



The Enforcement of EU Competition Rules by Civil Law (Maklu Competition Series)

Nina Bucan Gutta

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Private enforcement of competition law, in particular through damages actions, is recently one of the highly debated topics in European competition law. Arguments for private enforcement are based on the EU principle of effectiveness, while existing national substantive and procedural regimes applicable to damages may be ill-suited for the effective enforcement of EU competition law. However, the risk that the introduction of enforcement-oriented measures into national law is incompatible with private (civil) law is often underestimated or neglected. This book reconciles both EU enforcement and private law perspectives through a detailed study of the English and Slovenian private law systems. Research on the compatibility of EU 'competition-enforcement-oriented' measures with the private law regimes in England and Slovenia is used to argue that some changes to private law (based on proposals for effective enforcement) go too far and risk undermining the integrity of the legal systems. The book already takes into account the 2014 Directive on antitrust damages actions. Author Nina Bucan Gutta is a jurist with a degree in Law from the University of Ljubljana, Slovenia and a master's degree in fundamental public law from the University of Poitiers, France. She recently completed her PhD in European competition law at the Radboud University, Netherlands. This book is a fully revised and adapted version, based on her PhD research, and takes into account the April 2014 Directive on antitrust damages actions, agreed between the European Parliament and the Council. [Subject: EU Law, Competition Law, Civil Law]

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