The aim of this thesis is to challenge China's administrative law both in its practice and in its theory and to propose further reform by a comparative study of other models. -- The key point of judicial review is that it is an independent judicial check over administrative actions. This is both for the purpose of protecting the individual's rights and for the promotion of good administration. Based on this concept, this thesis begins.
with a discussion of whether judicial review existed or exists in China by examining China's legal history and certain contemporary issues. I conclude that the idea of judicial review was introduced into China around 1914, a separate Administrative Court was set up in 1932 and abolished in 1949. The concept of judicial review was re-introduced in China in 1982, but only partly so since the People's Court has no power to invalidate delegated legislation. Through an historical study of Chinese law, it can be seen that judicial review did not have any chance of survival in imperial China. This is because there was no recognition of a separation of powers, little independence of the judiciary and an ignorance of the concept of the rule of law. These principles are the essence of the necessary pre-conditions for a successful system of judicial review.

-- How to solve the problem? Learning from the experience of other countries will be a great benefit to China. In particular, after 1997, Hong Kong will be a special administrative region of the PRC, but will retain the common law. There will be possibilities of conflict between the two different legal systems, and Hong Kong has therefore been chosen as the first model, followed by the English model on which it is based and then the US model is discussed. There is a brief study of pre-conditions for judicial review in France, as well as some socialist countries, such as Poland and the USSR.

This book investigates judicial deference to the administration in judicial review, a concept and legal practice that can be found to a greater or lesser degree in every constitutional system. In each system, deference functions differently, because the positioning of the judiciary with regard to the separation of powers, the role of the courts as a mechanism of checks and balances, and the scope of judicial review differ. In addition, the way deference works within the constitutional system itself is complex, multi-faceted and often covert. Although judicial deference to the administration is a topical theme in comparative administrative law, a general examination of national systems is still lacking. As such, a theoretical and empirical review is called for. Accordingly, this book presents national reports from 15 jurisdictions, ranging from Argentina, Canada and the US, to the EU. Constituting the outcome of the 20th General Congress of the
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International Academy of Comparative Law, held in Fukuoka, Japan in July 2018, it offers a valuable and unique resource for the study of comparative administrative law.

This title explores the procedural and substantive principles of administration law. It uses case studies and comparative studies of procedural fairness and propriety in courts to find the similarities and differences among various legal systems. Along with several European countries, it also covers Latin America and China.

Administrative Law has been a subject on which Professor Allan R. Brewer-Carias has been working, writing and publishing during the past fifty years, since his first book published in Caracas in 1964, on "The Fundamental Institutions of Administrative Law and the Venezuelan Jurisprudence" (Las Instituciones Fundamentales del Derecho Administrativo y la Jurisprudencia Venezolana, Universidad Central de Venezuela, Caracas 1964). Since then, he has published many books and articles treating matters of Administrative Law mainly is Spanish, being this his first book in English on the subject. Since 2005, after fixing his permanent residence in New York and after accomplishing his work as Adjunct Professor of Law at Columbia Law School where he thought a Seminar on "Constitutional Protection of Human Rights in Latin America," he has acted a Lawyer and Legal Counsel giving legal opinions on Venezuelan administrative Law, being this book the result of all his research for such purpose. Consequently, the reader will find in this volume a very useful analysis of administrative law in Venezuela, providing information on the country's sources of administrative law, the organization of Public Administration, the administrative action accomplished by its different organs and entities in the national (federal), state and municipal levels of government; the administrative procedures principles and the scope of the principle of legality applicable to administrative action; the use and enactment of administrative acts in order for the Administration to decide on particular matters, and the use of administrative contracts in order to associate private persons and institution to Public Administration and public activities. Thorough coverage by a local expert this book fully describes the principal issues regarding judicial review of administrative action, in order to annul illegal
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administrative act and to assure the respect for the rule of law. In addition, the volume provides specific information regarding important issues of administrative law concerning the regime on restrictions of economic freedom and of property rights, with special emphasis on the constitutional means the State can use for its reservation of economic areas (nationalization) and for expropriation of private property; the regime of environment protection and land use, with particular emphasis on matters regarding the oil and mining industries; the regime of the protection and promotion of investments, with specific discussion on the consent for arbitration in public matters; and the regime referred to the legal status of individuals, citizens and aliens. Details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for both practicing and academic jurists. Lawyers representing parties, with interests in Venezuela will welcome this guide, and academics and researchers will appreciate its value in the study of comparative administrative law.

