

СЕКЦІЯ СТУДЕНТІВ I ТА II КУРСІВ EUROPEAN UNION LAW

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The Law of the European Union is the unique legal system which operates alongside with the laws of Member States of the European Union. (EU).

EU law has direct effect within the legal systems of its Member States, and overrides national law in many areas, especially in the areas covered by the Single Market.

Like the EU itself, EU law can be divided into three pillars. The first of these, the European Community pillar, comprises the majority of law produced by the EU and is where the European Court of Justice has the most power. The EU can also enact legislation under the second and third pillars - relating to criminal law and foreign policy respectively - although the powers of the Court of Justice are much reduced and direct effect does not apply.

The primary legislation, or treaties, are effectively the constitutional law of the European Union. They are created by governments from all EU Member States acting by consensus.

There are four main legislative procedures in the EU, with the main difference between them being how the European Parliament interacts with the Council of the European Union. These are the Codecision procedure, the Assent procedure, the Cooperation procedure and the Consultation procedure.

The European Parliament, the Commission and the Council of Ministers are empowered by the Treaties to legislate on all matters within the EU's competence. Examples of this secondary legislation are regulations, directives, decisions, recommendations and opinions. Secondary legislation also includes inter-institutional agreements, which are agreements made between European Union institutions mostly in budgetary matters.

The main EU principles are supremacy and direct effect. They are rather contradictive and require some perfection to correspond the national systems of EU Member states.

The core of European Union economic and social policy is summed up under the idea of the four freedoms - free movement of goods, workers capital and the freedom of establishment to provide services.