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EVROPSKE ŠTUDIJE

### UČNI NAČRT PREDMETA / COURSE SYLLABUS

<b>Predmet:</b>	Upravni sistemi
<b>Course title:</b>	Administrative systems

Študijski program in stopnja Study programme and level	Študijska smer Study field	Letnik Academic year	Semester Semester
Javna uprava – 2. stopnja		1	2
Public administration – 2nd degree		1	2

**Vrsta predmeta / Course type**

**Univerzitetna koda predmeta / University course code:**

Predavanja Lectures	Seminar Seminar	Sem. vaje Tutorial	Lab. vaje Laboratory work	Teren. vaje Field work	Samost. delo Individ. work	ECTS
30	0	0	0	0	170	8

**Nosilec predmeta / Lecturer:**

**Jeziki / Languages:** **Predavanja / Lectures:**   
**Vaje / Tutorial:**

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

Vsaj 80% prisotnost na predavanjih.

**Prerequisites:**

At least 80% attendance at lectures.

**Vsebina:**

**Content (Syllabus outline):**



I. Splošna vprašanja

1. Pojem uprave in upravljanja  
Terminološka vprašanja. Negativne in pozitivne, formalne in materialne opredelitve uprave in upravljanja. Organizacijski in funkcionalni vidik upravljanja. Posredna in neposredna uprava. Interna uprava. Upravljanje kot informacijski proces in kot družbeni pojav.
2. Upravni proces  
Faze upravnega procesa. Delitev dela na področju upravljanja. Prenašanje pooblastil za odločanje in izvrševanje splošnejših odločitev. Strokovno tehnična uprava in neposredno izvrševanje odločitev. Upravni cikel.
3. Pojem javne uprave  
Proces upravljanja v javnih zadevah. Javni interes, družbene zadeve in družbene potrebe. Temeljne funkcije javne uprave.
4. Pojem državne uprave  
Nastanek in razvoj državne uprave. Družbena vloga države in njene uprave. Razmerje države in njene uprave. Temeljne funkcije državne uprave.
5. Upravna znanost  
Pojem in klasifikacija znanosti. Predmet in metoda družbenih znanosti. Predmet, metode, objekt in viri upravne znanosti. Položaj upravne znanosti v sistemu družbenih znanosti. Razmerje upravne in upravnopravne znanosti.
6. Razvoj upravne znanosti  
Nastanek upravne znanosti. Karmalistična šola in Lorenz von Stein. Diferenciacija upravne znanosti: upravnopravna smer in upravnotehnična smer. Tendence k ponovni integraciji proučevanja uprave.
7. Upravni sistemi  
Pojem upravnega sistema in njegove vrste.

I. General issues

1. The concept of administration and management  
Terminological issues. Negative and positive, formal and substantive definitions of administration and management. The organisational and functional aspects of management. Direct and indirect administration. Internal administration. Management as an information process and as a social phenomenon.
2. Administrative process  
The administrative process phases. Division of labour in the field of administration. Delegation of decision-making powers and enforcement of more general decisions. Professional and technical administration and direct execution of decisions. Administrative cycle.
3. The concept of public administration  
Administration process in public affairs. Public interest, social affairs and social needs. Essential functions of public administration.
4. The concept of state administration  
Origin and development of state administration. The social role of the state and its administration. The relationship between the state and its administration. Essential functions of state administration.
5. Science of public administration  
The concept and classification of science. Subject and method of social sciences. The subject matter, methods, object and sources of public administration science. The position of public administration science in the system of the social sciences. Relationship between public administration science and administrative law science.
6. Development of public administration science



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

Upravne organizacije kot elementi upravnih sistemov in njihova opredelitev. Značilnosti teritorialnih, asociativnih in funkcionalnih upravnih sistemov. Oris razvoja upravnih sistemov. Diferenciacija in integracija upravnih sistemov.

8. Pojem vloge javne uprave v družbi  
Opredelitev vloge uprave. Vloga, funkcije in naloge javne uprave. Sintetični in analitični pristop pri ugotavljanju vloge uprave. Dvojnost vloge uprave: uprava kot izvrševalec oblasti (oblastvena vloga) in uprava kot "služabnik ljudstva" (servisna vloga). Teorija birokracije in klasična francoska teorija javnih služb - upravne, sodne in komercialne javne službe. Eksekutivna, kurativna in servisna funkcija državne uprave.

9. Razvojni pogled na vlogo javne uprave v družbi  
Vloga uprave v antičnih družbah, fevdalizmu, absolutističnih monarhijah, zgodnjem kapitalizmu, socializmu in sodobnih tržno-socialnih družbah. Povezanost vloge uprave s splošnim družbenim razvojem.

