

ALGEMENE WET BESTUURSRECHT

2023-2024

Deze wettenbundel bevat actuele wetgeving die specifiek voor bestuurders en medewerkers van de gemeente van belang is. Deze vakuitgave is een handzaam hulpmiddel voor zowel degenen die in de praktijk werken als degenen die studeren.



Nieuw Bestuursrecht Derde Tranche Algemene Wet Bestuursrecht

AN Whitehead



Nieuw Bestuursrecht Derde Tranche Algemene Wet Bestuursrecht:

Criminal Law Principles and the Enforcement of EU and National Competition Law Marc Veenbrink, 2019-11-20 Although Article 23 5 of EU Regulation 1 2003 provides that competition law fines shall not be of a criminal law nature this has not prevented certain criminal law principles from finding their way into European Union EU competition law procedures Even more significantly the deterrent effect of competition law fines has led courts in the Netherlands and the United Kingdom UK as well as the European Court of Human Rights to conclude that competition law proceedings can lead to a criminal charge This book offers the first book length study of whether courts do indeed apply criminal law principles in competition law proceedings and if so how these principles are adapted to the needs and characteristics of competition law Focusing on competition law developments both legislative and judicial over a period of twenty years in three jurisdictions the Netherlands the UK and the EU the author compares how each of the following criminal law principles has emerged and been interpreted in each jurisdiction s proceedings freedom from self incrimination non bis in idem burden and standard of proof legality and legal certainty and proportionality of sanctions The author offers proposals involving both legislative and judicial actions with examples of judges invoking criminal law principles to develop an appropriate level of safeguards in competition law proceedings The book shows that criminal law can provide a rich source of inspiration for the judiciary on the appropriate level of legal safeguards in competition law proceedings As such it provides an important source of information and guidance for lawyers and judges dealing with competition law matters **Publiekrechtelijke**

grensoverschrijdende samenwerking tussen decentrale overheden René Seerden, 1993 **Netherlands Reports to the Fifteenth International Congress of Comparative Law** E. H. Hondius, Nederlandse Vereniging voor

Rechtsvergelijking, 1998 This publication gives an overview of the academic developments in the field of comparative law in the Netherlands Twenty seven extensive articles mainly in English cover all legal areas and give a state of affairs in the Netherlands This includes the gentleman s agreement the institution of the trust and Dutch law protection of persons in medical research the legal protection of biological material anonymous witnesses in the Netherlands flexibilisation of working life the impact of the Internet on legal bibliography information and communication technology *Subsidies* A. J.

Bok, 2002 De Awb in het ambtenarenrecht I. A. P. M. van de Borghouts-van de Pas, Steven Franz Hendrik Jellinghaus, 2012

Verwaltungssanktionen im europäischen und niederländischen Verwaltungs- und Kartellrecht Alexander Koch, 2011 English summary The EU Commission has imposed record breaking fines on several companies for breaching EU competition law in recent years The Commission s policy has been criticized particularly in Germany By classifying these fines to criminal law German lawyers apply criminal law standards This book offers a new perspective by comparing European to Dutch law In the Netherlands administrative sanctions have been codified recently in the General Administrative Law Act GALA This book reveals that Administrative sanctions are treated differently from criminal law sanctions in the GALA This is particularly

important for procedural safeguards such the right to refuse testimony and the legal professional privilege Considering the importance of art 6 ECHR this comparison leads to a re evaluation of EU competition law sanctions german description Die von der Europäischen Kommission ausgesprochenen Bussgelder für Verstöße gegen das europäische Kartellrecht sind insbesondere in der deutschsprachigen Literatur verstärkt in die Kritik geraten Vor dem Hintergrund einer Zuordnung dieser Bussgelder zum Ordnungswidrigkeitenrecht erfolgt eine Betrachtung nach strafrechtlichen Massstäben Diese Untersuchung erweitert die bisherige Perspektive indem sie einen Rechtsvergleich mit den Verwaltungssanktionen des niederländischen Rechts unternimmt In den Niederlanden sind Geldbussen als eigenständiges verwaltungsrechtliches Instrument jungst im Allgemeinen Verwaltungsgesetz kodifiziert worden Der Autor arbeitet die graduelle Massstabbildung für diese Sanktionen heraus Auch Art 6 EMRK der auf bestrafende Verwaltungssanktionen ebenfalls Anwendung findet steht dem nicht entgegen Den Schluss der Arbeit bildet eine Neureflexion des europäischen Kartellrechts vor dem Hintergrund des durchgeführten Vergleichs

