



UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Diritto delle Amministrazioni Pubbliche

2627-1-F4902N010

Learning objectives

Upon completion of the course, students will have acquired knowledge of the main legal instruments available to individuals for protecting their interests in their relations with public administrations, particularly within the framework of administrative procedures.

By the end of the course, students will have acquired:

- Knowledge and understanding of the principal legal instruments available to private individuals for protecting their interests in their dealings with public authorities, with particular reference to administrative proceedings;
- The ability to understand and analyse the legal institutions covered in the course, including through the examination of practical cases and judicial decisions;
- Independent judgment in interpreting legal provisions and identifying the most appropriate legal solutions;
- Communication skills for presenting and discussing legal issues and arguments;
- The ability to engage in independent learning, including through the consultation of legislative and regulatory sources.

Contents

The course examines the legal relationships between citizens and public administrations through the study of the principles and rules governing administrative organisation and administrative action. Particular attention will be devoted to the constitutional principles of public administration, administrative organisation, administrative procedures, administrative acts and decisions, mechanisms for citizen participation and legal protection, as well as the main aspects of public administrative liability.

Detailed program

1. Administrative Law: An Introduction.
2. The General Framework:
 - from the Rule of Law State to the Welfare State;
 - beyond the State: the European Convention on Human Rights and its impact on administrative law.
3. Public Administration from an Institutional Perspective:
 - independent administrative authorities;
 - the regional State;
 - private actors and administrative law.
4. General Principles:
 - the principle of legality: legality as guidance and legality as a guarantee;
 - the principle of impartiality;
 - the principle of good administration;
 - the adversarial principle (right to be heard);
 - the duty to state reasons;
 - the principles of transparency and publicity;
 - the principles of proportionality and reasonableness;
 - the principle of public competitive examinations and recruitment.
5. Administrative Action: Administrative Procedure and Administrative Acts:
 - the Administrative Procedure Act: general framework;
 - initiation of the procedure: the person in charge of the procedure and notice of commencement;
 - the investigative phase: fact-finding and consideration of interests;
 - participation in administrative proceedings;
 - the decision-making phase: administrative acts, agreements and administrative silence;
 - invalidity of administrative acts: nullity and annulability;
 - review procedures and administrative self-remedies (self-review powers);
 - the Certified Notification of Commencement of Activity (SCIA).
6. Public Liability:
 - liability of public administrations and public officials.

Prerequisites

No prerequisite courses are required.

Teaching methods

- 20 two-hour face-to-face lectures;
- 8 two-hour synchronous online lectures.

Assessment methods

The assessment consists of an oral examination designed to evaluate students' knowledge and ability to critically discuss the main legal principles and institutions relating to the organisation and functioning of public administrations.

Assessment - based on completeness, linguistic accuracy, and an adequate understanding of the legal concepts

examined during the course - aims to evaluate the depth and maturity of students' achievement of the intended learning outcomes. Grades are awarded on a 30-point scale (minimum passing grade: 18/30), with the possibility of lode (honours) for outstanding performance, in accordance with the Italian academic tradition. No mid-term assessments are provided.

Textbooks and Reading Materials

Required reading:

- B.G. Mattarella, Lezioni di diritto amministrativo, Turin, Giappichelli, latest edition, excluding Chapters XI, XII, XVIII and XX;

or, alternatively,

- M. Clarich, Manuale di diritto amministrativo, Bologna, Il Mulino, latest edition, excluding Chapters VI, IX, XI, XII, XIII and XIV.

Sustainable Development Goals

QUALITY EDUCATION | INDUSTRY, INNOVATION AND INFRASTRUCTURE | SUSTAINABLE CITIES AND COMMUNITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS
