

PROVA SCRITTA DEL 17 APRILE 2019

Tracce Prima prova scritta:

TRACCIA N. 1 (ESTRATTA):

“L'autotutela della Pubblica Amministrazione con particolare riferimento al recesso e alla risoluzione dei contratti da parte della stazione appaltante”

“La riforma della trasparenza amministrativa con particolare riferimento all'accesso civico generalizzato”

“Dopo un breve excursus sulle fasi del procedimento di formazione dei provvedimenti amministrativi, il candidato approfondisca il regime di invalidità degli atti amministrativi”

TRACCIA N. 2 (non estratta):

“Il potere di autotutela della P.A. in qualità di stazione appaltante nella fase di aggiudicazione dei contratti”

“Tratti il candidato dei rapporti tra ordinamento giuridico nazionale e diritto dell'Unione Europea con particolare riguardo al potere-dovere di disapplicazione del diritto interno confliggente con le norme europee”

“Dopo un breve excursus sul processo di privatizzazione del rapporto di lavoro nel pubblico impiego, il candidato si soffermi sulla ratio della esclusione da tale privatizzazione di alcune categorie di dipendenti pubblici tassativamente indicate all'articolo 3 del d.lgs. n. 165/2001”

TRACCIA N. 3 (non estratta):

“La tutela giurisdizionale dell'appaltatore in caso di recesso della P.A. nell'appalto di opere pubbliche”

“La responsabilità dello Stato in caso di violazione del diritto comunitario: la procedura di infrazione”

“Dopo un breve excursus sulle fasi del procedimento di formazione dei provvedimenti amministrativi, il candidato approfondisca il principio della libertà della forma e l'istituto della nullità dell'atto amministrativo con particolare riguardo alla nullità strutturale per assenza di elementi essenziali”

PROVA SCRITTA DEL 18 APRILE 2019

Tracce Seconda prova scritta:

TRACCIA N. 1 (ESTRATTA):

“Il Ministero dell’Economia e delle Finanze deve procedere all’acquisizione di un servizio di traduzione di documenti istituzionali di natura specialistica per un valore di € 80.000,00 più IVA. Posto che il servizio non è al momento presente nel Mercato Elettronico della Pubblica Amministrazione (M.E.P.A.), il funzionario assegnato all’ufficio competente in materia di acquisti di beni e servizi, dopo aver brevemente illustrato le procedure di acquisizione di beni e servizi di valore inferiore alla soglia comunitaria, rediga un sintetico appunto per il dirigente sulla procedura da seguire ai sensi dell’art. 36, comma 2, lettera b), del decreto legislativo 50/2016, fino all’approvazione della proposta di aggiudicazione, utilizzando il criterio della scelta economicamente più vantaggiosa”

Breve testo in lingua inglese, tratto dal database press release della Commissione UE, avente ad oggetto il seguente argomento: “Road safety: Commission welcomes agreement on new EU rules to help save lives”

TRACCIA N. 2 (non estratta):

“E’ pervenuta all’ufficio procedimenti disciplinari del Ministero dell’Economia e delle Finanze una segnalazione, da parte del responsabile di una struttura decentrata, di una falsa attestazione della presenza in servizio di un dipendente. Il funzionario assegnato all’ufficio procedimenti disciplinari, dopo una breve disamina delle sanzioni disciplinari nel pubblico impiego, rediga un sintetico appunto per il dirigente che illustri la procedura da seguire ai fini dell’adozione del provvedimento di sospensione cautelare dal servizio”

Breve testo in lingua inglese, tratto dal database press release della Commissione UE, avente ad oggetto il seguente argomento: “Single-use plastics: Commission welcomes ambitious agreement on new rules to reduce marine litter”

TRACCIA N. 3 (non estratta):

“E’ pervenuta all’ufficio competente del Ministero dell’Economia e delle Finanze una richiesta di accesso civico generalizzato. Il funzionario, dopo aver brevemente illustrato la procedura di accesso civico generalizzato, predisponga un sintetico appunto per il dirigente ai fini di una comunicazione di diniego all’accesso motivata dalla tutela della stabilità finanziaria ed economica dello Stato”

Breve testo in lingua inglese, tratto dal database press release della Commissione UE avente ad oggetto il seguente argomento: “Clean mobility: Commission welcomes European Parliament adoption of new CO2 emission standards for cars and vans to reduce pollution and improve air quality”

BUSTA 1 - PROVA ESTRATTA

Road safety: Commission welcomes agreement on new EU rules to help save lives

EU Commission press release – IP/19/1793 - Brussels, 26 March 2019

The EU institutions have reached a provisional political agreement on the revised General Safety Regulation. As of 2022 new safety technologies will become mandatory in European vehicles to protect passengers, pedestrians and cyclists.

New technologies on the market can help reduce the number of fatalities and injuries on our roads, 90% of which are due to human error. In May 2018, the Commission proposed to make certain vehicle safety measures mandatory, including systems that reduce the dangerous blind spots on trucks and buses and technology that warns the driver in case of drowsiness or distraction. Advanced safety features will reduce the number of accidents, pave the way towards increasingly connected and automated mobility, and boost the global innovation and competitiveness edge of the European car industry.

Commissioner Elżbieta Bieńkowska, responsible for Internal Market, Industry, Entrepreneurship and SMEs, said: *"Every year, 25,000 people lose their lives on our roads. The vast majority of these accidents are caused by human error. We can and must act to change this. With the new advanced safety features that will become mandatory, we can have the same kind of impact as when the safety belts were first introduced. Many of the new features already exist, in particular in high-end vehicles. Now we raise the safety level across the board, and pave the way for connected and automated mobility of the future."*

The new mandatory safety features include:

For cars, vans, trucks and buses: warning of driver drowsiness and distraction (e.g. smartphone use while driving), intelligent speed assistance, reversing safety with camera or sensors, and data recorder in case of an accident ('black box').

For cars and vans: lane-keeping assistance, advanced emergency braking, and crash-test improved safety belts.

For trucks and buses: specific requirements to improve the direct vision of bus and truck drivers and to remove blind spots, and systems at the front and side of the vehicle to detect and warn of vulnerable road users, especially when making turns.

In addition to protecting people on European roads, the new advanced safety features will help drivers get gradually used to the new driving assistance. Increasing degrees of automation offer significant potential to compensate for human errors and offer new mobility solutions for the elderly and physically impaired. All this should enhance public trust and acceptance of automated cars, supporting the transition towards autonomous driving.

Next steps

The political agreement reached by the European Parliament, Council and Commission in so-called trilogue negotiations is now subject to formal approval by the European Parliament and Council. The new safety features will become mandatory from 2022, with the exception of direct vision for trucks and buses and enlarged head impact zone on cars and vans, which will follow later due to the necessary structural design changes.

- 1) What is the main issue of the article dealing with road safety?
- 2) What can new technologies reduce on the whole and how?
- 3) According to the article, what else should people expect from the new advanced safety features? Please explain in a few words what you think of safety on the roads.

Chiara Ciabatti
Marco De Rosa
Martina Franciullo

CHIARA CIABATTI
MARCO DE ROSA
MARTINA FRANCIULLO

15

16



BUSTA 2 - PROVA NON ESTRATTA

Single-use plastics: Commission welcomes ambitious agreement on new rules to reduce marine litter

EU Commission press release – IP/18/6867 - Brussels, 19 December 2018

The European Parliament and the Council of the European Union have reached a provisional political agreement on the ambitious new measures proposed by the Commission to contrast marine litter at its source, targeting the 10 plastic products most often found on our beaches as well as abandoned fishing equipment.

Chiara Ciabatti
Marco De Rosa
Enrica Famuloso

Today's agreement is based on the Single-use plastics proposal presented in May by the Commission as part of the world's first comprehensive Plastics Strategy, adopted earlier this year, to protect citizens and the environment from plastic pollution whilst promoting growth and innovation. The new rules contribute to a broader effort of turning Europe into a more sustainable, circular economy, reflected in the Circular Economy Action Plan adopted in December 2015. They will place Europe's businesses and consumers ahead as a world leader in producing and using sustainable alternatives that avoid marine litter and oceans pollution, contrasting a problem with global implications.

First Vice-President Frans Timmermans, responsible for sustainable development said:

"I warmly welcome today's ambitious agreement reached on our Commission proposal to reduce single use plastics. This agreement truly helps protect our people and our planet. Europeans are conscious that plastic waste is an enormous problem and the EU as a whole has shown true courage in addressing it, making us the global leader in contrasting plastic marine litter. Equally important is, that with the solutions agreed upon today, we are also driving a new circular business model and showing the way forward to putting our economy on a more sustainable path."

Commissioner for environment, maritime affairs and fisheries, Karmenu Vella said: "When we have a situation where one year you can bring your fish home in a plastic bag, and the next year you are bringing that bag home in a fish, we have to work hard and work fast. So I am happy that with the agreement of today between Parliament and Council. We have taken a big stride towards reducing the amount of single-use plastic items in our economy, our ocean and ultimately our bodies."

Different measures for different products

The new EU directive on Single-Use Plastics will be the most ambitious legal instrument at global level addressing marine litter. It forecasts different measures to apply to different product categories. Where alternatives are easily available and affordable, single-use plastic products, made of expanded polystyrene, will be banned from the market. For other products, the focus is on limiting their use through a national reduction in consumption.

Earlier this month the European Commission launched also the "Circular Plastics Alliance" an alliance of key industry stakeholders covering the full plastics value chain as part of its persisting efforts to reduce plastics littering, increase the share of recycled plastics and stimulate market innovation. The Alliance aims to improve the economics and quality of plastics recycling in Europe, and will in particular strengthen the match between supply and demand for recycled plastics which is identified as the main obstacle to a well-functioning EU market of recycled plastics.

- 1) What is the main issue the article deals with?
- 2) What are the most common plastic products banned?
- 3) What can you infer about Circular Plastic Alliance? Please explain in your own words what you think about it.

A
F
P
D
E
F
I
N
A
Z
E
M
I
N
I
S
T
E
R
O
D
E
L
L
E
C
C
O
N
O
M
I
A
E
M
I
N
I
S
T
E
R
O
D
E
L
L
E
C
C
O
N
O
M
I
A
E

DUSTA 3 - PROVA NON ESTRATTA

Clean mobility: Commission welcomes European Parliament adoption of new CO2 emission standards for cars and vans to reduce pollution and improve air quality

EU Commission press release – IP/19/1869 - Brussels, 27 March 2019

European Commission - Press release

The European Parliament today agreed on CO2 emission standards for new cars and vans in the EU for the period after 2020 – a significant step towards decarbonising and modernizing the European mobility sector and put the EU on track to become climate neutral.

As a result of the new rules, in 2030, emissions from new cars will have to be 37.5% lower and emissions from new vans 31% lower, compared to 2021.

The new CO2 standards are part of the clean mobility package and a stepping stone towards a modernised, and more competitive European transport sector, and the road towards a climate-neutral economy in line with the EU's commitments under the Paris Agreement. The new rules contribute to implementing the Juncker Commission priority of a resilient Energy Union and a future climate change policy.

Commissioner for Climate Action and Energy Miguel Arias Cañete said: *"Today's vote sends a very clear message: mobility and the transport sector has a crucial role to play in Europe's transition towards a climate-neutral economy. The new targets and incentives will help EU industry embrace innovation towards zero-emission mobility and further strengthen its global leadership in clean vehicles. At the same time, the gradual transition will allow sufficient time for reskilling and upskilling of workers, so that no-one is left behind in this transition. Consumers will save money at the gas station, and cleaner cars also mean less pollution and cleaner air for all Europeans."*

- New CO2 emission standards for passenger cars and light commercial vehicles (vans) in the EU for the period after 2020. In 2030, emissions from new cars will have to be 37.5% lower and emissions from new vans 31% lower, compared to 2021.
- Technology-neutral incentive mechanism for zero- and low-emission vehicles to give the market a clear signal for investment in clean vehicles. The incentive covers both zero-emission vehicles, such as battery electric or fuel cell vehicles, and low-emission vehicles having emissions of less than 50 g CO2 per km.
- Several elements aimed at supporting cost-effective implementation of the CO2 targets, such as rules on the use of eco-innovation technologies and derogations for small manufacturers.

1. What's the main issue mentioned in the introduction of the article of the EU Commission?
2. What's the main target the EU Parliament has imagined for 2030 emissions?
3. What can you infer about incentive covering zero-emission and low-emission vehicles?

Please explain in a few words.

↑
Q



Emilia Fancullo
Marco De Rosa
Chiara Cabatti