



Support for Improvement in Governance and Management  
A joint initiative of the OECD and the EU, principally financed by the EU

**SIGMA-ЗЕДНИЧКА ИНИЦИЈАТИВА НА ОЕСД И ЕВРОПСКАТА УНИЈА,  
ГЛАВНО, ФИНАНСИРАНА ОД СТРАНА НА PHARE ПРОГРАМАТА НА**

**ЕВРОПСКАТА УНИЈА**

## **ЕВРОПСКИ ПРИНЦИПИ ЗА ЈАВНАТА АДМИНИСТРАЦИЈА**

**SIGMA ДОКУМЕНТ: БР. 27**

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*“(obligation de resultat”).*

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## I.

## 1. Принципи на административното право

(Verwaltungsrecht, droit

administratif)

1.

(1976), (1957), (1994), (1925), (1960), (1979), (1985), (1991) (1958).

2.

: 1) ; 4) ; 3)

3.

<sup>1</sup> Vidi J. Ziller, *Administrations comparees : less systemes politico-administratifs de l'Europe des Douze*, Montchrestien, Paris, 1993. Vidi, tako er, J. Schwarze, *Europaisches Verwaltungsrecht*, Nomos, Baden-Baden, 1988.

<sup>2</sup> Vidi J. Schwarze, *Europaisches Verwaltungsrecht*, Nomos, Baden-Baden, 1988. Engleska verzija: *European Administrative Law*, London, 1992.

<sup>3</sup> Vidi J. Schwarze, *Europaisches Verwaltungsrecht*, Nomos, Baden-Baden, 1988. Engleska verzija: *European Administrative Law*, London, 1992.



4

*(Rechtsstaat, Etat de droit)*

*(freies Ermessen, pouvoir discretionnaire).*

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<sup>4</sup> *Preeminence des actes reglementaires sur les actes individuels d'une meme autorite publique,*

*vis a vis*

5

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<sup>5</sup> , Case Technische Universitat Munchen, 1991, ECR-I-5469.

<sup>6</sup> J. Ziller, "Le principe de proportionnalite en droit administratif at droit communaunautaire", u *Actualite juridique, droit administratif*, numero special, juin 1996, pp. 185-188.

<sup>7</sup> J. Schwarze, "The Procedural Guarantees in the Recent Case Law of the European Court of Justice", in *Essays in Honour of Henry G. Schermers*, Vol. II, Dordrecht, Boston, London, 1994, p. 487 ff.

18.

20.





## 2. Европскиот административен простор

*communautaire*

*acquis*

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<sup>9</sup> , 68/81, v. *Belgija* (1982.), ECR 153.

<sup>10</sup> *SIGMA Papers, No. 23, Preparing Public Administrations for the European Administrative Space, OECD, Paris, 1998.*



( 173)

( 190).

*acquis communautaire.*

12

*acquis*

*„acquis communautaire“*,

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12

C-6/90 C-9/90 “A. Francovich *et al.* v. Italy”, 1991.



*acquis communautaire,*

( 209 ).

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<sup>13</sup> J. Schwarze (ed.), *Administrative Law under European Influence: On the Convergence of the Administrative Laws of the EU Member States*, Nomos, Baden-Baden, and Sweet and Maxwell, London, 1996. G. Marcou, *Les mutations du droit de l'administration en Europe: pluralisme et convergences*, L'Harmattan, Paris, 1995.

*acquis*

<sup>14</sup>  
*principe de legalite,*

“  
*Rechtsstaatlichkeit*  
- *rule of law.*”

<sup>15</sup>

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<sup>14</sup> J. Schwarze, *European Administrative Law*, op. cit.

<sup>15</sup> J. Rivero, “Vers un droit europeen: nouvelles perspectives en droit administratif”, in M. Capelletti (ed.), *New perspectives for Common Law in Europe*, Publications of the European University Institute, Vol. 1, Florence, 1978, p. 389 ff.

*acquis communautaire,*

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*acquis communautaire.*

**II.**

**1. Правна структура за професионална државна служба: државни вработени или државни службеници?**

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*Fonctionnaires*). (Beamte,

( ..)

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<sup>16</sup> Raadshelders and Rutgers, "The Evolution of Civil Service Systems", in Bekke, Perry and Toonen (eds.), *Civil Service Systems in Comparative Perspective*, Indiana University Press, 1996.

).

, *inter alia*,

(*Civil Service Order in Council*).

• ( );

• ;

*statusa quo*

(Royal Prerogative –

). , *inter alia*,

( 40% )

*Beamte* ( ) *Angestellte* ( ),

( ) “

1993

60-90

10-40

<sup>17</sup>, 10-40

“

## 2. Управување со државната администрација во контекст „администрација низ закон“

*ex ante ex post*

è

<sup>18</sup>

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<sup>17</sup> , 149/1979, Commission v. Belgium.

<sup>18</sup> SIGMA Papers, No. 1, *Top Management Service in Central Government: Introducing a System for the Higher Civil Service in Central and Eastern European Countries*, OECD, Paris, 1995.





1. The Commission has received information from the Government of Karnataka that the Government has decided to set up a new institution for the purpose of providing training to the youth of the State in the field of information technology. The Government has decided to set up a new institution for the purpose of providing training to the youth of the State in the field of information technology. The Government has decided to set up a new institution for the purpose of providing training to the youth of the State in the field of information technology.





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