Aspects regarding the impact of the Administrative Code on the specialized central public administration in Romania. Special attention to the Ministry of National Education

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Abstract

The study aims to analyze the amendments made by the Administrative Code to the central specialized administration, in general and to the Ministry of National Education in particular. The adoption of the Administrative Code is a legislative event that will undoubtedly influence the evolution of the central, local and local public administration in general and of each of its constituent authorities in particular. Last but not least, it will bring benefits to the work of the state and the lives of citizens. A special analysis will give direct influence to the Ministry of National Education, given the significance of the public service it manages, that of education, in all its forms permitted by the Constitution: state, private and confessional. The way in which this central specialized authority achieves its competence influences not only the present, but also the future of a nation, through the institutionalized forms of education, preparing future generations.

Keywords: *Administrative code, education, administrative law, specialized central public administration, competence, ministry, Ministry of National Education.*

JEL Classification: K23

1. The significance of the adoption of the Administrative Code for the Romanian legal system

The adoption by the Chamber of Deputies as the Chamber of Decisions of the Romanian Administrative Code on July 9, 2018 is undoubtedly one of the legislative events that will remain capitalized in the history of Romanian law in general and of the one after 1990, in particular. We say this because the existence of an Administrative Code has been a desideratum for our country after 1990, constantly and persuasively affirmed both in the political programs of party parties or party alliances that have taken place in the government, but also in an active and assumed preoccupation of the doctrine , after, but also before 1990. Shared opinions were either generally in the sense of recognizing the benefits that an Administrative Code might bring and the real possibility of it being adopted, either in a negative sense, of nullification the possibility of achieving such an objective, given the complexity, the vastness and the mutability of the phenomenon that it would be called to regulate, namely the public administration[2].

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A code represents, in any field it has developed, the quintessence of systematization of legislation[3]. If, in the areas of civil, criminal, substantive and procedural law, the existence of codes exceeds a century and a half, the same can not be said about public law. The paradox has led to the beginning of the codification process with its branches, such as tax law, procedural and substantive law, which has hitherto known two major stages, that of the codes of 2003[4] and 2015[5], remaining as a code as the doctrine of "*a dream*", which in the meanwhile has become "*as close as possible to reality*"[6], to become, in the meantime, a "*hope of becoming reality*", as expressed by the same author[7] or "*almost a reality*" to be more concrete. We say "almost", given that, although approved by Parliament, it has not yet been promulgated by the President, currently in the procedure preceding this stage, being subject to the constitutional control exercised by the Constitutional Court in article 146 letter a) of the Constitution. He is thus in an irreversible phase of his transformation into law as a consequence of the promulgation, the earlier stage being able to contribute, to a limited extent, to the modification or elimination of some of his provisions.

I previously mentioned that the adoption of the Administrative Code represents a legislative event for Romania of great significance and we are convinced that it will stimulate the interest and will also be an impetus for other states, where we find the same natural preoccupations for the systematization of the legislation[8].

From the point of view of its content, we appreciate that we can identify the following categories of provisions:

a) provisions with an absolute novel character, not previously existing in the Romanian legal system, at least not in the form and nature in which they are enshrined in the Code. For example, the provisions of Title I of Part I contain *general provisions*, those relating to *contract staff in the public administration* or *the private domain of the state or of the administrative-territorial units* and *on the*

Kluwer Publishing House, Bucharest, 2018, p. 40; Cătălin-Silviu Săraru, *Drept administrativ. Probleme fundamentale ale dreptului public*, C.H. Beck, Bucharest, 2016, p. 57-59.

[3] I. Santai, *Codificarea administrtivă, cerință a statului de drept și a integrării europene a României,* „Revista de Drept Public" no. 1/2003, p. 58.

[4] We are considering the Government Ordinance no. 92/24 December 2003 on the Fiscal Procedure Code, published in the Official Gazette no. 941 of 29 December 2003 and republished several times, the last republication being in the Official Gazette no. 513 of July 31, 2007 Law no. 571/22 December 2003, published in the Official Gazette no. 927 of 23 December 2003.

