



**ADMINISTRATIVE LAW AND
ADMINISTRATIVE ASPECTS OF THE
COMMERCIAL ACTIVITY**
Universidad Católica de Valencia



COURSE GUIDE OF THE FIELD AND/OR SUBJECT

		ECTS
SUBJECT: Administrative aspects of the commercial activity		6
Field: Administrative aspects of the commercial activity		6
Module: Commercial-administrative area		6
Type of learning¹: Compulsory	YEAR: 2020/21 Semester: 2nd	
Lecturers: Dr. D. Antonio Orero Dña. Pilar Fúnez D. Jose Antonio Fernandez	Public Department	
	E-mail:	

MODULE ORGANIZATION

Administrative aspects of the commercial activity		6 ECTS		
Duration and temporary timing inside the study plan: The module is developed on the 2 nd semester of the Master.				
Field and Subjects				
Course	ECTS	SUBJECT	ECTS	Semester
Administrative aspects of the commercial activity	6	Administrative aspects of the commercial activity	6	2

¹ Basic formation (common subject), Compulsories, Optional, External practices, final grade's work.

**COURSE GUIDE OF THE FIELD/SUBJECT: Administrative aspects
of the commercial activity.****Prerequisites:** None**GENERAL GOALS**

- a. Achieve that the students obtain a deep knowledge about all the concepts composing Administrative Law
- b. With that relevance of all that can be related to the administration with the citizen
- c. Its searched the comprehension of the processes by the student body and the uses of the commercial jurisdiction, on a way that can offer an answer from the professional ethic to the multiple assumptions that this area of the processed activity suggested day by day.

BASIC COMPETENCES ²	Competence measuring scale			
	1	2	3	4
CB6 - Own and understand knowledge which offer a base or opportunity to be original during the development and/or application of ideas, usually on a resourcing context				x
CB7 - That students get to know how to apply the acquired knowledge and it decisive capacity of problems around new or few known inside some deeper and extended contexts (or multidisciplinary) related to its study field.			x	
CB8 - That students can be able to integrate that knowledge and to face complexity to draw up trials from the information that, being limited or incomplete, includes reflections about ethic and social responsibilities linked to the application of them thoughts and knowledge.			x	
CB9 - That students get to know to communicate them conclusions and the knowledge and last reasons that support to specialized audience and non-specialized on a clear way also without ambiguities.		x		
CB10 - That students own the traineeship skills that allows to continue studying on a way that would have to be on a big measure autonomous or self-directed.				x
GENERAL COMPETENCES ³	Competence measuring scale			
	1	2	3	4
G1 - That students get to know how to apply the acquired knowledge and it decisive capacity of problems around new or few known inside some deeper and extended contexts (or multidisciplinary) related to its study field.			x	

² Enumerate consecutively all competences. Each of them should be weighted from 1 to 4 using as criteria the subject/field grade contribution to the acquisition and development of the competence.

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G2 - That students can be able to integrate that knowledge and to face complexity to draw up trials from the information that, being limited or incomplete, includes reflections about ethic and social responsibilities linked to the application of them thoughts and knowledge				x
G3 - That students get to know to communicate them conclusions and the knowledge and last reasons that support to specialized audience and non-specialized on a clear way also without ambiguities.			x	
G4 - That student own the traineeship skills that allows continuing studying on a way that would have to be on a big measure autonomous or self-directed.	x			
G5 - Promote, apply for and make all kind of processes that don't require the juridical technique application reserved to the law career, relative to those issues that concerning interest of natural or juridical people, and by them own application, be continued in front of any public administration organ, reporting to the clients the condition and difficulties of the process by which it develops.				x
G6 - Promote, apply for and make all kind of processes that don't require the juridical technique application reserved to the law career, relative to those issues that concerning interest of natural or juridical people, and by them own application, be continued in front of any public administration organ, reporting to the clients the condition and difficulties of the process by which it develops.			x	
G7 - Know the regulating normative from the Administrative Advisors Official College of Valencia				x

SPECIFIC COMPETENCES ⁴	Competence measuring scale			
	1	2	3	4
E1 – Apply the necessary knowledge to act with efficacy in front of the public administration facing any instance of the Public Administration.				x
E6 – Use the notions and running of the financial market in function of counseling necessities to the potential clients that can appear.			x	
E7 – Use data and laws to construct a society with juridical personality able to take part on the commercial traffic with whole efficacy to give compliance to the duties that clients can apply for.				x
E10 – Use the necessary knowledge to advise clients on leasing matters.				x
E12 – Project the Constitution of a commercial society knowing the Administration Council's rights and duties, associates and social creditors as well as know the tax duties and with the tax office administration.		x		
E16 – Determine and solve the performances in front the traffic authorities and also competent Administrations, all processes relating vehicles (registration, transfers, losses, etc.) and to know the transport regulation			x	

⁴ Follow consecutively with the former numbering. The specific competences will be weighted from 1 to 4 following the same criteria as with the crossed ones.



LEARNING OUTCOMES ⁵	COMPETENCES
R-1 Know perfectly the normative and juridical running of the enterprises	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-2 Know the custom legislation in all its aspects, maritime, aerial and terrestrial, and the different aspects of the transport's many possibilities	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-3 Get along with the managements of the Traffic authorities	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-4 Get along fluently on application, processing and interposition of resources of public subsidies to the enterprises.	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-5 Know the hiring manners with the different public administrations.	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-6 Knowledge of the administrative processes to create enterprises	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-7 Identify the commercial traffic situations of the national and international company.	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-8 Mark out the corporate realities of the company: partnership board, participations, stocks, administration bodies.	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-9 Build, modify and extinguish and enterprise	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-10 Make sure that commercial transactions, national and international, knowing the computing tools to carry out them.	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-11 Develop the critique capacity and the student's sensible capacity	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).

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Enumerate consecutively the traineeship results following the proposed naming.

Important note: The competences are expressed on a generic sense, so it is necessary to include in the teacher's book the traineeship results. Those results constitute a concision of one or more competences, making explicit the grade of dominium or performed that should acquire the student and contains on its formulation the criteria with the one will be evaluate. The traineeship results evidence the aspect that the student will be able to demonstrate at the end of the subject or field and reflects, additionally, the acquisition grade of the competence or gathering of competences.


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R-12 Value the competence on a globalized world.	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-13 Know the rights of the consumers as ending link of the business activity.	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).
R-14 Be able to take juridical and commercial decisions.	(CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).

EDUCATIONAL ACTIVITIES OF THEORETICAL WORK			
ACTIVITY	Teaching-learning methodology	Relationship with learning outcomes	ECTS ⁶
THEORETICAL CLASSES	. Content exposition by the professor, analysis of competences, explanation and demonstration of skills, skills and knowledge in the classroom	All (1-14)	0.6
PRACTICAL CLASSES	Group working sessions supervised by the professor. Study of cases, diagnosis analysis, problems, field's study, computer's classroom, visits, data searching, libraries, on the net, internet, etc. Significant construction of the knowledge through the interaction and activity of the students.	All (1-14)	1.2
SEMINAR	Monographic sessions supervised with shared participation.	All (1-14)	0.1

The subject and/or field, organized by in-person works training activities and by student's autonomous work inside the training activities, with a valued percentage in ECTS. A suitable distribution is the following: 35-40% for the in-person training activities and 65-60% for the autonomous work ones. (For a subject of 6 ECTS: 2,4 and 3,6 respectively).

The traineeship-teaching methodology is describe don this guide on a generic mode, gathering on the didactic units in which is organized the subject and/or field.



EXPOSITION OF GROUP WORK	Application of interdisciplinary knowledge.	All (1-14)	0.2
TUTORING	Customized attention and in slight group. Education period and/or orientation made by a tutor with the objective of revising and discussing the materials and topics introduced in the classes, seminars, readings and fulfillment of works	All (1-14)	0.2
ASSESSMENT	Set of oral and/or written tests used during initial, formative or additive assessment of the student.	All (1-14)	0.1
Total			2.4

TRAINING ACTIVITIES OF THE STUDENT'S AUTONOMOUS WORK			
ACTIVITY	Teaching-learning methodology	Relationship with learning outcomes	ECTS
GROUP WORK	Preparation in groups of readings, essays, problem resolutions, seminars, works, memories, etc. To expose or handle on theoretical classes, practical classes and/or tutorial of small groups. Work fulfilled on the university platform. www.plataforma.ucv.es	All (1-14)	1,2
INDEPENDENT WORK	Student's study: Reading's individual preparation, essays, problem resolutions, seminars, works, memories, etc. To expose or handle on theoretical classes, practical classes and/or tutorial of small groups Work fulfilled on the university	All (1-14)	2.4


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	platform. (www.plataforma.ucv.es)		
Total			3

ASSESSMENT SYSTEM OF THE ACQUISITION OF THE COMPETENCES AND QUALIFICATION SYSTEM		
Assessment tools⁷	LEARNING OUTCOMES ASSESSED	Allocated percentage
.Written tests on which will be exposed the acquired theoretical knowledge	All (1-14)	40%
Practical tests through written tests and with the assistance and presentation of the different practices that will be suggested to the student all along the academic year	All (1-14)	40%
Assistance and active participation to the class sessions and seminars	All (1-14)	20%

CRITERIA FOR GRANTING A MARK OF DISTINCTION:

. Specify concrete criteria agreed for the subject and faculty to the one that title is assigned and in accordance with the general regulation that indicates that only can be given one mark of distinction per each 20 students with the exception of the case of groups composed of at least 20 students in total, on where can be given a mark of distinction.

⁷ Assessment techniques and tools: Oral exam-exposition, written tests(objective proofs, of development, conceptual maps..), directed works, projects, cases study, observation notebooks, briefcase, etc.



