

Degree	Type	Year
2500786 Law	OT	4

Contact

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Teachers

Judith Gifreu Font

Teaching groups languages

You can view this information at the [end](#) of this document.

Prerequisites

There are no prerequisites, but it is recommended that Administrative Law I, II and III have been passed.

Group 1

The subject is taught in Catalan.

Lecturer: Dr. Judith Gifreu Font, lecturer of Administrative Law, UAB.

The subject will be taught from the perspective of the Sustainable Development Goals.

Objectives and Contextualisation

The objective of the subject is to know composition and functions developed by local governments. This subject is about the public administration closest to the citizen (municipality, district and province) and, consequently, the administrative level with whom most people relate, both at a private and professional level. We will analyze which organs make up this Administration (mayors, councilors, county councilors ...) and what activities they carry out: licensing, road cleaning, authorization of collective activities and parties in municipal or public facilities, management of kindergartens, ...

Competences

- Arguing and laying the foundation for the implementation of legal standards.
- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Mastering the computing techniques when it comes to obtaining legal information (legislation databases, jurisprudence, bibliography...) and in data communication.
- Memorising and utilising legal terminology.
- Present information in a way that is appropriate to the type of audience.
- Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Learning Outcomes

1. Applying the legal standards to concrete cases.
2. Defining the legal administrative language.
3. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
4. Efficiently managing information, being capable of assimilating a considerable volume of data in a limited amount of time.
5. Explaining the administrative legal standards.
6. Managing bibliographic and documentary resources: databases, browsing, etc.
7. Present information in a way that is appropriate to the type of audience.
8. Reflecting on administrative standards.
9. Searching sentences, articles, etc. in legal databases.
10. Students must be capable of expressing themselves with legal-administrative terminology.
11. Using the computing legal sources of information.
12. Working in teams, being either a member or a coordinator of working groups, as well as making decisions affecting the whole group.

Content

ITEM 1. Historical evolution of the Catalan local Administration. The nineteenth-century Administration. The Second Republic. The Municipal Law of Catalonia of 1933. Pau Vila and the regional division. The Franco dictatorship and the Consolidated text of 1955. The constitutional and statutory framework: the principles of local autonomy and financial sufficiency. The Statute of Autonomy of Catalonia of 2006.

ITEM 2. The local Administration (I). Relations of local entities with the state and autonomous administrations. The Council of Local Government of Catalonia. The local regulatory power. Types of local entities. Law 7/1985, of April 2, regulating the Bases of Local Regime and Legislative Decree 2/2003, of April 28, by which approves the Consolidated Text of the Municipal Law and Local Government of Catalonia. Law 27/2013, of December 27, on Rationalization and Sustainability of Local Administration. Law 19/2014, of 29 November, on transparency, access to public information and good governance.

ITEM 3. The local Administration (II). The province. Historical evolution and constitutional framework. Organization and competencies. Economic regime. The Law of vegueries and its modification.

ITEM 4. The local Administration (III). The comarca. Organization and competencies. Economic regime. The special regime of the Vall d'Aran.

ITEM 5. The local Administration (IV). The municipality. Concept and elements: the territory and the population. Organization and competencies. Economic resources. Electoral system. Special municipal regimes: the case of Barcelona. Local government agencies. The Metropolitan Area of Barcelona. Municipalities of municipalities. The local instrumental sector.

ITEM 6. The legal regime of local acts and agreements. Administrative procedure Operation of the collegiate bodies. Challenge of acts and agreements.

ITEM 7. The legal status of local elected representatives. Access to the charge. Rights and duties. Patrimonial responsibility of the elect.

ITEM 8. Public services and local economic activity. Establishment and provision of services. Forms of management Recourse to private foundations. Economic liberalization The local public initiative in economic activity.

ITEM 9. The personnel at the service of the local Administration. Staff and civil servants. Typology The management of human resources. Selection and promotion of the personnel. Disciplinary regime and incompatibilities.

