

Administrative Law

Code: 101121
ECTS Credits: 6

Degree	Type	Year	Semester
2500259 Political Science and Public Management	OT	3	2
2500259 Political Science and Public Management	OT	4	0

Contact

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Teaching groups languages

You can check it through this [link](#). To consult the language you will need to enter the CODE of the subject. Please note that this information is provisional until 30 November 2023.

Teachers

Roser Martinez Quirante

Prerequisites

There are no prerequisites to take the course

Objectives and Contextualisation

Knowing what Public Administrations are and how they usually work is something relevant and especially useful for everyone who wants to work in a political environment, both at European, State, Catalan and local level.

In this course we will establish the bases, so that at the end you have the necessary knowledge to know what are the Public Administrations, what is the administrative legal system, how the Administration is structured internally; and what are the activities that the Public Entities carry out. We will also emphasize which are the mechanisms that enable the legal control of the actions adopted by Public Administrations.

Competences

- Political Science and Public Management
- Demonstrating good writing skills in different contexts.

- Distinguishing the discipline's main theories and different fields: conceptual developments, theoretical frameworks and theoretical approaches underlying the discipline's knowledge and different areas and sub-areas, as well as their value for the professional practice through concrete cases.
- Identifying sources of data and conducting bibliographic and documentary searches.
- Managing the available time in order to accomplish the established objectives and fulfil the intended task.
- Working autonomously.
- Working in teams and networking, particularly in interdisciplinary conditions.

Learning Outcomes

1. Assessing the impact of the inter-administrative relationships.
2. Critically analysing and assessing the legal elements of the relations between the political power and its citizens and generally, in the political processes.
3. Defining the concepts of act, activity, procedure, resources and administrative guarantees.
4. Demonstrating good writing skills in different contexts.
5. Describing and assessing the working of the administrative organization principles.
6. Explaining the concept and sources of the Administrative Law, as well as the laws and regulations.
7. Explaining the concept of Constitution and basic constitutional principles and the State of Law and social and democratic state principles.
8. Identifying sources of data and conducting bibliographic and documentary searches.
9. Managing the available time in order to accomplish the established objectives and fulfil the intended task.
10. Working autonomously.
11. Working in teams and networking, particularly in interdisciplinary conditions.

Content

I- PUBLIC ADMINISTRATION AND ADMINISTRATIVE LAW

UNIT 1. Concept, content and essential features of Administrative Law. Concept of Public Administration.

UNIT 2. Administrative Law as a legal system. Law, custom and general principles of law. Jurisprudence. European law. Legislative/Rule-making powers of the State and of the Autonomous Communities.

UNIT 3. Holders of legislative power. Law (Acts) classes. Organic Laws and Ordinary Laws. Government regulations with the force of law: Decree-laws and Legislative decrees. Possibilities of control.

UNIT 4. Regulations. Concept and justification of the rule-making power. Relations between Acts and regulations. Regulations and administrative acts (decisions). Types of Regulations (executive, independent and needy).

II. ADMINISTRATIVE ORGANIZATION

UNIT 5. Main Principles of the administrative organization. Organizational power. Competent administrative bodies. The competence: ownership and exercise.

UNIT 6. Typology of territorial public administrations. The institutional public sector (public entities)

III. THE LEGAL POSITION OF THE ADMINISTRATION AND THE ADMINISTRATIVE ACTION

UNIT 7. The principle of legality of the Administration. Administrative powers. Regulated powers and discretionary powers. Techniques for reducing and controlling administrative discretion.

UNIT 8. The administrative act (the administrative decision). Concept. Classes. The effectiveness of administrative acts. Validity and invalidity of administrative acts. The administrative silence and its value. The forced execution of administrative acts. Means of forced execution: coercion (constraint, pressure) on the patrimony, subsidiary enforcement, coercive fine and compulsion on the people.

UNIT 9. The administrative procedure. The structure of the administrative procedure. Initiation: **ex officio** and at the request of a party. The instruction: allegations (presenting observations), public information procedure, reports, evidence and hearing procedure, examination of the file. Completion of the procedure. The decision. Types of procedural completion, especially the conventional one.