Blending both the theoretical and applied aspects of contemporary issues in court management, this reference/text offers in-depth coverage of all major topics and developments in judicial systems administration. It is suitable for use in the classroom or for self-study. Providing the background material to clarify even the most technical management application, this book: presents the history and theory of the court management movement; examines the separation of powers doctrine, and its relationship to judicial independence; discusses the latest developments in court reform, the American Bar Association standards, alternative dispute resolution techniques and caseflow considerations; analyzes unified court budgeting and revenue generation by judicial systems; describes personnel administration, training and jury management; and elucidates court performance evaluation, planning approaches, the use of cameras in the courtroom and audio-visual applications.

Judicial control of public power ensures a guarantee of the
rule of law. This book addresses the scope and limits of judicial control at the national level, i.e. the control of public authorities, and at the supranational level, i.e. the control of States. It explores the risk of judicial review leading to judicial activism that can threaten the principle of the separation of powers or the legitimate exercise of state powers. It analyzes how national and supranational legal systems have embodied certain mechanisms, such as the principles of reasonableness, proportionality, deference and margin of appreciation, as well as the horizontal effects of human rights that help to determine how far a judge can go. Taking a theoretical and comparative view, the book first examines the conceptual bases of the various control systems and then studies the models, structural elements, and functions of the control instruments in selected countries and regions. It uses country and regional reports as the basis for the comparison of the convergences and divergences of the implementation of control in certain countries of Europe, Latin America, and Africa. The book’s theoretical reflections and comparative investigations provide answers to important questions, such as whether or not there are nascent universal principles concerning the control of public power, how strong the impact of particular legal traditions is, and to what extent international law concepts have had harmonizing and strengthening effects on internal public-power control.

After the fall of the Porfirio Díaz regime, pueblo representatives sent hundreds of petitions to Pres. Francisco I. Madero, demanding that the executive branch of government assume the judiciary’s control over their unresolved lawsuits against landowners, local bosses, and other villages. The Madero administration tried to use existing laws to settle land conflicts but always stopped short of invading judicial authority. In contrast, the two main agrarian reform programs undertaken in revolutionary Mexico—those implemented by Emiliano Zapata and Venustiano Carranza—subordinated the judiciary to the executive branch and thereby reshaped the postrevolutionary state with the support of villagers, who actively sided with one branch of government over another. In Matters of Justice Helga Baitenmann offers the first detailed account of the Zapatista and Carrancista agrarian reform programs as they were implemented in practice at the local level and then reconfigured in response to unanticipated inter- and
intravillage conflicts. Ultimately, the Zapatista land reform, which sought to redistribute land throughout the country, remained an unfulfilled utopia. In contrast, Carrancista laws, intended to resolve quickly an urgent problem in a time of war, had lasting effects on the legal rights of millions of land beneficiaries and accidentally became the pillar of a program that redistributed about half the national territory.

Judicial control of public administration is essential for the realisation of the rule of law and democracy. To date, there is virtually no effective judicial protection in Afghanistan. However, a study of Afghan legal history suggests that the country has certain - currently underdeveloped - institutions that could be used as the basis for the creation of judicial control. Based on a historical study, the book elaborates the pluralist legal culture of Afghanistan, rooted in tribal and Islamic legal conceptions alongside a State legal system. The author proposes practical solutions for the development of judicial control of public administration in Afghanistan.