10. Javna uprava in tranzicija  
Reforma javne uprave v državah v tranziciji. Primerjava tranzicijskih državah.

11. Splošno o upravni organizaciji  
Pojem organizacije. Pojem upravne organizacije. Značilnosti upravne organizacije. Vrste upravnih organizacij in njih posebnosti. Tendence v razvoju upravnih organizacij: tendenca naraščanja, diferenciacije, profesionalizacije in zmanjševanja prisilnosti.

12. Načela organiziranja upravnih organizacij  
Elementi organizacijske strukture: naloge, organizacijske vloge in organizacijske enote. Razmerja med elementi organizacijske strukture in načini njihovega povezovanja.

The emergence of public administration science. Cameralist School and Lorenz von Stein. Differentiation of public administration science: administrative law direction and administrative, technical direction. Tendencies to reintegrate public administration studies.

7. Administrative systems  
The concept of the administrative system and its types. Administrative organisations as elements of administrative systems and their definition. Features of territorial, associative and functional administrative systems. Outline of the development of administrative systems. Differentiation and integration of administrative systems.

8. The concept of the role of public administration in society  
Definition of the role of public administration. The role, functions and tasks of public administration. Synthetic and analytical approach in determining the role of public administration. Duality of the role of public administration: the administration as an executor of power (authority role) and the administration as a "servant of the people" (service role). The theory of bureaucracy and the classical French theory of public services - administrative, judicial and commercial public services. Executive, curative and service function of state administration.

9. Developmental view of the role of public administration in society  
The role of administration in ancient societies, feudalism, absolutist monarchies, early capitalism, socialism and modern market-social societies. The connection between the role of administration and general social development.

10. Public administration and transition  
Public administration reform in transition countries. Comparison of transition countries.



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

Resorno, funkcionalno in teritorialno načelo organiziranja upravnih organizacij. Analitični pristop k organiziranju upravnih organizacij. Notranja organizacijska struktura upravnih organizacij.

### 13. Javna uprava in Evropska unija

Javna uprava med nacionalno državo in Evropsko unijo. Načela evropskega upravnega prava. Evropska javna uprava in nove evropske upravne institucije.

## II. Državna uprava

### 1. Vlada

Zgodovinski izvor vlade. Položaj vlade ali vrha izvršilne oblasti v nekaterih primerjalnih sistemih: kanclerski model vlade (Avstrija, Nemčija); vlada kot svet ministrov (Italija), kabinetni model (Anglija); predsedniška izvršilna oblast (Francija, ZDA). Sestava vlade in njeno oblikovanje; položaj predsednika vlade. Vladne službe in njih naloge ter organizacija. Funkcije vlade: eksekutivna, kurativna, koordinativna in reprezentativna funkcija. Pravni akti vlade. Razmerje vlade do Državnega zbora in do ministrstev.

### 2. Ministrstva in drugi osrednji upravni organi

Ustavne določbe o strukturi uprave. Ustanovitev upravnih organov. Ministrstva, upravni organi in organizacije v sestavi ministrstev. Drugi državni organi, ki opravljajo upravne naloge. Funkcije ministrstev. Eksekutivna funkcija: pravne oblike izvrševanja zakonov. Upravni nadzor: splošna vprašanja nadzora, nadzor nad zakonitostjo, inšpekcijski nadzor, upravna inšpekcija. Skrb za javne službe. Strokovne naloge v zvezi z državnim premoženjem. Medsebojna razmerja ministrstev. Razmerje ministrstev in organov ter organizacij v njih sestavi.

### 11. General information about the public administration organisation

The concept of organisation. The concept of administrative organisation. Features of the administrative organisation. Types of administrative organisations and their specific characteristics. Trends in the development of administrative organisations: the tendency to increase, differentiate, professionalise and reduce coercion.

### 12. Principles of organising administrative organisations

Elements of organisational structure: tasks, organisational roles and organisational units. Relationships between elements of organisational structure and ways of connecting them. Departmental, functional and territorial principles of organising administrative organisations. Analytical approach to organising administrative organisations. The internal organisational structure of administrative organisations.

### 13. Public administration and the European Union

Public administration between the nation-state and the European Union. Principles of European administrative law. European public administration and new European administrative institutions.

## II. State administration

### 1. The Government

The historical origins of government. The position of government or the top executive in some comparative systems: the chancellor model of government (Austria, Germany); government as a council of ministers (Italy), the cabinet model (England); presidential executive (France, USA). Composition of the government and its formation; a position of Prime Minister.



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

3. Pojem teritorializacije uprave  
Osrednja in lokalna uprava. Problemi oblikovanja upravnoteritorialnih enot: splošne in posebne enote, naloge, območje. Razmerja upravnih teritorialnih enot do lokalnih skupnosti. Vpliv prebivalcev in lokalnih interesov na lokalno upravo. Lokalna uprava v nekaterih primerjalnih upravnih sistemih.