[5] We report on the new regulations, Law no. 227 / 08.09.2015 regarding the Fiscal Code, published in the Official Gazette no. 688 of 10.09.2015 and Law no. 207 / 20.07.2015 on the Fiscal Procedure Code, published in the Official Gazette no. 547 of 23.07. 2015.

[6] Verginia Vedinaș, *Codul administrativ, un vis din ce în ce mai apoape de realitate,* „Revista de Drept Public" no. 1/2018, pp. 16-19.

[7] Verginia Vedinaș, *O speranță devenită realitate - Codul administrativ, „*Revista de Drept Public" no. 2/2018, pp. 13-16.

[8] Administrative codes were also adopted in Austria (1925), Belgium (1979), Denmark (1985), Germany (1976), Hungary (1957), the Netherlands (1994), Poland (1960), Portugal (1991) and Spain (1958) – see in this regard Cătălin-Silviu Săraru, *European Administrative Space - recent challenges and evolution prospects*, Adjuris Publishing House, Bucharest, 2017, p. 110.

detailed regulation of the procedure for awarding and concluding administrative contracts (the lease and the free use of public property goods), which enshrines the European principle of transparency in public administration[9].

b) provisions previously found in various organic laws, which have been "melted" in the content of the Code, such as Law no. 90/2001 on the organization and functioning of the Government and Ministries[10], Law no. 215/2001 of the local public administration[11], Law no. 188/1999 on the Statute of civil servants[12], Law no. 340/2004 on prefect and prefect institution[13] and many others, which are mentioned in article 604 of the Administrative Code. We would like to point out that these regulations, which are to be repealed after the entry into force of the Administrative Code[14], have not been taken over in their original form, they have been modified to remove some of their provisions, to introduce others, to modify the content of certain provisions, to harmonize them with the other provisions of the Code, so that the resulting normative act is presented as a genuine Administrative Code, representing an integrated legislative act with its own identity as a whole and not as a *codex*, a collection of different regulations.

In terms of its structure, the Administrative Code is made up of **nine parts** where where in succession are governed: *general provisions; central public administration; local public administration; prefect, prefect institution and deconcentrated public services; exercising the right of public and private property of the state and of the administrative-territorial units; the status of civil servants, provisions applicable to contract staff in the public administration, and records of staff paid out of public funds; administrative accountability; public services* and the party concluding the Code, *transitional and final provisions*.

Each party, in its turn, is divided into **titles**, which are made up of **chapters** and **sections**, accompanied by a number of **seven appendices**[15].

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[9] On the principles on the award and execution of administrative contracts developed by European Union regulations, see Cătălin-Silviu Săraru, *Administrative Contracts in the European Union Law*, in Cătălin-Silviu Săraru (ed.), *Contemporary Challenges in the Business Law*, Adjuris Publishing House, Bucharest, 2017, p. 36-39.

[10] With subsequent amendments and completions, published in the Official Gazette no. 164 of 2 April 2001.

[11] With subsequent amendments and completions, republished in the Official Gazette no. 123 of 20 February 2007.

[12] With subsequent amendments and additions, republished in the Official Gazette no. 365 of May 29, 2007.

[13] With subsequent amendments and completions, published in the Official Gazette no. 225 of 24 March 2008.