This book presents a detailed introduction to the fundamental concepts, principles and processes of the field of public administration. It provides comprehensive coverage of the major topics of this diverse field. Intended primarily for undergraduate and postgraduate students of public administration and political science as well as for civil services aspirants, this book will also be a handy reference for professionals in public service and social service. The book presents an overview of the field of public administration as well as its fundamental aspects, which include the theory of administration and the nature, typology and structure of organisations. It explains the major theoretical perspectives as well as two major specialised areas of the field—public policy and development administration. It also provides an extensive presentation of the prominent aspects of the public administration and management process—span of control, coordination, communication, authority and responsibility, centralisation and decentralisation, and accountability and control.
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differentiated analysis of Germany’s public administration and reforms. It provides an overview on key elements of German public administration at the federal, Länder and local levels of government as well as on current reform activities of the public sector. It examines the key institutional features of German public administration; the changing relationships between public administration, society and the private sector; the administrative reforms at different levels of the federal system and numerous sectors; and new challenges and modernization approaches like digitalization, Open Government and Better Regulation. Each chapter offers a combination of descriptive information and problem-oriented analysis, presenting key topical issues in Germany which are relevant to an international readership.

Contextualised study setting out the foundations of administrative law, with discussion of case law and legislation to show practical application.

This book offers an innovative approach to studying ‘judicial activism’ in the Indian context in tracing its history and relevance since 1773. While discussing the varying roles of the judiciary, it delineates the boundaries of different organs of the State — judiciary, executive and legislature — and highlights the points where these boundaries have been breached, especially through judicial interventions in parliamentary affairs and their role in governance and policy. Including a fascinating range of sources such as legal cases, books, newspapers, periodicals, lectures, historical texts and records, the author presents the complex sides of the arguments persuasively, and contributes to new ways of understanding the functioning of the judiciary in India. This paperback edition, with a new Afterword, updates the debates around the raging questions facing the Indian judiciary. It will be of great interest to students and scholars of law, political science and history, as well as legal practitioners and the general reader.

Evaluates UK government modernization programs from 1980 to the present. Provides a framework for assessing long-term performance in government, bringing together the 'working better' and 'costing less' dimensions.
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This thesis deals with an important subject: the Lebanese Bureau of Accounts as a central control agency of Lebanon public administration. The purpose of this study is to examine the organizational structures and functions of the Bureau from an administrative perspective with some special emphasis on its main developments and work as prescribed by Law No. 132 enacted on April 14, 1992. It discusses also the importance of financial accountability in government and the necessity of an independent auditing control agency from a comparative perspective. The Bureau of Accounts is an administrative court charged with the supervision of the