



## Information about the subject

**Degree:** Bachelor of Arts Degree in Law

**Faculty:** Faculty of Legal, Economic and Social Sciences

**Code:** 310202 **Name:** Administrative Law III

**Credits:** 6,00 **ECTS Year:** 2 **Semester:** 2

**Module:** Constitutional and Administrative Law

**Subject Matter:** Public Law **Type:** Compulsory

**Field of knowledge:** Social and Legal Sciences

**Department:** Public Law

**Type of learning:** Classroom-based learning

**Languages in which it is taught:** Spanish

### Lecturer/-s:

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## Module organization

### Constitutional and Administrative Law

Subject Matter	ECTS	Subject	ECTS	Year/semester
Public Law	30,00	Administrative Law I	6,00	1/2
		Administrative Law II	6,00	2/1
		Administrative Law III	6,00	2/2
		Constitutional Law	6,00	1/1
		Economic Administrative Law	6,00	3/2

## Recommended knowledge

To take Administrative Law III, it is recommended to first take Administrative Law II, although it is not an essential requirement to have taken or to have passed Administrative Law I.



## Learning outcomes

At the end of the course, the student must be able to prove that he/she has acquired the following learning outcomes:

- R1 To know the assets of the Public Administration, the distinction between public domain and patrimonial assets. The basic legal regime of the assets of the Administration. The self-guardianship of the Administration over its assets. The affectation and disaffectation. The regime of use and protection of the public domain. Use and protection of the public domain.
- R2 To know the patrimonial guarantees of the citizens against the Administration. The basis and nature of the expropriation power. The "causa expropriandi". Protection against de facto expropriations. Legislative expropriations.
- R3 To know the expropriation procedure (ordinary and urgent) and the rules of determination of fair price. Payment and occupation. Provincial compulsory expropriation juries. The right of reversion.
- R4 To know the concept of administrative contract, its origin and nature and the typical contracts.
- R5 To know the procedure of contracting: the systems of selection of contractors. Execution of contracts. Extinction. The special appeal in contracting matters.
- R6 To know the basic aspects of the contentious-administrative jurisdiction: organization, competencies of the different bodies, and the reviewing nature of the contentious jurisdiction
- R7 To know the contentious and administrative process. The parties in the process, capacity, standing, the object of the appeal: the claims of the parties. The processing of the contentious administrative appeal. Ordinary and abbreviated procedure.
- R8 To know the modes of termination of the contentious administrative process. The enforcement of judgments and appeals against them.
- R9 To know the special procedures: question of legality and protection of the fundamental rights of the person.



## Competencies

Depending on the learning outcomes, the competencies to which the subject contributes are (please score from 1 to 4, being 4 the highest score):

GENERAL	Weighting			
	1	2	3	4
CG1 Knowledge of the Science being studied, in this case of the science of Law, fundamentally of the most practical branches, with their international and economic implications and their specialized language.				X
CG2 Analysis and synthesis capacity			X	
CG3 Capacity for organization and planning		X		
CG4 Problem-solving capacity.			X	
CG5 Computer skills related to the field of knowledge.		X		
CG6 To be able to effectively obtain information from books and specialized journals, and from other sources.				X
CG7 Critical reasoning when analysing information.				X
CG8 Ethical commitment to information management.				X
CG9 Oral and written communication skills in their native language in relation to the Science of Law.			X	
CG11 Professional relationships: be able to establish and maintain relationships with other relevant professionals and institutions.		X		
CG12 To be able to develop audiovisual presentations.		X		
CG13 Information management capacity.			X	
CG14 Ability to work as a team and collaborate effectively with others.			X	
CG15 Ability to work in interdisciplinary teams.			X	



CG16 Ability to develop and maintain one's own competencies, skills and knowledge according to the standards of the profession.

