

REGULATIVNE TEHNIKE

UČNI NAČRT PREDMETA/COURSE SYLLABUS

Predmet:	REGULATIVNE TEHNIKE
Course title:	REGULATORY TECHNIQUES
Članica nosilka/UL Member:	UL FU

Študijski programi in stopnja	Študijska smer	Letnik	Semestri	Izbirnost
Uprava - Upravljanje javnega sektorja, druga stopnja, magistrski	Javna uprava (smer)	2. letnik	1. semester	obvezen

Univerzitetna koda predmeta/University course code:	0061333
Koda učne enote na članici/UL Member course code:	2014

Predavanja /Lectures	Seminar /Seminar	Vaje /Tutorials	Klinične vaje /Clinical tutorials	Druge oblike študija /Other forms of study	Samostojno delo /Individual student work	ECTS
21	11			88	60	6

Nosilec predmeta/Lecturer: Mirko Pečarič

Vrsta predmeta/Course type: OBVEZNI/CORE

Jeziki/Languages:

Predavanja/Lectures:	Angleščina, Slovenščina
Vaje/Tutorial:	

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

Prerequisites: No prerequisites.

Vsebina:

1. Regulativne tehnike in z njim povezani pojmi
2. Vzroki za razlike v regulativni okolici
3. Način ugotavljanja javnih vrednot
4. Vzroki za oblastno poseganje države
5. Regulativni instrumenti
6. Alternative za napake regulacije
7. Normativni pristopi
8. Regulativne strategije
9. Regulativni eksperimenti
10. Regulativne inovacije
11. Demokratična participacija
12. Kolektivna modrost skupin.

Content (Syllabus outline):

1. Regulatory techniques and related notions
2. Causes for differences in regulatory environment
3. A method for determining public values
4. Causes for authoritative government intervention
5. Regulatory instruments
6. Alternatives to regulatory errors
7. Normative approaches
8. Regulatory strategies
9. Regulatory experiments
10. Regulatory innovations
11. Democratic participation
12. Collective wisdom of crowds.

Temeljna literatura in viri/Readings:

1. Pečarič, M. (2015). Regulativne tehnike. Ljubljana: Uradni list Republike Slovenije.
2. Pečarič, M. (2017). Can a group of people be smarter than experts?. *The theory and practice of legislation*, ISSN 2050-8840, Vol. 5, št. 1, str. 5-29, doi: 10.1080/20508840.2016.1259823. [COBISS.SI-ID 4988078].

3. Baldwin, R., Cave, M. in Lodge, M. (2013). *Understanding Regulation: Theory, Strategy, and Practice*. New York: Oxford University Press.
4. Baldwin, R., Cave, M. in Lodge, M. (2012). *The Oxford Handbook of Regulation*. Oxford; New York: Oxford University Press.
5. Moss, D., Cisternino, J. (2009). *New Perspectives on Regulation*. Cambridge: The Tobin Project;
6. Breyer, S. (1982). *Regulation*. Cambridge: Harvard University Press.
7. Pečarič, M. (2015). Canons of interpretation as substitutes of causation in the public administration's rulemaking. *Lex localis*, ISSN 1581-5374, Vol. 13, št. 3, str. 453-483, doi: 10.4335/13.3.453-483(2015). [COBISS.SI-ID 4603822].
8. Pečarič, M. (2011). A dynamic reflection on the factual state of affairs through an experimental norm. *Legisprudence*, ISSN 1752-1467, 2011, vol. 5, št. 3, str. 273-295. [COBISS.SI-ID 3814062].

Cilji in kompetence:

Cilji

- študentje razlikujejo med regulativnimi tehnikami in drugimi podobnimi pojmi,
- študentje znajo reševati vprašanja, povezana z regulacijo,
- študentje prepoznajo vprašanja, ki so pomembna za pravno in zakonito uporabo regulativnih instrumentov.

Kompetence

- študentje lahko strokovno zaznavajo razlike v regulativni okolici in jih znajo pravilno umestiti,
- študentje obvladujejo temeljne zakonitosti za uporabo regulativnih tehnik,
- študentje so sposobni ugotoviti vzroke oz. upravičenja za oblastno poseganje države,
- študentje so sposobni pravilne uporabe oz. izbire med ekonomsko-regulativnimi in pravnimi instrumenti.