4. Lokalna organizacija državne uprave  
Upravni okraji (splošne upravne enote) in njihova notranja organiziranost. Naloge upravnih okrajev (enot). Vodenje upravnih okrajev (enot). Razmerje vlade ter ministrstev in upravnih okrajev  
Posebna upravna teritorialna organiziranost: javna varnost, obramba, varstvo voda.

5. Financiranje državne uprave  
Sredstva državne uprave: viri in poraba. Problemi ekonomičnosti in učinkovitosti uprave. Zgodovinski razvoj financiranja uprave. Proračunski sistem. Sodobni poskusi uvajanja dohodkovnega sistema. Prednosti, pomanjkljivosti in omejitve. Pravna ureditev javnih financ. Proračun države: pravni status, struktura, oblikovanje. Pravni režim državnega premoženja: upravljanje, razpolaganje.

6. Finančni nadzor uprave  
Oblike in načini finančnega nadzora. Proračunska inšpekcija. Nadzor računskega sodišča: sestava, pristojnost, postopek, akti in ukrepi.

7. Javna naročila  
Pojem javnega naročila in pravna narava (akti poslovanja). Opredelitev naročnika. Postopki oddaje javnega naročila. Javna naročila na nekaterih posebnih področjih. Revizija javnih naročil.

III. Lokalna samouprava

1. Pojem lokalne samouprave

Government services and their tasks and organisation. Government functions: executive, curative, coordinating and representative functions. Government legal acts. The government's relationship with the National Assembly (Parliament) and the ministries.

2. Ministries and other central administrative bodies

Constitutional provisions on the structure of the administration. Establishment of administrative bodies. Ministries, administrative bodies and organisations within ministries. Other state bodies performing administrative tasks. Functions of ministries. Executive function: legal forms of law enforcement. Administrative control: general control issues, legality control, inspection control, administrative inspection. Concern for public services. Professional tasks related to state property. Mutual relations of ministries. The relationship between ministries and bodies and the organisations within them.

3. The concept of territorialisation of administration

Central and local government. Problems of formation of administrative-territorial units: general and special units, tasks, area. Relationships of administrative territorial units to local communities. Influence of residents and local interests on local government. Local government in some comparative administrative systems.

4. Local organisation of state administration

Administrative districts (general administrative units) and their internal organisation. Tasks of administrative districts (units). Administering the administrative districts (units). Relationship between the government and ministries and administrative districts; Special administrative territorial organisation: public security, defence,



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

in njena vsebina. Zgodovinski izvori lokalne samouprave v Evropi. Razmerje med lokalno samoupravo in državo. Pravna narava lokalne samouprave. Lokalne skupnosti in njihove vrste. Lastnosti lokalnih skupnosti.

2. Upravni aspekt lokalne samouprave  
Temeljni organi lokalnih skupnosti. Izvirne in prenešene naloge lokalnih skupnosti. Financiranje lokalnih skupnosti in njih nalog. Temelji lokalne samouprave v nekaterih primerjalnih upravnih sistemih.

3. Prva stopnja lokalne samouprave  
Občina. Pogoji za ustanovitev občine in postopek ustanovitve, vrste, področje delovanja (izvirna in prenešana pristojnost). Mestne občine in njih posebne naloge. Organi občine in način njihovega oblikovanja. Financiranje občin: viri, omejitve pri zadolževanju. Občinska uprava in način odločanja. Pravni položaj delov občin.

4. Druga stopnja lokalne samouprave - razvoj in problematika

5. Razmerje lokalnih skupnosti do države  
Upravni in sodni nadzor nad lokalno samoupravo. Varstvo lokalne samouprave pred poseganjem države.

#### IV. Nedržavna uprava

1. Splošna vprašanja. Upravni aspekti nedržavne uprave – javno pooblastilo.

2. Javno pooblastilo  
Ustavne opredelitve. Nosilci javnega pooblastila. Način zaupanja javnega pooblastila. Javno pooblastilo in posebne ali izključne pravice. Vsebina javnega pooblastila: Izdajanje splošnih aktov: problemi identifikacije, primeri, pravna narava in zakonitost. Izdajanje posamičnih aktov: identifikacija, primeri, postopek odločanja. Materialna dejanja: identifikacija, primeri.

water protection.

5. Financing of state administration  
Public administration resources: resources and spending. Problems of economy and efficiency of administration. Historical development of administration financing. Budget system. Modern attempts to introduce an income system. Advantages, disadvantages and limitations. Legal regulation of public finances. State budget: legal status, structure, design. Legal regime of state property: administration, disposal.

6. Financial supervision of public administration  
Forms and methods of financial supervision. Budget inspection. Supervision of the Court of Auditors: composition, jurisdiction, procedure, acts and measures.

7. Public procurement  
The concept of public procurement and legal nature (business acts). Definition of the contracting authority. Procurement procedures. Public procurement in some specific areas. Audit of public procurement.

#### III. Local self-government

1. The concept of local self-government and its substance. Historical origins of local self-government in Europe. The relationship between local government and the state. The legal nature of local self-government. Local communities and their types. Features of local communities.

2. Administrative aspect of local self-government  
Basic bodies of local communities. Original and delegated tasks of local communities. Financing local communities and their tasks. Foundations of local self-government in some comparative administrative systems.



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

Upravni nadzor: možnosti in zakonske omejitve.

3. Pravne osebe javnega prava  
Pojem. Identifikacijski kriteriji. Splošni pravni režim oseb javnega prava.

4. Vrste oseb javnega prava  
Teritorialne in specializirane osebe javnega prava. Teritorialne: država in njih povezave, lokalne skupnosti in njih deli. Specializirane osebe javnega prava: javni zavodi, javna podjetja, javne agencije, javni skladi, "sui generis" osebe javnega prava.

5. Nedržavne upravne organizacije: splošna vprašanja

Pojem – organizacije, ki opravljajo naloge ndržavne uprave. Pravni status ndržavnih upravnih organizacij: osebe javne in osebe zasebnega prava. Funkcije ndržavnih upravnih organizacij: regulatorne, servisne in prostovoljne ndržavne upravne organizacije.

V. Javne službe

1. Pojem javne službe  
Nastanek in razvoj javnih služb. Vrste javnih služb: gospodarske in negospodarske javne službe. Materialni kriteriji za opredelitev javne službe: netržnost in naravni monopoli, nujnost, kolektivna narava dobrin, prisilnost. Javne službe kot dejavnosti s posebnimi obveznostmi – obveznosti javne službe.

2. Liberalizacija javnih služb  
Pojmi: liberalizacija, komercializacija, privatizacija. Posebne in izključne pravice ter pravo EU: pojem, dopustnost podeljevanja. Pravni instrumenti liberalizacije: ločitev dejavnosti ("unbundling"), neodvisno upravljanje.

3. Gospodarske javne službe: pojem teh služb in njihovo zagotavljanje

Opredelitev in vrste gospodarskih javnih služb. Financiranje gospodarskih javnih služb. Položaj

3. The first level of local self-government Municipality. Conditions for establishing a municipality and the establishment procedure, types, field of activity (original and delegated competence). City municipalities and their special tasks. Municipal authorities and the manner of their formation. Financing of municipalities: resources, restrictions on borrowing. Municipal administration and decision-making. The legal status of parts of municipalities.

4. The second level of local self-government - development and issues

5. The relationship of local communities to the state

Administrative and judicial control over local self-government. Protection of local self-government from state interference.

IV. Non-state administration

1. General issues. Administrative aspects of non-state administration - public authority.

2. Public authority  
Constitutional definitions. Holders of public authority. Manner of trusting public authority. Public authority and special or exclusive rights. The substance of the public authority: Issuance of general acts: problems of identification, cases, legal nature and legality. Issuance of individual acts: identification, cases, decision-making process. Material acts: identification, examples. Administrative control: possibilities and legal restrictions.

3. Legal entities under public law  
The concept. The identification criteria. General legal regime of bodies governed by public law.

4. Body(s) governed by public law  
Territorial and specialised bodies governed by public law. Territorial: the state and their connections, local communities and parts



**NOVA  
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FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

uporabnikov.

4. Oblike izvajanja gospodarskih javnih služb

Režijski obrat: pravni položaj, način delovanja. Gospodarski javni zavod: pravni položaj, sredstva, način upravljanja. Javno podjetje: ustanovitev in pooblastila ustanovitelja, razmerje do pravne ureditve gospodarskih družb. Koncesija: pojem in zgodovinski izvor, podelitev koncesije, pravna narava koncesijske pogodbe, oblike prenehanja koncesije (pogodbene in javnopravne).

5. Negospodarske oz. socialne javne službe. Javni zavod: pravni status, organi, način upravljanja. Koncesija na področju socialnih javnih služb. Druge javne službe.

VI. Upravni sistemi v luči globalizacije

VII. Razvoj in modernizacija javne uprave

1. Načela delovanja sodobne javne uprave
2. Uvajanje sprememb v organizacijo
3. Digitalizacija poslovanja in informacijska varnost

thereof. Specialised public law entities: public institutes, public undertakings, public agencies, public funds, *sui generis* public law entities.

