

UNIVERSITY OF BOLTON

OFF CAMPUS DIVISION

WESTERN INTERNATIONAL COLLEGE

SCHOOL OF LAW

BA (Hons) LAW

TRIMESTER ONE EXAMINATION 2021/2022

EUROPEAN LAW

MODULE NO: LAW5102

Date: Tuesday 4th January 2022

Time: 14:00 – 16:00

INSTRUCTIONS TO CANDIDATES:

There are **FOUR** questions on this paper.

Answer **ANY TWO** questions.

All questions carry equal marks.

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Trimester 1 Examination 2021/22
European Law
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There are four questions in this section. You MUST answer ANY TWO questions. Each question in this section is worth equal marks.

Instruction: start your answer on a fresh page and make it clear which question you are answering by giving the question number at the beginning of your answer.

Q1.

Examine and summarise the ambit of 'Area of Freedom Security and Justice (AFSJ)' in European Union

Total 50 marks

Q2

Macfour Pharma plc developed a new product a flu vaccine some time back and granted the right to sell under the Macfour trade mark to two companies: one in Spain and one in the Italy. Macfour Pharma plc kept the French market as well as the exports of the vaccine to outside the European Economic Area (EEA).

Four months ago, the Spanish company reported to Macfour that their products were appearing independently on the Spanish market. The goods had been purchased in France and South Africa from pharmaceutical wholesalers and transported to Spain, where the packaging had been altered to conform to Spanish drug laws. The price in Spain for Macfour product is 25% higher than the price in the France.

Upon making enquiry and investigation, Macfour Pharma have discovered that a French company, Lux Pharma, are responsible for the exports to Spain. Thereupon, Macfour have complained to the French Government. At the same time the Spanish company made complaints to the Spanish Government as well. Along with that a joint approach was made to the Commission to stop this movement under **Art 30**. MacFour Pharma have also contacted Lux Pharma direct, but their response was that any action against them would be contrary to the free movement of goods.

Advice Macfour Pharma plc.

Total 50 marks

PLEASE TURN THE PAGE.....

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Q3

Analyse the doctrine of parallelism and the impact of the doctrine on the external competence of EU?

Total 50 marks

Q4

Demonstrate the development of the principle of supremacy of EU law?

Total 50 marks

END OF QUESTIONS

END OF PAPER

PAST EXAMINATION PAPER