[14] Article 604 paragraph (2) provides that *"On the date of entry into force of this Code, the following shall be repealed:..."*

[15] The seven annexes comprise, in sequence: The procedure for organizing and publishing the official monitors of the administrative/territorial units/subdivisions in electronic format; List of assets belonging to the public domain of the state; List of assets belonging to the public domain of the county; List of goods belonging to the public domain of the commune, city or municipality; List of public functions; Methodology for carrying out the process of evaluating the individual professional performances of civil servants applicable to the work carried out until 31 December

2. Romanian public administration under the influence of the Administrative Code

In the almost three decades of what has been gathered since December 1989, Romania has established a permanent, untiring but, unfortunately, not always successful, process of reforming all segments of our public existence, the activity of state authorities as a whole. Such a process could not be subject to public administration, understood as a set of acts, operations, procedures and institutions, through which the law is enforced or the needs of the community are fulfilled through the provision of public services. We dare say that, first of all, the public administration has had to "*receive*" permanently in order to be able to cope with the challenges that have come both from the inside, especially from the outside, from the processes in which the Romanian state engaged in integrate into Euro-Atlantic structures, which implies the acceptance of mechanisms specific to the rule of law, advanced democracies, specific constitutional, administrative and governmental practices.

The Constitution, still in the form of 1991[16] and later, through the amendments brought to it by the Law of Revision no. 429/2003[17] ensured the territorial-administrative units **autonomy** and **decentralization** in the organization and functioning of the local public administration, in order to add **the deconcentration of public services** and **the right of the national minorities to use their native language in the relations with the local public administration authorities with the deconcentrated public services of the ministries and other bodies of the central specialized administration**.

These principles were to apply within the territorial boundaries of a state that is guaranteed by the Constitution to be *national, unitary, independent and indivisible*, features that are enshrined in norms that can not be the subject of any revision.

Perhaps one of the greatest challenges of this period for the Romanian state as a whole, not only for the public administration, was the achievement of a balance between the national and unitary character of the Romanian state and the autonomy characteristic of the public administration in the administrative-territorial units.

Moving from a totalitarian regime to the rule of law was not an easy-to-manage objective. Virtually the whole legal system had to be replaced, "*reformed*", the process of "*reform*" being an objective assumed in all the essential areas of the state, including in the public administration. The development of an Administrative Code has been conceived as a component of this process at the level of central and local public administration, therefore the adoption of the Code is a stage of special

2018; Methodology for carrying out the process of assessing the individual professional performances of civil servants applicable to work carried out from 1 January 2019.

[16] The Constitution was published in the Official Gazette no. 233 of 21 November 1991.

[17] Published in the Official Gazette no. 758/29 October 2003. The Constitution was republished in the Official Gazette no. 767/31 October 2003.

significance. In our opinion, it is **in the ordering and systematization of the legislation governing it, in the elimination of regulatory parallelism, but also in conferring stability**, which is inherent to a continuous and balanced functioning of the systemic components of the administration. Legislative instability erodes, and blatantness, contradictory solutions, overlapping regulations, are likely to make them inoperable.

We appreciate this as a **first benefit** for the entire public, central and local government equally.

A second positive aspect is **the consecration of rules with a unitary character for areas that were either previously unregulated or regulated in numerous normative, disparate acts, not in agreement with each other**. We exemplify with **the public service**, which is one of the ways in which the administration operates. All central public administration authorities, including the Ministry of National Education, within whose competence the public educational service is located, in all forms and at all levels, have as a mission the management, through coordination, organization and monitoring, of public services. The administrative code enshrines its last part, which precedes the transitional provision, the regulation of public services, where we find both the principles governing it and the ways in which it is established and the ones under which it manages. An institution that is the foundation of the functioning of all public authorities is the assets they own or manage and which, to a large extent, constitute the public or private domain of the state or of the administrative-territorial unit. If in the public domain, there are some regulations contained in the Civil Code, appreciated doctrine as insufficient or objectionable, as appropriate[18], the private sector has been a legal vacuum with consequences deeply disturbing how recovery and general legal regime of this categories of goods. Including measures to protect them against acts and operations likely to affect their integrity.

We stop here with these considerations, expressing the opinion that the adoption of the Administrative Code will improve the quality of the administration's activity, the services it provides and our lives of all.

