healthful and cultural. It has always been all of these things. Perhaps also it has always been political. In recent years, however, it has become something else besides economic. Nowadays a lot of money is invested in sport and sporting competitions, often generating enormous amounts of revenue. This has entailed serious repercussions especially for the relations between individual sportsmen, sportswomen and the sporting clubs and federations that act as brokers for their careers. Into this protected area for decades a closed shop now come the European institutions especially the European Court of Justice and the European Commission with the declared intention of ensuring respect for the exigencies of Community law while at the same time protecting the specificity and the integrity of sport. This important book presents an in-depth analysis of the

viability under Community law of traditional sports regulations such as transfer rules and nationality clauses both sets of rules seriously compromised by the Bosman case of 1995 The author asks in particular whether certain rules elaborated by sporting associations can withstand the test of compatibility with the free movement provisions of the EC Treaty In the light of Bosman he also rigorously investigates whether valuable arguments exist for keeping certain sporting rules and practices entirely outside the scope of the EC Treaty and whether the private nature of sporting clubs constitutes a stumbling block for the application of the relevant free movement rules Practical Regulation of the Mobility of Sportsmen in the EU Post Bosman comes at a moment when clarification of where this complex and contentious matter currently lies is essential if we are to gauge where it is going The topic is of special and increasing interest as official declarations on sport were attached to the Treaties of both Amsterdam and Nice And if the draft Constitution for Europe actually enters into force sport will even become an official area of Union policy This trend confirms the value and significance of this ground breaking book for practitioners policymakers and regulators in the burgeoning field of sports law European Monographs 48 *The European Union Legal Order After Lisbon* Patrick Birkinshaw, Mike Varney, 2010-01-01 In June 2009 the Institute of European Public Law of the University of Hull assembled a range of experts in relevant fields to offer papers and reach some consensus on what has been achieved in the EU legal order and what the future holds for that order given local tensions and global uncertainty

EU Law and Obesity Prevention Amandine Garde, 2010-10-11 Since the 1980s there has been an alarming increase in the prevalence of obesity in virtually every country in the world As obesity is known to lead to both chronic and severe medical problems it imposes a cost not only on affected individuals and their families but also on society as a whole In Europe the Obesity Prevention White Paper of May 2007 followed by the adoption of an EU School Fruit Scheme the acknowledgement that food advertising to children should be limited and proposed legislation to make nutrition labeling compulsory has firmly placed obesity on the EU agenda by laying down a multi sectoral strategy and a basis for future action In accordance with this growing sense of urgency this is the first book to offer an in depth legal analysis of obesity prevention with particular reference to Europe It describes what the EU has done and could do to support Member States in fighting the obesity epidemic and clearly shows the way to locating advocacy strategies within the framework of EU law The thorough analysis includes a discussion of the following issues the need to address nutrition and physical activity as important health determinants the emphasis traditionally placed at EU level on food safety rather than food quality the need for the development of databases on nutrition and physical activity comparable common indicators and risk assessment mechanisms mainstreaming public health into all EU policies the scope of EU powers in the case law of the Court of Justice the role of information in the EU s obesity prevention strategy the Commission s proposed Mandatory Nutrition Declaration the Food Claims Regulation the regulation of food marketing to children and in particular the role of the Audiovisual Media Services Directive the Unfair Commercial Practices Directive and industry self regulation food reformulation the use of economic

instruments in the EU's obesity prevention strategy with an emphasis on the Common Agricultural Policy and the EU's taxation policy and EU action in the fields of sport occupational health and safety and transport policy. The author convincingly shows that conflicts of interest inherent in market forces demand a strong EU intervention preferably through legislation than self regulation. She also demonstrates the urgent need to reach an agreement on the basis of reliable data about what is effective in practice to improve lifestyles. The study acknowledges that the law is not a panacea but nonetheless has an influential role to play in making the healthy choice an easier choice and must move decisively towards ensuring that the societal costs associated with obesity are sustainable and that the ultimate goal of a healthy population is achievable. The book is essential reading for everyone involved or interested in the development of the EU's obesity prevention policy.

The Eclipse of the Legality Principle in the European Union Leonard F. M. Besselink, Frans Pennings, Sacha Prechal, 2011-01-01

Legality is a traditional normative concept to regulate the relationship between those in power and those subjected to that power. The principle of legality protects the citizen against the arbitrary use of power or more precisely it demands a legal basis which itself must be of a certain standard to legitimize State action. Is legality under siege in Europe? The authors contributing to this provocative and important book answer this question in the affirmative. Twenty one outstanding European legal scholars expose a spectrum of ways in which the traditional legality principle is under pressure because of the creation of new legal orders including that of the EU and the interaction between these new orders and that of the State combined with such factors as expertise driven governance difficulties of international organizations to meet their objectives due to a lack of adequate powers and lack of parliamentary control. The question of whether the main functions of legality legitimating, attributing and regulating the exercise of public authority are still fulfilled in the context of the overlapping interacting and mutually dependent legal orders of the EU, the ECHR and the Member States is at the background of all the essays in this volume. Recognizing that legality if it is to survive demands rigorous reconsideration of its scope and application the authors interrogate not only such fundamental democratic issues as who has legitimate power to perform legislative acts and through these to exercise of public power over citizens but also such urgent European problems as the following: the use of the precautionary principle in EU decision making, the scope of the principle that the exercise of public authority must rest on an act of Parliament, the extent to which the EU can provide a legal basis for action of Member State authorities in the absence of such a basis within Member State legal orders, the constitutional position of independent regulators, the requirements that ECJ and ECHR case law impose on the exercise of public authority whether legislative results are coherent in the sensitive area of equal treatment, transparency, legal certainty, enforceability and implementation of EC Directives in the field of workers involvement, new instruments as the Open Method of Coordination and the involvement of social partners in decision making, the de facto harmonization of national criminal justice systems and the prominent role of the EU in the field of data protection. There can be little doubt that the issue of legality and to whom it

