**ADMINISTRATIVE LAW**

**(Academic year 2018-2019)**

**(Prof. Paolo Dret)**

**Educational objectives**

Adopting a perspective focusing on problem solving, the course aims to provide fundamental notions and the method for understanding and interpreting the normative provisions resulting from administrative action and administrative organisation and identifying evolutionary trends within administrative law.

The course therefore has a twofold objective:

* providing the fundamental notions and the method for critically understanding and interpreting administrative law.
* developing an ability for problem solving based on logical argumentation – which should be presented using technically correct and appropriate terminology – of legal problems relating to administrative organization and activity.

At the end of the course students will be able to understand the general framework of administrative organization and of administrative action and the basic notions of its judicial review and their main critical aspects.

**Programme**

* Public Administration and Constitution: constitutional principles and their implementation through legislation; recent constitutional changes and new perspectives of administration in a globalized background.
* The administrative activity: procedures and decisions; the use of discretionary power; the abuse of discretion and the invalidity of administrative decisions.
* Administrative agreements
* Basic notions and general framework of administrative organization.
* General framework of protection against public administration and judicial review of administrative action (basic notions).

**Recommended literature**

M. D’alberti, *Lezioni di diritto amministrativo*, G. Giappichelli Editore, Torino, ultima edizione

or

G. Corso, *Manuale di diritto amministrativo*, G. Giappichelli Editore, Torino, parte prima, parte seconda, parte terza (limitatamente ai paragrafi da 1 a 13), ultima edizione.

It is **essential** that students consult and gain knowledge of the fundamental legislative texts cited in the publication indicated. It is thus necessary to refer to an up-to-date Administrative Code.

**Examination**

The exam will be carried out as oral exam.

For attending students there is an oral exam on the topics dealt with during the lessons and the related teaching materials uploaded on the e-learning platform.

For non attending students there is an oral exam on the entire programme.

The exam is intended to verify knowledge of fundamental categories of administrative law and the ability to contextualize the knowledge acquired within a systematic framework and to test the ability to reason in relation to legal questions arising within administrative law.