UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Regional and Local Law

2324-2-FSG01A008

Learning objectives

The student will acquire a solid knowledge of the founding principles of the Italian Regional law through a deeper understanding of sources oflawand the study of the different forms of autonomy enjoyed by regional authorities.
On the basis of the given criteria the student will be able to distinguish regional form of state from federal, confederate or unitary experiences, also referring to historical and comparative data. Secondly, the student will obtain the ability to comprehend normative texts, including the Constitution, and primary and secondary sources of law. Along with the juridical theory and method, the student will also learn the constitutional practices, above all through the development of the capacity to interpret and utilize constitutional case law.

Contents

The course will address the study of Italian regional and local legal system through the knowledge of the institutional organisation and functions of Italian regions, in the perspective of the constitutional model and its changes introduced with constitutional statutes n. 1/1999, n. 2/2001, n. 3/2001. Part of the course is also assigned to the law of local authorities.

Detailed program

The syllabus includes:

1. General concepts: unitary State; confederation and federation; regional State.
2. The evolution of the Italian regionalism from constitutional models to the reform of Title V, Part II of the Constitution.
3. The unity of the Republic and institutional pluralism. The constitutional autonomy of Regions and local

authorities.
4. The regions with special autonomy regime.
5. The regional political system: constitutional models and regional variations.
6. The governing bodies of the regions and local authorities.
7. Legislative autonomy of the Regions (art. 116 and 117 Cost.)
8. The regulatory autonomy of local authorities.
9. Administrative autonomy and the new article 118 of the Constitution.
10. The relationship beetween Regions and UE. The Regional federative power
11. Cooperative connections and the Conference system
    Attending students should prepare themselves exclusively on the topics that will be covered in class (including an in-depth study of the institutions of the Lombardy region). For this part, special material will be provided for lessons.

Prerequisites

Basic knowledge of the italian Constitutional law

Teaching methods

Lectures.

Assessment methods

The exam consists of an oral interview. For attending students the final grade will also be based on the active participation during lectures.

Textbooks and Reading Materials

Attending students will have to prepare the exam on the following text:

- A. D'Atena, Diritto regionale, Torino, Giappichelli, most recent edition.
- P. Caretti, G. Tarli Barbieri, Diritto regionale, Giappichelli, most recent edition.

For non attending students it is advisable to prepare for the exam on one of the following textbooks:

- B. Caravita, F. Fabrizi, A. Sterpa, Lineamenti di diritto costituzionale delle regioni e degli enti locali, Giappichelli, 2019
- Carloni, Cortese F., Diritto delle autonomie territoriali, Wolters Kluvers-Cedam, 2021 exluding chapter 8 of Part One and 3, 4, 6, 7, 8, 10, 11 e 12 of Part Two.

In order to prepare the exams is important also to refer to the main decisions taken by the Italian Constitutional Court, discussed during lectures, reachable on the following website:

1. www.cortecostituzionale.it
2. www.giurcost.org

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