



CONSEJO GENERAL DEL PODER JUDICIAL  
ESCUELA JUDICIAL



Red Europea de Formación Judicial (REFJ)  
*European Judicial Training Network (EJTN)*  
Réseau Européen de Formation Judiciaire (REFJ)

# COURSE DESCRIPTION:

## **FINES AND CRIMES BEFORE JUDGES IN THE EUROPEAN COMPETITION LAW.**

**e-learning course and seminar for judges on European competition law**



Con el apoyo financiero del Programa de Formación de Jueces Nacionales en Derecho de la Competencia. DG de la Competencia de la Unión Europea  
*With the financial support from the Training of National Judges in EU Competition Law Program. DG Competition of The European Union*  
Avec le soutien financier du Programme de Formation des Juges Nationaux en Droit de la Concurrence. DG de la Concurrence de l'Union Européenne

## 1. Course Identification

**Date and time:** *e-learning* stage : April to June 2014  
In situ session in Barcelona: 25, 26 and 27 June 2014.

**Organiser:** Judicial School. General Council of the Judiciary

**Languages:** Spanish, English and French

**Jurisdictional order** Administrative, Criminal, Mercantile and Civil

**Places offered to member countries of the EJTN:** 35

## 2. Content

Free competition concerns us all and affects a number of aspects in our daily lives. For this reason it is necessary to adopt different approaches with the aim of understanding competition law. In this respect, the issue of sanctions offers a good perspective for understanding it in the sense that it involves the imposition of sanctions via administrative authorities and could eventually suppose the criminalisation of specific anti-competitive behaviours whose guarantee, obviously, also corresponds to the judge.

A decisive aspect of European Union policy consists in the imposing of fines by administrative authorities and their revision by judges, both at European and various national levels. As with comparative law, the criminalisation of competition law is a legislative option and it could be interesting to study the new possibilities offered as a consequence of the new legal bases for the harmonisation of national criminal legislations and for the setting up of the European Prosecutor's Office envisaged in article 86 of the Treaty on the Functioning of the European Union (TFEU).

Following a decade of application of Regulation (EC) no. 1/2003 it is time to weigh up the distribution of competencies between the European Commission and National Competition Authorities, as well as jurisdictional controls both in European courts and respective national courts. It is also appropriate to analyse the new possibilities of widening the powers of the European Prosecutor's Office in the persecution of the most serious economic crimes that affect free competition and have a cross-border dimension



This training activity is divided into two parts: an online course and a symposium, which will be carried out integrally in Spanish, English and French, with translation and interpretation into other languages.

The virtual learning is based on a course of five modules that will be spread out over seven weeks in April and May. A committee of European judges and lawyers, representing the various legal cultures, has prepared the teaching guides and will personally moderate the Internet forums. The course is directed at 70 administrative, criminal, civil and mercantile judges. It is forecast that 35 Spanish judges and 35 judges from the rest of the countries in the European Union will participate.

The symposium will take place on 25, 26 and 27 June in Barcelona and will mean the culmination of the virtual course; it is predicted that this seminar will be attended by those who have regularly followed the course and by other professionals, particularly prosecutors, who will be invited.

### 3. Envisaged calendar

The course consists of two different phases: the first will be a virtual campus, which does not require travel, and the second will consist of a final evaluation meeting that all participants who have successfully completed the course will be able to attend.

The course will start on 21 April 2014 with a period set aside for participants to meet each other and test the functioning of the virtual space. Once this testing phase has been successfully completed, the virtual phase of the course will start on 28 April and will conclude at the beginning of June 2014.

The final evaluation meeting will take place in Barcelona on 25, 26 and 27 June 2014.

The envisaged calendar is, therefore:

- 21 March 2014: registration deadline
- 28 March 2014: notification of admission
- Before 21 April: sending of access codes
- 21 April: start of module 0 (prior practice module)
- 28 April: start of course, module 1
- 8 June: end of virtual phase of course
- 25, 26 and 27 June 2014: in situ session in Barcelona for those individuals who have passed the *e-learning* phase.



## 4. Useful information

### 4.1. Registration

Registration is completely free of charge.

### 4.2. Applications

Applications must be made via the adjoined registration form and sent to the ongoing training centre (judicial school, ministry of justice or centre competent in the material) of the EJTN member country. From the aforementioned centre, the applications will be forwarded to the Judicial School together with an additional document specifying the order of priority for the applications. The Judicial School cannot guarantee a determined number of places to any attendee, given that the distribution will not take place until all applications have been received.

Without the return of the registration form the application cannot be considered as having been made. **The registration period expires on 21 March 2014.**

Once the selection has been made, the opportune notification of admission will be sent as of 28 March. Immediately following this notification, the Judicial School will contact selected individuals to offer them useful information for the start of the activity.

The contact person in the Judicial School to whom requests must ultimately be sent (preferably via e-mail) is:



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### **4.3. Costs met by the Judicial School**

The virtual phase of the course does not incur any expense for participants or institutions these originate from.

Regarding the **final in situ session**, which all participants who have successfully completed the virtual phase may attend, the Judicial School, with the financial support of the Competition Law Training Programme for National Judges from the DG for Competition of the European Union, will bear the following costs.

1. Plane or train tickets (Barcelona to and from city of origin)
2. Accommodation from the night prior to the course to the morning of 27 June.
3. Lunch in the Judicial School restaurant on 25 and 26 June.
4. The organisation will provide a bus for journeys from the city centre to the Judicial School and vice-versa (the School building is located on the outskirts of Barcelona).

All matters relating to the hotel reservation and the acquisition of travel tickets will be taken care of by the Judicial School via its travel agent, without participants having to make any advance payment in this respect.

Expenses deriving from last-minute cancellations will be excluded from costs covered by the organisation, in which case it will be those individuals who decide not to participate in the course who must bear the costs of hotel and trip cancellation.

