



## Information about the subject

**Degree:** Official Master's Degree in Administrative Management

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

**Code:** 1710004 **Name:** Professional Deontology and Constitutional Law and European Law

**Credits:** 6,00 **ECTS Year:** 1 **Semester:** 1

**Module:** PROFESSIONAL ETHICS, CONSTITUTIONAL LAW AND EUROPEAN REGULATIONS

**Subject Matter:** PROFESSIONAL ETHICS, CONSTITUTIONAL LAW AND EUROPEAN

REGULATIONS **Type:** Compulsory

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

**Department:**

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

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

**Lecturer/-s:**

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## Module organization

### PROFESSIONAL ETHICS, CONSTITUTIONAL LAW AND EUROPEAN

#### REGULATIONS

Subject Matter	ECTS	Subject	ECTS	Year/semester
PROFESSIONAL ETHICS, CONSTITUTIONAL LAW AND EUROPEAN REGULATIONS	6,00	Professional Deontology and Constitutional Law and European Law	6,00	1/1

## Recommended knowledge

Non-established



## 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 Knowledge of the general aspects of the ethics and deontology of the administrative manager.
- R2 Understanding professional work in both its scientific-technical and ethical aspects while considering the importance of the latter in order to develop adequate professionalism.
- R3 Understanding the essential characteristics of the person and the dynamics of human action.
- R4 The ability to set guidelines for ethical decision-making.
- R5 Knowledge of the fundamental aspects of motivation and leadership and the need for an ethical perspective on them.
- R6 Knowledge of the different quality means of an organization.
- R7 Understanding the social responsibility of an organization and its members.
- R8 Application of previous knowledge to specific cases.
- R9 The student must acquire knowledge of the institutional system of the European communities and differentiate the competences of the institutions.
- R10 The acquisition of a general knowledge of the Constitution that will allow them to argue and base their arguments on the different writings that they will have to use in their relations with the different public administrations.
- R11 Knowledge of the interrelationship among community, state and regional regulations.
- R12 Management of European regulations to apply for European grants; participation in European projects and initiatives.
- R13 The student must acquire knowledge of the principles of the European Communities' judicial system, and in particular of those relating to Union Citizenship and its status.



## 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):

BASIC		Weighting			
		1	2	3	4
B6	Having and understanding knowledge that provides a basis or opportunity to be original in the development and/or application of ideas, often in a research context.				X
B7	Being able to apply acquired knowledge and problem-solving skills in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of study.			X	
B8	The ability to integrate knowledge and deal with the complexity of making critical judgements on the basis of information which, being incomplete or limited, includes reflections on the responsibilities and ethics linked to the application of their knowledge and judgements.			X	
B9	The ability to communicate their findings and the ultimate knowledge and reasons behind them to specialized and non-specialized audiences in a clear and unambiguous manner.		X		
B10	The learning skills that enable them to continue studying in a largely self-directed or autonomous manner.				X

GENERAL		Weighting			
		1	2	3	4
G1	Being able to apply acquired knowledge and problem-solving skills in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of study.			X	
G2	The ability to integrate knowledge and deal with the complexity of making critical judgements on the basis of information which, being incomplete or limited, includes reflections on the social and ethical responsibilities linked to the application of their knowledge and judgements.				X



G3	The ability to communicate their findings and the ultimate knowledge and reasons behind them to specialized and non-specialized audiences in a clear and unambiguous manner.			X	
G4	The learning skills that enable them to continue studying in a largely self-directed or autonomous manner.	X			
G6	Promoting, requesting and carrying out all kinds of procedures that do not require the application of the legal technique reserved for lawyers, relating to those matters that, in the interest of natural or legal persons, and at their request, are followed before any body of the Public Administration, informing their clients of the state and vicissitudes of the procedure by which they are carried out.				X
G7	Knowledge of the regulations of the Colegio Oficial de Gestores Administrativos de Valencia (Official Institute of Administrative Management of Valencia).				X

SPECIFIC		Weighting			
		1	2	3	4
E1	Applying the necessary knowledge to act effectively before the Public Administration at any level of the Public Administration.			X	
E2	Using the necessary knowledge to effectively resolve client issues.				X
E6	Using the notions and functioning of the financial market according to the advisory needs of potential clients.				X
E10	Using the necessary knowledge to advise clients on leasing matters.			X	
E18	Determining the general welfare legislation, employers' and employees' obligations, the various schemes, registrations and settlements, as well as the special schemes, incapacity for work and its modalities, retirement, unemployment and non-contributory benefits.			X	
E19	Using the Code of Ethics for professional practice with regard to the different actions before the Administration, with colleagues and with clients.				X



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

### In-class teaching

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	40,00%	Objective tests and final in-person exam.
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	40,00%	Completion of theoretical and practical activities.
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	20,00%	Class attendance and participation.