applies in a world in which the role of the modern State is changing profoundly is a crucial one It is highly important in the context of the ongoing discussion on the meaning of democracy and citizenship This volume with its clear message that reconsidering legality demands taking serious issue with the uncertainty engendered by the processes of globalization will resonate profoundly among practitioners and policymakers in this time of momentous change *The Liberalization of Postal Services in the European Union* Damien Geradin,2002-06-03 Among the critical matters discussed are the following terminal dues for international mail remail provisions the UPU and WTO constraints on the European postal market EU Commission decisions and ECJ case law interpreting the postal directive the effects of EC Treaty Articles 81 and 82 and the Merger Control Regulation abuse of market power especially by incumbent public postal operators the essential facilities doctrine and funding of universal service obligations In addition there are specific country reports from five EU Member States France Germany Italy Portugal and the United Kingdom and Norway bearing witness to the diversity of means adopted to implement the postal directive Business persons and their counsel regulatory officials practitioners and academics interested in the creation of an EU wide postal market as well as in the ongoing reliability and improvement of postal service should find this text valuable *Judicial Protection in the EC: The Use of Article 288 (2)* Jill Wakefield,2002-08-08 The last decade has seen an evisceration of the once dominant democratic legal concept of public interest Its place is being steadily usurped by a problematic compensation culture which in an ostensible effort to protect the individual is wreaking havoc with the principles of responsibility and liability that underlie the rule of law especially in the commercial context Nowhere is this troubling development more evident than in the jurisprudence surrounding Article 288 2 EC which has grown from a measure of sanction against the Community Institutions for maladministration into a remedy for infraction or injury through the fault of those Institutions or by extension as a result of Member State breach of Community law Judicial Protection in the EC is the first in depth analysis of this hot spot in EC law With prodigious scholarship and persuasiveness the author investigates the relevant case law of the Court of Justice from the standpoint of the fundamental legal principles involved She finds that the distinct problem of the accountability of the Community Institutions so important where democratic controls are weak has been subsumed to the responsibility to compensate In her penetrating commentary she identifies an erosion of basic democratic principles and points the way to ensuring that policies claimed to be in the public interest actually serve that public interest Cases examined in detail include the Isoglucose cases Brasserie Factortame Schand ppenstedt Bergaderm Land tticke and Eurocoton The author refers extensively to the ECSC Treaty which although it expires in July 2002 continues to provide significant authority for the interpretation of Article 288 2 EC *European Access* ,2001

Subject Guide to Books in Print ,2001 **The British National Bibliography** Arthur James Wells,2002

Problems of Post-communism ,2002 *Publications* Office for Official Publications of the European Communities,1985 *Bibliografía jurídica de la integración europea* ,2003 **Bibliografía jurídica de la integración**

europaea Court of Justice of the European Communities. Library Division,2003 **Brinkman's catalogus van boeken en tijdschriften** ,2001 With 1901 1910 1956 1960 Repertoium is bound Brinkman s Titel catalogus van de gedurende 1901 1910 1956 1960 Title varies slightly *Index to International Statistics* ,2005 **Yearbook of International Organizations 2014-2015, Volumes 1a & 1b (Set)** Union of International Associations,2014-06-16 Volume 1 A and B covers international organizations throughout the world comprising their aims activities and events The Liberalization of Postal Services - Israeli and European Perspectives Talia Einhorn,2011 On 7 December 2005 the Minister of Communications and the Minister of Finance signed a decree in accordance with which the Israeli Postal Authority was transformed into Israel Post Ltd a government owned company as of 1 March 2006 Prior to that date on 31 January 2006 the postal services underwent an important liberalization phase whereby 50% of the bulk mail were officially opened to competition The European liberalization process has served as a model for the Israeli legislature There is however a big difference The Israeli legislature does not have the benefit or burden of the need to comply with the competition rules of the EC Treaty especially those concerning undertakings entrusted with the operation of services of general economic interest which have played a vital role in shaping the liberalization process in Europe Therefore despite the similarity in the overall aim to be achieved better more efficient and more cost effective postal services the debate regarding how this should be done is markedly different and so are the consequences for the liberalization process This paper critically analyzes compares and evaluates the role of the legislature the regulator and the courts in the liberalization process of postal services in the European Union and in Israel Dun & Bradstreet Exporters' Encyclopaedia ,1997 Material is arranged geographically For each country there is a country profile followed by information on marketing data communications transportation business travel key contacts and a summary trade regulations and documentation required Also included are brief sections on U S ports U S foreign trade zones World Trade Center Association members U S government agencies providing assistance to exporters foreign trade organizations foreign communications and general exports and shipping information and practice *Choice* ,1996

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