Nieuw bestuursrecht : derde tranche Algemene Wet Bestuursrecht Arie Jansse Bok,1997 Het openbaar ministerie en de afhandeling van strafzaken in Nederland Dirk Van Daele,2003 **Subsidieverstreking, een praktische handleiding** Krijn van der Heijden,2006 Handreiking voor beleidsmedewerkers en bestuurders van overheden die zich bezighouden met de verstrekking van subsidies *Dulden of meewerken?* Azad Zeeman,2019-08-26 In een bestuursrechtelijk controleonderzoek zijn betrokkenen wettelijk gehouden tot het verlenen van medewerking Een dergelijk onderzoek kan evenwel aanleiding geven tot een verdenking van wetsovertreding en daarmee tot de start van een opsporings of boeteonderzoek Aan de hand van wetgeving literatuur en jurisprudentie wordt in dit boek onderzocht tot welke beperkingen het fenomeen van de sfeerovergang leidt in het bestuurs en strafrecht voor de rechtsbescherming die aan het nemo tenetur beginsel kan worden toegekend Controversieel is de verdachte die met een vordering tot uitlevering van documenten wordt geconfronteerd De auteur concludeert dat de rechtspraak van het Europees Hof voor de Rechten van de Mens EHRM meer ruimte biedt voor de toepassing van het nemo tenetur beginsel dan tot op heden is aangenomen in de Nederlandse rechtspraak Door de integrale theoretische behandeling van het bestuurs en strafrecht alsmede de concrete aanbevelingen beoogt het boek een meerwaarde te zijn voor zowel de rechtspraktijk als de rechtswetenschap

Brinkman's catalogus van boeken en tijdschriften ,2001 With 1901 1910 1956 1960 Repertorium is bound Brinkman's Titel catalogus van de gedurende 1901 1910 1956 1960 Title varies slightly **Interbestuurlijk toezicht in de ruimtelijke ordening** R. Kegge,2015-11-13 Ruimtelijke ordening in Nederland is een gedeelde verantwoordelijkheid van zowel het Rijk de provincies en de gemeenten Dit maakt interbestuurlijk toezicht noodzakelijk Maar over hoe en in welke mate interbestuurlijk toezicht moet worden gehouden zijn de meningen vaak verdeeld Sinds de inwerkingtreding van de Wet ruimtelijke ordening in 2008 beschikken het Rijk en de provincies over het toezichtinstrument van de reactieve aanwijzing Verschillende provinciebesturen gebruiken de reactieve aanwijzing regelmatig om in te grijpen bij bestemmingsplannen als

zij die plannen of delen daarvan in strijd achten met hun provinciale ruimtelijke belangen Zo zijn er provinciebesturen die geen nieuwe bedrijventerreinen willen als er elders in de provincie nog leegstaande bedrijventerreinen beschikbaar zijn Daarnaast ontstaan er regelmatig interbestuurlijk conflicten over de mogelijkheden voor intensieve veehouderijen en de bouw van windmolens Steeds speelt daarbij de vraag waar de gemeentelijke beslissingsvrijheid ophoudt en wanneer het provinciale ruimtelijke belang een interventie rechtvaardigt De provinciale ruimtelijke belangen zijn meestal vertaald in algemene regels die een gemeenteraad bij de vaststelling van een bestemmingsplan in acht moet nemen Met een reactieve aanwijzing wordt voorkomen dat een bestemmingsplan of onderdeel daarvan in werking treedt en dit komt uiteindelijk te vervallen Dit boek gaat over deze reactieve aanwijzing In het boek wordt ingegaan op de voorgeschiedenis van de reactieve aanwijzing en de gevolgen hiervan Omdat naast de reactieve aanwijzing diverse andere interbestuurlijke toezichtinstrumenten en de mogelijkheid om beroep in te stellen bestaan wordt de vraag beantwoord of de reactieve aanwijzing zou kunnen worden gemist Tevens wordt ingegaan op het interbestuurlijk toezicht in het wetsvoorstel voor de Omgevingswet waarin een met de reactieve aanwijzing vergelijkbaar instrument het interventiebesluit is opgenomen Het boek is aan te bevelen aan iedereen die met ruimtelijke ordening te maken heeft en meer inzicht wil hebben in de verhoudingen tussen Rijk provincie en gemeente en de daarbij behorende bevoegdheidsverdeling *Brinkman's cumulatieve catalogus van boeken* ,1999 Voorts een alfabetische lijst van Nederlandsche boeken in België uitgegeven

