

STRAND, Magnus. *The Passing-on Problem in Damages and Restitution under EU Law*. Cheltenham: Edward Elgar Publishing, 2017, 480 pp.

Review by

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As the name of the book indicates, author of this book brings and comprehensively elaborates the very actual passing-on problem in damages and restitutions under EU Law. The passing-on can be understood as an act (of the EU, Member State or commercial enterprise) of letting harm incurred pass through a business and move on (from commercial enterprise) to burden customers (commercial enterprise, Member State or consumer) at the next level of the supply chain. Then more legal questions arise: who among the parties involved should be able to sue whom, how far down the supply chain it is reasonable to trace the passing-on of an economic burden, whether to take passing-on into account in the quantification of awards, and how to prove the existence and extent of passing-on. Other legal aspects of passing-on deals with accession to the court, substantive proximity and the estimation of awards.

The reviewed book introduces and analyses all about mentioned and other various legal problems related to passing-on. Author provides the comprehensive analyses on definition of the term, effective judicial protection in EU Law, damages from the EU under Article 340 (2) TFEU and restitution from the EU, restitution from a Member State and damages from a Member State, damages for a breach of EU Competition law, damages and restitutionary actions brought against private individuals for a breach of EU Law other than competition law. Author in his book, except formulating own observances, deals with the actual EU legislation, but mostly with the rich case law of the European Court of Justice, European Court of Human Rights, and with the case law of the national courts from Canada, Denmark, Sweden and USA, too.

In recent situation, there are other books from other authors at the market, which deal with the damages and restitutions. Therefore, it is necessary to award an author's courage to choose this topic and originally approach to it. Concentration on passing-on problem is refreshing and quite actual.

Despite the topic is complicated, author has succeeded to explain it understandable even to a reader, which may not be specialized in restitution and damages. Regarding the content, this book is an excellent contribution to the scientific discussion on the processed topic. The professional level of the book is also very high – this book doesn't contain any incorrect statements and author proves his knowledge on chosen topic on excellent level, too.

Therefore, it must be stated, that the publication of this text was step forward in processing legal discussion on this topic.