

Course Title	Public Procurement Law				
Course Code	LAW 325				
Course Type	Law Elective				
Level	Undergraduate				
Year / Semester	3rd				
Teacher's Name	Dr Panagiotis Degleris/Dr. Apostolos Gerontas/Dr. Evangelia Koutoupa-Regkakou				
ECTS	6	Lectures / week	3	Laboratories / week	

<p>Course Purpose and Objectives</p>	<p>The goal of the class is the specialization in this scientific field as well as the specialization in a crucial - in terms of practical significance - sector, notably the sector of public procurements within the internal single European market, due to its obvious economic significance, applying both primary and secondary European legislation. In addition, the conception of public procurements - in Italian appalti public, in German öffentliche Verträge and in French marchés publics – is a European law conception and doesn't presuppose the differentiation between private and public law. It was born from the international economic law and it was developed and defined in details by the rules of the European law; only based on the European law, could a public contract be defined, interpreted and evaluated by both European and national courts. The considerable economic interests associated with establishing and concluding public contracts, make this field of law extremely up-to-date, this being confirmed once more by the adoption and the procedure of implementing the new Directives 2014/23/EU, 2014/24/EU and 2014/25/EU in the national legislations. Within the scope of this class we will try to analyze the European and national law of public procurements in particular the new Directives 2014/23/EU, 2014/24/EU and 2014/25/EU as well as the procurement disputes of the participating tenderers within the context of interim judicial protection. We will focus on the establishing and developing of the relevant rules, commenting on decisions of both E.C.J. and national courts.</p>		
<p>Learning Outcomes</p>	<ul style="list-style-type: none"> • The student will comprehend the significance of public procurements within the single internal market as well as the conception and different types of public contracts. • The student will deepen into the key role of the E.C.J.' s case law and the union law in the field of Public Procurement Law. • The student will deepen into the rules on procurement procedures, the rules on awarding public contracts and the legal protection in the field of concluding public contracts. • The student will comprehend the operation of judge's ruling as well as the review procedures before Independent Remedies Authorities. 		
<p>Prerequisites</p>	<p>LAW 213 Administrative Law</p>	<p>Required</p>	

Course Content	<p>Public Procurement law is one of the most important and radical developing fields of public union law, whilst one of the most “attractive” for a lawyer to specialize on. The class examines in depth the union and national legal framework regulating the procedure for concluding works, supplies and services contracts with the State. Furthermore, the most important case law concerning public procurements law on national and European level is presented and analyzed.</p> <p>The following issues are in particular examined:</p> <p>Contracting Authorities and Economic Operators – Conception and categorization of public procurements – Procedures for the awarding of public contracts (e.g. open procedure, restricted procedure, framework agreements, etc.) – Procedural requirements concerning public procurement law, - Selection criteria and grounds for exclusion – relation between public procurement law and other law sectors, for example competition law and state aid law – Competences of Tenders Review Authority and recourse – Judicial protection.</p>
Teaching Methodology	<p>Lectures: 20 hrs</p> <p>Discussion: 12 hrs</p>