5. Non-state administrative organisations: general issues

Concept - organisations that perform the tasks of non-state administration. The legal status of non-governmental administrative organisations: public and private law entities. Functions of non-governmental administrative organisations: regulatory, service and voluntary non-state administrative organisations.

B. Public services

1. The concept of public service

Origin and development of public services. Types of public services: commercial and non-economic public services. Material criteria for the definition of public service: non-marketability and natural monopolies, necessity, collective nature of goods, coercion. Public services as activities with special obligations - public service obligations.

2. Liberalisation of public services

Terms: liberalisation, commercialisation, privatisation. Special and exclusive rights and EU law: concept, admissibility. Legal instruments of liberalisation: unbundling, independent governance.

3. Utilities: the concept of these services and their provision

Definition and types of utilities. Financing of public utilities. Position of users.

4. Forms of performing public utility services

Public utility unit: legal status, mode of operation. Economic public institute: legal position, resources, method of management. Public undertaking: establishment and powers of the founder, relationship to the legal regulation of undertakings. Concession: concept



**NOVA  
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FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

and historical origin, granting of a concession, legal nature of the concession contract, forms of termination of the concession (contractual and public law).

5. Non-economic or social public services. Public institution: legal status, bodies, method of management. Concession in the field of public social services. Other public services.

VI. Administrative systems in the light of globalisation

VII. Development and modernisation of public administration

1. Principles of modern public administration

2. Introducing changes in the organisation

3. Business digitisation and information security

### **Temeljni literatura in viri / Readings:**

France Bučar, Upravljanje, Cankarjeva založba, Ljubljana, 1981.

Bojan Bugarič, Reforma javne uprave v državah v tranziciji, III. Dnevi javnega prava, Portorož, 1997 (zbornik).

Rupko Godec, Mitja Horvat, Rajko Pirnat, Lovro Šturm, Gorazd Trpin, Upravni zbornik, Inštitut za javno upravo pri Pravni fakulteti v Ljubljani, Ljubljana 1993; str. 1-154.

Franc Grad, Lokalna demokracija, Uradni list RS, Ljubljana 1998, str. 97-131.

Rajko Pirnat, Osebe javnega prava : (prispevek k re instituciji pojma v slovenskem pravu). Javna uprava, vol. 31, št. 4 (1995), str. 477-492.

Ferk, Petra, Ferk, Boštjan. Javno podjetje med gospodarsko družbo in osebo javnega prava [A Public Company Between a Company and a Public Entity]. Pravna praksa, 6 September 2007, Vol. 26, No. 34, supp., p. II–VIII.

Ferk, Petra, Ferk, Boštjan. Odgovornost države za zakonito delovanje naročnikov na področju javnega naročanja [State Responsibility for the Legal Operation of Contracting Authorities in the Field of Public Procurement]. Pravna praksa, 19 April 2007, Vol. 26, No. 15, p. 11–13.

Ferk, Petra, Ferk, Boštjan. Alternativni viri financiranja javne infrastrukture [Alternative Sources of Public Infrastructure Financing]. Pravna praksa, 12 May 2011, Vol. 30, No. 18, p. II–VIII.

Ferk, Petra, Ferk, Boštjan. Top 10 reasons why (not) and how (not) to implement PPPs in the



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

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Ferk, Boštjan, Ferk, Petra, Valjavec, Lara. Postopki javnega naročanja in temeljni koraki javno-zasebnega partnerstva. 3., dopolnjena izd., vključno z novelo ZJN-3. Ljubljana: Lexpera, GV založba, 2020. 1 zgibanka ([8] str.), graf. prikazi. ISBN 978-961-247-435-5.

Avbelj, Matej (ur.) in drugi: Komentar Ustave Republike Slovenije : 1. natis. Nova Gorica: Nova univerza, Evropska pravna fakulteta, 2019 – izbrane vsebine.

Rajko Pirnat, Problematika pravne ureditve koncesij, Javna uprava, 1999, let. 35, št. 1, str. 7-26.

Rajko Pirnat, Neodvisne upravne institucije, Javna uprava, 1999, let. 35, št. 3, str. 449-466.

Gorazd Trpin, Javni skladi in javne agencije, Zbornik posvetovanja VI. dnevi javnega prava, Inštitut za javno upravo pri PF, Ljubljana, 2000, str. 175-190.

Stane Vlaj, Lokalna samouprava, FDV, Ljubljana, 1998.

Roberto Caranta, Albert Sanchez-Graells (ur.): European Public Procurement - Commentary on Directive 2014/24/EU, Elgar Commentaries series, 2021, selected articles.

Christopher Pollitt: Advanced Introduction to Public Management and Administration, Edward Elgar Publishing, 2016.