administration of public funds. Its role is to control administratively the use of public funds and their conformity to the prevailing rules, laws, and regulations. The Bureau of Accounts was established in 1951. It performs both administrative and judicial functions. The administrative functions of the Bureau includes pre-audit, and post-audit control, whereas the judicial functions include control of accounts and control of public employees. The problems that the Bureau of Accounts faces are to be divided into two broad divisions: internal and external. The internal problems that the Bureau faces while it performs its duties and responsibilities are to be subdivided into three parts: legislative, administrative, and professional. The legislative problems include: 1- Deficiencies in Lebanon's Bureau of Accounts legislation specifically pertaining to its constitutional rights and privileges and its autonomy. 2- Discrepancy between what the law stipulates and what is put actually into practice. 3- No clear dichotomy between politics and administration. The administrative problems include: 1- Shortage of qualified personnel in the Bureau of Accounts. 2- More concern and emphasis on pre-audit rather than post-audit control. 3- Manual accounting methods. The professional problems include: 1- Unavailability of machines and equipments in the Bureau of Accounts. 2- Public employees lack the experience to use computers in performing their duties. In conducting its supervision and control functions, the Bureau encounters many problems with public agencies and ministries. This study concentrates on the problems the Bureau faces with three important ministries. These were chosen for the following reasons: The Ministries of Public Works and National Education and Youth and Sports, for their sizeable share of public budget estimated at around 4.8% and 4.2% respectively of the whole public budget; and the Ministry of
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Finance for its important role in financial control. The external problems of the Bureau of Accounts may be summarized as follows: 1- Illegality of the financial transactions. 2- Violations of the prevailing laws, rules and regulations. 3- Inefficiency in performing governmental activities. The solutions proposed by this study and by some bureaucrats may be summarized as follows: 1- To review government laws, rules and regulations; 2- To increase the number of staff in the Bureau of Accounts; 3- To introduce new methods and techniques in the Bureau to facilitate the computation and preservation of transactions; 4- To replace the manual accounting methods by new modernized systems; 5- To raise pre-audit control from five to ten million Lebanese pounds; 6- To grant the Bureau of Accounts more autonomy and independence in performing its duties and responsibilities; 7- To train and recruit new employees in the Bureau of Accounts; 8- To equip the Bureau's library with documents and references pertinent to the subject matter; 9- To raise the salary of public employees in the Bureau of Accounts so that they will not be tempted to move to the private sector; 10- To appoint engineers, surveyors, and technicians in the Bureau of Accounts to estimate the values of materials and equipments; 11- To issue a special law enabling the Bureau to exercise control over the economic and development plans; 12- To determine the principles of the Bureau's control over institutions that have financial relations with the government; 13- To issue periodical bulletins explaining government policies in the public sector; 14- To avoid conflicting interests between the Bureau of Accounts and the Council of Ministers; and, 15- To promote the principles of efficiency and effectiveness in public administration. On the whole, although the Bureau of Accounts in Lebanon faces many problems and weaknesses, it has proved to be, however, an indispensable central financial control agency, without whose existence public funds will be abused and wasted.