Objectives and competences:

General aims:

- students distinguish between regulatory techniques and other similar concepts,
- students are able to solve issues related to regulation,
- students can identify issues that are important for the legal and legitimate use of regulatory instruments.

Competencies:

- students can professionally detect differences in regulatory surroundings and know how to properly integrate them,
- students can handle the basic rules of using the regulatory techniques,
- students are able to determine causes and/or entitlements for the authoritative government intervention,
- students can correctly use and/or choose between the economic– regulatory and legal instruments.

Predvideni študijski rezultati:

Znanje in razumevanje:

Študent je usposobljen za prepoznavanje in razumevanje tehnik regulacije. Prav tako je zmožen ne le razumeti, pač pa tudi uporabiti regulativno tehniko, ki najbolj ustreza situaciji v realnem času in prostoru.

Uporaba:

Študent je sposoben na temelju danih podatkov, principov in zakonitosti uporabiti ustrezno regulativno tehniko.

Analiza:

Študent je sposoben analizirati vzroke v regulativni okolici in se odločiti za najprimernejšo tehniko.

Sinteza:

Študent zna ustno in pisno predlagati rešitve za kompleksne regulativne probleme glede na analizirane vzroke in področje.

Vrednotenje:

Študent zna napovedati učinek spremembe zakonodaje na obravnavanem področju.

Intended learning outcomes:

Knowledge and comprehension:

A student is trained to recognize and understand the techniques of regulation. S/he is also able not only to understand, but also to use a regulatory technique that best fits to a specific situation within the real time and space.

Application:

A student is able, on the basis of the data, principles and legality to use an appropriate regulatory technique.

Analysis:

The student is able to analyze causes in an regulatory environment and to decide on the most appropriate technique.

Synthesis:

The student can orally and in writing, to propose solutions for complex regulatory issues in relation to the analyzed causes and scope.

Evaluation:

The student is able to predict an effect of legislative change in a considered area.

Metode poučevanja in učenja:	Learning and teaching methods:
1. priprava na predavanja (obvezno)	1. preparations for lectures
2. predavanje (obvezno)	2. lecture
3. priprava na seminar(obvezno)	3. preparations for seminars
4. seminar (obvezno)	4. seminars
5. problemsko učenje.	5. problem based learning

Načini ocenjevanja:	Delež/Weight	Assessment:
1. odprt pisni ali ustni izpit	60,00 %	1. open book written or oral exam
2. sprotne naloge in aktivno sodelovanje na predavanjih seminarjih	10,00 %	2. the real-time tasks and active participation in lectures, seminars
3. seminarska naloga	30,00 %	3. seminar

Reference nosilca/Lecturer's references:

- Pečarič, M. (2015). Universal capacity to generalise legal principles by combining reason, logic, morals and their counterparts. *The theory and practice of legislation*, 2015, vol. 3, iss. 1, str. 1-22.
- Pečarič, M. (2015). Canons of interpretation as substitutes of causation in the public administration's rulemaking. *Lex localis*, ISSN 1581-5374, Vol. 13, št. 3, str. 453-483, doi: 10.4335/13.3.453-483(2015).
- Pečarič, Mirko (2013). Personal establishment and accomplishment of public service values. *Transylvanian review of administrative sciences*, ISSN 1842-2845, št. 38, str. 125-143.
- Pečarič, M. (2013). The public administration viewed from the reflective public servants. *Public administration research*, ISSN 1927-517X, nov. 2013, vol. 2, št. 2, str. 250-266.
- Pečarič, M., Bugarič, B. (2011). *Javne službe*. Ljubljana: Fakulteta za upravo.
- Pečarič, M. (2011). *Osnove javne uprave*. Ljubljana: Študentska založba.
- Pečarič, M. (2012). Public interest and the question of locus standi. *Anali Pravnog fakulteta u Beogradu*, ISSN 0003-2565, 2012, year 60, št. 3, str. 318-333.
- Pečarič, Mirko (2011). Administrative culture. *Hrvatska i komparativna javna uprava*, ISSN 1848-0357, 2011, let. 11, št. 2, str. 379-409.
- Pečarič, M. (2011). Delegated legislation - a mixture of general principles of law and an individual mind. *International Constitutional Law Journal*, ISSN 1995-5855, vol. 5, št. 3, str. 400-422.