



## 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:** -

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

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

### Lecturer/-s:

312	<u>Jose Vicente Belenguer Mula</u> <b>(Responsible Lecturer)</b>	jv.belenguer@ucv.es
	<u>Antonio Lon Garcia</u>	antonio.lon@ucv.es
312B	<u>Jose Vicente Belenguer Mula</u> <b>(Responsible Lecturer)</b>	jv.belenguer@ucv.es
	<u>Antonio Lon Garcia</u>	antonio.lon@ucv.es



## 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.
- R10 To know the statute of the citizen and his/her guarantees in front of the territorial and urban planning. The rights and duties of the citizen and public action in this area.
- R11 To know the techniques of environmental protection and the object of such protection: air quality, water, noise, toxic waste and protected natural spaces.



## 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 theon 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).

CRITERIA FOR THE AWARDING OF HONORS: According to article 22 of the Regulatory



Regulations for the Evaluation and Grading of UCV's the UCV, the mention of "Matrícula de Honor" may be granted by the professor responsible for the subject to students who responsible for the subject to students who have obtained the grade of "Outstanding". The number of "Matrícula de Honor" mentions that may be awarded may not exceed five percent of the students included in the of the students included in the same official transcript, unless this is less than 20, in which case only one "Honorable Mention" may be awarded. only one "Matrícula de Honor" may be awarded.

### MENTION OF DISTINCTION:

According to Article 22 of the Regulations governing the Evaluation and Qualification of UCV Courses, the mention of "Distinction of Honor" may be awarded by the professor responsible for the course to students who have obtained, at least, the qualification of 9 over 10 ("Sobresaliente"). The number of "Distinction of Honor" mentions that may be awarded may not exceed five percent of the number of students included in the same official record, unless this number is lower than 20, in which case only one "Distinction of Honor" may be awarded.

## 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, R10, R11	20,00	0,80
Theoretical classes. M8	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	30,00	1,20
Tutorial. M11	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	5,00	0,20
Assessment M12	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	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, R10, R11	30,00	1,20
Individual work. M14	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11	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

- HERITAGE OF PUBLIC ADMINISTRATIONS: ISBN 9788447610983, Ed. Ministry of Finance and Public Function, 2021, Madrid. PUBLIC ADMINISTRATION HERITAGE LAW.
- PARLIAMENTARY WORKS. ISBN. 9788479432638, Ed. Congress of Deputies, 2005 Madrid.
- ADMINISTRATIVE LAW III. PUBLIC PROPERTY. URBAN LAW (11ª) Author/s: Parada Vázquez, J. R. ; Volume III (Public goods and urban law). Ed. EDIASA (2017; ISBN 9788494698002). Edition no. 16, 2017
- PUBLIC PROPERTY LAW, 3rd Edition 2015, Author(s): Julio V. Gonzalez Garcia Carmen Agoués Mendizábal Rosa María Galán Sánchez. ISBN Paper: 9788490860205; isbn Ebook: 9788490860212
- THE NEW REGIME OF PUBLIC PROCUREMENT Author: JMª Fernández Astudillo Edition: January 2018 ISBN: 978-84-9090-261-5 Digital ISBN: 978-84-9090-262-2 Bosch
- COMPULSORY EXPROPRIATION: THEORY AND PRACTICE OF THE INSTITUTION. Tirant lo Blanch, Valencia 2019. ISBN: 978-84-1313-276-1
- COMPULSORY EXPROPRIATION LAW. Ministry of Finance. General Technical Secretariat Madrid. 2003 ISBN: 84-476-0583-3  
<https://www.hacienda.gob.es/Documentacion/Publico/GabineteMinistro/Varios/leydeexpropiacionforzosa.pdf>
- COMPULSORY EXPROPRIATION: Concepts, Procedures and Criteria for the Appraisal of the Justification. Author: Ortiz Ramírez Jorge Ed. Sepin. Madrid 2019 ISBN: 978-84-17788-68-1
- URGENT COMPULSORY EXPROPRIATION: By way of fact. Direct occupation of land. Authors: Fayos Apesteguía, José Luis (Dir.) and others. Ed. La Ley. El Consultor de los Ayuntamientos. Madrid 2012 ISBN: 978-84-70526-43-5
- Analysis of the elements and Determination of the price of compulsory expropriation. Ed. COLEX (Digital Library) 1st. Edition, Publication 27/11/2019
- COMPULSORY EXPROPRIATION. Study of the elements and effects derived from the compulsory expropriation, in Administrative Law. expropriation in Spanish Administrative Law. Ed. Colex (Digital Library) 1st Edition, Publication 25/11/2019
- THE PRICE OF COMPULSORY EXPROPRIATION. Study of its determination and payment.
- Valoraciones urbanísticas Author: García Gómez De Mercado, Francisco Ed. COMARES. Granada 2018 ISBN 978-84-9045-655-2
- ADMINISTRATIVE LITIGATION JURISDICTION. ISBN 9788413139333. Ed. Tirant lo Blanch, 2019. Valencia.
- THE APPEAL IN ADMINISTRATIVE DISPUTES (2021), ISBN: 978-84-1346-124-3 Author: Omar Bouazza Ariño, Ed. Thomson Reuters-Civitas, 2021
- THE ADMINISTRATIVE LITIGATION PROCESS ISBN 9788413915159 Author. Francisco Ruiz Risueño, Ed. Aranzadi. (2022)
- JURISDICCIÓN CONTENCIOSO ADMINISTRATIVA ISBN: 9788413139333, Editorial: Editorial. Tirant lo Blanch Date of edition: 2019 Place of edition: Valencia. Spain Collection: Manuals



- THE MEANS OF CHALLENGE IN THE CONTENTIOUS ADMINISTRATIVE, EDUARDO HINOJOSA MARTINEZ, edition: February 2018 ISBN: 978-84-9090-271-4 ISBN: 978-84-9090-271-4 ISBN. Digital: 978-84-9090-272-1, Ed. Bosch.
- LOCAL LAW OF CLIMATE CHANGE: Simó, Sofía. 2020 MARCIAL PONS, ISBN: 978-84-9123-759-4 Publication: 2020.
- AIR QUALITY AND SMART CITY THE PROTECTION OF AIR QUALITY AS A DRIVER FOR DEVELOPMENT. AIR QUALITY PROTECTION AS A DRIVER FOR SUSTAINABLE URBAN DEVELOPMENT. Faccioli, Carlotta, 2020 Atelier. ISBN: 978-84-1824-402-5 Publication: 2020. PCA-22-F-07 (rev 00) 12/13
- SUSTAINABLE DEVELOPMENT GOALS AND CIRCULAR ECONOMY. Challenges in the fiscal area. Soto Moya, Maria del Mar, 2019, Comares. ISBN: 978-84-9045-854-9 Publication: 2019
- CONSTITUTION, CITIZENSHIP AND ENVIRONMENT, Gomez Puerto, Angel B. ISBN: 978-84-1324-717-5. Publication: 2020.
- SUSTAINABILITY OF THE EUROPE OF THE S. XXI. ECONOMIC, ENVIRONMENTAL AND SOCIAL. by Basque Council of the European Movement, EuroBasque 2020 Dykinson ISBN: 978-84-1324-668-0. Publication: 2020.
- SUSTAINABLE DEVELOPMENT GOALS. Pérez Martell R. and Caja, Cristina. ISBN: 978-84-121376-2-0. Publication: