

EU ADMINISTRATIVE LAW

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EU ADMINISTRATIVE LAW

Second Edition

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This book is for Anita and Ciaran

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PREFACE: EU ADMINISTRATIVE LAW 2ND EDITION

The basic structure of the second edition of this book on EU Administrative Law has been preserved. It continues to be divided into two parts. Part I is entitled 'Administration and Law' and considers the different ways in which the EU delivers policy. The objective is to explicate, analyse and evaluate these modes of policy delivery, assess the role of law therein, draw conclusions about their relative efficacy and the extent to which they meet basic precepts of legal, political and financial accountability. The approach throughout is contextual and much use is made of non-legal material.

The focus in Part II shifts to 'Law and Administration' with analysis of the principles of judicial review as they have been developed by the Union courts. The chapters consider in-depth the principles of judicial review that are applied to control and structure EU administration and that of the Member States when acting in the sphere of EU law. The discussion examines the legislative and political initiatives that are relevant to particular issues, as well as the contribution made by the EU courts. The analysis of positive law in each of the areas studied is complemented by normative analysis, which takes full account of the relevant academic literature.

The second edition of the book has been fully updated in relation to developments over the last four years. This includes the changes made by the Lisbon Treaty, case law, legislation and secondary literature. There are also two new chapters, one of which deals with the history of EU Administration including issues of typology, and the other with transparency, which had hitherto been discussed in the context of process rights.

I have continued to learn much from friends and colleagues over the years, in the UK, Europe and the USA, and I have benefited greatly from academic discussion at Conferences and the like.

I would like to thank Dr Alexandros Tsadiras for writing the chapter on the Ombudsman, and research assistants who provided excellent help in translating materials from Italian and German for use in this edition. I am very grateful for the help from all those at Oxford University Press, who have done an excellent job in seeing the book through production. Many thanks also to Anita and Ciaran for being there and bearing with me when writing this book.

The law is as stated on January 1 2012.

Paul Craig, St John's College, Oxford.

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ABBREVIATIONS

AAR	Annual Activity Report
ABM	activity-based management
ACER	Agency for Cooperation of Energy Regulators
ACT	advance corporation tax
AFSJ	Area of Freedom, Security and Justice
AMPs	Annual Management Plans
APA	Administrative Procedure Act 1946
APS	Annual Policy Strategy
BEPGs	broad economic policy guidelines
CAP	Common Agricultural Policy
CdT	Translation Centre for Bodies of the European Union
Cedefop	European Centre for the Development of Vocational Training
CEEP	European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest
CF	Cohesion Fund
CFCA	Community Fisheries Control Agency
CFI	Court of First Instance
CFSP	Common Foreign and Security Policy
CPMP	Committee for Proprietary Medicinal Products
CRD	comment response document
CSF	Community Support Framework
CT	Constitutional Treaty
CVPO	Community Plant Variety Office
DG	directorate-general
EACEA	Education, Audiovisual and Culture Executive Agency
EACI	Executive Agency for Competitiveness and Innovation
EAFRD	European Agricultural Fund for Rural Development
EAGF	European Agricultural Guarantee Fund
EAGGF	European Agricultural Guidance and Guarantee Fund
EAHC	Executive Agency for Health and Consumers
EAR	European Agency for Reconstruction
EASA	European Aviation Safety Authority
EBA	European Banking Authority

ECA	European Chemicals Agency
ECC-Net	European Consumer Centres Network
ECDC	European Centre for Disease Prevention and Control
ECHO	European Community Humanitarian Assistance Office
EDA	European Defence Agency
EEA	European Environment Agency
EES	European Employment Strategy
EFSA	European Food Safety Authority
EGs	employment guidelines
Eionet	European environment information and observation network
EIOPA	European Insurance and Occupational Pensions Authority
EIP	Excessive Imbalance Procedure
EMA	European Medicines Agency
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
EMSA	European Maritime Safety Authority
ENISA	European Network and Information Security Agency
EPC	European Political Community
ERA	European Railway Agency
ERC	European Research Council Executive Agency
ERDF	European Regional Development Fund
ERGEG	European Regulators Group for Electricity and Gas
ESF	European Social Fund
ESM	European Stability Mechanism
ESMA	European Securities and Markets Authority
ESRB	European Systemic Risk Board
ETF	European Training Foundation
ETUC	European Trade Union Confederation
EU	European Union
EUISS	European Institute for Security Studies
EUMC	European Monitoring Centre for Racism and Xenophobia
EU-OSHA	European Agency for Health and Safety at Work
EUROFOUND	European Foundation for the Improvement of Living and Working Conditions
EUSC	European Union Satellite Centre
FP7	7th multi-annual programme
FRA	European Agency for Fundamental Rights
FRONTEX	European Agency for Management of Operational Cooperation at External Borders

ABBREVIATIONS

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GDP	gross domestic product
IPM	Interactive Policy Making
MCAs	monetary compensation amounts
NAPs	national action plans
NCAs	national competition authorities
NGOs	non-governmental organizations
NSRF	National Strategic Reference Framework
OCTs	overseas countries and territories
OFT	Office of Fair Trading
OHIM	Office for Harmonization in the Internal Market
OLAF	European Anti-Fraud Office
OMC	Open Method of Co-ordination
OSHA	European Agency for Safety and Health at Work
PFPM	prudent fiscal policy-making
PJCC	Police and Judicial Co-operation in Criminal Matters
REA	Research Executive Agency
REA	Research Executive Agency
SCAN	Scientific Committee for Animal Nutrition
SEA	Single European Act 1986
SGP	Stability and Growth Pact
TAO	technical assistance office
TEU	Treaty on European Union
TFRA	Task Force for Administrative Reform
UNICE	Union of Industrial and Employers' Confederations of Europe
WTO	World Trade Organization

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