



## Information about the subject

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

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

**Code:** 310201 **Name:** Administrative Law II

**Credits:** 6,00 **ECTS Year:** 2 **Semester:** 1

**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 study Administrative Law II, it is recommended that the student take Constitutional Law and Administrative Law I first, though having done so or having passed those subjects is not a prerequisite.



## 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 identify and distinguish the different activities that can be developed by the Administration.
- R2 To know and recognize an administrative act, its types, elements, and conditions of effectiveness.
- R3 To identify the assumptions of nullity and annulment of an administrative act, its causes and effects.
- R4 To understand the principle of enforceability of administrative acts and distinguish the powers of the Administration to enforce them.
- R5 To identify the different phases of the administrative procedure.
- R6 To understand the meaning of e-Administration and be able to apply in practice the effects of the computerization of the administrative procedure.
- R7 To understand the principles of the State's patrimonial responsibility and to be able to apply them in a patrimonial responsibility procedure.
- R8 To understand the basis, scope, and principles of the sanctioning power of the Administration and be able to apply them in a procedure. Principles and the sanctioning procedure.
- R9 To know the theory of the review of acts in administrative proceedings and to distinguish the legal institutions that compose it.
- R10 To know and apply in practice the ex officio review procedures and the system of administrative appeals.



## 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	

  

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			
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



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

Assessed learning outcomes	Granted percentage	Assessment method
R1, R3, R4, R6, R7, R8, R10	40,00%	Practical tests
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	20,00%	Attendance, active participation and favourable attitude in the subject/ course/ module
R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	40,00%	Written theoretical tests

### Observations

To pass the subject is necessary to **overcome the final theory test within a minimum rating of 5 out of 10** and to reach a minimum rate of 5 out of 10 combining all the assessment tools.

**Attendance and active participation:** attendance counts (10%) and active participation 10%.

The teacher will assess attendance by means of tracking logs of attendance and participation. Students have 7 days to justify an attendance.

**Second call:** If the student fails at first call, the grade obtained in the evaluation assessment tools different from the final theory test (attendance, practical activities) will average with the second call written test.

**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, R3, R4, R6, R7, R8, R10	18,00	0,72
Theoretical classes. M8	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	28,00	1,12
Seminar. M9	R7	2,00	0,08
Presentation of group work. M10	R3, R4, R6, R7, R8, R10	4,00	0,16
Tutorial. M11	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	2,00	0,08
Assessment M12	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	6,00	0,24
<b>TOTAL</b>		<b>60,00</b>	<b>2,40</b>

## LEARNING ACTIVITIES OF AUTONOMOUS WORK

	LEARNING OUTCOMES	HOURS	ECTS
Group work. M13	R1, R3, R4, R6, R7, R8, R10	27,50	1,10
Individual work. M14	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10	62,50	2,50
<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
SECTION 1. THE DIFFERENT ACTIVITIES OF THE PUBLIC ADMINISTRATION.	<ol style="list-style-type: none"><li>1.1. Definition of the different activities of public administration.</li><li>1.2. Police functions and administrative intervention.</li><li>1.3. Public Promotion.</li><li>1.4. Public Services.</li><li>1.5. Other activities of the Administration.</li><li>1.6. The inactivity of the Administration.</li></ol>
SECTION 2. THE ADMINISTRATIVE PROCEDURE.	<ol style="list-style-type: none"><li>2.1. Definition and regulation of the administrative procedure.</li><li>2.2. Principles of the administrative procedure.</li><li>2.3. Parties of the administrative procedure. Electronic relations with the Public Administrations.</li><li>2.4. Rights and duties of the parties.</li></ol>
SECTION 3. GENERAL RULES OF PRACTICE IN THE ADMINISTRATIVE PROCEDURE. PARTICULAR REFERENCE TO ELECTRONIC PROCEDURE.	<ol style="list-style-type: none"><li>3.1. Submission of written Statements and Documents.</li><li>3.2. Deadlines in the administrative procedure.</li><li>3.3. Notification in the administrative procedure.</li></ol>
SECTION 4. PHASES OF THE ADMINISTRATIVE PROCEDURE.	<ol style="list-style-type: none"><li>4.1. Initiation of the Administrative Procedure.</li><li>4.2. Organisation of the Administrative Procedure.</li><li>4.3. Investigation.</li><li>4.4. Termination.</li><li>4.5. Duty to resolve and Administrative silence.</li></ol>
SECTION 5. ADMINISTRATIVE ACTS.	<ol style="list-style-type: none"><li>5.1. Concept and kinds of administrative acts.</li><li>5.2. Elements of administrative acts.</li><li>5.3. The effectiveness of administrative acts.</li><li>5.4. The invalidity of administrative acts.</li><li>5.5. Procedures and means of forceful execution of administrative acts.</li></ol>