### Observations

#### CRITERIOS PARA LA CONCESIÓN DE MATRÍCULA DE HONOR:

*Explicitar criterios concretos señalados para la asignatura y facultad a la que se adscribe el título y de acuerdo con la normativa general que indica que sólo se puede dar una matrícula de honor por cada 20 alumnos no por fracción de 20, con la excepción del caso de grupos de menos de 20 alumnos en total, en los que se puede dar una matrícula.*

### Online teaching

Assessed learning outcomes	Granted percentage	Assessment method
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	10,00%	Attendance and participation in synchronous communication activities, which will account for 10% of the total final mark.
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	20,00%	Completion of deliverable activities, which will account for 20% of the total final mark.
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	35,00%	Periodic evaluations by means of multiple-choice questionnaires that will account for 35% of the total final mark.
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	35,00%	Final evaluation with essay questions and case studies that will account for 35% of the total final mark.



## Observations

### CRITERIOS PARA LA CONCESIÓN DE MATRÍCULA DE HONOR:

*Explicitar criterios concretos señalados para la asignatura y facultad a la que se adscribe el título y de acuerdo con la normativa general que indica que sólo se puede dar una matrícula de honor por cada 20 alumnos no por fracción de 20, con la excepción del caso de grupos de menos de 20 alumnos en total, en los que se puede dar una matrícula.*

### 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 Presentation of contents by the professor, analysis of competencies, explanation and demonstration of capacities, skills and knowledge in the classroom (in-person).
- M2 Student's study: Individual reading preparation, case studies, jurisprudence. Composition of writings and papers to be presented or delivered in classes or tutorials (in-person modality).
- M3 Face-to-face activity at the internship centre: Observation, analysis and reflection of the reality and the processes of teaching and learning promoted in the classroom and in the centre, institution, organisation where the internship takes place (in-person modality).
- M4 Monographic sessions referring to the conceptual, procedural and attitudinal preparation of students to successfully deal with the internship (in-person modality).
- M5 Personalized attention and in small groups. Guidance by a tutor in order to facilitate the work and follow up on the students' internships (in-person modality).
- M6 Collection of works, sharing and reflection on their experiences. Evaluation reports designed for this purpose (in-person modality).



- M7 Monographic sessions referring to the conceptual, procedural and attitudinal preparation of students to successfully deal with the master's degree final dissertation (in-person modality).
- M8 Personalized attention and in small groups. Guidance by a tutor in order to facilitate the master's degree final dissertation (in-person modality).
- M9 Student's study: Individual preparation of the master's degree final dissertation to be presented or delivered in the seminars, tutorials. Work carried out on the platform or other virtual spaces.
- M10 Specific instructions about group and individual assignments for each topic (in-person modality).
- M11 Group work sessions supervised by the teacher. Study of legal cases, both real and fictitious, diagnostic tests, problems, field study, computer room, visits, data search, libraries, network, Internet, etc. Significant construction of knowledge through student interaction and activity. Critical analysis on values and social commitment (in-person modality).
- M12 Application of interdisciplinary knowledge (in-person modality).
- M13 Supervised monographic sessions with shared participation (in-person modality).
- M14 Personalized attention and in small groups. Period of instruction and/or orientation carried out by a tutor with the objective of reviewing and discussing the materials and topics presented in the classes, seminars, readings, completion of assignments, etc. (in-person modality).
- M15 Set of oral and/or written tests used in the initial, formative or summative evaluation of the student (in-person modality).
- M16 Group preparation of readings, assumptions and problem-solving to be presented, discussed or delivered in class or tutorial (in-person modality).
- M17 Presentation of contents by the professor, analysis of competencies, explanation and demonstration of abilities, skills and knowledge in the virtual classroom.
- M18 Group work sessions supervised by the professor. Study of legal cases, both real and fictitious. Significant construction of knowledge through student interaction and activity. Critical analysis on values and social commitment.
- M19 Monographic sessions throughout the course designed to address current aspects and applications of the subject.





- M20 Set of oral and/or written tests used in the initial, formative or summative evaluation of the student.
- M21 Student's study: individual preparation of readings, essays, problem solving, seminars, papers, memoirs, etc. for discussion or delivery in electronic format.
- M22 Individual attention for follow-up and guidance of the learning process, carried out by a tutor, with the aim of reviewing and discussing the materials and topics, seminars, readings, completion of assignments.
- M23 Group preparation of readings, essays, problem solving, seminars, papers, memoirs, etc. for dissemination or delivery.
- M24 Participation and contributions to the discussion forums referred to the subject, moderated by the subject's professor.
- M25 Problem solving, comments, reports, to be delivered on due dates throughout the course.



