

## **ADMINISTRATIVE LAW**

### **Teaching Information**

Administrative Law (C.I. - Module of substantive law), 10 CFU, 75 hours, CdL Law, I semester, A.Y. 2023/2024.

### **Teacher Information**

Prof. Fabio Saitta, [fsaitta@unicz.it](mailto:fsaitta@unicz.it), room n. 12 Legal Area Building, office hours as per notices published on the bulletin board.

### **Course Description**

The course focuses on the study of the organization and activity of public administrations, both in the context of the traditional public system (subjectivity, organization of public bodies, principles, goods, procedure and acts), and in the part relating to the private law activity of the public administration (contracts and responsibilities).

### **Course objectives and expected learning outcomes**

The course aims to provide students with the acquisition of theoretical knowledge, necessary to understand the organizational and functional dynamics of public administrations, developing a critical approach to the main issues of the discipline.

### **Program:**

1. Public administration. Subjects and assets. The Italian administrative organization.
2. Administrative activity. 2.1. Administrative activity under private law. The contracts of the P.A.. The responsibility of the P.A.. 2.2. Administrative activity of an authoritative nature. The principles. Administrative discretion. The administrative measure. The administrative procedure: Law No 241/1990. Administrative measures: typology; effectiveness and validity. 2.3. Public services: concept and discipline.
3. Public goods and public interest.

## **Estimation of the hourly commitment required for the individual study of the program**

The hourly commitment required for the study of the program is estimated at 175 hours.

## **Teaching methods used**

The teaching will take place through lectures, simulation of practical cases, exercises and seminars.

## **Learning Resources**

### Textbooks (alternatively)

1. E. Casetta, *Manuale di diritto amministrativo*, 25th ed., edited by F. Fracchia, Milan (Giuffrè), 2023 (excluding section I of chapter XI);

2. See Cerulli Irelli, *Lineamenti del diritto amministrativo*, 7th ed., Torino (Giappichelli), 2021 (excluding chapter 11) + F.G. Scoca (ed.), *Giustizia amministrativa*, 9th ed., Torino (Giappichelli), 2023 (excluding: paragraphs 2 and 3 of chapter 2 of part 2; sections two and three of chapter 6 of part 5; chapter 3 of part 7);

3. G. Corso, *Manuale di diritto amministrativo*, 10th ed., Torino (Giappichelli), 2022 (excluding part III) + F.G. Scoca (ed.), *Giustizia amministrativa*, 9th ed., Torino (Giappichelli), 2023 (excluding: paragraphs 2 and 3 of chapter 2 of part 2; sections two and three of chapter 6 of part 5; chapter 3 of part 7);

4. D. Sorace – S. Torricelli, *Diritto delle amministrazioni pubbliche*, 3rd ed., Bologna (il Mulino), 2023 (excluding chapter XIV) + F.G. Scoca (ed.), *Giustizia amministrativa*, 9th ed., Torino (Giappichelli), 2023 (excluding: paragraphs 2 and 3 of chapter 2 of part 2; sections two and three of chapter 6 of part 5; chapter 3 of part 7);

5. M. Clarich, *Manuale di diritto amministrativo*, 5th ed., Bologna (il Mulino), 2022 (excluding Part IV) + F.G. Scoca (ed.), *Giustizia amministrativa*, 9th ed., Torino (Giappichelli), 2023 (excluding: paragraphs 2 and 3 of Chapter 2 of Part 2; Sections Two and Three of Chapter 6 of Part 5; Chapter 3 of Part 7).

### Other teaching material

The program also includes the reading and knowledge of the current text of Law no. 241 of 7 August 1990.

## Support activities

Seminars and educational interviews with students.

## Frequency mode

Attendance during lessons will be detected.

## Assessment procedure

The general procedures are indicated in the University didactic regulations in art. 22 available at the link [http://www.unicz.it/pdf/regolamento\\_didattico\\_ateneo\\_dr681.pdf](http://www.unicz.it/pdf/regolamento_didattico_ateneo_dr681.pdf) The oral exam is preceded by a written test consisting of a test of 30 multiple choice questions.

The test is passed if the student answers at least 18 out of 30 questions correctly.

An intermediate test will also be held for students attending the course of the lessons.

	<b>Knowledge and understanding argument</b>	<b>Analysis and synthesis skills</b>	<b>Use of references</b>
Not eligible	Important shortcomings. Significant inaccuracy	Irrelevant. Frequent generalizations. Inability to synthesize	Completely inappropriate
18-20	At threshold level. Imperfections Obvious	Barely enough capacity	Just appropriate
21-23	Routine knowledge	It is able to correct analysis and synthesis. Argue logically and consistently	Use standard references
24-26	Good knowledge	Has ability to a. and s. good arguments are expressed consistently	Use standard references
27-29	More than good knowledge	It has remarkable abilities of a. and s.	He deepened the topics
30-30L	Excellent knowledge	Has remarkable capabilities by A. and S.	Important Insights

## APPENDIX

### INTEGRATED COURSE: ADMINISTRATIVE LAW

#### MODULE: Substantive administrative law

**CFU: 10**

**Skills required of the future graduate that are intended to be provided:**

#### **EXPECTED RESULTS**

##### **A) Knowledge and understanding**

ACTIVITIES	LESS ON HOUR S	STUD HOUR S  INDIV.
A1) Acquisition of knowledge about administration and its right	8	19
A2) Ability to understand administrative organization	10	23.5
A3) Acquisition of the constitutional principles of public administration	10	23.5
A4) Acquisition of knowledge on subjective legal situations	10	23.5
A5) Acquisition of knowledge on the procedure and administrative measure	20	47
A6) Acquisition of knowledge on public administration contracts, obligations and responsibilities.	10	23.5
<b>TOTAL</b>	<b>68</b>	<b>160</b>

## **B) Ability to apply knowledge and understanding**

INTERNSHIP / LABORATORY ACTIVITY	HOURS
<u>NOT RELEVANT</u>	

## **C) Making judgements**

C1) Be in degree of estimate and understand the Dynamic organizational and functional of the public administration.

## **D) Communication skills**

D1) Ability to describe and comment on the acquired knowledge, adapting the forms of communication to the interlocutors.	1	2.5
D2) Ability to communicate the acquired concepts in a clear and organic way.	1	2.5
<b>TOTAL</b>	<b>2</b>	<b>5</b>

## **E) Learning skills**

E1) Ability to update through the consultation of scientific publications in the sector, and the telematic resources at their disposal.	1	2
E2) Ability to critically evaluate the results of scientific research applied to the sector	1	2
E3) Ability to fully continue the studies, using the basic knowledge acquired in the course, particularly useful in the study of the following courses	3	6
<b>TOTAL</b>	<b>5</b>	<b>10</b>

CONSISTENCY BETWEEN CREDITS and TEACHING LOAD:

Total available hours (CFU x 25) = 250

Divided into

frontal teaching hours = 75

hours of individual study =  
175

hours internship / laboratory / supplementary activities = not applicable

