



## IDENTIFYING DATA

### Law: Administrative Law I

|                     |   |                 |      |            |
|---------------------|---|-----------------|------|------------|
| Subject             | Law:<br>Administrative Law<br>I   |                 |      |            |
| Code                | P04G095V01106   |                 |      |            |
| Study programme     | Grado en Dirección y Gestión Pública  |                 |      |            |
| Descriptors         | ECTS Credits  | Choose          | Year | Quadmester |
|                     | 6   | Basic education | 1st  | 2nd        |
| Teaching language   | Spanish<br>Galician   |                 |      |            |
| Department          |   |                 |      |            |
| Coordinator         | Pérez Ramos, Carlos   |                 |      |            |
| Lecturers           | Otero Oitaven, Montserrat María<br>Pérez Ramos, Carlos  |                 |      |            |
| E-mail              | carlos.perez@clems.es   |                 |      |            |
| Web                 |   |                 |      |            |
| General description | (*)Coñecemento teórico e práctico do funcionamento da contratación pública en España e na Unión Europea. Os alumnos deberán adquirir competencias mínimas sobre contratos públicos con vistas ao seu desenvolvemento como persoal dunha Administración ou de empresas que participen en procedementos de contratación pública |                 |      |            |

## Skills

|      |   |
|------|---|
| Code |   |
| A1   | Students will have shown they have sufficient knowledge and understanding of an area of study, starting after completion of general secondary education, and normally reaching a level of proficiency that, being mostly based on advanced textbooks, will also include familiarity with some cutting-edge developments within the relevant field of study. |
| A2   | Students will be able to apply their knowledge and skills in their professional practice or vocation and they will show they have the required expertise through the construction and discussion of arguments and the resolution of problems within the relevant area of study.   |
| A3   | Students will be able to gather and interpret relevant data (normally within their field of study) that will allow them to have a reflection-based considered opinion on important issues of social, scientific and ethical nature.   |
| A4   | Students will be able to present information, ideas, problems and solutions both to specialist and non-specialist audiences.  |
| A5   | Students will acquire the learning skills that are required to pursue further studies with a high degree of independence.   |
| B1   | Analysis, synthesis, problem-solving, decision-making, information- and time-management skills.   |
| B2   | Organizing and planning their own professional careers in the best possible way.  |
| B3   | Ability to work in teams and in multidisciplinary environments.   |
| B5   | Critical thinking skills.   |
| B6   | To put their knowledge on public management and administration into practice.   |
| C5   | To describe the structure, organization and functioning of multi-level Public Administrations, analyzing their relationship with the citizenry.   |
| C9   | To be familiar with regulatory framework and apply it to the activities carried out by Public Administrations.  |
| D1   | To identify the meaning of, and to put into practice, gender perspectives in the different areas of knowledge and in one's professional practice, with the aim of contributing to the achievement of fairness and equality in society at large.   |
| D2   | To be able to communicate, both orally and in writing, in the two official languages (Spanish and Galician) and in a foreign language.  |
| D4   | To master the specific ICT techniques in their respective academic and professional fields.   |
| D5   | To acquire independent learning skills.   |

## Learning outcomes

|                                    |                               |
|------------------------------------|-------------------------------|
| Expected results from this subject | Training and Learning Results |
|------------------------------------|-------------------------------|

|     |    |    |    |    |
|-----|----|----|----|----|
| New | A1 | B1 | C5 | D1 |
|     | A2 | B2 | C9 | D2 |
|     | A3 | B3 |    | D4 |
|     | A4 | B5 |    | D5 |
|     | A5 | B6 |    |    |

