



**PROFESSIONAL DEONTOLOGY AND
CONSTITUTIONAL LAW AND EUROPEAN
REGULATION**
Universidad Católica de Valencia



COURSE GUIDE OF THE CONTENT AND/OR SUBJECT

| | | ECTS |
|---|---|------|
| SUBJECT: Professional Deontology and Constitutional Law and European Regulation | | 6 |
| FIELD: Professional Deontology and Constitutional Law and European Regulation | | 6 |
| MODULE: Professional Deontology and Constitutional law and European Regulation | | 6 |
| Type of learning¹: Compulsory | Course: 2020/21 Semester: 1 ^o | |
| Professor: Dr. I kpgu'O cteq'Rgtrgu Dtc00 ^a Lqu ² "Ucrtt | Public Department | |
| | E-mail: I | |

MODULE ORGANIZATION

| Professional Deontology and Constitutional law and European Regulation | | 6 ECTS | | |
|--|------|--|------|----------|
| Duration and temporary timing inside of the academic schedule: The module will be developed along the 1 st semester of the Master. | | | | |
| Field and Subjects | | | | |
| Field | ECTS | Subject | ECTS | Semestre |
| Professional Deontology and Constitutional Law and European Regulation | 6 | Professional Deontology and Constitutional Law and European Regulation | 6 | 1 |

¹ Basic Formation (Common Field), Compulsory, Optional, External Traineeship, Final Grade Project.



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|--|--|--|-----------------------------------|----------|----------|----------|
| Regulation | | | | | | |
| COURSE GUIDE FIELD/ASUBJECT: Professional Deontology and Constitutional Law and European Regulation | | | | | | |
| Prerequisites: None | | | | | | |
| GENERAL GOALS | | | | | | |
| <p>a. Know the origins of the administrative advisor profession, rights and obligations of the administrative advisor, disciplinary regime as well as the relations with other collective professionals and with the General Council.</p> <p>b. Get to know the professional well practice and its basic notions.</p> <p>c. Acquire fundamentally the knowledge, inside the Constitution articles, of those which directly commit in our own profession's field.</p> <p>d. The interrelation of community regulation with the state and autonomy ones.</p> | | | | | | |
| 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.

³ 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 him to continue 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 perform with efficacy in front of the Public Administration facing any request of the Public Administration. | | | X | |
| E2.Use the necessary knowledge to solve with efficacy the client's matters. | | | | X |
| E6.use the notions and running of the financial market in function of counseling necessities that potential clients can have. | | | | X |
| E10. Use the necessary knowledge to counsel the clients in subject of leasing. | | | X | |
| E18.Determine the general regulation of social security, obligations of workers and enterprisers, different regimes, admissions and liquidations, as well as special regimes, labor incapacity and its modalities, retirement, unemployment and non contributive benefits. | | | X | |
| E19. Employ the Deontological Code of the professional practice with respect to the different performances in front of the Administration, with the colleagues and with the clients. | | | | X |

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



| RESULT OF THE TRAINEESHIP ⁵ | COMPETENCES |
|--|--|
| R-1 Know all those general aspects of ethic and deontology of the administrative advisor. | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-3 Understand the essential characteristics of the person and the dynamic of the human action. | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-4 Be able to establish the patterns for an ethic taking decision | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-5 Know all fundamental aspects of motivation and leadership and the necessity of an ethic perspective of those aspects. | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-6 Know all different ways of quality of an organization | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-7 Understand the social responsibility of an organization and its members. | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-8 Apply the previous knowledge to concrete cases | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-9 It should acquire knowledge from the institutional system of the European communities. Distinguish the competences of the institutions. | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-10 Acquire the general knowledge of the Constitution that allow to argue and support in the different document that have to use on the relations with the different public administration. | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |

⁵ 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-11 Know the interrelation between the community regulation, the state one and the autonomy one. | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-12 Manage the European regulation to apply for European subsidies; participate in projects and European initiatives | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-13 Should acquires knowledge from the first steps of the jurisdictional system of the European communities, and in special of the part concerning the citizenship of the Union and its status. | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |
| R-14 Should acquire knowledge from the first steps and documents from the Common European market. | (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19) |

| TRAINING ACTIVITIES OF PHYSICAL WORKING GROUP | | | |
|--|--|---|-------------------------|
| ACTIVITY | Teaching-learning methodology | Relation with the results of learning of the subject | ECTS⁶ |
| THEORETICAL CLASS | 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 |

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.