Over the last decade the regulatory evaluation of environmental and public health risks has been one of the most legally controversial areas of contemporary government activity. Much of that debate has been understood as a conflict between those promoting 'scientific' approaches to risk evaluation and those promoting 'democratic' approaches. This characterization of disputes has ignored the central
Get Free Judicial Control Over Administration And Protect The roles of public administration and law in technological risk evaluation. This is problematic because, as shown in this book, legal disputes over risk evaluation are disputes over administrative constitutionalism in that they are disputes over what role law should play in constituting and limiting the power of administrative risk regulators. This is shown by five case studies taken from five different legal cultures: an analysis of the bifurcated role of the Southwood Working Party in the UK BSE crisis; the development of doctrines in relation to judicial review of risk evaluation in the US in the 1970s; the interpretation of the precautionary principle by environmental courts and generalist tribunals carrying out merits review in Australia; the interpretation of the WTO Sanitary and Phytosanitary Agreement as part of the WTO dispute settlement process; and the interpretation of the precautionary principle in the EU context. A strong argument is thus made for re-orienting the focus of scholarship in this area.

Strategies and priorities for the public sector in Europe

The public sector in our society has over the past two decades undergone substantial changes, as has the academic field studying Public Administration (PA). In the next twenty years major shifts are further expected to occur in the way futures are anticipated and different cultures are integrated. Practice will be handled in a relevant way, and more disciplines will be engaging in the field of Public Administration. The prominent scholars contributing to this book put forward research strategies and focus on priorities in the field of Public Administration. The volume will also give guidance on how to redesign teaching programmes in the field. This book will provide useful insights to compare and contrast European PA with PA in Europe, and with developments in other parts of the world. Contributors: Geert Bouckaert (KU Leuven), Werner Jann (University of Potsdam), Jana Bertels (University of Potsdam), Paul Joyce (University of Birmingham), Meelis Kitsing (Estonian Business School, Tallinn), Thurid Hustedt (Hertie School of Governance, Berlin), Tiina Randma-Liiv (Tallinn University of Technology), Martin Burgi (Ludwig Maximilians University of Munich), Philippe Bezès (Science Po Paris; CNRS), Salvador Parrado (Spanish Distance Learning University (UNED), Madrid), Mark Bovens (Utrecht University; WRR), Roel Jennissen (WRR), Godfried Engbersen (Erasmus University
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Rotterdam), Meike Bokhorst (WRR), Bogdana Neamtu (Babes Bolyai University, Cluj-Napoca), Christopher Pollitt (KU Leuven), Edoardo Ongaro (Open University UK, Milton Keynes), Raffaella Saporito (Bocconi University, Milan), Per Laegreid (University of Bergen), Marcel Karré (Erasmus University Rotterdam), Thomas Schillemans (Utrecht University), Martijn van de Steen (Nederlandse School voor Openbaar Bestuur), Zeger van de Wal (National University of Singapore), Michael Bauer (University of Speyer), Stefan Becker (University of Speyer), Benoit Cathala (Centre national de la fonction publique territoriale), Filipe Teles (University of Aveiro), Denita Cepiku (Tor Vergata University of Rome), Marco Meneguzzo (Tor Vergata University of Rome), Külli Sarapuu (Tallinn University of Technology), Leno Saarniit (Tallinn University of Technology), Gyorgy Hajnal (Corvinus University of Budapest; Centre for Social Research of the Hungarian Academy of Sciences).


The Magna Carta, Latin for "Great Charter" (literally "Great Paper"), also known as 'Magna Carta Libertatum, is an English 1215 charter which limited the power of English monarchs, specifically King John, from absolute rule. The Magna Carta was the result of disagreements between the Pope and King John and his barons over the rights of the king: Magna Carta required the king to accept that the will of the king could be bound by law. The Code of Hammurabi was a Mesopotamian legal code that laid a foundation for later Hebraic and European law. The Magna Carta is widely considered to be the first step in a long historical process leading to the rule of constitutional law and is one of the most famous documents in the world. Originally issued by King John of England (r.1199-1216) as a practical solution to the political crisis he faced in 1215, Magna Carta established for the first time the principle that everybody, including the king, was subject to the law. Although nearly a third of the text was deleted or substantially rewritten within ten years, and almost all the clauses have been repealed in modern times, Magna Carta remains a cornerstone of the British constitution. Most of the 63 clauses granted by King John dealt with specific grievances relating to his rule. However, buried within them were a number of
Get Free Judicial Control Over Administration And Protect The fundamental values that both challenged the autocracy of the king and proved highly adaptable in future centuries. Most famously, the 39th clause gave all 'free men' the right to justice and a fair trial. Some of Magna Carta's core principles are echoed in the United States Bill of Rights (1791) and in many other constitutional documents around the world, as well as in the Universal Declaration of Human Rights (1948) and the European Convention on Human Rights (1950). This translation is considered to be the best and an excellent reference document for your library. This is book 10 in the series of 150 books entitled "The Trail to Liberty." The following is a partial list (20 of 150) of books in this series on the development of constitutional law.

