

Prof. M. D'Angelosante - ELR Exam – February 4<sup>th</sup> 2022

Name \_\_\_\_\_ Surname \_\_\_\_\_ m. number \_\_\_\_\_

**[2 or 3 points for each right answer, depending on the difficulty of the question; to be completed in 20 minutes]**

1. **The participation of the national legal system to the EU legal order is based on the following scheme (value 2 points):**
  - a) International agreement + incorporation order
  - b) International agreement + transposition of directives
  - c) Incorporation order + transposition of directives
  
2. **The EU directives are (value 2 points):**
  - a) Sources of law under the EU Treaties, based on these Treaties and regulated by the same Treaties
  - b) a special kind of action program
  - c) not binding sources of law addressed to the member States and aimed at fostering the fulfillment of the EU obligations
  
3. **As regards the international environmental conventions to which the EU has adhered, the member States (value 2 points)**
  - a) Cannot introduce more stringent provision for environmental protection
  - b) Can introduce more stringent provision for environmental protection
  - c) Are not obliged to their application, which just refers to the EU institutions
  
4. **The application of the principle of subsidiarity to the relationship between the EU and the member States in Environmental policies implies that (value: 2 points)**
  - a) The member States can intervene when environmental protection can be better achieved at national level
  - b) The member States can intervene with detailed rules and the EU with general rules
  - c) The EU can intervene when environmental protection can be better achieved at EU level
  
5. **Tripartite contracts in environmental field are contracts between (value: 2 points)**
  - a) The EU and a Member State in direct application of binding secondary Eu law;
  - b) The EU, a Member State and regional or local authorities in direct application of not binding Eu law;
  - c) The EU, a Member State and regional or local authorities in direct application of binding secondary Eu law.
  
6. **The financial advantages for environmentally 'friendly' products can be mainly traced back to (value: 2 points)**
  - a) The *Command and control model* instruments;
  - b) The *Market based* instruments;
  - c) Both these kinds of instruments.
  
7. **As regards environmental policies the EU Treaties establish that (value: 3 points)**
  - a) The legislative competence is in the exclusive hands of the EU;
  - b) The legislative competence is shared between the EU and member States;
  - c) The legislative competence is in the exclusive hands of the member States.

**8. As regards environmental policies the member States of the EU can intervene (value: 3 points)**

- a) Always without limitations, except than for the observation of the existing EU legislation
- b) When the EU has not taken action on a given environmental issue, providing to observe the general rules contained in the EU Treaties
- c) When the EU has already taken action

**9. The Environmental Impact Assessment procedure regards (value: 3 points)**

- a) Plans/programs of activities
- b) projects of works
- c) both plans/programs and projects

**10. The Strategic Environmental Assessment regards (value: 3 points)**

- a) Plans/programs of activities
- b) projects of works
- c) both plans/programs and projects

**11. According to the ECJ national sanctions for non-compliance with EU environmental law (value: 3 points)**

- a) can be traced back to the procedural autonomy of the member States
- b) must be effective, proportionate, dissuasive
- c) must correspond to sanctions for breach of equivalent national law provisions and be effective, proportionate, dissuasive

**12. The implementation of EU environmental law by the member States mainly consist of (value: 3 points)**

- a) transposition of directives, application and enforcement of other sources of law;
- b) application and enforcement of EU law having direct effect;
- c) transposition of directives.