

Course Unit	Administrative Law and Proceeding	Field of study	Law
Bachelor in	Law for Solicitors	School	School of Public Management, Communication and Tourism
Academic Year	2023/2024	Year of study	2
Type	Semestral	Semester	1
Workload (hours)	162	Contact hours	T - , TP 60, PL - , TC - , S - , E - , OT 20, O -
Level	1-2	ECTS credits	6.0
Code	9242-317-2104-00-23		

T - Lectures; TP - Lectures and problem-solving; PL - Problem-solving, project or laboratory; TC - Fieldwork; S - Seminar; E - Placement; OT - Tutorial; O - Other

Name(s) of lecturer(s) Elisa Maria Barata dos Santos

Learning outcomes and competences

At the end of the course unit the learner is expected to be able to:

1. Understand the structure of Portuguese Public Administration, legal principles that inspire its way of acting and its legal ways to come to a decision. .
2. Know the definition, meaning, types and regime of administrative acts
3. Identify and distinguish the main legal rights that citizens have towards Public Administration, mainly the right of being informed and the right to contest and impeach administrative acts.
4. Discern key stages of the formation process of administrative acts and the possible defects that it may occur that could affect its validity.
5. To assimilate the concept and scope of administrative regulation, its main characteristics and typologies; to discern the main stages of the process of formation of administrative regulations.
6. List the rights of persons before the Administration.
7. List the rights of individuals before the Administrative and Tax Courts.

Prerequisites

Before the course unit the learner is expected to be able to:
not applicable

Course contents

1. Administrative Law. 2. The legal principles that shape the performance of the organs and administrative services. 3. Characterization of the Portuguese Public Administration. 4. Systems of administrative organization. 5. Public administration as a state power. 6. The administrative act. 7. The Administrative Regulations. 8. The guarantees of the administrated before the Public Administration and before the Administrative and Tax Courts.

Course contents (extended version)

1. Administrative Law - notion and sources
2. The main principles of Administrative Law
3. The Public Administration Structure
4. The administrative organization systems - direct, indirect, regional and autonomous administration.
5. Public administration as a state power - regulatory power, discretion, privilege of foreclosure.
6. The administrative act -concept, features. The vices of the administrative act.
7. The legal ways to impeach administrative decisions: complaint, required and administrative appeal.
8. Appeal before the administrative and tax courts

Recommended reading

1. Almeida, M. (2022). Teoria geral do direito administrativo. Coimbra: Almedina . ISBN: 9789894004165.
2. Fontes, J. (2022). Curso sobre o código de procedimento administrativo. Coimbra: Almedina. ISBN: 978989400323.
3. Amaral, D. (2018). Curso de direito administrativo Volume II. Coimbra: Almedina. ISBN: 9789724075693.

Teaching and learning methods

All topics will be exposed in classes where students can take part on their analysis and discussion or present written assignments on them (conditions will be settled by the teacher in classes). Students will have to solve case studies related to Public Administration and Procedure. At home, students have to solve oriented exercises

Assessment methods

1. Continuous Evaluation. - (Regular, Student Worker) (Final)
 - Intermediate Written Test - 60% (Two written midterm exams.)
 - Development Topics - 40% (Written work with oral presentation.)
2. Exchange students. - (Regular, Student Worker) (Final, Supplementary, Special)
 - Development Topics - 100% (Paper work.)
3. Written final exam. - (Regular, Student Worker) (Supplementary, Special)
 - Final Written Exam - 100%

Language of instruction

Portuguese, with additional English support for foreign students.

Electronic validation

Elisa Maria Barata dos Santos	Susana Isabel Pinto Ferreira dos Santos Gil	Catarina Alexandra Alves Fernandes	Luisa Margarida Barata Lopes
13-10-2023	14-10-2023	15-10-2023	16-10-2023