## Contents

| Topic  |   |
|--|---|
| Subject 1- The juridical Legislation. The Administrative Right and the Administration. Concept and characters. | <ol style="list-style-type: none"> <li>1. Introduction to the right.</li> <li>2. The juridical legislation</li> <li>3. The administrative Right determined by the concept of public Administration.</li> <li>4. Characters of the administrative Right</li> </ol>   |
| Subject 2- The Sources of the Administrative Right, in particular the Regulation.                              | <ol style="list-style-type: none"> <li>1. The Constitution like source of the administrative Right.</li> <li>2. Administrative right and norms with strength of law.               <ol style="list-style-type: none"> <li>To. The formal Law and his types.</li> <li>*b. The Decrees *Leis.</li> <li>*c. The legislation delegated: exercise and controls of the legislative delegation.</li> </ol> </li> <li>3. The autonomic State and the system of sources of the administrative Right.               <ol style="list-style-type: none"> <li>To. The Statutes of autonomy.</li> <li>*b. The relations between the state Laws and the autonomic.</li> <li>*c. The basic Laws.</li> </ol> </li> <li>4. The regulation               <ol style="list-style-type: none"> <li>to. Concept</li> <li>*b. Justification of the statutory authority</li> <li>*c. Distinction between the regulations and the administrative acts</li> <li>*d. The *inderogabilidad singular of the regulations</li> <li>and. The relations between the law and the regulation</li> <li>*f. Classes of regulations</li> <li>g. Formal and material limits that condition the validity of the regulations</li> <li>*h. The illegal regulations. Technicians of control of the legality of the regulations</li> </ol> </li> </ol> |
| Subject 3- The subjects: The public Administrations and his organisation. The administered                     | <ol style="list-style-type: none"> <li>0. The public sector</li> <li>1. The public Administrations               <ol style="list-style-type: none"> <li>to. Juridical personality of the Administration</li> <li>*b. The diversity of public Administrations</li> <li>*c. The capacity of the public legal persons</li> <li>*d. The administrative organs. The competition</li> <li>and. The organisation of the Spanish territorial Administrations</li> <li>*f. The organisation of the institutional Administrations and *entes corporate</li> </ol> </li> <li>2. The administered               <ol style="list-style-type: none"> <li>to. Relations of supremacy or *sujeción general and special</li> <li>*b. The capacity to act and his circumstances *modificativas</li> <li>*c. The subjective juridical situations</li> </ol> </li> </ol>  |
| Subject 4- Foundations of the administrative activity: the principle of legality of the Administration         | <ol style="list-style-type: none"> <li>1. Content of the principle of legality</li> <li>2. Concept of authority</li> <li>3. The technicians of attribution of authorities to the Administration</li> <li>4. Classes of administrative authorities</li> <li>5. Especially, the discretionary authority and his distinction respect of the indeterminate juridical concepts</li> <li>6. Technicians of control of the *discrecionalidad.</li> </ol>   |