3. The central public administration, in general, and the activity of the Ministry of National Education, in particular, under the influence of the Administrative Code

Part II of the Administrative Code is devoted to *the central public administration*. Its first title is dedicated to the Government, so that regulations on *the central specialized administration* can be found in the second title. It mainly comprises rules that were also found in the former Law no. 90/2001 to be repealed by the entry into force of the Code, the content of which has been improved, amended or supplemented, but should be supplemented by the other provisions directly applicable to them, such as those concerning the Government as a whole,

[18] Verginia Vedinaș, *Drept administrativ,* 10th edition, Universul Juridic Publishing House, Bucharest, 2017, pp. 483-494.

and the status of members of the Government in particular. The Administrative Code, of course, does not contain concrete rules on the structure of the Government and its constituent members, continuing the solution that has been consistently promoted after 1990, to leave the candidate for the post of Prime Minister the freedom to establish the composition of the Government, which is finalized and legitimized by Parliament's confidence vote. In this structure, there are two categories of ministries: some *traditional* ones that manage essential public services for a society such as justice, education, agriculture, culture, economy, public administration or finance and *ministries whose competence targets areas of evolutionary particularities of a certain period*. This category included, for example, the Ministry of European Integration, which prepared and managed the integration of our country into the European Union.

Education has been constantly within the competence of the ministry that has covered the whole process carried out on Romanian territory, under names that have been constantly found either the term of *the teaching*, or *the education*. At his head, like any other authority of the same category, there is *the minister*, who, according to art. 55 of the Code, he exercises two major functions, namely *leadership* and *representation*, for which he answers, both before the Prime Minister and the Parliament. It is helped, in practice, by *secretaries* and *sub-secretaries of state*, the maximum number of which is set by the normative act on the establishment, organization and functioning of each ministry. A **novelty** of the Administrative Code regarding the status is the fact that it regulates, in its content, *the incompatibilities of the function of a member of the Government*, a matter previously regulated by Law no. 161/2003 *on certain measures for ensuring transparency in the exercise of public dignities, public functions and in the business environment, prevention and sanctioning of corruption*[19]. Given that the issue of incompatibilities is sensitive and vulnerable and has generated many conflicting situations, we appreciate that their regulation in the Administrative Code is likely to increase the effectiveness of the rules and to reduce their cases of violation. Previously, they were governed, in addition to the framework law in the field that I mentioned, and by many other regulations, in doctrine drawing attention to the existence of dozens of normative acts that were consecrated to it, which not only made it difficult their application but generates the risk of being violated[20]. Concerned about the unitary regulation of this issue, the legislator assimilated, through article 60, the rules applicable to the incompatibilities and conflict of interest of ministers, and other categories of dignitaries (secretaries and sub-secretaries of state, state councilors from the working party of the Prime Minister or Deputy Prime Minister, as the case may be). In this way, **a common body for**

[19] Published in the Official Gazette no. 270 of 21 April 2003.

[20] For an analysis of this issue, Nicolae Pavel, *Reflecții asupra reglementării incompatibilităților membrilor Guvernului în Constituțiile române și în dreptul comparat,* „Revista de Drept Public” no. 2/2016, pp. 41-56.

regulating incompatibilities was established for all dignitaries in the central public administration[21].

We also report the regulation, through the Administrative Code, of issues that were previously either non-existent or dispersed in different regulations, such as:

a) the elements of the structure of any ministry, called generic compartments, such as general directorates, departments, services and offices. It follows that, in the future, the notion of compartment will no longer reflect a distinct element of the internal structure, but the generic notion of each;

b) provisions regarding the staff of each ministry, which may include civil servants, civil servants with special status or contract staff.

As far as contract staff are concerned, the revolutionary element is the fact that, for the first time in Romanian law, separate regulations are laid down for the contract staff in the budgetary sector, which obviously includes the ministries, in general and the Ministry National Education in particular.

As we have already expressed, and while the current Code is in the project phase, it is a special merit of the Code that we find "*a solution for the unitary regulation of all public sector personnel, which includes, besides civil servants, and dignitaries at central and local level*"[22].