## IN-CLASS LEARNING

### IN-CLASS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Face-to-face class. M1	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	15,00	0,60
Practical class. M11	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	25,00	1,00
Seminar. M13	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	5,00	0,20
Group project presentation. M12	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	7,50	0,30
Tutorial. M14	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	5,00	0,20
Evaluation. M15	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	2,50	0,10
<b>TOTAL</b>		<b>60,00</b>	<b>2,40</b>

### LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M16	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	35,00	1,40
Individual work. M2	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	55,00	2,20
<b>TOTAL</b>		<b>90,00</b>	<b>3,60</b>



## ON-LINE LEARNING

### SYNCHRONOUS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Synchronous virtual session. M17	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	4,00	0,16
Synchronous virtual practical session. M24	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	4,00	0,16
Synchronous virtual seminar and videoconference. M19	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	4,00	0,16
Face-to-face evaluation. M20	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	3,00	0,12
<b>TOTAL</b>		<b>15,00</b>	<b>0,60</b>

### ASYNCHRONOUS LEARNING ACTIVITIES

	LEARNING OUTCOMES	HOURS	ECTS
Individual work. M21	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	60,00	2,40
Group work. M18	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	10,00	0,40
Individual tutorials. M22	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	5,00	0,20
Discussion forums. M24	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	10,00	0,40
Continuous assessment activities. M25	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13	50,00	2,00
<b>TOTAL</b>		<b>135,00</b>	<b>5,40</b>



## Description of the contents

Description of the necessary contents to acquire the learning outcomes.

Theoretical contents:

Content block

Contents



## STATUTORY LAW

Topic 1: The profession of the Administrative Manager

1. Current theoretical and practical overview of the Administrative Manager profession.

1.1 Regulatory Regulations.

1.2 Definition of the Manager Concept and mode of action.

2. The Administrative Manager, access and exercise of the profession:

2.1 Access.

2.2 The Association.

2.3. Exercise of the Profession.

2.4. suspension and low

Topic 2: The collegiate organization.

1.- The General Council of Official Associations of Administrative Agents of Spain: - Territorial organization - Functions - Composition and operation - Economic system

2.- The Autonomous Councils. The Council of Official Colleges of Administrative Managers of the Valencian Community

3.- The Official Colleges: - Territorial organization - Functions - Composition - Economic system

Topic 3: Collaboration with the Public Administration as a priority objective of the Administrative Manager Profession

1. Collaboration with the Public Administration through agreements in/or management assignment.

2. Good Practice in the fulfillment of our professional obligations and respect for the Legal System.

Topic 4: Technology applied to Administrative Management and Data Protection.

1. Introduction.

2. The Administrative Manager and the Protection of the interests of consumers and users.

3. The manager and the Organic Law on Data Protection. Organic Law 15/1999, of December 13

4. The laws regulating Free access to service activities in the protection of the Administrative Manager. Law 25/2009, of December 22. Omnibus Law

## PROFESSIONAL ETHICS

Topic 5: Ethics

1. Code of ethics. Special reference to the mandate document and the professional certificate

2. Professional secrecy: Breach of secrecy. Professional disloyalty. Intrusion: analysis of recent jurisprudential doctrine



## SPANISH CONSTITUTION AND EUROPEAN UNION

### 1.- THE SPANISH CONSTITUTION.

A. The Constitution of 1978.

B. Constitutional principles: - Principle of generality - Principle of non-denominational state - Principle of equality - Principle of progressivity - Principle of economic capacity - Principle of reservation of law

### 2.- INTERNATIONAL AND EUROPEAN UNION LAW

A. Sources of the international legal order

B. Reception of international law in domestic legal systems

C. European Union - Community regulations. - The reception of the community legal system in domestic law. - The role of the CJEU.

### 3.- REGULATORY PROVISIONS WITH FORCE OF LAW

A. Provisions emanating from the legislative power - Organic Laws - Ordinary Laws. Special attention to the Budget Law - Legislative delegation

B. Provisions issued by the executive branch - Legislative-Decrees - Decree-Law

### 4.- REGULATORY PROVISIONS

5.- OTHER SOURCES OF LAW - Custom. - Jurisprudence and scientific doctrine.

6.- APPLICATION OF LEGAL RULES - Entry into force of the regulations. - Analysis of retroactivity. - Repeal of the rules.