Boekblad ,1998-04 **Sturing in de ruimtelijke ordening door Rijk en provincies** C.P. Hageman,2016-12-22

Ruimtelijke ordening is in Nederland van oudsher een gedecentraliseerd verschijnsel Juridisch bindende beslissingen over de ontoelatenbaarheid van ruimtelijke ontwikkelingen worden in beginsel op gemeentelijk niveau genomen In dit uitgangspunt lijkt vandaag de dag op het eerste gezicht weinig veranderd Zowel de huidige Wet ruimtelijke ordening Wro als de aankomende Omgevingswet zijn opgebouwd volgens het principe decentraal tenzij Gedurende de afgelopen decennia is het publiekrechtelijke instrumentarium van Rijk en provincies echter sterk uitgebreid Op nationaal en provinciaal niveau zijn verschillende nieuwe bevoegdheden geïntroduceerd in de sfeer van vergunningverlening en projectbesluitvorming Daarnaast zijn Rijk en provincies ook in interbestuurlijke verhoudingen steeds uitgebreider toegerust om beleid te laten doorwerken Deze monografie onderzoekt huidig en toekomstig recht vanuit het perspectief van ruimtelijke sturing Dit komt neer op een juridische studie naar het inmiddels omvangrijke instrumentarium waarmee het Rijk en de provincies de ruimtelijke ordening kunnen beïnvloeden In het kader van directe sturing komen nationale en provinciale bevoegdheden op grond van de Wro de Crisis en herstelwet en de Trac wet aan bod In de sfeer van indirecte sturing komen naast algemene regels en aanwijzingsbevoegdheden op grond van de Wro ook interbestuurlijke bevoegdheden in organieke wetgeving aan de orde Hierbij wordt in detail ingegaan op de verhouding tussen beleidsdoorwerking en interbestuurlijk toezicht evenals de gevolgen van de recente revitalisering van het generiek interbestuurlijk toezicht Een apart hoofdstuk is gewijd aan de

wijzigingen die met de Omgevingswet in het sturingsinstrumentarium optreden De monografie geeft voor het huidige recht en de Omgevingswet een schematische weergave van het totale sturingsinstrumentarium van Rijk en provincies Dit overzicht van de gereedskapskist voor de uitvoering van ruimtelijk beleid maakt het boek bij uitstek geschikt voor overheden en hun adviseurs De uitgebreide bespreking van omgevingsrechtelijke en organieke bevoegdheden geeft daarnaast inzicht in de verhouding centraal decentraal als zodanig zowel in het huidige als het toekomstige omgevingsrecht Tot slot kan de monografie voor wetgevingsjuristen interessante inzichten bevatten Het onderzoek inventariseert niet enkel sturingsinstrumenten maar beoordeelt deze ook in relatie tot de bevoegdheidssystematiek waarvan zij deel uitmaken Uit beginselen van rechtsstatelijkheid en decentralisatie wordt een toetsingskader afgeleid waarmee de onderlinge relatie tussen sturingsinstrumenten binnen de gereedskapskist en de verticale afbakening tussen bevoegdheden van Rijk provincies en gemeenten wordt beoordeeld **Nederlandsch archievenblad** ,1998 *Archievenblad* ,1997 **Brinkman's**

Cumulatieve catalogus van boeken de in Nederland en vlaanderen zijn uitgegeven of herdrukte ,1998

Begrotingen met toelichtingen van de diensten, bedrijven, fondsen en stichtingen voor ... Utrecht (Netherlands : Province),1999 Annuaire européen d'administration publique ,1998

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