

# UNIVERSITÀ DEGLI STUDI DI MILANO-BICOCCA

# **COURSE SYLLABUS**

## Public and Economic Law - 2

2425-1-E3303M005-T2

#### Learning objectives

This teaching intends to offer a reasoned recognition of the institutions of public law more directly related to economic dynamics. The "economic constitution" is the framework within which the multiple and varied intervention strategies of the State and other public bodies in the economic field are developed. A careful look also at the European and supranational dynamics will allow to intercept the implications of the public law of the economy in a global perspective.

#### **Contents**

The course will be structured in three main parts. The first part includes the reconstruction of the Italian constitutional order, starting from the system of sources of law and analyzing the form of government and the guarantee institutions. The second part is dedicated to the "economic constitution", ie the principles and rules that the Constitution, within the framework of the European Treaties, dedicates to the economic factor understood in its complexity. Finally, the third part focuses on administrative action, with particular reference to the various dimensions in which the State interacts with the economic sphere: producer of services or economic activities; financier; regulator of private economic activity.

# **Detailed program**

First part: Sources of law, form of government, guarantee institutions

- 1. The basic notions of law.
- 2. The sources of law and the criteria for resolving antinomies.
- 3. The fundamental principles of the Italian Constitution.

- 4. Democracy and electoral systems
- 5. Parliament: organizational profiles
- 6. The ordinary and constitutional legislative function
- 7. The abrogation referendum
- 8. The Government: organizational profiles and functioning
- 9. The regulatory activity of the Government
- 10. The President of the Republic: role and functions
- 11. The judicial system
- 12. The Constitutional Court

Part Two: The Economic Constitution

- 13. Introduction to fundamental rights
- 14. The sense of the economic Constitution
- 15. The freedom of private economic initiative
- 16. Property in the Constitution
- 17. Work and union organization
- 18. Substantial equality and social rights
- 19. The budget cycle between Parliament, Government and European institutions
- 20. The independent administrative authorities Third part: The administrative action
- 21. The public administrations
- 22. The principles of administrative activity within the framework of European constraints
- 23. Administrative power, procedures and measures
- 24. Legitimate interest and its protection
- 25. The consensual activity of the public administration
- 26. Economic public services: organization and regulation

### **Prerequisites**

None.

#### **Teaching methods**

The course consists of 72 hours, of which 70% consist of face-to-face and remote lessons, and 30% consist of case discussions through the formation of groups of students, and in-depth seminars.

Remote lessons will take place within a percentage of less than 30% of the total hours, to be harmonized with the teaching needs of the degree course.

For the purposes of the interactive activity, the following study platform will be used (containing case studies, concept maps and self-assessment quizzes): www.giappichelliedu.it

#### Assessment methods

The exam is oral.

Attending students will be offered the opportunity to participate in two written tests (one intermediate, the other at the end of the course).

# **Textbooks and Reading Materials**

- Q. Camerlengo, F. Furlan, Lezioni di diritto costituzionale vivente, seconda edizione, Cedam, Padova, 2023 or alternatively:
- S. Civitarese, P. Bilancia, II diritto pubblico nella società contemporanea, Giappichelli, Torino, 2023

## Semester

Second Semester

# **Teaching language**

Italian

# **Sustainable Development Goals**

SUSTAINABLE CITIES AND COMMUNITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS