

PUBLIC LAW AND PRIVATE LAW WITHIN ADMINISTRATIVE LAW

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ABSTRACT: *The Romanian administrative law is greatly inspired from the same branch of the French law. French administrative law is strongly dominated by Public law. The pre-eminence of the general interest, specific to the French vision of public service managed to be recognised in that area, even if to a lesser extent, by the European Union. The Romanian administrative legislation after 1990 swung between public and private law. The notion of “administrative contract” from the French law came into attention after 1990 and was specifically mentioned in Law No. 554/2004. Among the administrative contracts, the public acquisition of goods, works and services was particularly mentioned, and the competence of solving litigations concerning these contracts was established in favour of the administrative courts. However, Government Emergency Ordinance No. 76/2010 changed the competence for such litigations in favour of the commercial courts.*

KEY WORDS: *public law, public interest, administrative contract, public service*

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