1. Laws of the town Eshnunna (ca. 1800 BC), the laws of King Lipit-Ishtar of Isin (ca. 1930 BC), and Old Babylonian copies (ca. 1900-1700 BC) of the Ur-Nammu law code.
2. Code of Hammurabi (1760 BCE) - Early Mesopotamian legal code.
3. Ancient Greek and Latin Library - Selected works on ancient history, customs and laws.
5. "Constitution" of Medina (Dustur al-Madinah), Mohammed (622).
6. Policraticus, John of Salisbury (1159), various translations - Argued that citizens have the right to depose and kill tyrannical rulers.
8. Assize of Clarendon (1166) - Defined rights and duties of courts and people in criminal cases.
9. Assize of Arms (1181) - Defined rights and duties of people and militias.
10. Magna Carta (1215) - Established the principle that no one, not even the king or a lawmaker, is above the law.
13. The Declaration of Arbroath (1320) - Scotland's declaration of independence from England.
14. The Prince, Niccolò Machiavelli (1513) - Practical advice on governance and statecraft.
15. Utopia, Thomas More (1516)
16. Discourses on Livy, Niccolò Machiavelli (1517 tr. Henry Neville 1675) 17. Relectiones, Franciscus de Victoria (lect. 1532, first pub. 1557) - Provided the basis for the law of nations doctrine.
18. Discourse on Voluntary Servitude, Étienne De La Boëtie (1548, tr.) 19. De Republica Anglorum, Thomas Smith (1565, 1583) - describes the constitution of England under Elizabeth I.
20. Vindiciae Contra Tyrannos (Defense of Liberty Against Tyrants)
The recent Iran-Contra experience brought to light how intricately the political process revolves around questions of who knows what and who decides what should be secret. In this provocative new book, David Sadofsky offers a comprehensive examination of the relationship between the structure of American government and the treatment of information. With an emphasis on Watergate, the Vietnam War, and Iran-Contra, the book reveals a structural dynamic in U.S. government that replicates deep conflict over the control of information. The conflict often takes on the dimensions of a Constitutional confrontation. Knowledge as Power explores the dynamics that lead to such confrontations as well as the resulting resolutions and information policies. Knowledge as Power concludes that the presidency and general government bureaucracy project a conservative model for the control of information. They broadly gather information, use it as desired and limit its disclosure. Sadofsky demonstrates how this conservative model blocks Congress and the American people from valuable information and violates constitutional rights. Written from the premise that the key to understanding modern government is understanding its information policies, this book will be of great value to both students and scholars of American government, civil liberties, constitutional government, and public administration.

Through thoughtful essays linking historical concepts and practices, current issues, and modern research, Matthew Holden argues that administration is indispensable to politics. Essentially, public administration consists of making decisions about information, money, and force - the three crucial sources of power. Politics and administration cannot be separated, and no political system can be sustained when its administrative core collapses. In Holden’s view of administration, a crucial problem is turbulence: the presence of simultaneous pressures toward continuity and toward disruption. Holden examines turbulence in the intellectual history of administration as reflected in traditional political theory and in specific contemporary theories of organization, bureaucracy, and management. He also analyzes political dogmas as a form of control over turbulence, considering such concepts as executive leadership and the emergence of administrative law. He turns an unblinking eye on the practice of public administration.
today, buffeted by changes in technology and ethnic diversity.

The third edition of this highly respected textbook introduces students of public administration to the practical issues of administrative law. While useful to law school students, it is most relevant to public management students. The presentation provides a concise foundation to the history and theory of administrative law, rule making, and judicial decisions. The most important issues in administrative law are included—meaningful issues for present and future administrators. A larger number of recent cases and other up-to-date information will be found in the book in order to make the student aware of the kinds of legal problems likely to be encountered in public agencies. One or two cases illustrate each problem at hand, rather than discussing numerous arcane court decisions and technicalities of legal procedure, in order to sketch the broad contours of the present law.

This book focuses on the essentials that public managers should know about administrative law—why we have administrative law, the constitutional constraints on public administration, and administrative law’s frameworks for rulemaking, adjudication, enforcement, transparency, and judicial and legislative review. Rosenbloom views administrative law from the perspectives of administrative practice, rather than lawyering with an emphasis on how various administrative law provisions promote their underlying goal of improving the fit between public administration and U.S. democratic-constitutionalism. Organized around federal administrative law, the book explains the essentials of administrative law clearly and accurately, in non-technical terms, and with sufficient depth to provide readers with a sophisticated, lasting understanding of the subject matter.

