

UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet: Primerjalno in evropsko upravno pravo
Course title: Comparative and European Administrative Law

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Prvostopenjski univerzitetni študijski program Pravo	Pravo	2022/23	zimski
First-cycle University Study Programme in Law	Law	2022/23	winter

Vrsta predmeta / Course type

Izbirni (posebni program študijskih izmenjav)
Elective (Special elective course for Erasmus students)

Univerzitetna koda predmeta / University course code: /

Predavanja Lectures	Seminar Seminar	Vaje Tutorial	Klinične vaje work	Druge oblike študija	Samost. delo Individ. work	ECTS
20	30			70	60	6

Nosilec predmeta / Lecturer: Roberto Fusco

Jeziki / Languages:

Predavanja / Lectures: Angleščina
English
Vaje / Tutorial:

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Prerequisites:

Študent na študijski izmenjavi na Univerzi v Ljubljani.

Exchange student of the University of Ljubljana.

Vsebina:

Predmet se osredotoča na upravno dejavnost v pomembnejših evropskih državah in v pravnem sistemu Evropske unije.

Vsebina je razdeljena v tri dele:

1. Uvod v primerjalno upravno pravo

Razvoj upravnega prava v Evropi

Upravni procesni modeli in njihov zgodovinski razvoj

2. Glavni sistemi evropskega upravnega prava

Primerjalna metodologija in upravno pravo

Upravno pravo v Evropi: tradicionalni sistemi

Upravno pravo in common law

3. Evropsko upravno pravo

Upravna organizacija Evropske unije

Viri Evropskega upravnega prava

Upravne funkcije in pristojnosti Evropske unije

Content (Syllabus outline):

The course focuses on the administrative activity in the main European countries and in the legal system of the European Union.

The teaching content can be divided into three parts:

I. Introduction to comparative administrative law

The development of administrative law in Europe

Administrative procedural models and their historical evolution

II. The main European systems of administrative law

Comparative methodology and administrative law

Administrative law in Europe: traditional systems

Administrative law in the countries of common law

III. European administrative law

The administrative organization of the European Union

The sources of European administrative law

The administrative functions and the administrative powers of the European Union

Temeljni literatura in viri / Readings:

Gradiva za delo na predavanjih bodo posredovana med izvajanjem predmeta.

Glavno gradivo:

P. Cane-H. C.H. Hofmann, *Comparative Administrative Law*, Oxford University Press;

P. Craig, *EU Administrative Law*, Oxford University Press.

Specific materials on the topics covered will be provided during the course.

Reference books:

P. Cane-H. C.H. Hofmann, *Comparative Administrative Law*, Oxford University Press;

P. Craig, *EU Administrative Law*, Oxford University Press.

Cilji in kompetence:

Predmet je namenjen osvojitvi temeljnega znanja o tradicionalnih evropskih sistemih upravnega prava in upravnega prava Evropske unije.

Namen predmeta je:

- osvojiti znanje o glavnih modelih upravnega prava in njihovem razvoju;
- osvojiti ustavna in zakonska načela ter glavne institucije javne uprave;
- razumeti mehanizme za varstvo pravic in interesov posameznikov v njihovih razmerjih do javne uprave in do vloge sodišč.

Objectives and competences:

The course is designed to provide an adequate knowledge of the main traditional administrative law systems in Europe and of the European Union administrative law.

The course aims to:

- introduce knowledge of the main models of administrative law and their evolution;
- learn the constitutional and legislative principles and the fundamental institutions of public administration;
- understand the mechanisms for protecting the rights and interests of citizens in their relations with the public administration and the role played by the Courts.

Predvideni študijski rezultati:

Študent bo po uspešnem zaključku predmeta sposoben:

- uporabljati upravnopravno terminologijo;
- identificirati različne modele upravnega prava in prikazati njihovo delovanje;
- pravilno uporabljati primerjalno metodologijo in kritično oceniti različne modele upravnega prava.

Intended learning outcomes:

At the end of the course, students should be able to:

- use the legal-administrative language;
- identify the different models of administrative law and illustrate how they work;
- correctly apply comparative methodologies in the examination and critical evaluation of the different models of administrative law.

Metode poučevanja in učenja:

Predavanja.

Gradivo bo predloženo pred predavanji. Od študentov se pričakuje aktivno sodelovanje pri diskusiji na predavanjih.

Learning and teaching methods:

Lectures.

Before the classes, materials will be provided. Students will be expected to actively participate to the discussion in class.

Delež (v %) /

Načini ocenjevanja:

Weight (in %)

Assessment:

Ustni izpit

Oral examination to test the level of knowledge of the course topics.

Reference nosilca / Lecturer's references:

Roberto Fusco je z odliko diplomiral iz prava na Univerzi v Trstu, kjer je tudi doktoriral iz Integriranih znanosti za teritorialno trajnost ter pridobil štipendijo za projekt »Pravo in ekonomika javnih dobrin

in energetskih virov«. V okviru svoje raziskovalne dejavnosti na področju upravnega prava je objavil več znanstvenih del, ki se osredotočajo predvsem na vprašanja okoljskega in energetskega prava, upravnega sodstva, teritorialne uprave in pogodbenega prava. Kot pogodbeni predavatelj je izvajal več predmetov na Univerzi v Trstu, med drugim okoljsko pravo, upravno pravo, finance in upravno procesno pravo. Kot predavatelj je sodeloval na več znanstvenih konferencah. Deluje tudi kot odvetnik, njegova odvetniška pisarna je osredotočena na področje upravnega prava, s posebnim poudarkom na vprašanih upravnih pogodb, varstva okolja in krajine, urbanizma, gradnje in javnih subvencij.

Roberto Fusco graduated with honours in Law in the University of Trieste, where he also obtained a PhD in Integrated Sciences for Territorial Sustainability, obtaining a scholarship for the project "Law and Economics of Public Goods and Energy Sources". As part of his research activity in the field of administrative law, he has carried out several scientific publications, focusing in particular on issues related to environmental and energy law, administrative justice, territorial government and public contract law. He has held, as contract lecturer, several academic courses at the University of Trieste, including Environmental Law, Administrative Law, Finance Science and Administrative Procedural Law. He has also participated as a speaker in several scientific conferences. He also works as a lawyer and his legal practice is focused on the field of administrative law, with particular regard to issues relating to public contracts, environmental and landscape protection, town planning, construction and public subsidies.