

Academic Year: (2023 / 2024)

Review date: 05-06-2023

Department assigned to the subject: Public State Law Department

Coordinating teacher: ENTRENA RUIZ, DANIEL BRUNO

Type: Compulsory ECTS Credits : 3.0

Year : 2 Semester : 2

OBJECTIVES

The purpose of the subject is to acquire the following competencies:

1. Know the mechanisms for the identification of the general interest and its composition with the private interest
2. Identify the powers available to Public Administrations to ensure the compliance of the general interest
3. Know the concept and content of the constitutional Patrimonial Guarantee, the juridical configuration of the Administrative patrimonial responsibility, and the formal procedure to enforce it.
4. Knowledge of the constitutional configuration and normative content of the Public powers of sanctioning and the expropriation of the private property, their limits, and the respective procedures through they are applied
5. Ability to reflection about the specific legal-administrative concepts of the subject, and knowing how to apply them through their projection in practical cases

DESCRIPTION OF CONTENTS: PROGRAMME

1. The general interest and its composition, regarding the people rights and interests
2. Expropriation of private property and rights: concept and statute regulation
3. The expropriation procedure. The reversal situations.
4. The sanctioning power of the Public Administrations: concept and elements
5. The sanctioning power of the Public Administrations: procedure.
6. The patrimonial responsibility of the Public Administration: concept and elements.
7. The patrimonial responsibility of the Public Administration: indemnitor patrimonial reparation.

LEARNING ACTIVITIES AND METHODOLOGY

The learning process is based on a practice-oriented education. Therefore, regular lectures will be supplemented with in-class analysis and discussion of cases and materials, which will facilitate the understanding and application of the legal concepts.

Therefore, the teaching activities are divided into "lecture type" sessions (for the whole group) and case-oriented sessions or discussion groups (in small rooms). The activities carried out in small groups are subject to the "on-going" or continuing evaluation during the course.

1. In the lecturing sessions, the professor will present the main concepts and ideas, pertaining to each of the units or lessons in which the syllabus is divided.
2. Case-oriented sessions will provide a practical approach to the different topics, through the analysis and discussion of real cases or selected reading materials. In the small groups, the curricular activities might also include "multiple choice" tests or other types of exams, covering a part of the course program.

ASSESSMENT SYSTEM

The final grade of the course will be the result of adding up two partial grades: on the one hand, the grade obtained in the activities carried out in the small groups ("continuing evaluation" system). This partial grade will represent 40% of the final grade. On the other hand, the grade obtained in the final exam, which will amount to 60% of the final, overall grade.

The professor may require to get a minimum score in the final exam in order to receive an overall grade in the course (this should be indicated on the "Aula Global" webpage at the beginning of the term). In this case, the final grade will be obtained according to the Law School Faculty Board Resolution of December 16th 2014, available on <http://e-archivo.uc3m.es/handle/10016/21141#preview>.

Missed activities or assignments will be graded with "0". The final grade of the course might be adjusted by the professor (in one point as a maximum), according to the attendance and participation in activities of the student in the different course activities.

The students who do not complete the final examination, either in the regular or in the extraordinary call, will receive a "missed" or "absent" grade in their transcripts.

In case of taking exceptional measures requiring a distance system, the evaluation process will remain in the same terms. However, the professor may adapt the activities of the continuing evaluation system. The conditions of the final exam may be adapted as well, but they will preferably remain as provided at the beginning of the academic term.

% end-of-term-examination:	60
% of continuous assessment (assignments, laboratory, practicals...):	40

BASIC BIBLIOGRAPHY

- SANCHEZ MORÓN, M Derecho Administrativo, Parte General, Tecnos, 2022