Bibliography

1. Κ. Γιαννακόπουλος, Δημόσιες Συμβάσεις και Συμβάσεις Παραχώρησης. Μεγάλες αποφάσεις του Δικαστηρίου της Ευρωπαϊκής Ένωσης, Εκδ. Σάκκουλα Α.Ε, 2019 (C. Yiannakopoulos, Public Contracts and Concession Contracts, the Big decisions of European Court, Sakkoulas Publications S.A, 2019)
2. Π. Δέγλερης, Οι δημόσιες συμβάσεις στην ενωσιακή έννομη τάξη – Η προσωρινή δικαστική προστασία – Η θεμελίωση και η νομολογία του Δ.Ε.Ε, Εκδ. Σάκκουλα Α.Ε, 2019 (P. Degleris, Public procurements in the E.U legal order – Temporary judicia protection -The foundation and the case-law of the European Court of Justice, Sakkoulas Publications S.A, 2019)
3. Ε. Κουλουμπίνη – Η. Μάζος – Ι. Κίτσος, Δημόσιες Συμβάσεις Ν. 4412 / 2016, Εκδ. Νομική Βιβλιοθήκη, 2019 (E. Kouloumpini – I. Mazos – Y. Kitsos, Public Procurement Law 4412/2016, Nomiki Bibliothiki S.A, 2019)
4. C. Yannakopoulos, La déréglementation constitutionnelle en Europe, Sakkoulas Publications S.A, 2019
5. Δ. Ράϊκος, Δίκαιο Δημόσιων Συμβάσεων, Εκδ. Σάκκουλα Α.Ε, 2019 (D. Raikos, Public Procurement Law, Sakkoulas Publications S.A, 2019)
6. Επαμ. Σπηλιωτόπουλος, Εγχειρίδιο Διοικητικού Δικαίου (εκτενές κεφάλαιο για τις δημόσιες συμβάσεις), Εκδ. Νομική Βιβλιοθήκη, 2017 (Ερ. Spiliotopoulos, Administrative Law Manual - extensive chapter for Public Procurements, Nomiki Bibliothiki S.A, 2017)
7. Επιμ: Λ. Παπαδοπούλου – Ευγ. Πρεβεδούρου – Κ. Γώγος, Το Δικαστήριο της Ε.Ε εγγυητής της εύρυθμης λειτουργίας της Ευρωπαϊκής Ένωσης και των δικαιωμάτων των πολιτών, Εκδ. Σάκκουλα Α.Ε, 2016 (Edited by: L. Papadopoulou – Eug. Prevedourou – K. Gogos , the European Court of Justice as a guarantee of proper operation of the European Union and Human Rights, Sakkoulas Publications S.A, 2016)
8. Π. Δέγλερης, Το θεμελιώδες δικαίωμα στην αποτελεσματική (και πραγματική) προσωρινή δικαστική προστασία στις δημόσιες συμβάσεις σε περίοδο οικονομικής κρίσης – Το «παράδειγμα» της ακριβής δικαιοσύνης – μια αποκλίνουσα σχέση δικαίου & δικαιοσύνης, Εκδ. Σάκκουλα Α.Ε, 2016 (P. Degleris, The Fundamental right to effective (and actual) interim judicial protection in public contracts in times of economic crisis – The “example” of expensive justice – Law deviating from justice, Sakkoulas Publications S.A, 2016)
9. Β. Κάρμου - Π. Οικονόμου - Ε. Τροβά, Η κατασκευαστική διαίτησις, Εκδ. Σάκκουλα Α.Ε, 2016 (B. Karmou, P. Oikonomou – E. Trova, The construction arbitration, Sakkoulas Publications S.A, 2016)
10. Π. Δέγλερης, Η προσωρινή δικαστική προστασία στις δημόσιες συμβάσεις – οι «οικονομικές» Οδηγίες 89/665 – 92/13 – 2007/66 και ο Ν. 3886/2010, Εκδ. Σάκκουλα Α.Ε, 2013 (P. Degleris, Interim judicial protection under public sector contracts – “Procedural” Directives 89/665/EEC – 92/13/EC – 92/13/EC – 2007/66/EC and Law 3886/2010, Sakkoulas Publications S.A, 2013)
11. Γ. Σαμπάνης – Χ. Συνοδινός, Συμβάσεις του Δημοσίου, Εκδ. Νομική Βιβλιοθήκη, 2010 (G. Sampanis – X. Synodinos, Public Contracts, Nomiki Bibliothiki S.A, 2010)
12. Π. Δέγλερης, Δίκαιο Προμηθειών και Υπηρεσιών Δημοσίου – Επιλογή νομολογίας προσωρινής δικαστικής προστασίας (Ν. 2522/97) Σ.τ.Ε -Πρωτοδικείων – Δ.Ε.Κ, Τομ. II Εκδ. Σάκκουλα Α.Ε, 2009 (P. Degleris, Law of public supply and service contracts Vol II selected case law of the Council of State, first instance courts and the ECJ on interim judicial protection Law 2552/1997, Sakkoulas Publications S.A, 2009)
13. Απ. Γέροντας, Δίκαιο δημοσίων έργων, Εκδ. Σάκκουλα Α.Ε, 2009 (Ap. Gerontas, Public Works Law, Sakkoulas Publications S.A, 2009)
14. Μ. Οικονόμου, Δημόσιες Συμβάσεις & Δίκαιο Ελεύθερου Ανταγωνισμού, Εκδ. Νομική Βιβλιοθήκη, 2009 (M. Oikonomou, Public Procurement & Free Competition Law, Nomiki Bibliothiki S.A, 2009)
15. Ε. Τροβά – Π. Σκουρής, Το κοινοτικό δίκαιο των δημοσίων συμβάσεων, Εκδ. Σάκκουλα Α.Ε, 2009 (E. Trova – P. Skouris, European Public Procurement Law, Sakkoulas Publications S.A, 2009)
16. G. Dellis (ed.), The new law of public procurement, Law, Nomiki Bibliothiki, 2021
17. Th. Panagos / B.Spiliopoulou and others., Public Procurement, Sakkoulas Publications 2021

Assessment	Examination/Examinations: 60% Assignment/Assignments: 30% Attendance/Participation : 10%
Language	Greek