## CRIMES IN THE LEVEL OF PROFESSIONAL ACTIVITY. CRIMES AGAINST PRIVACY: DISCOVERY AND DISCLOSURE OF SECRETS

1.- Falsehoods

2.- Scams

3.- Fiscal Crimes

4.- Corporate crimes

5.- Crimes against personal privacy

6.- Crimes against Social Security and against the Rights of workers

7.- Crimes against the Public Administration



## Temporary organization of learning:

Block of content	Number of sessions	Hours
STATUTORY LAW	8,00	16,00
PROFESSIONAL ETHICS	4,00	8,00
SPANISH CONSTITUTION AND EUROPEAN UNION	8,00	16,00
CRIMES IN THE LEVEL OF PROFESSIONAL ACTIVITY. CRIMES AGAINST PRIVACY: DISCOVERY AND DISCLOSURE OF SECRETS	10,00	20,00



## References

- ALVAREZ CONDE, E. y TUR AUSINA, R. Derecho Constitucional. Madrid, Tecnos, 10ª. ed., 2021
- BERMEJO VERA, J.: Derecho Administrativo Básico – Volumen I, 12ª edición, Thomson Reuters, 2016.
- BIGLINO CAMPOS, M.P; UBILLOS BILBAO, J.M; REY MARTÍNEZ, F.; MATÍA PORTILLA, F.J; VIDAL, J.M: Lecciones de derecho constitucional II, Lex Nova, 2013.
- BILBAO, J. M; REY, F.; VIDAL, J.M.: Lecciones de Derecho Constitucional I, 3ª edición, Lex Nova, 2014.
- CASTELLÀ ANDREU, J.M. (ed.). Derecho Constitucional Básico. Huygens, Barcelona, 5ª ed., 2019
- DIEZ DE VELASCO, M. Instituciones de Derecho Internacional Público, , 18ª ed. Tecnos, Madrid 2016
- DÍEZ-UCHOA AZAGRA, J.M: Derecho tributario y procedimientos de desarrollo. Comentarios y casos prácticos, Editorial CEF, ISBN 978-84-454-2819-1.
- GARCÍA DE ENTERRÍA, E.; FÉRNANDEZ, T.M.: Curso de Derecho Administrativo I, 18ª edición, Thomson Reuters, 2017.
- GARCÍA DE ENTERRÍA, E.: “El valor normativo de la Constitución Española”, Revista de derecho político, ISSN 0210-7562, Nº 44, 1998, págs. 33-44.
- KLAUS VOGUEL.: “La Hacienda Pública y el Derecho constitucional”, Hacienda Pública Española, ISSN 0210-1173, Nº 59, 1979, págs. 15-23.
- MAGRANER MORENO, F.J; MARTÍN LÓPEZ, J.: “Impuestos progresivos y justicia fiscal. Reflexiones en torno al principio de progresividad tributaria del artículo 31.1 de la Constitución Española”, Presente y futuro de la Constitución española de 1978, 2005, ISBN 84-8456-317-O, págs. 449-464.
- MARTÍN DELGADO, J.M.: “Los principios de capacidad económica e igualdad en la Constitución Española de 1978”, Hacienda Pública Española, Nº 50, 1979.
- MARTÍN JIMÉNEZ, A.J: “La Constitución Española y el Derecho Financiero”, Hacienda Pública Española, ISSN 0210-1173, Nº 63, 1980, Págs. 97-131.
- “Situaciones tributarias internas y Derecho de la UE: nuevas perspectivas sobre la jurisprudencia del TJUE”, Civitas, Revista española de derecho financiero, ISSN 0210-8453, Nº 163, 2014, págs.43-90.
- MARTÍN QUERALT, J.B; POVEDA BLANCO, F; LOZANO SERRANO, C.: Derecho Tributario, Editorial Aranzadi, ISBN 84-8193-432-1.
- MENÉNDEZ MORENO, A.: Derecho financiero y tributario: parte general: lecciones de cátedra, Lex Nova, 2000, ISBN 84-8406-222-8.
- RODRÍGUEZ BEREJO, A.: “El juicio constitucional de igualdad tributaria en la experiencia jurisprudencial”, Revista española de derecho constitucional, ISSN 0211-5743, Nº 89, 2010, págs. 253-287.
- Estatuto del Ilmo. Consejo de Colegios Oficiales de Gestores Administrativos de la Comunidad





Valenciana aprobado el 06/04/2001

-Teoría y práctica del Derecho Constitucional. Jorge Rodríguez-Zapata. Tecnos. Madrid, 4ª ed. 2018

- Derecho Internacional Público, Víctor Sánchez Sánchez, Huygens, 2014.

- Ley 2/1974 de 13 de febrero, de Colegios Profesionales

- Ley Valenciana de Colegios profesionales. Ley 6/1997, de 4 de diciembre.

- Código Deontológico aprobado el 21/09/2001

- Estatuto de la Mutualidad de Previsión Social de los Gestores Administrativos de 9 de noviembre de 2000

- Ley 25/2009 de 22 de diciembre, de modificación de diversas leyes para su adaptación a la ley sobre el libre acceso a las actividades de servicios y su ejercicio

- Código Penal

Other basic bibliography and, where appropriate, complementary.