Takis S. Pappas: Why Greece Failed, Journal of Democracy 24(2), 2013, na strani: <<https://www.journalofdemocracy.org/articles/why-greece-failed/>>.

V obvezno študijsko literaturo spadajo tudi veljavni zakoni, ki urejajo obravnavana področja - sprejeti zakoni ali predlogi zakonov za drugo obravnavo, objavljeni v Poročevalcu Državnega zbora – po dogovoru s predavateljem glede na stanje zakonodajnega postopka ob izvedbi predavanj).

**Jambrek, Peter, Brezovnik, Boštjan, Trpin, Gorazd Državna uprava, ustavna demokracija in mednarodno pravo: liber amicorum Anton Jerovšek**, Bled : Inštitut za ustavno ureditev in človekove pravice[izdajateljica Nova univerza, Znanstvena založba], 2022

#### **Cilji in kompetence:**

- poznavanje in razumevanje pravnih pojmov, pravnih načel in pravil s področja upravnih sistemov ter sposobnost za njihovo analizo, sintezo in predvidevanje rešitev in njihovih posledic;

- študent se bo podrobneje seznanil z razmejitvijo med oblastno in servisno funkcijo javne uprave in temeljnimi instituti, ki jih zaznamujejo ti dve funkciji;

#### **Objectives and competences:**

– Knowledge and understanding of legal concepts, legal principles and rules in the field of administrative systems and the ability to analyse, synthesise and predict solutions and their consequences;

– The student will get acquainted in greater detail with the distinction between the authority and service function of public administration and the basic institutes, which are marked by these



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

- obravnavana bodo prašanja financiranja javne uprave in lokalne samouprave; reforme javne uprave v državah v tranziciji; pojmu, vrstam in tendencam v razvoju upravnih organizacij ter javni uprava v Evropski uniji;

- razvoj sposobnosti dostopati do domače in tuje sodne prakse;

- sposobnost samostojnega in avtonomnega strokovnega in raziskovalnega dela s področja upravnih sistemov;

- razvoj sposobnosti kritično analizirati pravne vire in pravna besedila;

- sposobnost kritične strokovne razprave in analize s področja upravnih sistemov;

- sposobnost razumevanja posebne vloge upravnih sistemov za delovanje družbe kot celote;

- uporaba ustreznih metod pravnega raziskovanja, njihovih postopkov, analize in sinteze;

- razvoj ustvarjalnosti in sposobnosti premagovanja problemov pri delovanju upravnih sistemov;

- prepoznavanje pomembnosti izzivov in uvajanja digitalizacije ter sprememb v upravne sisteme.

two functions;

- Issues of financing public administration and local self-government will be addressed; public administration reforms in transition countries; the concept, types and tendencies in the development of administrative organisations and public administration in the European Union;
- Developing the ability to access domestic and foreign case law;
- The ability of independent and autonomous professional and research work in the field of administrative systems;
- Developing the ability to analyse legal sources and legal texts critically;
- The ability of critical professional discussion and analysis in the field of administrative systems;
- The ability to understand the specific role of administrative systems for the functioning of society as a whole;
- Applying appropriate methods of legal research, their procedures, analysis and synthesis;
- Development of creativity and ability to overcome problems in the functioning of administrative systems;
- Recognising the importance of challenges and the introduction of digitalisation and changes in administrative systems.



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

### **Predvideni študijski rezultati:**

Študent bo usposobljen za prepoznavanje in razumevanje pomena delovanja upravnih sistemov in njihovih ključnih elementov za družbo kot celoto. Poznal bo razvoj in temelje ter pomen prava EU in globalnega dogajanja za razvoj upravnih sistemov.

Študent bo pridobil poglobljeno znanje na področju upravnih sistemov. Usposobljen bo za reševanje raznovrstnih vprašanj na tem področju.

Pridobljeno znanje študentu omogoča opravljati svetovalno in/ali operativno delo na tem področju. Prav tako pridobi metodološko znanje raziskovanja v stroki in znanosti.

### **Intended learning outcomes:**

The student will be able to recognise and understand the importance of the functioning of administrative systems and their key elements for society as a whole. He/she will know the development and foundations and the importance of EU law and global developments for the development of administrative systems.

The student will gain in-depth knowledge in the field of administrative systems. He/she will be able to deal with various issues in this area.

The acquired knowledge enables the student to perform consulting and/or operational work in this field. He/she will also acquire methodological knowledge of research in the profession and science.