ITEM 10. The assets of local entities. Classes of goods. Affection and disaffection. Alienation of goods.

ITEM 11. Local competences in relation to the protection of the environment, urban planning and housing. Law 20/2009, of December 4, on prevention and environmental control of activities. Urban waste. Waste water sanitation. Local competences in urban planning. Land ownership regime. Planning Management. Discipline. Licenses. The promotion of subsidised housing. Pre-emptive rights. Municipal housing offices.

Activities and Methodology

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Practical lessons	22	0.88	1, 9, 3, 10, 4, 6, 7, 8, 12, 11
theoretical classes	22	0.88	1, 2, 3, 5, 10, 8
Type: Autonomous			
Different readings (law, doctrine, jurisprudence)	25	1	9, 8, 11
Preparation and resolution of practical exercises	40	1.6	1, 9, 3, 5, 10, 4, 6, 8, 12, 11
Study	36	1.44	9, 3, 4, 8, 12, 11

The development of the course will consist of a theoretical-practical exposition of the topics of the program, which will be combined with the resolution of practical cases (preferably in the classroom).

The schedule of the course, with the dates of the evaluable activities, is located in the Virtual Campus.

Attention: e-mails requesting information already included in this guide or in the Virtual Campus will not be answered.

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.

Assessment

Continous Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Final work	50%	2	0.08	1, 9, 2, 3, 5, 10, 4, 6, 7, 8, 12, 11
cases	25%	2	0.08	1, 9, 2, 10, 4, 12, 11
text comment, reading control	25%	1	0.04	2, 5, 10, 8, 12

EVALUATION SYSTEM

The course foresees 2 types of assessment:

1.- Continuous assessment. The assessment will consist of the resolution of practical cases (40%), the completion of reading controls and text commentaries on the topics of the programme (10%) and the oral presentation of a free-themed work on some aspect of local Law (50%). In the continuous assessment, class attendance is compulsory. In duly justified cases (illness, force majeure or similar), one of the evaluable activities consisting of cases, controls or comments may be missed, which will not be counted in the final mark; if the justification is maintained, the activity will be counted with a zero.

2.- Final assessment. Students who, for justified reasons and with prior authorisation from the teacher, are unable to attend classes, may be assessed on the day officially set for the exam of the course by means of a written exam (50%) and two practical cases on the content of the programme (25% + 25%).

A student who cheats or tries to cheat in an exam will be given a 0. A student who submits a paper or a practical exercise in which evidence of plagiarism can be identified will be given a 0 and will receive a warning.

Students who fail the course may be re-evaluated as long as they obtain a minimum score of 3 points out of 10. Re-evaluation will consist of an internship (50%) and a written test on the programme content (50%).

Students will be assessable as long as they have carried out a set of activities, the weight of which is equivalent to a minimum of 2/3 of the total grade for the subject. If the value of the activities carried out does not reach this threshold, the teacher of the subject may consider the student as not assessable. In the case of a single assessment, the same criteria shall apply.

Bibliography

1.- MANDATORY BIBLIOGRAPHY

(There isn't mandatory bibliography)

2.- RECOMMENDED BIBLIOGRAPHY

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- FONT MONCLÚS, Joan Anton, [Secretaris, interventors i tesorers d'administració local : cap a una habilitació local](#), tesi doctoral, UAB, 2019.
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- GIRONÉS CEBRIÁN, María Elena, Los aparcamientos municipales: nuevo régimen jurídico, Barcelona, 2004.
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- GONZÁLEZ RÍOS, Isabel, El dominio público municipal: régimen de utilización por los particulares y compañías prestadoras de servicios, 2a. edició, Comares, Granada, 2005.
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Software

The subject does not require any specific software.

Language list

Name	Group	Language	Semester	Turn
(PAUL) Classroom practices	1	Catalan	second semester	morning-mixed
(TE) Theory	1	Catalan	second semester	morning-mixed