UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	**Javna uprava**
Course title:	**Public Administration**

Študijski program in stopnja **Study programme and level**	**Študijska smer** **Study field**	**Letnik** **Academic year**	**Semester** **Semester**
Pravo – 1. stopnja		3	1
Law – 1st degree		3	1

Vrsta predmeta / Course type:	obvezni / mandatory
Koda predmeta /Course code:	

Predavanja **Lectures**	**Seminar** **Seminar**	**Vaje** **Tutorial**	**Druge oblike študija** **Other type study**	**Samost. delo** **Individual work**	**ECTS**
40		20		40	4

Nosilec predmeta / Lecturer:		doc. dr. Martin Dekleva / Asst Prof Martin Dekleva
Jeziki/Languages:	Predavanja / Lectures:	slovenski jezik / Slovenian
	Seminar / Seminar:	slovenski jezik / Slovenian

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:

Vpis v 3. letnik dodiplomskega študija. Zahteva se vsaj 80 % prisotnost na predavanjih in vajah

Prerequisites:

Enrolment in the third year of undergraduate studies. A minimum attendance rate of 80% at lectures and tutorials is required.

Vsebina:

Predmet obravnava naslednja področja:

- Upravno pravo.
- Povezovanje ljudi v organizacije: nastanek in razvoj organizacij; družbena vloga organizacije; temeljni elementi povezovanja ljudi v organizacije; interesne skupnosti; formalna organizacija; vrste organizacij.
- Pojem uprave in upravljanja: upravljanje in družbena regulacija; upravljanje in zagotavljanje javnih dobrin in storitev.
- Organizacija javne uprave.
- Sistem javne uprave: razmerje javne uprave do njenega okolja; ljudje v upravi; institucije in funkcije javne uprave.
- Pravne osebe javnega prava: merila za opredelitev pravnih oseb javnega prava; merilo načina ustanovitve; merilo delovanja v javnem interesu; merilo posebnih upravljavskih upravičenj organov javnih oblasti; merilo obveznosti članstva; merilo financiranja iz javnih sredstev; medilo izvajanja javnih pooblastil; merilo uporabe javnega prava v zunanjih in notranjih razmerjih; ocena uporabnosti meril pri določanju drugih pravnih oseb javnega prava; opredelitev druge pravne osebe javnega prava z argumentacijo *a contrario.*

Content (Syllabus outline):

The course includes:

- Administrative law.
- People forming organisations: origin and development of organisations; social role of organisation; basic elements of people forming organisations; communities of interest; formal organisation; types of organisations.
- The concept of administration and governance: governance and social regulation; governance and provisions of public goods and services.
- Organisation of public administration.
- Public administration system: public administration's relationship to its environment; people in public administration; institutions and functions of public administration.
- Legal entities under public law: criteria to determine legal entities under public law; establishment method criterion; criterion of working in the public interest; criterion of mandatory membership; criterion of financing from public resources; criterion of implementing public authorisations; criterion of using public law in external and internal relationships; assessment of

– Državna uprava: naloge državne uprave; državna uprava in pravni red; funkcija državne uprave; organizacija državne uprave; teritorialna organizacija državne uprave; nadzor nad delom (državne) uprave. – Nedržavna javna uprava: javno pooblastilo. – Lokalna samouprava: Lokalne skupnosti; pojem lokalne samouprave; harmonizacija sistemov lokalne samouprave; ožje in širše lokalne samoupravne skupnosti; organi samoupravnih lokalnih skupnosti; financiranje samoupravnih lokalnih skupnosti. – Javne službe: zgodovinski, jezikovni in pravni pregled uporabe pojma javna služba; opredelitev pojma javna služba; servisna funkcija države; regulacija javnih služb; dejavnost javne službe; obveznosti javne službe; financiranje javnih služb; oblike izvajanja javnih služb; privatizacija javnih služb.	applicability of criteria in determining other legal entities under public law; definition of other legal entity under public law with the *a contrario* argumentation. – State administration: state administration tasks; state administration and legal system; state administration functions; organisation of the state organisation; territorial organisation of administrative bodies; supervision over the work of the (state) administration; judicial supervision over the work of the (state) administration. – Non-state public administration: public power. – Local self-government: local communities; notion of local communities; harmonisation of local self-government system; narrow and wide local self-governing local communities; bodies of self-governing local communities. – Public services: historical, linguistic ad legal review of the use of the 'public service' concept; definition of the 'public service' concept; regulation of public services; public service activity; public service obligations; funding of public services; forms of public service provision; privatisation of public services.