## SECTION 6. ADMINISTRATIVE LIABILITY.

6.1. Requirements of accountability on the part of the Administration.

6.2. The quantification of damages.

6.3. Action back to the authorities and staff at the service of the Public Administration.

## SECTION 7. SANCTIONING POWERS.

7.1. Introduction to the sanctioning authority.

7.2. The principles of the sanctioning authority.

7.3. Procedure.

## SECTION 8. ADMINISTRATIVE AND OTHER NON-JUDICIAL CONTROLS.

8.1. Automatic review and revocation of administrative acts.

8.2. Administrative remedies.

8.3. Specialized external controls.



## Temporary organization of learning:

Block of content	Number of sessions	Hours
SECTION 1. THE DIFFERENT ACTIVITIES OF THE PUBLIC ADMINISTRATION.	3,00	6,00
SECTION 2. THE ADMINISTRATIVE PROCEDURE.	3,00	6,00
SECTION 3. GENERAL RULES OF PRACTICE IN THE ADMINISTRATIVE PROCEDURE. PARTICULAR REFERENCE TO ELECTRONIC PROCEDURE.	4,00	8,00
SECTION 4. PHASES OF THE ADMINISTRATIVE PROCEDURE.	4,00	8,00
SECTION 5. ADMINISTRATIVE ACTS.	5,00	10,00
SECTION 6. ADMINISTRATIVE LIABILITY.	4,00	8,00
SECTION 7. SANCTIONING POWERS.	4,00	8,00
SECTION 8. ADMINISTRATIVE AND OTHER NON-JUDICIAL CONTROLS.	3,00	6,00



## References

### MANDATORY REFERENCE TO PASS THE THEORETICAL CONTENT OF THE COURSE:

·**SÁNCHEZ MORÓN, M.** *Derecho administrativo: parte general*. Madrid: Tecnos, 20th edition, 2024, ISBN 978-84-309-9056-6.

·**SANTAMARIA PASTOR, J. A.** *Principios de Derecho administrativo general*, Vol. II. Madrid: lustel, 6th edition, October 2023, ISBN 978-84-9890-463-5.

### COMPLEMENTARY REFERENCES:

·**BERMEJO VERA, J.** *Derecho Administrativo básico*, Vol I, Parte General. Navarra: Aranzadi, 13th edition, 2019, ISBN 9788491979845.

·**BOCANEGRA SIERRA, R.E.** *La teoría del acto administrativo*. Madrid: lustel, 2005, ISBN 84-96440-10-9.

·**COSCULLUELA MONTANER, L.** *Manual de Derecho Administrativo*. Madrid: Civitas, 34th edition, 2023, ISBN 9788411259590.

·**ESCUIN PALOP, V.** *Elementos de Derecho público*. Madrid: Tecnos, 10th edition, 2019, ISBN ISBN 978-84-309-7731-4. This work is convenient for a quick and general introduction to this module.

·**GARCÍA DE ENTERRÍA, E.:** **FERNÁNDEZ, T.R.** *Curso de Derecho administrativo*. Vols. I y II. Madrid: Civitas, 20th edition (Vol I, ISBN 9788411255530); 17th edition (Vol II, ISBN 9788411255561), 2022.

·**JORDANA DE POZAS, L.** "El problema de los fines de la actividad administrativa" *RAP*, nº 4, Enero/Abril 1951, pages 11 – 28.

·**MARTIN REBOLLO, I y GÓMEZ PUENTE, M.** *La inactividad de la Administración*. Cizur Menor (Navarra): Aranzadi, 4th edition, 2011, ISBN 9788483556535.

·**MENÉNDEZ REXACH, Á.** "El control judicial de la inactividad de la Administración". *Anuario de la Facultad de Derecho de la Universidad Autónoma de Madrid*, Nº 5, 2001, pages 163-186.

·**MUÑOZ MACHADO, S.** *Tratado de Derecho Administrativo y Derecho Público General*. Madrid: Boletín Oficial del Estado, 2015, ISBN 978-84-340-2441-0.

·**PALOMAR OLMEDA, A.** *Procedimiento administrativo*. Cizur Menor (Navarra): Thomson Reuters-Aranzadi, 3rd edition, 2022, ISBN 9788413469072.

·**PARADA VAZQUEZ, R.** *Derecho Administrativo II*. Madrid: Dykinson, 1st edition, 2019, ISBN 9788413241746.

·**BERNAD SORJÚS, B (coord.)**. *Práctica de recursos administrativos y recursos contencioso-administrativo*. Barcelona: Editorial Atelier, 2nd edition, 2021, ISBN 978-8418244490

·**RUIZ DE PALACIOS VILLAVARDE, J.I.** *Manual práctico. Memento práctico de responsabilidad patrimonial de la Administración 2018-2019*. Madrid: Ediciones Francis Lefebvre, 2017, ISBN 978-84-17162-31-3.

·**SERVICIO JURÍDICO DEL ESTADO.** *Manual de Derecho Sancionador. Vols I y II*. Cizur



Menor (Navarra): Thomson-Aranzadi. 3rd edition, 2014, ISBN 9788490149775.