It is the first time that contract staff enjoy regulations other than those enshrined in labor law. This means that the legislator has understood that contract staff in the budgetary sector have some particularities in terms of their legal status, which distinguish them from contract staff in the private system and bring it to some extent by civil servants.

The quality of the services provided by public authorities and institutions must be the same regardless of whether it is provided by a civil servant or an employee. The requirements of professionalism and morality are also similar, and it is not important for the beneficiaries of public services that they are provided by civil servants or employees.

A first step regarding the establishment of similarities was achieved by Law no. 477/2004 *on the Code of Conduct for Public Sector Contract Staff*[23], which the Administrative Code abolishes, but which establishes rules of professional and civic conduct for employees in the similar budgetary sector, sometimes up to the identity, with those of civil servants.

The Administrative Code establishes, with regard to public sector personnel, certain obligations, with deadlines, which the authorities of the public administration, including the Ministry of National Education, will implement in

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[21] In the same way this has been done for local elected representatives in the part of the local public administration.

[22] See Teodor Narcis Godeanu, *Considerații generale privind modul de reglementare a situației juridice a personalului din sectorul bugetar în proiectul de Cod administrativ,* in E. Bălan, C. Iftene, D. Troanță, M. Văcărelu (editors), *Codificarea administrativă. Abordări doctrinare și cerințe practice,*ede. Wolters Kluwer, Bucharest, 2018, p. 272.

[23] Published in the Official Gazette no. 1105 of 26 November 2004.

practice. Thus, according to article 630 of the Code, in order to implement the provisions of article 474 paragraph (3), letter a), which lay down *rules on the organization of competitions for public functions and territorial public offices*, the public authorities and institutions with the structure of the two categories of public functions shall establish a pilot project for the organization of competitions, refers to the years 2019-2020 and includes the general public state or territorial public debates and the civil servants in the category of high civil servants.

We underline that the Administrative Code has made important changes to the status of civil servants, generally and by categories of officials, which will determine certain actions that the public administration must carry out under the conditions set out in the part devoted to the final and transitional provisions .

c) provisions regarding acts of ministers, which, according to art. 57 par. (1) of the Code, may take two forms, orders and instructions, both of which may be of a normative nature, when they produce generally binding legal effects and are *erga omnes* and individually opposable when the effects arise over a matter determined by law.

An **order** may have as its object the approval of methodological rules, regulations or other categories of regulations that are part of the order by which it is approved. Those "*other categories of regulation*" may take forms specific to the ministry's object of activity. For instance, in the case of the Ministry of National Education, there may be rules for the organization of competitions or examinations of various types, setting criteria for admission to certain didactic degrees, etc.

By particular interest is the provision of paragraph (5) of article 57, according to which "*the assessment of the necessity and opportunity of issuing ministerial acts belongs exclusively to them*". It establishes a principle that will govern the work of ministers, to whom it is thus recognized the exclusive competence to decide on the appropriateness of the acts they issue. This means that no form of control can be exercised on ministers' acts in terms of their opportunity, but only in terms of legality. When we say "*no form of control*", it is clear that we include all the means of control, including the judicial one, which can only address the issues of legality, not those of opportunity. This means that the Administrative Code gives ministers greater freedom in deciding how to carry out their duties, which, when properly used, can result in performance. Equally, we can say that we are dealing with a paradigm shift in the philosophy of ministerial competence and control, which is to strengthen to the same extent that it must respond to the holders of important dignities in the state, minister or leaders of other bodies of the central specialized administration, whose acts are subject to the same legal regime[24].