Temeljna literatura in viri / Readings:

Obvezna / Compulsory:

1. Rakar, I., Tičar, B. (2024). Pravo javne uprave. Ljubljana: Fakulteta za upravo.
2. Brezovnik, B., Trpin, G., Pličanič, S. (2019). Sistem javne uprave. Ljubljana: Pravna fakulteta.
3. Brezovnik, B. Trpin, G., Pličanič, S. (2019). Public Administration System. Maribor: Inštitut za lokalno samoupravo Maribor.
4. Avbelj, M. (ur.) (2019). Komentar Ustave Republike Slovenije. Nova Gorica: Nova univerza, Evropska pravna fakulteta.

Predpisi, ki bodo sporočeni na predavanjih oz. vajah.

Cilji in kompetence:

Študentje bodo razvili **splošne kompetence**:

- sposobnost analitičnega, kritičnega in sistematičnega razmišljanja o pravnih in upravnopravnih pojavih;
- sposobnost razumevanja in razlage delovanja javne uprave v širših pravnih, družbenih in institucionalnih okvirih;
- sposobnost uporabe pravnih načel in institutov upravnega prava pri reševanju praktičnih problemov javnega upravljanja;
- sposobnost kritične presoje upravnih procesov, organizacijskih struktur in regulatornih mehanizmov;
- sposobnost samostojnega raziskovanja, iskanja relevantnih pravnih virov ter njihovega vrednotenja in uporabe v konkretnih primerih;

Objectives and competences:

Students will develop the following **general competences**:

- the ability for analytical, critical, and systematic thinking about legal and administrative phenomena;
- the ability to understand and interpret the functioning of public administration within broader legal, social, and institutional frameworks;
- the ability to apply legal principles and administrative law concepts in solving practical problems in public governance;
- the ability to critically assess administrative processes, organizational structures, and regulatory mechanisms;
- the ability to conduct independent research, identify relevant legal sources, and evaluate their applicability in concrete cases;