### **Metode poučevanja in učenja:**

#### **Oblike dela:**

- Frontalna oblika poučevanja
- Delo v manjših skupinah oz. v dvojicah
- Samostojno delo študentov
- E-učenje
- Kombiniran način študija
- Drugo (vpišite) \_\_\_\_\_

#### **Metode (načini) dela:**

- Razlaga
- Razgovor/ diskusija/debata
- Delo z besedilom
- Proučevanje primera
- Igra vlog
- Druge vrste nastopov študentov
- Reševanje nalog

### **Learning and teaching methods:**

#### **Types of learning/teaching:**

- Frontal teaching
- Work in smaller groups or pair work
- Independent students work
- E-learning
- Blended Learning
- Other \_\_\_\_\_

#### **Teaching methods:**

- Explanation
- Conversation/discussion/debate
- Work with texts
- Case studies
- Role-play
- Different presentation
- Solving exercises



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

<input type="checkbox"/> Študijski obiski podjetij ipd.)
<input checked="" type="checkbox"/> Vključevanje gostov iz prakse
<input checked="" type="checkbox"/> Udeležba na okrogli mizi, na konferenci

<input type="checkbox"/> Field work (e.g. company visits)
<input checked="" type="checkbox"/> Inviting guests from companies
<input checked="" type="checkbox"/> Attending round table and conference

Delež (v %) /

Weight (in %) **Assessment:**

**Načini ocenjevanja:**

Pisni ali ustni izpit		Written or oral exam
	<b>100 %</b>	

**Reference nosilca / Lecturer's references:**

**Boštjan Ferk** je kot docent za javno upravo habilitiran in predava na Fakulteti za državne in evropske študije, kjer sodeluje pri pedagoškem delu v okviru predmetov upravni sistemi na dodiplomski in podiplomski stopnji in posebni upravni postopki. Boštjan Ferk je soustanovitelj Inštituta za javno zasebno partnerstvo ter družbe S-Procurement, družbe za elektronske nabavne platforme, d.o.o.. Je avtor več strokovnih in znanstvenih člankov doma in v tujini, med drugim je v soavtorstvu s Petro Ferk napisal monografijo z naslovom Javne službe, državne pomoči in javno-zasebna partnerstva. Njegova bibliografija obsega številne prispevke doma in v tujini. Je soavtor monografije z naslovom Javne službe, državne pomoči in javno-zasebna partnerstva, ter avtor monografije z naslovom Pogodba o javno-zasebnem partnerstvu. Slednja je nastala na podlagi doktorske disertacije in je dopolnjena z zakonodajnim paketom EU o javnem naročanju in koncesijskih pogodbah iz leta 2014. Boštjan Ferk je uvrščen na listo domačih arbitrov Stalne arbitraže pri Gospodarski zbornici Slovenije. V okviru Upravne akademije pri Ministrstvu za javno upravo nastopa kot izvajalec seminarjev in izobraževanj na temo javno-zasebnega partnerstva. Pri svojem delu sodeluje s številnimi evropskimi in mednarodnimi organizacijami, ki si prizadevajo za razvoj in uveljavitev javno-zasebnih partnerstev, med drugim z Mednarodnim centrom odličnosti za javno-zasebna partnerstva pri Ekonomski komisiji Združenih narodov za Evropo (UNECE International PPP Centre of Excellence), Ekonomskim forumom (Economic Forum), Centrom za management javnih naročil (Centar za menadžment nabavki), je član mednarodnega odbora Ruskega centra za razvoj javno-zasebnih partnerstev (PPP Development Center of the Russian Federation).

Boštjan Ferk is an Assistant Professor for Public Administration at the Faculty of Government and European Studies, Slovenia. He is one of the Founders at the Institute for Public-Private Partnership, Slovenia and company S-Procurement, providing one of the leading global e-procurement solutions based on SaaS model to Contracting Authorities. Boštjan is the co-author of a legal monograph and also the author of numerous articles, including a legal monograph



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

»Public Services, State Aids, and Public-Private Partnerships«.

He continues to upgrade his professional knowledge on PPP by attending conferences and seminars at home and abroad, as well as upgrading academic qualifications at foreign universities. For example, he has improved his language and professional skills in Australia, as a stagier at the European Court of Justice and in the cabinet of the Attorney General prof. Verica Trstenjak, Ph.D. The majority of the research for his Ph.D. thesis was conducted in Dublin, Ireland, and at the Max Planck Institute for Comparative and International Private Law in Hamburg, Germany. His work comprises numerous articles for Slovenian and foreign journals, dealing mainly with the public-private partnerships, public procurement, and the cooperation between the public and private sector, as well as two monographs: Javne službe, državne pomoči in javno-zasebna partnerstva [Public Services, State Aids, and Public-Private Partnerships], and Pogodba o javno-zasebnem partnerstvu [Public-Private Partnership Contract]. The latter is based on Boštjan's Ph.D. thesis and supplemented by the 2014 EU legislative package on public procurement and the award of concession contracts. He is listed as one of Slovenian arbitrators with the Ljubljana Arbitration Centre at the Chamber of Commerce and Industry of Slovenia. Boštjan regularly lectures at PPP seminars and trainings organised at the Academy for Administration of the Slovenian Ministry of Public Administration. In his work, he collaborates with numerous European and international organizations that strive for development and implementation of public-private partnerships, e.g.: UNECE International PPP Centre of Excellence, Economic Forum, Centar za menadžment nabavki. He is also a member of the international committee PPP Development Center of the Russian Federation.