X

SPECIFIC	Weighting			
	1	2	3	4
CE1 To become aware of the Law as an orderly system of legal norms regulating social relations.				X
CE2 Understanding of the different ways of creation of Law in its historical evolution and in its current reality, assimilating the existence of subordinate and supranational legal systems and the forms in which they are articulated.				X
CE3 Ability to use constitutional principles and values as a working tool in the interpretation of the legal system.				X
CE4 Ability to understand and know how local, regional, state, community, and international institutions work, in their genesis and as a whole, and to identify the competent institution or administration in each case as well as the sectoral law applicable in each case.				X
CE7 Ability to incorporate and manage legal entities and manage their rights and obligations and give legal form to their acts of will.			X	
CE14 Ability to lodge appeals against acts of the different bodies of the various administrations or institutions.				X
CE16 Acquisition of a critical conscience in the analysis of the legal system and acquisition of values and ethical principles.				X
CE18 To learn how to use the existing legal bibliographic information.		X		
CE19 Ability to handle the different legal sources (legal, jurisprudential and doctrinal).				X
CE20 Mastery of computer techniques in obtaining legal information and communication of legal data (Internet, databases of legislation, jurisprudence, bibliography).		X		
CE21 Ability to read and interpret legal texts.				X
CE22 Ability to make legal arguments.				X
CE23 Ability to write legal texts. Basic knowledge of legal argumentation.			X	



CE25	Development of the ability of working in teams.			X
CE26	Assumption of the necessary interdisciplinary vision of legal problems.			X
CE27	Capacity for negotiation and conciliation.	X		
CE29	Ability to legally articulate projects, agreements, or disagreements.			X



## Assessment system for the acquisition of competencies and grading system

Assessed learning outcomes	Granted percentage	Assessment method
	40,00%	Practical tests
	20,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
	40,00%	Written theoretical tests

### Observations

It is essential to obtain a 4 out of 10 in the exam in order to be able to compute or evaluate the other 2 evaluation instruments (on the one hand the "attendance and active participation" and on the other hand the "practical tests") in the first call.

In the second only the grade of the exam will be taken into account, neither the practical tests handed in during the the practices delivered during the course, nor the practical tests or questionnaires carried out in the classroom or the attendance or in the classroom or the attendance or participation of the student during the course will not be taken into account. In the second the exam will consist of a theoretical test and a practical test type test on the same day of the on the same day of the official theoretical exam. The grade obtained in this test will represent 50% of the official grade. 50% of the official grade.

In relation to the concept of "attendance, active participation and favorable attitude in the subject" (20%), the grade obtained in the (20%), the mere attendance or physical presence in the classes will count for a maximum of 5%, while the maximum of 5%, while the remaining 15% will derive from the favorable attitude in the subject shown by any of the students. The remaining 15% will derive from the favorable attitude in the course shown in any of the following ways: 1. Student interventions in the classes themselves (face-to-face or online) The interventions of the students in the classes themselves (face-to-face or online), with the corresponding records or annotations. Virtual tutorials through the UCVnet virtual Campus or online sessions through Teams developed as a 2. The virtual tutorials through the virtual Campus UCVnet or the online sessions through Teams developed as a group or individual tutorial. 3. The interventions in the forum created in the UCVnet platform to raise and answer doubts about the answer to doubts about the syllabus. 4. The e-mails or messages received asking questions about the course syllabus. - Therefore, only if the final grade is equal or higher than 5, the course will be approved. 2) EXTRAORDINARY CALL: the evaluation system and its percentages will be the same as in the second call (50 %). those of the second call (50% theoretical exam and 50% practical exam).

**According to article 9 of the General Regulations for the Evaluation and Qualification of**



***Official Teachings and Own Degrees of the UCV, the continuous evaluation system is the preferred evaluation system at the UCV. The art. 10 allows, however, for those students who, in a justified and accredited manner, express their inability to attend in person (or to synchronous communication activities for virtual and/or hybrid teaching modalities), their evaluation on an extraordinary basis in the so-called single evaluation. Said single evaluation must be requested within the first month of each semester to the Dean of Faculty through the Vice-Deaneries or Master's Directorates, with the express decision on the admission of said request from the student concerned being the responsibility of the latter.***

***The evidence to be presented and/or the test/s to be carried out in the single evaluation by the student will be the same as for the rest of the students, although the percentages awarded to the different evaluation instruments will be the following: 50% practical tests and 50% theoretical written tests.***

