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| **Subject** | **Administrative Procedure Law** | | | |
| **Type** | **Semester** | **ECTS** | **Code** |
| Mandatory (M) | 4 | 4 | Law-B-030 |
| **The lecturer of the subject**    **Subject assistant**  **Subject tutor** | Dr. Mervete Shala |  |  |  |
|  |  |  |  |
| **Aims and Objectives** | The purpose of the study of the administrative procedure law subject is focused on the basic principles, legal institutes and procedural rules which ensure the legality and objectivity of work and placement in the public administration. This course aims to provide students with general knowledge of administrative procedure and administrative conflict.  Course Objectives:   * Understand aim of administrative procedure and system of judicial review over administration by analysing selected cases; * Understanding general elements and structure of administrative procedure and protection of public interest and rights of the parties; * Explain in an analytical way to for administrative conflict; * Solve easier problems in administrative procedure; * Apply knowledge to interconnect principles and operational rules in practice in typical procedural acts; | | | |
| **Learning Outcomes** | After completing this course, students should be able to:   * Demonstrate a detailed understanding of the Administrative Procedure Act and to be able to interpret legal norms from Administrative Procedure. * Learn to effectively draft Administrative Acts and Administrative legal remedies; * Explain and Communicate in an analytical way for administrative conflict to solve administrative conflicts; * Apply and engage in legal analysis and reasoning, problem-solving, and written and oral communication relating to administrative law. | | | |
| **Course Content** | **Course Plan** | | | **Week** |
| Presentation of the syllabus of the introduction to the administrative procedure | | | 1 |
| Meaning, importance and development of the administrative procedure | | | 2 |
| The meaning and legal significance of the basic principles of the procedure administrative | | | 3 |
| Competence and legal (administrative) assistance in the administrative procedure  The party and representation in the administrative proceeding | | | 4 |
| Communication of bodies and parties in the administrative procedure | | | 5 |
| The beginning of the administrative procedure in the first instance | | | 6 |
| Colloquium I | | | 7 |
| The development of the administrative procedure until the issuance of the act administrative  Decisions and conclusions in the administrative procedure | | | 8 |
|  | | | 9 |
| Administrative legal remedies in the administrative procedure | | | 10 |
| The meaning of execution in the administrative procedure | | | 11 |
| Understanding administrative conflict | | | 12 |
| Termination of administrative conflict | | | 13 |
| Colloquium II | | | 14 |
| Final exam | | | 15 |
| **Teaching/Learning Methods** | **Teaching/Learning Activity** | | | **Weight (%)** |
| 1. Lectures | | | 40% |
| 1. Seminars | | | 30% |
| 1. Case studies exercises | | | 20% |
| 1. Writing legal writs | | | 10% |
|  | 1. Role play 2. Legal debate 3. Study visits | | |  |
| 1. Problem-based learning | | |  |
| 1. Study visits | | |  |
| **Assessment Methods** | **Assessment Activity** | **Number** | **Week** | **Weight (%)** |
| 1. Participation | 1 | 1-13 | 10% |
| 1. Seminar | 1 | 12 | 10% |
| 1. Case study Colloqium 1 2. Legal Writ Take home exam 3. Case studies exercises | 1 | 7  14  3-12 | 35%  35%  10% |
| 1. Final exam |  | 15 | 0-100% |
|  |  |  |  |
| **Course resources and means of materialization** | **Resources** | | | **Number** |
| 1. Class (e.g) | | | 1 |
| 1. Projector | | | 1 |
| 1. Moodle | | | 1 |
| **ECTS Workload** | **Activity** | | **Weekly hrs** | **Total workload** |
| 1. Lectures | | 2 | 26 |
| 1. Seminars | | 1 | 12 |
| 1. Practical work | |  | 10 |
|  | 1. Self-study and readings | | 2 | 26 |
|  | 1. Case study preparation | | 1 | 6 |
|  | 1. Legal writ preparation and analysis | | 1 | 7 |
|  | 1. Preparation for final exam | | 1 | 7 |
|  | 1. Exams | | 3 | 6 |
| **Literature/References** | * **Basic literature:** * Dr. Sc. Agur Sokoli, Administrative Procedural Law (E drejta procedurale administrative), Faculty of Law, Prishtina, 2014. * Pollozhani Bajram: Salihu Lazim, Administrative Procedure and Administrative Conflict (Procedura administrative dhe Konflikti Administrativ), Logos-A, Skopje Pristina-Tirana, 2004 * Peter Cane (ed.), Herwig C. H. Hofmann (ed.), Eric C. Ip (ed.), Peter L. Lindseth (ed.), The Oxford Handbook of Comparative Administrative Law, 15 December, 2020 * **The legal framework** * Law No. 05/L-031 on General Administrative Procedure, Official Gazette of the Republic of Kosova/ No. 20 / 21 June 2016, Pristina * Law No. 03/L-202 on Administrative Conflicts, Official Gazette of the Republic of Kosova / Pristina: Year V / No. 82 / 21, october 2010 * Law Nо. 05/L – 087 on Minior offences, Official Gazette of the Republic of Kosova / No. 33 / 8 september 2016, Pristina * Law No. 06/L - 054 for the Courts, Official Gazette of the Republic of Kosova / Nr. 22 / 18 December 2018, Pristina * **Additional literature:** * Wade & C.F. Forsyth, Administrative Law, Oxford University Press, 2009 (12th Edition) * Enver Hasani,Ivan Čokalovič, Commentary Constitution of the Republic of Kosovo, Pristina, 2013 * Prof. Dr. Mazllum Baraliu / Akademik Esat Stavileci, Commentaryof the Law on Administrative Procedure * Mervete Shala, Xhavit Shala,The Right to a Fair Trial and Within a Reasonable Time Deadline for Administrative Matters in Kosova, 2020 * Mervete Shala, Xhavit Shala, The Constitution of Administrative Court a is a necessity for resolving of administrative issues in the Republic of Kosova, (publishing process 2022) * Handbook for the preparation of the Jurisprudence Exam (administrative conflict part) (Doracaku për pregaditjen e Provimit të Jurisprodences (pjesa konflikti administrative) 2015 * Nóra Balogh-Békesi – Kitti Pollák,(2017) General Principles of Administrative Procedure in the European Union, in Hungary and in France, PRO PUBLICO BONO – Public Administration, 2017/Special edition 3, 18–39. * Polonca Kovač, (2018) Potentials of Administrative Procedures as a Participatory tool within Governance models in Central and Eastern Europe, DANUBE: Law, Economics and Social Issues Review, 9 (4), 227–244 | | | |
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