

Program: Doctoral Academic Studies –
Course title: ADMINISTRATIVE PROCEDURE LAW
Teachers: Full-time Prof. Dr. Zoran Tomić, ztomic@ius.bg.ac.rs Full-time Prof. Dr. Dobrosav Milovanović, bata@ius.bg.ac.rs Associate Prof. Dr. Marko Davinić, markod@ius.bg.ac.rs Assistant Prof. Dr. Vuk Cucić, vukcucic@ius.bg.ac.rs
Course status: optional - mandatory for the Administrative Law specific scientific area
Number of ECTS: 10
Requirements: /
Aims of the course: The aim of this course is to enable candidates to broaden and deepen their knowledge in the field of administrative procedure law.
Course result: Candidates should acquire knowledge and skills that would enable them to approach complex questions of administrative procedure law critically and to conduct independent research in this area.
Course content: A. Administrative Procedure Law (APL) I. <i>Organizational, Material And Procedural Law;</i> II. <i>Subject-Matter of APL;</i> 1. Notion And Subject matter of APL; 2. Classification of the subject matter of APL. III. <i>APL and other Procedural Rights;</i> B. The Process of Administrative Rulemaking 1. The Process of Administrative Rulemaking in a broad theoretical sense (Administrative Laws) 2. The Process of Administrative Rulemaking in a narrow theoretical sense (Administrative Regulations) C. Administrative Procedure I. <i>General administrative procedure</i> 1. The development of the administrative procedure; 2. Notion of the administrative procedure; 3. Classification of administrative procedures; 4. The General Administrative Procedure Act (GAPA) in national law; II. <i>Administrative Procedure in the first instance;</i> 1. Principles of administrative procedure; 2. Phases of administrative procedure; 3. Participants of administrative procedure; 4. The administrative authority and its competences in the administrative procedure (notion and types); 5. The party in administrative procedure (notion, types, features); 6. Communication between the administrative authority and parties; 7. Time limits and <i>restoration of prior status;</i> 8. Administrative procedure in the first instance: Initiation, participants, merger of administrative matters into one procedure; 9. Party autonomy (the principle of disposition) in administrative procedures; 10. Direct Deciding and the Inquiry procedure; 11. Oral Hearing; 12. Evidence; 13. Finalizing first instance proceedings (rendering decisions or conclusions); 14. Administrative decision (Notion, form, content, classification, time limits for rendering a decision etc.) 15. Administrative conclusions (Notion and forms); 16. Administrative procedure in practice. III. <i>Administrative Procedure in the second instance</i> 1. Right to appeal; 2. Competences of the appellate authority; 3. Time limits for lodging an appeal;

<p>4. Content;</p> <p>5. Appeal procedure;</p> <p>6. Time limits for rendering a decision and delivering second instance administrative decisions.</p> <p>IV. <i>Extraordinary legal remedies.</i></p> <p>V. <i>Enforcement of administrative decisions</i></p> <p>D. Judicial review of administrative acts (Administrative Dispute)</p> <p>I. Origins, development, classification and systems of administrative disputes;</p> <p>II. The Administrative Disputes Act (ADA) in Serbian positive law (Subject matter, the court and parties, administrative suit and reasons for challenging an administrative act, legal remedies, the binding effect of court decisions, administrative disputes in practice).</p>			
<p>Literature:</p> <p>Mandatory: Zoran R. Tomić, <i>General Administrative Law</i>, University of Belgrade Faculty of Law, Official Gazette, Belgrade 2017.</p> <p>Recommended:</p> <p>Tamaš Korhec, <i>Administrative Law</i>, USEE, Novi Sad, 2012; Predrag Dimitrijević, <i>Administrative Law</i>, book 1-2, Niš, 2008; Mile Ilić, <i>Administrative Law</i>, The Balkan centre for studying local administration, Niš, 2006; Zoran Lončar, <i>Administrative Law</i>, Institute for Textbooks and Teaching Resources (<i>Zavod za udžbenike i nastavna sredstva</i>), Belgrade, 2006; Dragan Milkov, <i>Administrative Law</i>, Faculty of Law, Centre for publishing activity (<i>Centar za izdavačku delatnost</i>), Novi Sad, 2003; Slavoljub Popović <i>et alia</i>, <i>Administrative Law</i>, Belgrade, 2003; Ratko Marković, <i>Administrative Law</i>, Belgrade, 2002; Guy Braibant, <i>Le Droit Administratif Français</i>, Paris, 1993</p>			
Number of lectures – active classes		Theoretical classes: 75	Practical classes :
<p>Instruction method:</p> <p>Lectures, consultations.</p>			
Grading system (maximum number of points 100)			
Pre-exam obligations	points	Final Exam	points
Activities during lectures	30	<i>Oral exam</i>	70
Activities during practical classes			
Tests			
Seminar classes			