## **CLASS ATTENDANCE IN FACE-TO-FACE DEGREES**

In accordance with the development guidelines of the General Regulations for the Evaluation and Qualification of Official Teachings and Own Degrees of the UCV, in face-to-face degrees, class attendance with a minimum of 80% of the sessions of each subject will be required as a requirement to be evaluated. This means that, if a student does not attend the sessions of each subject, in a percentage greater than 20%, he/she will not be able to be evaluated, neither in the first nor in the second call, unless the person responsible for the subject, with the approval of the person responsible for degree, in view of duly justified exceptional circumstances, exempt from the minimum attendance percentage. The same criterion will be applicable for hybrid or virtual degrees in which teachers must maintain the same percentage in the requirement of "presence" in the different training activities, if any, even if these are carried out in virtual environments.

## **MENTION OF DISTINCTION:**

The mention of "Honors" may be awarded to students who have obtained a grade equal to or greater than 9.0. Their number may not exceed five percent of the students enrolled in a group in the corresponding academic year, unless the number of students enrolled is lower.

## **Learning activities**

The following methodologies will be used so that the students can achieve the learning outcomes of the subject:

- M1 Group work sessions supervised by the teacher. Study of legal cases, both true and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis of values and social commitment.





- M8 Exposition of contents by the teacher, analysis of competences, explanation and demonstration of capacities, skills and knowledge in the classroom.
- M9 Supervised monographic sessions with shared participation.
- M10 Application of interdisciplinary knowledge.
- M11 Personalised attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the aim of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc.
- M12 Set of written and/or oral tests used in the initial, formative or summative evaluation of the student.
- M13 Group preparation of readings, essays, resolution of problems, seminars, papers, dossiers, etc., to be presented or delivered in theory classes, practical classes, and/or small group tutorials.
- M14 Student's study: individual preparation of readings, essays, problem-solving, seminars, works, reports, etc. to present or deliver in the theoretical classes, practical classes and/or small group tutorials.



## IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Practical cases. M1	R1, R2, R3, R4, R5, R6, R7, R8, R9	20,00	0,80
Theoretical classes. M8	R1, R2, R3, R4, R5, R6, R7, R8, R9	30,00	1,20
Tutorial. M11	R1, R2, R3, R4, R5, R6, R7, R8, R9	5,00	0,20
Assessment M12	R1, R2, R3, R4, R5, R6, R7, R8, R9	5,00	0,20
<b>TOTAL</b>		<b>60,00</b>	<b>2,40</b>

## LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M13	R1, R2, R3, R4, R5, R6, R7, R8, R9	30,00	1,20
Individual work. M14	R1, R2, R3, R4, R5, R6, R7, R8, R9	60,00	2,40
<b>TOTAL</b>		<b>90,00</b>	<b>3,60</b>



## Description of the contents

Description of the necessary contents to acquire the learning outcomes.

### Theoretical contents:

Content block	Contents
Thematic Block 1: The regime of the Administration's assets.	The assets of the Public Administrations, the distinction between public and patrimonial between public domain and patrimonial assets. The basic legal basic legal regime of the assets of the Administration. The self-tutelage of the Administration over its assets. The Affectation and disaffectation. Regime of use and protection of the public domain. Use and protection of the public public domain.
Thematic Block 2: The expropriation	The patrimonial guarantees of citizens against the Administration. Administration. The basis and nature of the Expropriation. The "causa expropiandi". The provincial expropriation Jurors. The right of reversion. The action of return. Protection against de facto. Legislative expropriations. The expropriation procedure (ordinary and urgent) and the rules for the determination of fair price. Payment and occupation.
Thematic Block 3: Public procurement.	Administrative contracts, their origin and nature, and typical contracts. typical contracts. The contracting procedure: the selection selection systems of contractors. Execution of contracts. contracts. Termination. The special appeal in matters of contracting



Thematic Block 4:  
Contentious-Administrative Jurisdiction.

The contentious-administrative jurisdiction.  
Organization. Competences of the different bodies. And the revisory nature of the contentious of the contentious jurisdiction. The contentious-administrative administrative proceedings. The parties to the process, capacity, standing, the object of the appeal: the claims of the parties. parties. The processing of the contentious-administrative administrative appeal. Ordinary and abbreviated procedure. The modes of termination of the contentious-administrative administrative proceedings. The execution of the Judgments and the appeals against them. Special procedures special procedures: question of legality and protection of the fundamental rights of the person.

Thematic Block 5: Status of the of the citizen in relation to territorial and urban urban planning and environmental protection. environmental protection.

The statute of the citizen and the guarantees of the same in the face of land and urban planning. The rights and duties of the citizen and the public action in this matter. The techniques of environmental protection and the object of such protection: quality of air, water, noise, toxic waste. protection: air quality, water, noise, toxic waste and protected natural spaces.



## Temporary organization of learning:

Block of content	Number of sessions	Hours
Thematic Block 1: The regime of the Administration's assets.	6,00	12,00
Thematic Block 2: The expropriation	4,00	8,00
Thematic Block 3: Public procurement.	6,00	12,00
Thematic Block 4: Contentious-Administrative Jurisdiction.	10,00	20,00
Thematic Block 5: Status of the of the citizen in relation to territorial and urban urban planning and environmental protection. environmental protection.	4,00	8,00



## References

### **PUBLIC PROPERTY.**

GONZALEZ GARCÍA JULIO V., AGOUES MENDIZABAL, C., GALAN SANCHEZ, ROSA M. 'DERECHO DE LOS BIENES PÚBLICOS, 3ª Edición 2015 ISBN Paper: 9788490860205; isbn Ebook: 9788490860212

PARADA VAZQUEZ J.R. 'DERECHO ADMINISTRATIVO III. BIENES PÚBLICOS. DERECHO URBANÍSTICO (11ª EDICIÓN) Ed. EDIASA (2017; ISBN 9788494698002). Edition nº 16, 2017.

### **CONTRACTING.**

ALONSO TIMON, ANTONIO J. 'CONTRATACION PUBLICA' Editorial Dykinson, S.L.- 9788491486022

FERNANDEZ ASTUDILLO, J.Mª EL NUEVO RÉGIMEN DE LA CONTRATACIÓN PÚBLICA Ed. Bosch. Edition: January 2018 ISBN: 978-84-9090-261-5 Digital ISBN: 978-84-9090-262-2

MONTERO PASCUAL JUAN J. Coord. ADMINISTRATIVE LAW III: CONTRACTS, MEANS AND LIABILITY. ISBN paper: 9788411977968 Isbn Ebook: 9788411977975

### **COMPULSORY EXPROPRIATION.**

GARCÍA GOMEZ DE MERCADO, F. EL JUSTIPRECIO DE LA EXPROPIACIÓN FORZOSA. Estudio de su determinación y pago - Valoraciones urbanísticas AEd. COMARES. Granada 2018 ISBN 978-84-9045-655-2

ORTIZ RAMIREZ JORGE, EXPROPIACIÓN FORZOSA: conceptos, procedimientos y criterios de valoración del justiprecio Author: Ortiz Ramírez Jorge Ed. Madrid 2019 ISBN: 978-84-17788-68-1

### **CONTENTIOUS-ADMINISTRATIVE JURISDICTION.**

BACIGALUPO SAGGESE MARIANO, DEL SAZ CORDERO S. and FERNANDEZ RODRIGUEZ C. Coord. JURISDICCIÓN CONTENCIOSO ADMINISTRATIVA SBN 9788413139333. Ed. Tirant lo Blanch, 2019. Valencia.

JURISDICCIÓN CONTENCIOSO ADMINISTRATIVA ISBN: 9788413139333, Editorial: Editorial Tirant lo Blanch Fecha de la edición: 2019 Lugar de la edición: Valencia. España Colección: Manuales.

RUIZ RISUEÑO F. EL PROCESO CONTENCIOSO ADMINISTRATIVO ISBN 9788413915159 AEd. Aranzadi. (2022).