Public Administration Includes Primarily The Organization, Personnel Practices And Procedures Essential To The Effective Performance Of Civilian Functions Entrusted To The Executive Branch Of Government. It Is The Composite Of All The Laws, Regulations, Practices, Relationships, Codes And Customs That Prevail At Any Time In Any Jurisdiction For The Fulfilment Or Execution Of Public Policy. Public Administration Is Far Wider In Scope And All Pervasive In
Modern Life. In Democracies, Particularly In India, The System, Theories And Organization Of Public Administration Require Constant Adjustment And Readjustment In A Changing Situation. Public Administration Is Essentially An Instrument That Has To Step Aside To Allow The Impulses Of Growth Of The People To Blossom Forth To Build Self-Reliant Communities. The Present Book Has Been Divided Into Five Parts Covering Every Possible Aspect Related To Public Administration. Comprehensive And Up-To-Date, This Book Emphasizes A Value Based Approach To The Study And Practice Of Public Administration. The Language Of The Book Has Been Kept Deliberately Simple So As To Make It Easily Accessible To The Average Readers. Latest Works, Articles, Papers And Reports Published By Both Private And Government Departments Have Been Referred To Which Make The Book Highly Informative And Authentic. Students Of Public Administration Both At Undergraduate And Graduation Levels Will Find It Useful. Even For The Teachers Of The Subject, It Is An Ideal Reference Book.

The importance of studying the Lebanese Council of State lies in the fact that respect of law and legal institutions is one way to measure the development of a country and the efficiency of all its institutions; therefore, when the Lebanese Council of State is performing its role properly, our administration will tend to work more efficiently towards public interest. The performance of the Council of State is closely tied with the working of administration as well as with citizens' welfare and interest. --Our Council of State is presently ensuring fair protection for citizens against administrative abuse. However, the need is forgiving it the means for enforcing the implementation of its decisions, in addition to expanding its jurisdiction to go beyond examining the legality of administrative acts, to control the course of actions of administrators, as applicable in the American system. --The methodology adopted throughout this thesis consists mainly of book reviews, articles, legal documents and personal interviews.

The book is devoted to the issue of public administration discretionary power within law application processes and its control. It presents a variety of factors that may affect the range of discretion as well as the influence on public administration's reasoning.
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The publication shows the impact of judicial decisions on the discretionary power of public administration. This issue is analysed in relation to the process of issuing individual decisions by the administration, which have a dominant influence on the sphere of rights and freedoms of man. Judicial influence on public administration discretion is shown in the context of various models of judicial control of public administration.

This book investigates the mechanisms of judicial control to determine an efficient methodology for independence and accountability. Using over 800 case studies from the Czech and Slovak disciplinary courts, the author creates a theoretical framework that can be applied to future case studies and decrease the frequency of accountability perversions.

For the Aspirants of Civil Services - Central and State, Honours and Postgraduate Students of Different Indian Universities

Lord Justice Jackson was required: to review the rules and principles governing the costs of civil litigation and to make recommendations in order to promote access to justice at proportionate cost; to review case management procedures; to have regard to research into costs and funding; to consult widely; to compare our costs regime with those of other jurisdictions; and to prepare a report setting out recommendations with supporting evidence by 31st December 2009. A preliminary report was issued in May 2009 and is also published alongside this final report (ISBN 9780117064034). Major recommendations cover: conditional fee agreements, of which "no win, no fee" agreements are the most common species, and which have been the major contributor to disproportionate costs; success fees and ATE (after-the-event) insurance premiums should cease to be recoverable from unsuccessful opponents in civil litigation; success fees should come out of the damages awarded to the client; awards of general damages should be increased by 10 per cent, and the maximum amount of damages that lawyers may deduct for success fees be capped at 25 per cent of damages; lawyers should not be permitted to pay referral fees in respect of personal injury cases; qualified one way costs
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shifting, taking away the need for ATE insurance; fixed costs in fast track litigation; establishment of a Costs Council. Other sections of the report deal with: other funding issues; personal injuries litigation; some specific types of litigation; and controlling the costs - including pre-action protocols, greater use of alternative dispute resolution (ADR), disclosure, case and costs management by the judiciary.

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