

A MEPLI Roundtable



'SMART' REGULATION OF EUROPEAN PRIVATE LAW

Friday, 18 January 2013
09.30 – 17.00 hrs
UM Faculty of Law



Speakers

Prof. Jan M Smits – Dr. Andrea Renda – Prof. Alberto Alemanno
Dr. Kristel De Smedt – Prof. Linda Senden – Prof. Claudio Radaelli
Prof. Anne Keirse – Prof. Fabrizio Cafaggi – Prof. Geert van Calster
Prof. Alessio M Paccès – Dr. Ann-Sophie Vandenberghe

WHAT IS 'BETTER REGULATION' FOR EUROPEAN PRIVATE LAW?

Private law in Europe has undergone a significant transformation during the last two decades. From a branch of law that was scarcely affected by EU legislation, it has become the object of considerable harmonisation measures in order to achieve uniformity in the laws of the member states to facilitate free trade and protect European citizens. Simultaneously, in the past decade, there has been an increased attention for 'better regulation' in the EU, inspired by similar and earlier attempts in the US. The term better regulation is vague, but can be understood as a desire to improve the quality of legislation by better evaluating its likely economic, social and environmental impacts and to achieve a 'simplified' regulatory environment. The efforts of the European Commission to improve legislation and to reduce administrative burdens for industry have led to a regulatory environment, in which formal intervention is more limited and self-regulation and co-regulation have emerged as alternatives. The goal of this workshop is to assess how the better regulation agenda has shaped/can shape European private law, to assess the contribution of different approaches to achieve 'better regulation' and to assess opportunities and threats for European private law, in particular in respect with developments in self-regulation and co-regulation.

PROGRAMME

- 09.30 Registration and coffee
- 10.00 Welcome and introduction
- 10.15 *The goals of European private law*
(Prof. Jan M Smits)
- 10.30 *Smart regulation of EU private law and the contribution of RIA*
(Dr. Andrea Renda)
- 10.45 Discussion
- 11.15 Coffee
- 11.30 *Smart regulation and behavioural research*
(Prof. Alberto Alemanno)
- 11.45 *Smart regulation: the private abuse of the public interest*
(Dr. Kristel De Smedt)
- 12.00 Discussion
- 12.30 Lunch
- 13.30 *New instruments for better regulation of private law: soft law, the ultimate solution?*
(Prof. Linda Senden and Prof. Anne Keirse)
- 13.45 *What have policy-makers learned? Evaluating the performance of regulatory policy. A political science perspective.* (Prof. Claudio Radaelli)
- 14.00 Discussion
- 14.30 *Regulatory contracts: recasting the debate on European regulatory instruments*
(Prof. Fabrizio Cafaggi)
- 14.45 Case study: *Smart or smirk? The regulation of nanotechnology*
(Prof. Geert van Calster)
- 15.00 Discussion
- 15.30 Case study: *Smart regulation in the financial sector*
(Prof. Alessio M Paccès)
- 15.45 Case study: 'Regulating the European market for contract law: harmonisation or standardisation?' (Dr. Ann-Sophie Vandenberghe)
- 16.15 Discussion
- 16.30 Conclusions
- 16.45 Drinks

REGISTRATION AND INFORMATION

If you would like to participate, please register by sending an email to Dr. Kristel De Smedt at k.desmedt@maastrichtuniversity.nl. Please include your full name and designation and contact details. Registration is open until Friday 11 January 2013. Participation is free, but please be advised that space is limited. If you have already registered, but are subsequently unable to attend, kindly cancel your registration by contacting M-EPLI at the same email address.

ABOUT MEPLI

M-EPLI is the Maastricht European Private Law Institute. M-EPLI conducts fundamental research in the field of European private law, covering not only the law of contract, property and tort, but also European procedural law, European legal theory and European legal history. For more information please visit: www.maastrichtuniversity.nl/mepli