• sposobnost jasnega in strokovnega ustnega ter pisnega izražanja na področju upravnega prava in javne uprave; • sposobnost dela s pravnimi viri, študijami primerov in normativnimi okviri na metodološko ustrezen način; • sposobnost sodelovanja v strokovnem okolju ter argumentirane razprave o vprašanjih javne uprave in upravljanja; • sposobnost povezovanja teoretičnega znanja upravnega prava s praktičnim odločanjem v javnem sektorju.	• the ability to communicate clearly and professionally, both orally and in writing, in the field of administrative law and public administration; • the ability to work with legal materials, case studies, and normative frameworks in a structured and methodologically sound way; • the ability to cooperate in professional environments and participate in reasoned discussion on issues of public administration and governance; • the ability to connect theoretical knowledge of administrative law with practical decision-making in public sector contexts.
Študentje bodo razvili **predmetno-specifične kompetence**: • sposobnost razumevanja temeljnih pojmov, načel in institutov upravnega prava ter njihove vloge v sistemu javne uprave; • sposobnost analize organizacije in delovanja javne uprave, vključno z razmerji med njenimi institucijami ter njihovim družbenim in pravnim okoljem; • sposobnost razumevanja in uporabe konceptov upravljanja, družbene regulacije ter zagotavljanja javnih dobrin in storitev; • sposobnost prepoznavanja in pravne opredelitve različnih vrst pravnih oseb javnega prava na podlagi ustaljenih pravnih meril; • sposobnost analize organizacije, nalog in funkcij državne uprave ter nadzora nad njenim delovanjem; • sposobnost razumevanja vloge in pravne ureditve nedržavne javne uprave ter sistema javnih pooblastil; • sposobnost razumevanja sistema lokalne samouprave, njenega ustavnopravnega položaja ter organizacije in financiranja samoupravnih lokalnih skupnosti; • sposobnost razumevanja in analize sistema javnih služb, njihove regulacije, financiranja ter oblik izvajanja; • sposobnost uporabe pravnega razmišljanja pri reševanju osnovnih in kompleksnejših upravnopravnih vprašanj ter povezovanja teoretičnih konceptov s praktičnimi primeri iz delovanja javne uprave.	Students will develop the following **course-specific competences:** • the ability to understand the fundamental concepts, principles, and institutions of administrative law and their role within the system of public administration; • the ability to analyse the organization and functioning of public administration, including the relationships between its institutions and their social and legal environment; • the ability to understand and apply concepts of governance, social regulation, and the provision of public goods and services; • the ability to identify and legally define different types of legal persons under public law based on established legal criteria; • the ability to analyse the organization, tasks, and functions of state administration, as well as oversight mechanisms over its operation; • the ability to understand the role and legal regulation of non-state public administration and the system of public authorizations; • the ability to understand the system of local self-government, its constitutional position, organization, and financing of local self-governing communities; • the ability to understand and analyse the system of public services, their regulation, financing, and forms of provision; • the ability to apply legal reasoning in addressing basic and more complex administrative law issues and to connect theoretical concepts with practical examples from public administration practice.

Predvideni študijski rezultati: **Znanje in razumevanje:**	**Intended learning outcomes:** **Knowledge and understanding:**
Študent bo:	**Students will:**

- poznal in razumel delovanje izvršilne veje oblasti ter temeljne značilnosti pravne ureditve in delovanja državne uprave, javnih služb in lokalne samouprave,
- razumel temeljne pojme, institute in razmerja v sistemu javne uprave ter spoznal relevantne pravne vire s tega področja,
- uporabljal teoretično znanje pri reševanju konkretnih primerov iz prakse javne uprave,
- prepoznal in pravilno opredelil pravne probleme v danih situacijah,
- uporabljal in sistematično razvrščal relevantne pravne vire pri pravni analizi,
- analiziral posamezne elemente sistema javne uprave ter primerjal različne institute državne uprave, lokalne samouprave in javnih služb,
- kritično ovrednotil pravne rešitve v okviru javne uprave,
- oblikoval ter pisno in ustno argumentiral pravne rešitve in predloge,
- povezoval teoretično in praktično znanje pri obravnavi kompleksnejših pravnih vprašanj,
- razvijal strukturirane in pravno utemeljene argumente,
- razvil sposobnost natančnega branja, razumevanja ter pravnega pisnega in ustnega izražanja,
- razvil sposobnost samostojnega iskanja, izbire in sistematičnega razvrščanja pravnih virov,
- razvil sposobnost samostojnega učenja in uporabe pravnega znanja v različnih kontekstih.

- know and understand the functioning of the executive branch of government and the fundamental characteristics of the legal regulation and operation of state administration, public services, and local self-government,
- understand the basic concepts, legal institutions, and relations within the system of public administration, and become familiar with relevant legal sources in this field,
- apply theoretical knowledge in solving concrete cases from public administration practice,
- identify and correctly define legal problems in given situations,
- use and systematically classify relevant legal sources in legal analysis,
- analyse individual elements of the public administration system and compare different institutions of state administration, local self-government, and public services,
- critically evaluate legal solutions within the field of public administration,
- formulate and orally and in writing argue legal solutions and proposals,
- integrate theoretical and practical knowledge in addressing more complex legal issues,
- develop structured and legally substantiated arguments,
- develop the ability of precise reading, understanding, and legal written and oral expression,
- develop the ability to independently search for, select, and systematically organise legal sources,
- develop the ability of independent learning and application of legal knowledge in different contexts.