UNIT 10. The administrative appeals. Concept, classes, and general principles.

IV. ADMINISTRATIVE ACTIVITY:

UNIT 11: Types of administrative activity. Specially, activities involving promotion; activities providing public services , and also, police activities (activities limiting rights and liberties).

Methodology

At the beginning of the course, the teacher will determine the specification and scheduling of each of these theoretical and practical sessions.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Theoretical classes	52.5	2.1	2, 1, 5
Type: Supervised			
Practical classes	12.5	0.5	2, 1, 4, 7, 6, 9, 11
Type: Autonomous			
Case studies and preparation cases	47	1.88	2, 1, 3, 4, 5, 8, 10
Different readings and study	18	0.72	2, 3, 7, 6, 10

Assessment

Continuous assessment

The theoretical part (written or oral) counts as 60% of the grade and the practical part accounts for 40%.

The practical part will be assessed through the delivery of two practical cases, which will consist of bibliographic readings or presentations or the resolution of real cases related to the knowledge being acquired

Unique assessment:

Students who opt for the single assessment will take a final synthesis test of the subject (50%), a practical (40%) and an oral defense (10%). The date for this test will be the same scheduled in the schedule for the last continuous assessment exam. The same recovery system as for continuous assessment applies.

Recovery

If you do not pass the subject in accordance with the criteria mentioned above (continuous assessment, minimum 3.5), you can take a make-up test on the scheduled date in the timetable, which will cover all the content of the program.

To participate in the recovery, the student must have previously been evaluated in a set of activities, the weight of which is equivalent to a minimum of two thirds of the total qualification of the subject. However, the grade that will appear in the student's file is a maximum of 5-Pass. If he has not been evaluated in two third parties for not having presented himself for the tests he will obtain the qualification of Not Presented, without having the option of Recovery.

Evaluation of students in the second call or more

It will be necessary to carry out the scheduled assignments, tests and exams and hand in the course assignments on the dates indicated in Moodle.

Warnings

Without prejudice to other disciplinary measures deemed appropriate, and in accordance with current academic regulations, "in the event that the student commits any irregularity that could lead to a significant variation in the grade of an assessment act, this evaluation act will be graded with a 0, regardless of the disciplinary process that may be instituted. In the event that several irregularities occur in the evaluation acts of the same subject, the final grade for this subject will be 0".

Tests/exams may be written and/or oral at the faculty's discretion.

At the time of carrying out each assessment activity, the teaching staff will inform the students of the mechanisms for reviewing the qualifications. For single assessment students, the review process will be the same.

If there are unforeseen circumstances that prevent the normal development of the subject, the teaching staff may modify both the methodology and the evaluation system of the subject.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Practical test	40%	10	0.4	2, 4, 7, 6, 9, 10, 11
Theoretical test	30%	5	0.2	1, 3, 5, 7, 6, 8
Theoretical test	30%	5	0.2	1, 3, 5, 7, 6, 8

Bibliography

The professor will specify which lectures are recommended for the various sessions.

In general, the manuals (handbooks) that are recommended for this subject

-Gamero, Eduardo, Fernández, Severiano: "Manual básico de derecho administrativo". Ed. Tecnos, 18ª ed., 2021

-García de Enterría, Eduardo y Fernández, Tomás Ramón: Curso de derecho administrativo, Ed. Civitas. 2020.

-Parejo Alfonso, Luciano: Lecciones de Derecho administrativo, Ed. Tirant lo Blanch. Valencia, 2020.

-Rebollo Puig, Manuel. y Vera Jurado, Diego: Derecho Administrativo. Tomo II. Régimen Jurídico básico y control de la administración. Madrid, Tecnos, 2019.

-Sánchez Morón, Miguel: Derecho administrativo: parte general. Ed. Tecnos. Madrid, 2021

-Trayter, Joan Manel; Derecho administrativo. Parte general. Ed Atelier, 2020.

-Palomar, Alberto y Fuertes, Javier: Práctico contencioso-administrativo. Vlex España (2020). Disponible [biblioteca digital UAB](#)

Software

This course does not require any specific software