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The intertwinement of EC law and national law may create unforeseeability in situations where EC law invades the national cases, which gives rise to the very question of legal certainty in EC law. This study contributes to the contemporary discussion, which wrestles with the following questions in

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Abstract. In the context of legal modernity, the principle of legal certainty - the idea that the law must be sufficiently clear to provide those subject to legal norms with the means to regulate their own conduct and to protect against the arbitrary exercise

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of public power – has operated as a foundational rule of law value.

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In contemporary scholarship legal certainty is enumerated as a 'principle of proper law making'. 7. As such it still includes these eight criteria.

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