Metode poučevanja in učenja:

Oblike dela:

☒ Frontalna oblika poučevanja
☒ Delo v manjših skupinah oz. individualno
☒ Samostojno delo študentov
☒ Študij s pomočjo IKT tehnologij
☐ drugo (vpišite) _____

Metode (načini) dela:

☒ Razlaga
☒ Razgovor/ diskusija/debata
☒ Delo z besedilom
☒ Proučevanje primerov raziskav
☐ Igra vlog
☒ Druge vrste nastopov študentov
☒ Reševanje nalog/vaje
☐ Študijski obiski podjetij ipd.)
☒ Vključevanje gostov iz prakse
☐ Udeležba na okrogli mizi, na konferenci

Learning and teaching methods:

Types of learning/teaching:

☒ Frontal teaching
☒ Work in smaller groups or individual work
☒ Independent students work
☒ Study with the help of ICT technologies
☐ other _____

Teaching methods:

☒ Explanation
☒ Conversation/discussion/debate
☒ Work with texts
☒ Research case studies
☐ Role-play
☒ Different presentation
☒ Solving exercises/study exercises
☐ Field work (e.g. company visits)
☒ Inviting guests from companies
☐ Attending round table and conference

Načini ocenjevanja: **Način (pisni izpit, ustno izpraševanje, naloge, projekt)**	**Teža (v %) / Weight (in %)**	**Assessment:** **Type (examination, oral, coursework, project)**

Naloga na simulaciji konkretnega primera v skladu z navodili, sporočenimi na predavanjih.	**10 %**	Assignment based on a simulation of a concrete case, in accordance with the instructions provided during lectures.
Končni pisni izpit	**90 %**	Final examination (written)

Reference nosilca / Lecture's references:

Martin Dekleva je docent za Upravno pravo in Pravo javne uprave na Evropski pravni fakulteti (Nova univerza). Diplomiral je leta 2012 na Pravni fakulteti Univerze v Ljubljani. Na isti fakulteti je leta 2017 tudi doktoriral s področja upravnega prava. Leta 2015 je opravil pravniški državni izpit. Dejaven je tako v praksi kot na znanstveno-raziskovalni ravni. Zaposlen je kot svetovalec na Ustavnem sodišču Republike Slovenije, bil pa je tudi odvetnik in strokovni sodelavec na Upravnem sodišču Republike Slovenije. V okviru svojega dela je med drugim sodeloval pri oblikovanju zakonodaje, ki je povezana z upravnopravnim področjem, pripravljal je različna pravna mnenja in se udejstvoval tudi na mednarodni ravni. Je avtor več strokovnih in znanstvenih člankov.
E-povezava do bibliografije v sistemu SICRIS: https://cris.cobiss.net/ecris/si/sl/researcher/55633.

Martin Dekleva is an Assistant Professor in the field of Public Administration and Administrative Law at the European Faculty of Law (New University). He graduated in 2012 from the Faculty of Law at the University of Ljubljana. At the same faculty he also obtained his PhD in administrative law in 2017. In 2015, he passed the state bar exam. He is active both in practice and at the scientific-research level. He works as an advisor at the Constitutional Court of the Republic of Slovenia and has also been a senior associate in a law firm and a legal assistant at the Administrative Court of the Republic of Slovenia. In the context of his work, he has participated in drafting legislation related to administrative law, prepared various legal opinions and has been active internationally. He is the author of several professional and scientific articles.
Electronic link to the bibliography in the SICRIS system: https://cris.cobiss.net/ecris/si/sl/researcher/55633.