DESCRIPTION OF THE CONTENTS OF THE COURSE	COMPETENCES
Achieve that students obtain a deep knowledge about all concerning the administrative law, with special relevance of all related within the administration and the citizen. As well, seeks the comprehension by the student on the processes and uses of commercial jurisdiction, then so can be given an answer from the professional ethic to the multiple assumptions that this field daily set out.	All (CB6-CB10; G1-G7; E1, E6-E7, E10, E12, E16).

TEMPORAL ORGANIZATION OF LEARNING(Students of first registration):		
	BLOCK CONTENT /TEACHING UNIT	Nº OF SESSIONS
1	COMMERCIAL LAW. Ways of creation of an enterprise: benefits and/or disadvantages. Individual Company. Civil partnership. Share of ownership. Joint venture partnership. Limited society and anonymous society, SLP. Cooperative. Processes for the set up of a society from the name's application until the correct operating. Statutes. Necessary resources. Retribution and administrators. Share classes. Books necessary in all kind of companies: C. commerce and fiscal normative. Annual account deposit and processes in commercial register. General, extraordinary and creditors meeting council assemblies.	
2	ADMINISTRATIVE LAW. Administrative law. Sources. Normative and administrative act. Elements. Enforceability and suspension. Disability, nullity and possibility of rescission. Revocation. General principles of the administrative processes. Rights of managed, representation, special consideration of the initiation of the process relating case law and the administrative notifications, more important practical problems. The current situation of the silence administrative, state and autonomous regulation. Future perspective, in light	



<p>3</p>	<p>of the law 25/2009, 23rd December, the issue and jurisprudence of the positive silence.</p> <p>The administrative resources. Previous claims to the exercise of labor and civil actions. General principles. Resource classes. Restraining order of the contested act. The automatic review of the administrative acts. The invalidity proceedings.</p> <p>The electronic administration: legislation in force and its develop; practical applications. Special reference to the road electronic direction and the edictal Schedule of the traffic sanction</p> <p>State administrative organization. The Autonomous community's juridical regime .The local administration juridical regime. The difficulties of the administrative organization, the efficacy; Organization-citizens relations. The legality principle and its consequences; the administrative discretion and its limits. The Public ethic. Licenses and authorizations. Administrative concession. Case law; main problems. Foreseen develops on law 25/2009, 24th of December.</p> <p>The Administration power to set sanctions: Proceeding and principles. Special reference to the new sanction procedure on traffic field. L. 18/2009 of reform LTSV</p> <p>The administration activity on the sine of the market's society: contracts, aids and benefits. The public services. Relations of the administration and the particular on those activities and guarantees. Principal case law.</p>	
<p>4</p>	<p>General Outlook of the transport activity and administrative performance in this subject. Administrative authorization on the transports field by road.</p> <p>Traffic juridical regulation and road security. Special reference agreement of paperwork duty OA JCT/ General Council of Administrative advisors of Spain. Administrative processing on vehicles field. Ordinary and special registration. Temporal circulation authorization. Telematic registration procedures</p> <p>Administrative procedures on the vehicle field. Changes on the ownership. ITV. ITV new card. E-itv card. Telematic ownership change. Telematic accreditation IVTM. Vehicle severance, final, temporal, telematic. Duplicate and PCIR</p>	



5	<p>renewal. El Registro de Vehículos. Acceso Telemático Principal statutory novelties: Last changes, General regulation of vehicles. New RG Drivers 818/2009 and Driver individual schools RD 369/2010. Administrative processing for the obtaining and extension of permissions. Professional empowerment of drivers and new permissions ADR The current issue of traffic and circulation. The relation Administration and citizens in this field, issue, caseload, recent develops.</p> <p>Goods of public domain. Guarantees, principles, demanial and patrimonial goods. The property, the housing and the urban planning. The guarantees and the Administration-citizen relationship. The property, the housing and the urban planning. Current develops. The guarantees and the Administration-citizen relationship. Future challenges. The citizen's and administration activity in relation with the industry and the environment. Guarantees. Legal framework. Treaty of Kioto. The sustainable development. Administrative intervention in relation with the citizen's activities in the fish and game field, on weapon's field and finally on agricultural and touristic. The consumer and user's rights. Arbitrary system of consum. Public health protection. Sanitary general register.</p>	
		20 sessions

REFERENCES

Basic references and, on its case, complementary.



ADDITIONAL INFORMATION:

TEACHING COURSE IN SECOND AND SUBSEQUENT REGISTRATION:

There will be a specific group for students that aren't part of the first registration and a professor in charge of that group.

In this group will be made an established number by the UCV of monitoring session and tutor guidance (6 of 2 hours each other) in which will be reinforced the work in the competences that the students of the group needs to acquire to approve the subject.

Those sessions are included in the attached timetable on this guide and are detailed in the description of the didactic units of the subject

TEMPORALLY SCHEDULE (Second and subsequent registration students):		
	BLOCK CONTENT/TEACING UNIT	SESSIONS (6 TOTAL)
1		
2		
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