|   |   |
|---|---|
| Subject 5- The administrative acts: classes, elements, efficiency, validity. The administrative silence | <ol style="list-style-type: none"> <li>1. Concept of administrative act</li> <li>2. Elements of the administrative acts</li> <li>3. Classes of administrative acts: importance of the different criteria</li> <li>4. The efficiency of the administrative acts <ul style="list-style-type: none"> <li>to. Concept</li> <li>*b. The immediate efficiency</li> <li>*c. Exceptions to the immediate efficiency: <ul style="list-style-type: none"> <li>*i. Efficiency *demorada; notification and publication of the administrative acts</li> <li>*ii. Efficiency anticipated</li> </ul> </li> </ul> </li> <li>5. Theory of the invalidity: degrees of invalidity of the administrative acts <ul style="list-style-type: none"> <li>the. The *anulabilidad of the administrative acts <ul style="list-style-type: none"> <li>*b. Absolute nullity or of right plenary</li> <li>*c. Irregularities no *invalidantes</li> </ul> </li> </ul> </li> <li>6. The problem of the inactivity of the Administration <ul style="list-style-type: none"> <li>to. The duty to resolve and notify. Terms <ul style="list-style-type: none"> <li>*b. Effects of the administrative silence</li> <li>*c. Procedures initiated to application of the interested</li> <li>*d. Procedures initiated of job. Caducity</li> </ul> </li> <li>and. Juridical nature of the administrative silence: legal fiction or presumptive act. The efficiency of the presumptive acts</li> <li>*f. The terms to resort the administrative silence</li> </ul> </li> </ol> |
| Subject 6- The administrative procedure   | <ol style="list-style-type: none"> <li>1. Object.</li> <li>2. Subjects.</li> <li>3. Formalities.</li> </ol>   |
| Subject 7- The administrative resources   | <ol style="list-style-type: none"> <li>1. Concept and characteristic of the administrative resources. Alternative procedures of impugnation or claim</li> <li>2. Classes of administrative resources <ul style="list-style-type: none"> <li>to) common Resources: height and replacement</li> <li>*b) extraordinary Resource: review</li> <li>*c) special Resources</li> </ul> </li> <li>3. The *revocación of the administrative acts <ul style="list-style-type: none"> <li>to) *Revocación by reasons of legality: the review of invalid acts and *anulables.</li> <li>*b) *Revocación By reasons of opportunity</li> </ul> </li> <li>4. The rectification of material errors, in fact or arithmetical.</li> <li>6. The suspension of the efficiency of the administrative acts in case of administrative resource or of review of job</li> </ol>  |
| Subject 8- *Coacción administrativa. In particular, the execution of the administrative acts            | <ol style="list-style-type: none"> <li>1. The execution *forzosa of the administrative acts <ul style="list-style-type: none"> <li>to. The budgets of the execution.</li> <li>*b. Principles of the procedure of execution</li> <li>*c. Means of execution *forzosa</li> </ul> </li> <li>2. The *coacción direct</li> <li>3. The road in fact</li> </ol>  |
| Subject 9- To contentious jurisdiction-administrative   | General appearances.  |

### Planning

|                            | Class hours | Hours outside the classroom | Total hours |
|----------------------------|-------------|-----------------------------|-------------|
| Lecturing                  | 30          | 64                          | 94          |
| Autonomous problem solving | 15          | 10                          | 25          |
| Practices through ICT      | 10          | 10                          | 20          |
| Discussion Forum           | 5           | 4                           | 9           |
| Objective questions exam   | 2           | 0                           | 2           |

\*The information in the planning table is for guidance only and does not take into account the heterogeneity of the students.

### Methodologies

|                            | Description   |
|----------------------------|---|
| Lecturing                  | Theoretical exhibition of the contents of the program |
| Autonomous problem solving | Resolution of practical cases                         |
| Practices through ICT      | Practices with support of the TIC                     |
| Discussion Forum           | Forums  |

| Personalized assistance    |  |
|----------------------------|--|
| Methodologies              | Description  |
|                            | --   |
| Lecturing                  | The students will have a *tutoría common by each subject studied. They can request *tutorías *individualizadas whose fixation will be agreed with the educational. Also they can remit questions and queries by writing through the forums that appear in the Platform or by email |
| Autonomous problem solving | The students will have a *tutoría common by each subject studied. They can request *tutorías *individualizadas whose fixation will be agreed with the educational. Also they can remit questions and queries by writing through the forums that appear in the Platform or by email |
| Practices through ICT      | The students will have a *tutoría common by each subject studied. They can request *tutorías *individualizadas whose fixation will be agreed with the educational. Also they can remit questions and queries by writing through the forums that appear in the Platform or by email |
| Discussion Forum           | The students will have a *tutoría common by each subject studied. They can request *tutorías *individualizadas whose fixation will be agreed with the educational. Also they can remit questions and queries by writing through the forums that appear in the Platform or by email |

