



General information		
Academic subject	Administrative law I A-L	
Degree course	LMG – LMGI (A-Z) - CONSLAV	
Academic Year	3°	
European Credit Transfer and Accumulation System (ECTS)		9
Language	Italian	
Academic calendar (starting and ending date)	2nd semester (17 February 2025 to 23 May 2025)	
Attendance	Optional	

Professor/ Lecturer	
Name and Surname	Agostino Meale
E-mail	agostino.meale@uniba.it
Telephone	0805717224
Department and address	Palazzo Del Prete, Piazza C. Battisti, Bari, IV piano
Virtual headquarters	
Tutoring (time and day)	Monday, after class, Prof. Agostino Meale, in attendance; Tuesday, from 12 noon to 1 p.m., Dr Augusto Di Cagno, in attendance, by appointment by e-mail to augusto.dicagno@uniba.it ; from 3 p.m. to 4 p.m., Dr Federica Santomauro, by appointment by e-mail to federica.santomauro@uniba.it ; Thursday, from 8.30 a.m. to 9.30 a.m., Dr. Salvatore Esposito, in person, by appointment by e-mail to salvatore.esposito@uniba.it .

Syllabus	
Learning Objectives	<p>The Administrative Law - Substantive Part course aims to provide students with the necessary legal tools to understand the public administration as a whole and the rules of its operation. In addition to an examination of its organisation, particular attention will be devoted to the principles that inform administrative activity (both of a provvedimental and non-authoritative nature), now more than ever affected by a series of regulatory interventions that have broadened the citizen's participation guarantees in the administrative procedure and substantially affected some classic rules of the subject.</p> <p>The course, therefore, aims at enabling students to acquire the correct legal terminology and specific skills that will enable them to place the various administrative law institutions under study in the legal system, including the European one, identifying the rules applicable to them, as well as to make comparisons and links with other disciplines.</p> <p>The student must also be able to deepen autonomously what has been learnt, in order to use the basic knowledge acquired to achieve further results, confirming a matured autonomy of judgement also in the possible solution of concrete cases.</p>
Course prerequisites	Private Law, Constitutional Law
Contents	<p>I. The evolution of administrative law. Historical and constitutional profiles; the influence of European law. The sources: regulations and other acts with general content.</p> <p>II. Administrative organisation. Public administrations and administrative functions: structural, organisational and functional aspects. Independent administrative authorities. Public assets. Public profiles of public employment; the employment relationship with the P.A.; The evaluation of</p>

	<p>performance, objectives and results and the appeal for the efficiency of public administrations. The performance measurement and evaluation system. The PIAO.</p> <p>III. Subjective legal situations. The subjective legal situations of the administration and of private individuals. Interests: private interests, collective interests, general interests, public interests.</p> <p>IV. Administrative activity. Discretion. The principles of administrative action. Constitutional profiles and principles of the Community system. The administrative procedure: stages and problems. The time limits for concluding the procedure: the power of substitution; damage due to delay; anti-corruption. Self-certification. The cases of silence of the P.A., including the silence of assent between PP.AA. The SCIA. Control as an integrative phase of the effectiveness of the measure; the suspension of administrative measures.</p> <p>V. Administrative Procedure. Concept, elements, classification. and measure: the general principles of the activity. The regime of measures: effectiveness, enforceability and enforceability. The invalidity of administrative measures. Non-existence; nullity; annulment. Second-degree administrative measures; demolition and conservative self-defence. Civic access, the obligation to publish and access to administrative documentation pursuant to Law No. 241/1990.</p> <p>VI. The Services Conference. Types, legal nature and operation. The discipline of dissent.</p> <p>VII. The consensual activity and the contractual activity of the P.A. Agreements replacing the measure and the procedure.</p> <p>VIII. The discipline of public contracts. The general principles and modalities for awarding public contracts.</p> <p>IX. The liability of P.A. employees. The liability of officials and managers resulting from the exercise of administrative power.</p> <p>X. Transparency and anti-corruption: the PNA and the plans of the individual administrations; measures to prevent and combat corruption in the P.A.</p>
Books and bibliography	<p>Alternatively and at the student's choice:</p> <p>E. CASETTA, Manuale di diritto amministrativo, Giuffrè, Milano, ultima edizione disponibile, fino al Capitolo VIII;</p> <p>F.G. SCOCA (a cura di), Diritto Amministrativo, Giappichelli, ultima edizione disponibile;</p> <p>AA.VV., Istituzioni di Diritto Amministrativo, Giappichelli, Torino, ultima edizione disponibile.</p>
Additional materials	It is advisable to combine the study of the manual with constant consultation of the main up-to-date regulatory texts.

Work schedule			
Total	Lectures	Hands on (Laboratory, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
Hours			
225	72		153
CFU/ECTS			
9			
Teaching strategy			
		lectures	
Expected learning outcomes			

Knowledge and understanding on:	Students will acquire basic and advanced knowledge of substantive administrative law and will be able to understand the rationale of the legislation and its systematic links.
Applying knowledge and understanding on:	Students will acquire basic and advanced knowledge of substantive administrative law and will be able to research legislative, jurisprudential and doctrinal sources in order to delve into the subject matter from a practical as well as theoretical perspective.
Soft skills	<ul style="list-style-type: none"> • Autonomy of judgement Students will acquire the ability to analyse and judge the legitimacy and appropriateness of public administration action. • Communication skills Students will acquire the specific legal language and the ability to examine the rationale and main features of the institutes of substantive administrative law. • Ability to learn independently Students will acquire the general knowledge required to examine specific topics in depth and place them within the administrative law system.

Assessment and feedback	
Methods of assessment	Oral examination with questions on the examination programme.
Evaluation criteria	<ul style="list-style-type: none"> • Knowledge and understanding Level of knowledge and understanding of the topics forming part of the examination programme. • Applied knowledge and understanding Level of knowledge of the method of researching legislative, jurisprudential and doctrinal sources. • Autonomy of judgement Ability to analyse and make judgements on the general themes and main issues of substantive administrative law. • Communication skills Knowledge and use of the specific legal language of the subject and ability to expound, also by using examples and links between normative texts and legal institutions of the subject. • Ability to learn Ability to learn reference manuals and understanding of the most relevant sources for the study of the discipline.
Criteria for assessment and attribution of the final mark	<p>The examination takes place orally and serves to ascertain the student's effective acquisition of the knowledge, skills and abilities described in the section "Learning objectives and expected learning outcomes".</p> <p>The examination grade, expressed in thirtieths, will attest to the level of preparation ascertained; the level of preparation is graded as follows: excellent (30/30), very good (28/29), good (25/27), fair (21/24), sufficient (18/20). The awarding of honours (30 e lode) presupposes the unanimous agreement of the examination board.</p> <p>The student may choose to take a single examination for the 18 CFUs (Administrative Law I and II): due to their respective disciplinary contents, the verification of adequate knowledge of concepts and institutes of substantive administrative law (Administrative Law I) precedes and conditions the verification of procedural administrative law and administrative justice (Administrative Law II);</p>

	<p style="text-align: center;">or</p> <p>the examination of Administrative Law I (for the first 9 CFU) and, subsequently, that of Administrative Law II (for the other 9 CFU).</p>
Additional information	