# Administrative Law II

## Prof. Giuseppe Manfredi

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The aim of the course is to illustrate the special features of Italian administrative justice, also in the light of the Code of administrative proceedings, in correlation with the different subjective positions that can be legally protected, with a special focus on the analysis of the protection offered to citizens in administrative justice proceedings, as well as the substantive reasons underlying the specificities of such proceedings compared with civil proceedings.

At the end of the course, students will be proficient in the structure of administrative justice proceedings and of the other instruments available for the protection of citizens vis-à-vis public administrations provided for by the law, as well as being aware of the main problems linked to their application.

Furthermore, students will have acquired knowledge of the protection instruments offered by administrative justice.

***COURSE CONTENT***

Origins of administrative justice in Italy. Constitutional principles on administrative justice, Legitimate interest in the administrative justice system. The allocation of jurisdiction between ordinary judge and administrative judge. The Code of administrative proceedings and administrative proceedings Law. Subject matter jurisdiction, Jurisdiction on the merits and exclusive jurisdiction. Administrative justice proceedings process. Subject-matter, parties and the procedure. Precautionary measures in administrative proceedings. Extraordinary administrative justice proceedings. Appeals and other means of appeal. The administrative judgement and enforcement of the sentence. Awarding of compensatory damages. Electronic Administrative justice proceedings (PAT) and the Digital Administration Code (CAD) amid technical regulations and changes in proceedings. Powers of the ordinary judge vis-à-vis the public administration. Extraordinary proceedings before the ordinary judge. The regulation of administrative complaints.

***READING LIST***

A. Travi, *Lezioni di giustizia amministrativa,* Giappichelli, Turin, last available edition. Moreover, it is essential for students to master the Constitution, as well as the laws on judicial protection vis-à-vis the public administration.

***TEACHING METHOD***

The course will be taught with frontal lectures. Students are strongly advised to attend, even though it is not compulsory.

***ASSESSMENT METHOD AND CRITERIA***

Students will have to take an oral exam that covers the course programme. Students will have to show that they understand the principles and basic issues of the judicial protection system vis-à-vis the public administration, and that they master the fundamental principles regulated by the Code of administrative justice proceedings.

***NOTES AND PREREQUISITES***

In order be able to attend the course successfully, it is considered that students should have previously studied the fundamentals of constitutional law and of the Code of Civil procedure.

Information on office hours available on the teacher's personal page at [http://docenti.unicatt.it/](about:blank).