

**SYLLABUS**

University Unit: Law School		
Postgraduate Program: Political and Economic Law		
Course : <input checked="" type="checkbox"/> Academic Master <input type="checkbox"/> Professional Master <input checked="" type="checkbox"/> Doctorate		
Subject: REGULATORY GOVERNANCE		
Teacher(s): Dr. Irene Patricia Nohara		
Hours: 48 hours	credits 4	<input checked="" type="checkbox"/> mandatory <input type="checkbox"/> Optional <input type="checkbox"/> Elective
Outline: <p>The course approaches regulatory governance in-depth, addressing the “agencification” movement from the 1990s onwards in Brazil and the broadening of regulation fields for both delegated public services, as well as economic activities in the strict sense. It focuses on Regulatory Law as an instrument for implementing public policies, abiding by the values of the economic-constitutional order. It addresses the challenges of regulation due to the impact of new technologies on economic endeavors. It examines regulatory impact analysis as a means to evaluate and plan regulation. It emphasizes governance as leadership, strategy, and control mechanism to assess, direct and monitor the effects of regulation, verifying the rationality of combined measures to promote development. It underlines the importance of democratic participation in the conformation of regulatory norms.</p>		
Goals: <p>Present contemporary aspects of regulation and its intensified movement in Brazil, to discuss the regulation challenges of new technologies and the aptitude of regulatory impact studies to qualify the normative measures and acts of state regulation with evidence, as a way to subsidize regulatory decisions seeking to achieve more rational, coherent, and calculated sectoral policies. Address the phenomena of regulatory capture and information asymmetry. Analyze sectoral regulations in telecommunications, transport, and also in the digital sphere. Focus on the risk society and the complexities of scientific discourses and counter-discourses in regulation. Discuss the impacts of disruptive services regulation. Address possible control excesses in regulatory decisions. Emphasize the need for regulatory governance to support regulatory decision-making process and monitoring.</p>		
Grading Criteria: <p>According to the General Regulation of the <i>Stricto Sensu</i> Postgraduate Program, Art. 98, "A student who obtains, in each compulsory, optional and programmed activity, the final grade "A", "B" or "C" will be considered approved, according to the list of concepts below:</p> <ul style="list-style-type: none">I - A – excellent: corresponds to grades in the range between grades 9 and 10;II - B – good: corresponds to grades in the range between grades 8 and 8.9;III - C – regular: corresponds to grades in the range between grades 7 and 7.9;IV - R – Failed: corresponds to grades in the range between degrees 0 and 6.9”.		



Contents:

1. Constitutional Economic Order and economic relations discipline: public service and economic activity in the strict sense
2. Entrepreneurial state: state-owned companies and the State's role in promoting development
3. Regulatory Agencies and sectoral regulation in public services: regulatory capture and the information asymmetry debate
4. Telecommunications, internet, and streaming regulation.
5. Transport infrastructure, regulation, and development
6. Police power and ordinance: challenges of avoiding excesses in private activities regulation
7. Risk society and the complexities of reflexive modernity: scientific discourses and counter-discourses on risk and regulatory impact analysis
8. Digital Governance in the Age of Surveillance and Regulatory Challenges
9. Account activism and the impacts of regulation control
10. Corporate governance, compliance, and business self-regulation: techniques for reputation development
11. Disruptive services regulation: regulatory gaps, creative destructions or destructive innovations, and considerations on the decision to regulate
12. Test



References:

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COURSE PLAN

WEEK	SUBJECT(S)
1	Constitutional Economic Order and economic relations discipline: public service and economic activity in the strict sense
2	Entrepreneurial state: state-owned companies and the State's role in promoting development
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10	Corporate governance, compliance, and business self-regulation: techniques for reputation development
11	Disruptive services regulation: regulatory gaps, creative destructions or destructive innovations, and considerations on the decision to regulate
12	Test and Final Paper