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[24] Article 57 alin. (6) dispune că ”*Prevederile alin. (1)-(5) se aplică și în cazul altor organe de specialitate ale administrației publice centrale din subordinea Guvernului și a ministerelor care au rang de secretar de stat sau subsecretar de stat”*. Article 57 paragraph (6) states that *"The provisions of paragraph (1) to (5) shall also apply to other specialized bodies of the central government subordinated to the Government and to ministries having the rank of State Secretary or Undersecretary of State"*.

d) consecration, through a distinct title[25], of **the general principles applicable to public administration**, meaning, from the general and generic wording of the title of Title III of Part I, that it is equally about the central and local public administration. The first of them, as significance and scope, is **the legality**, which, according to art. 6 obliges all public authorities and institutions to comply with all existing legislation, including international treaties and conventions to which Romania is a party. The reference to the obligation to observe international acts must be referred to art. 11 par. (2) of the Constitution, according to which the treaties ratified by the Parliament, according to the law, are part of the national law. The entire text must be read in conjunction with Art. 1 par. (5) of the Basic Law, which establishes the principle of respecting the Constitution, its supremacy and the laws. Until the adoption of the Administrative Code, the principle of legality was foreseen only for the local public administration, in Law no. 215/2001, which is to be repealed as a result of its entry into force. At present, legality has become a principle applicable to all public authorities and institutions and their staff.

The second principle, in succession not as meaning, because it is difficult to achieve a hierarchy between them is **the equality**, which signifies, on the one hand, the right of the beneficiaries of the activity of the administrative bodies to be treated equally, without distinction and non-discriminatory and, correlatively, their obligation to assimilate the same treatment. Its fame is found in article 16 of the Constitution, which enshrines *the equality of all before the law and the public authorities, without privileges and discrimination*. Equality can not, however, prevent public administration from granting some facilities, considering special situations, which the law itself allows. In the field of education, we can invoke special rights granted to children and young people belonging to national minorities who can regulate true positive discrimination, which guarantees their right to education and instruction, including their mother tongue.

The principle of **proportionality** obliges public administration to act in appropriate and balanced forms, taking into account the needs of public interest and the consequences (risks, impact) attracted by the proposed solutions.

One of the novelty novelty principles we could qualify is **the implementation of the governance program**. Although we are convinced that there will be vehemently critical views on its content, in our opinion it has not only a logic, but also a constitutional support in article 102 of the Constitution, which reports the exercise of the two government, political and administrative roles, to its governing program accepted by Parliament. In fulfilling the role of the general government of the public administration, on the one hand, the Government is considering its governance program, *"and the public administration, whose general management is carried out by the Government, aims precisely at fulfilling these political values"*. [26]

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[25] This is the Title III of Part I of the Administrative Code, articles 6-13.

[26] D. Apostol Tofan in I. Muraru, E.S.Tănăsescu (coord.), *Constituția României, Comentariu pe articole,* C.H. Beck Publishing House, Bucharest, 2008, p. 941.

We criticize a certain critique of the legal content of this principle, enshrined in art. 10 of the Administrative Code, in terms of its extension to *all central public administration authorities and their staff*, which means that it also includes autonomous administrative authorities, whose competence we do not believe should be subordinated to the principle of the implementation of the government program, - autonomy will be affected. That is why, in our opinion, this principle may concern the Government, ministries and other authorities subordinated to the Government or Ministries.

The last three principles relate to **the impartiality**, which derives from equality and non-discrimination, but is not confused with it, because it forces staff in the administration to overcome their own subjectivism and beliefs by the way they perform their duties. We draw attention to the significance of this principle, in the context in which the situations in which the subjective dimension prevails in behavior and action, on impartiality, with the consequence of a negative image of the public opinion on the administrative staff, are not. The principles of **continuity** and **adaptability** are found in the administration's mission, which is to meet the social needs of public interest, social needs of a permanent nature, which forces the administration to act without interruption in their satisfaction and according to their specifics.

The fact that the activity of the public administration as a whole is governed by certain principles of a general nature leads to the conclusion that compliance or violation thereof will be criteria for assessing the activity of the public administration bodies and their staff. The manner in which this is done is governed, in part, by the Code, in particular by some annexes thereto[27] and by the secondary legislation to be adopted in the future.

