

Hanna Schebesta

Damages in EU Public Procurement Law

Damages Procurement European Economic Regulation

**Stefan E. Weishaar, Niels
Philipsen, Wenming Xu**



Damages Procurement European Economic Regulation:

Damages in EU Public Procurement Law Hanna Schebesta, 2015-12-16 The book surveys the enforcement of EU law through the lens of damages claims for violations of EU public procurement rules The first part clarifies the requirements on damages claims under both public procurement and general EU law notably the public procurement remedies directives and doctrines such as procedural autonomy effective judicial protection and Member State liability The second part focuses on comparative law covering England France Germany and the Netherlands and provides an overview of national regulation and case law of damages litigation in the area of public procurement A third part discusses the constitutive and quantification criteria of the damages remedy from a comparative and EU law perspective It explores the lost chance which functionally emerges as a compromise capable of mitigating the typically problematic nature of causation and uncertainty in public procurement constellations The book concludes with a proposal for legislative intervention regarding damages in public procurement

Public Procurement and the EU Competition Rules Albert Sánchez Graells, 2011-01-29 Shortlisted for the 2012 Prix Vogel in Economic Law Public procurement and competition law are both important fields of EU law and policy intimately intertwined in the creation of the internal market Hitherto their close connection has been noted but not closely examined This new work is the most comprehensive attempt to date to explain the many ways in which these fields often considered independent of one another interact and overlap in the creation of the internal market In this process of convergence between competition and public procurement law the need for this joint study is clearly apparent As such the book asks whether competition law principles inform or condition public procurement rules and whether they are adequate to ensure that competition is not distorted in markets where public procurement is particularly significant The book moves away from the classical focus of public procurement on the activities of private actors developing instead an analytical framework for the appraisal of the market behaviour of the public buyer from a competition perspective The analysis is both legal and economic Proceeding through a careful assessment of the general rules of competition and public procurement the book constantly tests the efficacy of the rules in competition and public procurement against a standard of the proper functioning of undistorted competition in the market for public procurement

Managing Public Services Irvine Lapsley, Ola Mattisson, 2021-11-23 This book explores innovations in public management including establishing a corporate vision strategizing an organization and change management Chapters provide a valuable frame of reference for the 21st century manager of public services by assessing the renewal of existing practices such as strategic costing performance management digitization and procurement and innovations in management practices including branding Lean Management resilience and risk management The book suggests that as the management of public services is imbued with financial social economic and political uncertainties management needs to be flexible and responsive to new ideas and practices to fulfil its purpose This book ultimately supports the reflective manager those who think about their job and are open to new ideas on how their job

can be done better by revisiting existing practices and examining innovations in public management Enriched with real life cases and thought provoking discussion questions this is the ideal textbook for reflective open minded advanced students of public management and actual or aspiring reflective managers in public services

Research Handbook on Abuse of Dominance and Monopolization Pinar Akman,Or Brook,Konstantinos Stylianou,2023-01-20 This Research Handbook offers a comprehensive and state of the art collection on the competition law antitrust prohibition of abuse of a dominant position and monopolization It draws from the long and influential traditions of leading jurisdictions such as the European Union and the United States to analyse applicable rules and policy in these jurisdictions It also takes a comparative approach to identify common threads and differences

MacRoberts on Scottish Building Contracts MacRoberts,2008-04-30 This book discusses the key provisions of the standard Scottish building contracts against the background of Scots law The new edition covers in detail for the first time Scottish adjudication including a number of appeal cases and covers other new case law and important new developments in novation It is based on the 2005 revised Scottish SBCC building contracts

Research Handbook on the Enforcement of EU Law Miroslava Scholten,2023-09-06 This comprehensive Research Handbook investigates the success of EU law enforcement processes Going beyond traditional analyses of administrations and courts in isolation it focuses on the increased cooperation seen between national and EU authorities and on the widening variety of means used to enhance compliance with EU norms

Regulatory Reform in China and the EU Stefan E. Weishaar,Niels Philipsen,Wenming Xu,2017-08-25 With the Chinese government planning a comprehensive and detailed reform of regulatory law the European experience is likely to contribute significantly This timely book analyses comparative Chinese and EU regulatory reform from a Law and Economics perspective

Tort Liability of Public Authorities in European Laws Giacinto della Cananea,Roberto Caranta,2020-12-15 This series argues that there is a common administrative core to European legal systems that can be better understood in comparative terms This volume examines government liability in tort using case studies to explore different government responses Part I sets the stage for the project and the parameters followed by the scholars involved Part II expands on the legal systems chosen for comparison setting up their general tort procedures Part III presents case studies from Austria the European Union France Germany Hungary Italy Poland Romania Spain Switzerland and the United Kingdom Each case study has a theoretical response detailing what would happen should that case occur within each country s borders Part IV compares and contrasts the information provided in Part III It examines both the commonalities and the distinctive traits of these legal systems with a view to understand the nature of their common core This volume is an essential tool for anyone involved in administrative and constitutional law and government liability in tort

EU Global Value Chain Regulation Josephine Norris,2025-08-07 This practical guide enables practitioners compliance professionals and anyone with an interest in the international dimension of supply chains to navigate the EU s approach to regulating global value chains Global Value Chains a central feature of international trade and the world

economy present unique regulatory challenges and opportunities Taking examples of recently adopted EU legal instruments the book examines how the EU is applying environmental and labour standards along supply chains connected to its internal market Covering due diligence requirements new rules tackling deforestation and the EU's landmark carbon border adjustment mechanism CBAM it explores the synergies between these different regulatory tools and draws comparisons with approaches to global value chain regulation in other jurisdictions The emergence of this rapidly expanding regulatory framework is not without controversy Written by a legal practitioner working for the European Commission the book situates the EU's approach to global value chain regulation in the framework of broader discussions on the complex interface between international trade law international environmental law and the UN sustainable development goals Structured as a contextualised accessible guide the book decodes the emerging EU regulatory landscape and offers a perspective on future developments in this legal field

Preventing Environmental Damage from Products Eléonore Maitre-Ekern, Carl Dalhammar, Hans Christian Bugge, 2018-04-19 How to tackle environmental damage from the throwaway society is one of the defining questions of the twenty first century By establishing a circular economy we can encourage and support sustainable production and consumption These essays by an international group of leading scholars from a range of disciplines analyse policies and legal instruments and challenge mainstream assumptions from the choice of a policy mix to the actual effect of imposing standards on the market and from corporate objectives and priorities to the use of precaution in assessing particularly harmful substances Each chapter contributes to a better understanding of the current policy and regulatory framework in Europe and identifies the challenges and opportunities ahead The book breaks new ground by examining how product policies can contribute to important objectives and visions such as the aims of the circular economy It is a must read for researchers as well as for policymakers and practitioners

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