| Assessment                 |  |               |                               |    |    |    |
|----------------------------|--|---------------|-------------------------------|----|----|----|
|                            | Description                              | Qualification | Training and Learning Results |    |    |    |
| Lecturing                  | Lesson *magistral given *telepáticamente | 0             | A1                            | B2 | D1 |    |
|                            |  |               | A2                            | B6 | D4 |    |
|                            |  |               | A3                            |    |    |    |
|                            |  |               | A4                            |    |    |    |
|                            |  |               | A5                            |    |    |    |
| (*)                        | --                                       | 0             |                               |    |    |    |
| Autonomous problem solving | Practical cases                          | 30            | A1                            | B1 | C5 | D1 |
|                            |  |               | A2                            | B2 | C9 | D2 |
|                            |  |               | A3                            | B3 |    | D4 |
|                            |  |               | A4                            | B5 |    | D5 |
|                            |  |               | A5                            | B6 |    |    |
| Practices through ICT      | Practices                                | 30            | A1                            | B1 | C5 | D1 |
|                            |  |               | A2                            | B2 | C9 | D2 |
|                            |  |               | A3                            | B3 |    | D4 |
|                            |  |               | A4                            | B5 |    | D5 |
|                            |  |               | A5                            | B6 |    |    |
| Discussion Forum           | --                                       | 0             |                               |    |    |    |
| Objective questions exam   | Examination of objective questions       | 40            | A1                            | B1 | C5 | D1 |
|                            |  |               | A2                            | B2 | C9 | D2 |
|                            |  |               | A3                            | B3 |    | D4 |
|                            |  |               | A4                            | B5 |    | D5 |
|                            |  |               | A5                            | B6 |    |    |

### Other comments on the Evaluation

\*AVALIACIÓN SEGUNDO Or \*REGULAMENTO GIVES \*MODALIDADE SEMIPRESENCIAL. &quot;\*Art.6.-Evaluation. In the educational guide of the matter, will have to be clearly specified the type of evaluation and his punctuation. In the \*cronograma of the subject will have to be signalled the dates in which they have to be made and delivered the proofs and/or the date of the final proof in the case to establish . The \*profesorado will procure, in the measure of the possible, that the evaluation of the subject make in his whole of continuous and virtual way, without face-to-face final proof. Anyway, it is compulsory that the on-line continuous evaluation suppose at least 40% of the note, and the final proof (that it will be able to demand in his face-to-face modality) suppose at most 60% of the total note of the subject. In the case that it was foreseen the realisation of a final proof of face-to-face way, this will coincide with the date and hour fixed in the calendar of the Centre (the same date that for the students of the face-to-face modality)&quot;