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| SEMINAR | Monographic sessions supervised with shared participation. | All (1-14) | 0.2 |
| EXPOSITION OF GROUP WORK | Application of interdisciplinary knowledge. | All (1-14) | 0.3 |
| TUTORÍNG | 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 | Relation with the results of learning of the subject | 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) | 1.4 |
| AUTONOMOUS 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 platform. | All (1-14) | 2.2 |



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| | www.plataforma.ucv.es | | |
| Total | | | 3.6 |

| 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 acquire 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 |
|---|---|
| <p>In this module is chased to obtain the necessary practice for the development of all those suggested questions to the lawyer on labor field. Tends to have as an objective to put the student in touch with the reality of the social procedural practice, on its different courses and fields, permitting to administer an issue with professional success pointing out the link with procedure and jurisdictions.</p> <p>.Also to be able to carry out pacts and contractual clauses, configuration of the staff trough the work contracts or similar figures, as well as the law fraud, the deep study of the relative problems to the suspension and extinction of the labor relations and them modifications, the suitable schedule of the retribution systems, the pension compromises, the new technologies incidence on the labor sphere. Also, its pretended that the student knows the labor reality and the regulation changes.</p> | <p>ALL (CB6-CB10; G1-G7; E1-E2, E6, E10, E18-E19)</p> |

| TEMPORAL ORGANIZATION OF LEARNING (students of first registration): | | |
|--|--|-----------------|
| | BLOCK CONTENT / TEACHING UNIT | Sessions |
| 1 | <p>The Professional Colleges. Concept, basis and juridical system. The purpose, creation, process of becoming a member and functions. Statutes. Structure: The general and autonomous council. Fees and other alterations of the Omnibus Law (Law 25/2009, 22th of December – Omnibus Law-). The Administrative Advisor Colleges. Functions. The General Council of Official Colleges of Administrative Advisors from Spain. The Autonomous Council of Valencian Community. The Administrative Advisor School of Valencia. Diagram. The profession of Administrative Advisor. Definition and functions: the Administrative Advisor concept and its distinction with other professions. Suitable regulation: The statute of the profession. Rights and duties of the Aministrative Advisor.</p> | |



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| | <p>Requisites for the admission to the College. Incompatibilities. The benefit society of the Administrative Advisors. Operation of the mutual aid section. The administrative agency as a bureau. The opening. Staff and assistants. The corporative image of the professional bureau. Association ways. Practical studio: The technology applied to the administrative advising.</p> | |
| 2 | <p>Professional deontology and the disciplinary power of the College. The principles that inspire the profession. The disciplinary file. The processing term. The mandate. The Administrative Advisor and the Organic Law 15/1999, 13th of December, of personal character of the data protection. The Administrative Advisor and the Law of prevention of capital whitening. The collaboration agreement system between the Administration and the G.A Colleges.</p> | |
| 3 | <p>The crime in the professional activity sphere. Crimes against intimacy: Discovery and disclosure of secrets. Professional secret: violation of secret. Professional disloyalty. Infiltration: analysis of recent jurisdictional doctrine. The crimes in the sphere of the juridical and economic activity. The falseness. The fraud. Corporate offences. Tax offences. Crimes against social security. Crimes against the worker's security. Crimes against security and hygiene in the workplace. The labor bullying. Other crimes. Crimes against Public Administration: The perversion of justice. The desertion of destiny and omission of chasing after crimes. The disloyalty on the custody of documents and the secret's violation. The bribery. The traffic of influences. The denials and forbidden activities to the public civil servant.</p> | |
| 4 | <p>The principles and basic institutions of the Spanish Constitution. Fundamental rights and duties. The position of Constitution in the juridical legislation. The territorial organization of the State: articulation, development and guaranties.</p> | |
| 5 | <p>The European Union and its institutional system. Sources of community law. Future's challenges. The current principles of</p> | |



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| | community law and its fundamental developments. The free flow of goods. The free flow of workers. The freedom of establishment. Theory, practice and casuistry. Progress lines. Special reference to the liberalization of services in the internal market. | |
| | | 10 sessions |

REFERENCES

- Statute of Administrative Advisor profession. Decree 424 /1963, 1st of March
- Ruling of internal regime of 16/12/1999
- Ruling of corporate register of Administrative advisors-Fiscal advisors of 13/02/1993
- Ruling of relations between the General Council and the Autonomous Councils. 11/05/2001
- Statute of the Distinguished Administrative Advisor official College of Valencia approved on 22/12/1999
- Ruling of Mutual Help of the GA College of Valencia, approved on 1951
- Statute of the distinguished Council of the Administrative Advisors Official College of the Valencian Community approved on 06/04/2001
- Law 2/1974 13th of February, of professional colleges.
- Valencian law of professional colleges. Law 6/1997, 4th of December.
- Deontological code approved on 21/09/2001
- Statute of the social estimate of Administrative Advisor's mutuality of 9th of November, 2000
- Law 25/2009 of 22nd December, of modification of diverse laws for the adaptation to the law about the free access to the activities of services and its exercise.
- Penal Code
- The rest basic bibliography and, on its case, complementary.

ADDITIONAL INFORMATION:

TEACHING OF THE SUBJECT ON SECOND AND SUCCESSIVE 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.



| TEMPORAL ORGANIZATION OF LEARNING (Second or successive register students): | | |
|--|--------------------------------------|--|
| | BLOCK CONTENT / TEACHING UNIT | Nº OF SESSIONS (Should add 6) |
| 1 | | |
| 2 | | |
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| N | | |