

TASKS TO HELP YOU TO REVISE FIRST PART OF THE COURSE

1. Make sure you know the EU institutions and their roles, powers and obligations
2. What are the key principles/doctrines of EU Law that make it a distinct legal order?
3. What principles/doctrines does *Costa v ENEL* and *Van Gend en Loos* establish?
4. What is a preliminary ruling procedure and how does it differ from a direct action before the CJEU?

5. What is the role and purpose of Article 30 TFEU?
6. What are the conditions for Article 30 to apply?
7. What are 'goods'?
8. What are the following cases authority for? *The Gingerbread Case (Commission v Belgium and Luxembourg)*; *the Diamond Workers Case*; *the Italian art treasures case*; *the Italian statistics level case*?
9. How has the concept of a 'border' evolved? Does it cover only national borders? Find case authority to prove otherwise.
10. Under what circumstances can a Member State still charge a pecuniary amount for goods crossing the frontier? Are these case developed exceptions by the CJEU? What are the arguments for and against?
11. What is the relationship between Article 30 and Article 110 on taxation levied by Member States?

12. What is the role and purpose of Article 34 [TFEU](#)?
13. What is meant by 'quantitative restrictions' and 'measures taken by Member States'?
14. How does [Directive 70/50](#) clarify the prohibition on QRs on imports and MEQRs? What further clarification was provided in *Dassonville*?
15. Define distinctly and indistinctly applicable measures and give some examples of each.
16. Summarise the facts of the *Cassis de Dijon* case and explain the importance of this case in relation to free movement of goods.
17. Give some examples of 'mandatory requirements' pursuant to the *Cassis* rule of reason?
18. Explain the decision of the CJEU in *Keck* and its importance in relation to MEQRs.
19. List some of the cases that have followed the approach of the CJEU in *Keck* and explain the types of measures involved. Are you persuaded by the cases that have taken a different approach? Is the 'market access' test now well established?
20. What are the key components of successfully invoking a justification to a measure which is prima facie prohibited pursuant to Article 34 TFEU?
- 21. A commonly invoked justification by States pursuant to Article 36 TFEU is the public health ground. How has the CJEU dealt with arguments based upon public health grounds? What tests does the CJEU tend to apply to public health justifications? (not covered in the lecture but read **Barnard's book**)**
22. What differences are there between invoking the Article 36 [TFEU](#) exemption and invoking the *Cassis* rule of reason/mandatory requirements doctrine?
23. We have concentrated our discussion and research largely on Article 34 [TFEU](#)). To what extent do similar rules and interpretations apply to Article 35 [TFEU](#) ?