**Petra Ferk** je kot docentka za javno upravo habilitirana in predava na Fakulteti za državne in evropske študije, kjer sodeluje pri pedagoškem delu v okviru predmetov javno-zasebna partnerstva, pravne osebe javnega in zasebnega prava, upravni sistemi na dodiplomski in podiplomski stopnji, posebni upravni postopki in pravo javnih služb. Petra Ferk je soustanoviteljica Inštituta za javno zasebno partnerstvo ter družbe S-Procurement, družbe za elektronske nabavne platforme, d.o.o.. Je avtorica več strokovnih in znanstvenih člankov doma in v tujini, med drugim je v soavtorstvu z Boštjanom Ferkom napisala monografijo z naslovom Javne službe, državne pomoči in javno-zasebna partnerstva. Leta 2008 je prejela priznanje Zveze društev pravnikov za mlado pravico. Med daljšimi študijskimi aktivnostmi v tujini je treba omeniti raziskovalno delo, ki ga je opravila za magistrsko nalogo in za doktorsko disertacijo kot štipendistka na Inštitutu Maxa Plancka za mednarodno in primerjalno pravo v Hamburgu. Stažirala je na Sodišču Evropske Unije v Luksemburgu, in se v Dublinu na Irskem izpopolnjevala v angleškem jeziku ter opravljala tudi raziskovalno delo za doktorsko disertacijo. Petra Ferk je generalna sekretarka Slovenskega društva za evropsko pravo in sodeluje pri njegovih aktivnosti že od ustanovitve naprej. Hkrati je tudi članica upravnega odbora Mednarodnega združenja za evropsko pravo (Federation Internationale du droit Europeen – FIDE) in članica upravnega odbora Mednarodne akademije za primerjalno pravo (International Academy of Comparative Law – IACL). Petra Ferk je nacionalna korespondentka za European Procurement & Public Private Partnership Law Review. V okviru



**NOVA  
UNIVERZA**

FAKULTETA  
ZA DRŽAVNE IN  
EVROPSKE ŠTUDIJE

Upravne akademije pri Ministrstvu za javno upravo pa nastopa kot izvajalka seminarjev in izobraževanj na temo javno-zasebnega partnerstva. V zadnjem času se ukvarja zlasti s projekti pogodbenega zagotavljanja prihranka energije, zagotavljanjem in financiranjem izvajanja javnih služb in izgradnje javne infrastrukture ter s tem povezanim vprašanjem državnih pomoči ter aktualnimi vprašanji elektronskega javnega naročanja.

Petra Ferik is an Assistant Professor for Public Administration at the Faculty of Government and European Studies, Slovenia. She is one of the Founders at the Institute for Public-Private Partnership, Slovenia and company S-Procurement, providing one of the leading global e-procurement solutions based on SaaS model to Contracting Authorities. Petra is the co-author of a legal monograph and also the author of numerous articles, including a legal monograph »Public Services, State Aids, and Public-Private Partnerships«. In 2008, she was also awarded the “Young Lawyer Award” by the Slovenian Law Association. Among her activities abroad, her most prominent work is a research, conducted in Dublin as well as research for her master’s and doctoral theses at the Max Planck Institute for Comparative and International Private Law in Hamburg, Germany, for which she received scholarship. She additionally improved her professional skills as a stagier at the European Court of Justice in the cabinet of Judge of the Court of First Instance of European Communities, Mrs. Ingrida Labucka. Petra is the Secretary General of the Slovenian Association for European Law and participates in its activities since its establishment. She also holds the positions of a member of the management board at Federation Internationale du droit Europeen – FIDE and International Academy of Comparative Law – IACL. Petra is the national correspondent for European Procurement & Public Private Partnership Law Review, and is active in promoting best practices on PPPs within the trainings organised by the UNECE International PPP Centre of Excellence. She is on the list of lecturers for public-private partnerships at the Academy for Administration of the Slovenian Ministry of Public Administration. Recently, she has been actively engaging in discussions on e-procurement, energy performance contracting projects, provision and financing of public services, public infrastructure, and the related issue of state aid.