M\*etodoloxías

\*Descrición

Qualification

Competitions \*Avaliadas

TEST

\*Derradeira week \*setembro

1 \*pto

\*Coñecemento \*do Fear 1 to 3

TEST

\*Derradeira week \*outubro

1 \*pto

\*Coñecemento two Subjects 4 and 7

TEST

\*Terceira week \*novembro

1 \*pto

\*Coñecemento two Subjects 8 and 13

TEST

Second week \*decembro

1 \*pto

\*Coñecemento two Subjects 14 to 17

\*EXAME  
FINAL

planned Day \*na announcement

6 \*ptos

\*Coñecemento global gives matter

\*GUÍ EDUCATIONAL. STEP 7. \*AVALIACIÓN\*AVALIACIÓN SEGUNDO Or \*REGULAMENTO GIVES \*MODALIDADE

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M\*etodoloxías

\*Descrición

Qualification

Competitions \*Avaliadas

TEST

\*Derradeira week \*setembro

1 \*pto

\*Coñecemento \*do Fear 1 to 3

TEST

\*Derradeira week \*outubro

1 \*pto

\*Coñecemento two Subjects 4 and 7

TEST

\*Terceira week \*novembro

1 \*pto

\*Coñecemento two Subjects 8 and 13

TEST

Second week \*decembro

1 \*pto

\*Coñecemento two Subjects 14 to 17

\*EXAME FINAL

planned Day \*na announcement

6 \*ptos

\*Coñecemento global gives matter

#### EXPLANATION FOR THE \*PRESENCIALIDAD:

The note reached in evaluation \*contínuaa will have a weight of 40% in the global qualification, corresponding the note reached in the final examination with 60% of the global qualification. To be able to present to the \*exame final and that respect the note of the \*evaluación \*contínua will be indispensable that the student reach an approved in the proofs of which state \*l evaluation \*contínua. If it did not fulfil this requirement, the \*estudante will have to do the \*proba final \*na \*modalidade that indicates at the end of this section. So that the note of the \*avaliación \*contínua add to the note of the final examination will be precise that the student reach an approved \*neste last.METHODOLOGY And EVALUATION OF THE MODALITY \*SEMIPRESENCIAL

1. Read with attention and in case of doubt consult with the Coordinator of the Degree in Direction and Public Management, \*Prof. Dr. Enrique José \*Varela Álvarez (evalvarez@uvigo.es)

2. Basic picture of &\*quot;methodology&\*quot; and &\*quot;evaluation&\*quot; of the matter (in case of doubt, consult with the/to manager of the matter): (TABLE)

\*Metodoloxías

\*Descrición

Qualification

Competitions \*Avaliadas

TEST

\*Derradeira week \*setembro

1 \*pto

\*Coñecemento \*do Subject 1 to 3

TEST

\*Derradeira week \*outubro

1 \*pto

\*Coñecemento two Subjects 4 and 7

TEST

\*Terceira week \*novembro

1 \*pto

\*Coñecemento two Subjects 8 and 13

TEST



Second week \*diciembre

1 \*pto

\*Coñecemento two Subjects 14 to 17

\*EXAME FINAL

planned Day \*na announcement

6 \*ptos

\*Coñecemento global gives matter

\*GUÍ EDUCACIONAL. STEP 7. \*AVALIACIÓN

\*AVALIACIÓN SEGUNDO Or \*REGULAMENTO GIVES \*MODALIDADE \*SEMIPRESENCIAL.

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#### BASIC NORMS OF \*SEMIPRESENCIALIDAD:

1. The students enrolled in the modality \*semipresencial engages with the educational team to be followed a diet of &quot;continuous evaluation \*semipresencial&quot;, that involves the face-to-face or virtual participation in the activities that the \*profesorado design for said modality.
2. The modality \*semipresencial supposes the continuous evaluation of the learning of the students, to such end establishes with general character, that the final proof will take place the last of the 6 sessions of follow-up, well of face-to-face form (classroom Empower \*CCSC), well of virtual form (\*Skype or similar system \*Hangout).

3. The students that do not participate in more than 80% of the activities of continuous evaluation \*semipresencial proposed by the \*profesorado, will be evaluated according to the criteria that establish the educational team in each matter.COMMON EXPLANATION To THE \*PRESENCIALIDADY To THE \*SEMIPRESENCIALIDADThe

students that have not surpassed the evaluation \*contínua well in the face-to-face modality or in the \*semipresencial, will be able to make the final examination but will have to surpass a specific part in which they will evaluate the competitions worked in the evaluation \*contínua that do not have surpassed

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students of the face-to-face modality)&quot;.

M\*etodoloxías

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Competitions \*Avaliadas

TEST

\*Derradeira week \*setembro

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\*Coñecemento \*do Fear 1 to 3

TEST

\*Derradeira week \*outubro

1 \*pto

\*Coñecemento two Subjects 4 and 7

TEST

\*Terceira week \*novembro

1 \*pto

\*Coñecemento two Subjects 8 and 13

TEST

Second week \*decembro

1 \*pto

\*Coñecemento two Subjects 14 to 17

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**Sources of information****Basic Bibliography**

Juan Alfonso Santamaría Pastor, **Principios de Derecho Administrativo,**

José Ramón Chaves, **Derecho Administrativo Mínimo,**

**Complementary Bibliography**

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**Recommendations**

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**Contingency plan****Description**

They do not foresee adaptations when being the on-line teaching.

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