

## OPINION

From Prof. Darina Peeva Zinovieva, Faculty of Law  
of PU "P. Hilendarski"

regarding the materials submitted for participation in the competition  
to occupy the academic position of "associate professor"  
of Plovdiv University "Paisiy Hilendarski",

field of higher education 3. Social, economic and legal sciences,  
professional direction 3.6. law (administrative law and administrative  
process)

### 1. General data

In the competition for "associate professor" position, announced in the  
State Gazette, No. 96 of 17.11.2023 and on the website of the  
University of Plovdiv "Paisiy Hilendarski" for the needs of the Department  
of Public and Legal Sciences at the Faculty of Law, only one candidate  
participated - Ch. Assistant Professor Antonia Georgieva Ilieva, Ph.D.

The documents submitted by the applicant, which are required by the  
applicable regulations, are available. The minimum national  
requirements under Art. 2b of ZRASRB have been fulfilled.

### 2. Biographical and other academic data about the candidate

Antonia Ilieva is a Master of Law. Obtained the scientific degree "Ph.D."  
at the Faculty of Law of the PU "P. Hilendarski". She taught several  
disciplines - administrative law, administrative process, medical law, etc.  
He is the author of a number of scientific publications in the field of  
administrative law and the administrative process, as well as health care  
law/medical law/. She also published her dissertation work in a book. As  
can be seen from the autobiography and the published works, her  
interests are in administrative law and process, and in its special part - in

the field of the administrative-legal regime of public procurement and in the field of legal regulation of health care /medical law/.

### 3. Evaluation and characterization of scientific works

3.1. Antonia Ilieva participated in the competition with a monograph /habilitation thesis/ entitled "Current issues of the contract under the Public procurement Act", ed. Ciela, Sofia, ISBN: 978-954-28-4487-7, 2023.

The book has a scientific editor Prof. Veselin Tsankov.

She presents 24 scientific publications. All were published after obtaining the scientific degree "Ph.D".

3.2. In the monograph presented for the habilitation work, one of the important and current problems of the public procurement contract is investigated. The monograph is of contributing importance, in view of the lack of a unified study of unified issues of its relevance. The need for analysis and optimization of the practice and legislation related to them is also indisputable.

Structurally, the monograph is well structured to highlight the groups of questions under study.

At the beginning of the monograph, Antonia Ilieva makes a historical review, appropriately weaving the introduction of norms from EU law into the national legal regulation.

The author makes a very good analysis of the legal features of the public procurement contract, emphasizing the elements that are closest to the administrative contract regulated in the APC. At the same time, he analyzes the definition of the term in ZUSESIF, in the APC and comments on the latest amendment to Art. 19a of the APC with the requirement that it be expressly provided for in a special law.

The conclusions that the PPA contract has the marks of an administrative contract can be supported, as they are well-founded and correct. The fact that the Public Procurement Act does not explicitly provide for the public procurement contract to be considered an

administrative contract according to Art. 19a of the APC is presented correctly, as the author clarifies opinions from the doctrine, complements it with her thoughts, which I evaluate positively.

It is a very good idea of the author to distinguish the public procurement contract from related legal figures, such as the framework agreement, contracts with subcontractors, etc. It correctly emphasizes the similarities and differences, focusing on the optimization of the contract arrangement under the PPA. The analysis of the difference with the agreement under Art. 20 of the APC and the conclusions from it is also good.

I believe that the analysis of the elements of the contract under the PPA in the Third Chapter is developed with a detailed understanding of the specifics of the conclusion and amendment of this contract. Conclusions regarding the mandatory elements are important to the doctrine and of contributory importance.

Of interest is the part of the work regarding the specifics of the contract under extraordinary objective circumstances, such as wartime situations, the Covid-19 pandemic. The analysis of the application of the legal regulation of the contract under the PPA, in the presence of these circumstances, has a contributing nature.

The analysis of the problem of money laundering in the case of an active PPA contract should be evaluated positively. The hypotheses are well explained, an understanding of the material is evident, and the conclusions are informative.

In summary, the habilitation thesis was expertly developed, revealing the in-depth knowledge in the legal matter of regulation of public procurement and in particular in its administrative-legal part. There is an ability to highlight problems from legislation and practice, analyzing them and proposing adequate solutions.

3.3. The other publications presented for the competition, apart from the monographic work, I divide into two categories, in view of the subject of research - in the field of legal regulation of health care and in the field of administrative law and process.

Antonia Ilieva shows a focused interest and demonstrates legal knowledge in the field of legal regulation of health care, which deserves encouragement. I emphasize research related to the legal regulation of health care, which is impressive in terms of its volume and breadth of aspects. Such, for example, are the investigated legal problems of

emergency medical care, cross-border health care, the patient's choice of treatment, health information, etc.

#### 3.4. Critical Notes:

In some parts of the monographic work, the author could use a visual representation /diagrams, schemes, etc./, for the purpose of better clarity. The recommendation comes from the fact that she has this skill, evident from other publications attached. Of course, the note does not affect the overall quality of the work, but when republishing the book, the author may decide to implement it.

3.5. In summary, I consider that the scientific works of Antonia Ilieva are of high scientific research and scientific-applied value. It shows the author's ability to deal freely with the material from the relevant legal sciences, to combine and research them.

The author's publications deserve a high rating, in view of the useful conclusions and suggestions for optimizing legislation and practice. In this regard, the scientific and applied results achieved by this should be evaluated positively.

The candidate has numerous citations from other authors, which shows that her publications are used in the doctrine. The pedagogical activity of the candidate should also be evaluated positively.

### CONCLUSION:

In view of the above, I express my categorical position that the candidate Antonia Ilieva meets the requirements of the Law on the Development of the Academic Staff in the Republic of Bulgaria, the Regulations for the Implementation of the Law on the Development of the Academic Staff in the Republic of Bulgaria and the PRASPU.

I vote positively and call on the scientific jury to vote positively and to propose to the FC of the FL Antonia Georgieva Ilieva to occupy the academic position of "associate professor" in professional direction 3.6.

Law (administrative law and administrative process) at PU "P. Hilendarski".

15.02.2024

Prepared the opinion: :.....

/prof. Darina Zinovieva/