4. Conclusions

We could not propose, in the present study, to exhaust the sphere of the problems that are generated by the adoption and in the future the coming into force of the Administrative Code, which, as I have said, has not yet been promulgated by the President of Romania. However, as we have already stated, the process is irreversible and we must begin, as a whole, the public administration architecture and, in particular, with the Ministry of National Education, to be "*ready*" for the moment. Therefore, we appreciate that, besides the significance of the moment, we need to be aware of the necessity of ordering the necessary measures, from a legislative, procedural and institutional point of view, in order to put it into practice.

The Administrative Code differs from the four Codes that have been adopted since 2010, namely civil and criminal law, substantive and procedural law, by the way it is implemented. If the Codes have adopted implementing laws, the same is not applicable to the Administrative Code that does not promote such a

[27] Consider Annexes VI and VII on the assessment of individual professional performance of civil servants.

solution. It is a solution that we share, given that the Administrative Code itself is a law, and laws are not enforced by other laws.

However, it brings changes in the system of legal normative as a whole, in the sense of abrogating in whole or in part some, the modification of others, which will require a serious process of transposing these operations, agreeing them , transposing, as a last resort, those of the final and transitional provisions into practice. We appreciate that in this ample process, not only specialized institutions, such as the Legislative Council, but also every central and local public authority and institution, will have a special role to play which will have to harmonize their rules of organization and operation with the provisions Administrative Code.

We equally appreciate that within each public authority whose activity falls within the scope of the Administrative, Central or Local Code, including the Ministry of National Education, it is necessary to organize certain courses with its own staff in order to understand the content of the rules of the Code that are relevant and do not prolong or hinder the process of translating them into administrative and governmental practice.

Bibliography

1. Cătălin-Silviu Săraru, *Drept administrativ. Probleme fundamentale ale dreptului public*, C.H. Beck, Bucharest, 2016.
2. Cătălin-Silviu Săraru, *European Administrative Space - recent challenges and evolution prospects*, Adjuris Publishing House, Bucharest, 2017.
3. Cătălin-Silviu Săraru, *Administrative Contracts in the European Union Law*, in Cătălin-Silviu Săraru (ed.), *Contemporary Challenges in the Business Law*, Adjuris Publishing House, Bucharest, 2017.
4. D. Apostol Tofan in I. Muraru, E.S.Tănăsescu (coord.), *Constituția României, Comentariu pe articole,* C.H. Beck Publishing House, Bucharest, 2008.
5. D. Apostol Tofan, *Codificarea procedurii administrative,* in E. Bălan, C. Iftene, D. Troanță, M. Văcărelu (editors), *Codificarea administrativă. Abordări doctrinare și cerințe practice,* ed. Wolters Kluwer, Bucharest, 2018.
6. I. Santai, *Codificarea administrtivă, cerință a statului de drept și a integrării europene a României,* „Revista de Drept Public" no. 1/2003.
7. Nicolae Pavel, *Reflecții asupra reglementării incompatibilităților membrilor Guvernului în Constituțiile române și în dreptul comparat,* „Revista de Drept Public" no. 2/2016.
8. Teodor Narcis Godeanu, *Considerații generale privind modul de reglementare a situației juridice a personalului din sectorul bugetar în proiectul de Cod administrativ,* in E. Bălan, C. Iftene, D. Troanță, M. Văcărelu (editors), *Codificarea administrativă. Abordări doctrinare și cerințe practice,*ede. Wolters Kluwer, Bucharest, 2018.
9. Verginia Vedinaș, *Codul administrativ, un vis din ce în ce mai apoape de realitate,* „Revista de Drept Public" no. 1/2018.
10. Verginia Vedinaș, *Drept administrativ,* 10th edition, Universul Juridic Publishing House, Bucharest, 2017.
11. Verginia Vedinaș, *O speranță devenită realitate - Codul administrativ, „*Revista de Drept Public" no. 2/2018.