

Syllabus



Comparative administrative law and procedure

Higher education degree – Bachelor
Field of Knowledge - 29 International relations
Specialty – 293 International law
Educational and Professional Program – International law

Year of study: 2, Sem: 3

Number of credits: 5

Language of instruction: English

Course leader

Doctor of Law, Associate Professor Mariana Kravchuk

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Description of the discipline

Comparative administrative law and procedure is a classic example of a branch of public law. It mediates the functioning of public authority in its state and has three main objectives: general educational, jurisprudential and practical.

The jurisprudential purpose of the course is to deepen theoretical knowledge of the subject matter and basic concepts of administrative law and procedure of foreign countries, its sources, the main types of administrative and legal norms and relations, the organisation of central and local executive authorities, etc.

The practical significance of the course is related to the study of the procedure for the implementation and protection of fundamental rights and obligations of citizens in the field of public administration, the application of administrative liability measures for administrative offences, the grounds and stages of the administrative process.

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The general educational value of this discipline is related to the need to improve the general culture of students - future lawyers.

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The practical significance of the course is related to the study of the procedure for the implementation and protection of fundamental rights and obligations of citizens in the field of public administration, the application of administrative liability measures for administrative offences, the grounds and stages of the administrative process, as well as the development of the ability to apply the current legislation of foreign countries in solving problems of regulating administrative legal relations and to draw up the main types of documents arising from the application of administrative law.

2.2. Objectives of the discipline

The main objectives of the course:

study of the peculiarities of legal regulation of social relations arising in the process of organisation and activity of executive authorities of foreign countries;
development of skills in working with regulatory materials;
developing the ability to apply the acquired theoretical knowledge in solving practical issues.

Objectives of lectures

The purpose of the lectures is to familiarise students with the principles of administrative and legal regulation, the legal status of public administration bodies and other subjects of administrative law, and the legislation that regulates it, and to focus students' attention on topical issues of administrative law.

The purpose of the lectures is also to form an integral system of theoretical knowledge in the discipline "Comparative Administrative Law and Procedure".

Objectives of practical classes

The purpose of practical classes is to develop students' practical skills in analysing specific legal facts in the field of administrative and legal activities and drafting the necessary procedural documentation.

Objectives of practical classes:

to learn and study the main legal acts regulating administrative and legal relations;
learn to use the acquired theoretical knowledge in legal practice;
to learn and consolidate the theoretical knowledge gained during lectures.

As a result of studying the discipline, the student should

know:

- the existing approaches to defining the features, subject matter, concept, functions of comparative administrative law and process and its relationship with other elements of the legal system;
- the concept and types of methods of administrative law and procedure;
- the system of comparative administrative law and procedure;
- the most important sources of legal regulation in various areas of comparative administrative law and procedure;
- concept and types of subjects of comparative administrative law and procedure;
- essence and purpose of conflict of laws rules;
- structure of conflict of laws rules;
- peculiarities of conflict-of-laws regulation of public relations complicated by a foreign element, in particular in the field of public administration, civil service, anti-corruption, and administrative proceedings.

be able to:

- fluently operate with special legal terminology in the field of comparative administrative law and procedure;
- work with international regulations and national conflict of laws of Ukraine;
- understand the patterns of conflict-of-laws and substantive regulation of public law relations complicated by a foreign element;
- apply the basic formulas for attaching conflict of laws rules;
- use the acquired knowledge of comparative administrative law and procedure in legal practice;
- correctly assess the situation and make optimal decisions on the effectiveness of the application in practice of the rules governing public law relations with a foreign element;
- quickly find a legal provision, correctly interpret and apply it in specific situations.

Course structure

Hours (lecture / sem.)	Topic	Learning outcomes	Tasks
2 / 2	Topic 1: Comparative administrative law and procedure - concept, sources, principles and general principles.	To know the main features (traits), sources, principles and general principles of Comparative Administrative Law and Procedure To study the relationship of Comparative Administrative Law and Procedure with other branches of law and its importance in the regulation of public relations	Tests, questions
2	Topic 2. Public administration as a legal category of comparative administrative law.	To outline the place and role of public administration in the formation of a democratic, social and legal state... To study the international legal aspects of public service.	Tests and questions
2 / 2	Topic 3. Service in public administration bodies	To study the peculiarities of administrative legislation, the system of public authorities, the procedure for civil service and administrative responsibility	Tests and questions
2 / 2	Topic 4. Administrative law of the United States of America	To study the peculiarities of administrative legislation, the system of public authorities, the procedure for civil service and administrative liability in the United States of America.	Tests and questions
2	Topic 5. Administrative law of the United Kingdom	To study the peculiarities of administrative legislation, the system of public authorities, the procedure for civil service and administrative liability in the UK	Tests and questions
2/ 2	Topic 6: Administrative law of France.	To study the peculiarities of administrative legislation, the system of public authorities, the procedure for civil service and administrative responsibility in France.	Tests, questions
2	Topic 7. Administrative law of the Federal Republic of Germany.	To study the peculiarities of administrative legislation, the system of public authorities, the procedure for civil service and administrative liability in the Federal Republic of Germany.	Tests, questions
2 / 2	Topic 8: The concept and essence of administrative process. Administrative procedural legal relations.	Identify the legal basis for the functioning of administrative courts. Analyse the system and structure of administrative courts.	Tests, questions
2	Topic 9: The	Identify the peculiarities of the administrative and legal	Tests,

	concept of administrative process and its features.	mechanism of judicial protection of the rights and legitimate interests of citizens. To study the procedural legislation	questions
2 / 2	Topic 10. Evidence in administrative proceedings Procedural deadlines Measures of procedural coercion in administrative proceedings.	Identify the organisational and legal framework for the organisation of the process of proof. Analyse procedural time limits Measures of procedural coercion in the administrative process	Tests, questions
2	Topic 11: Organisation of administrative court proceedings. Jurisdiction and jurisdiction of administrative court.	To identify and substantiate the organisational and legal principles of jurisdiction and jurisdiction of administrative court cases.	Tests, questions
2 / 2	Topic 12: Review of court decisions. Enforcement of court decisions in administrative proceedings.	Identify the content and features of the review of court decisions. Execution of court decisions in administrative proceedings.	Tests, questions
2	Topic 13. Administrative process in Germany.	To determine the content and peculiarities of the adoption of judicial review. Enforcement of court decisions in administrative proceedings in Germany.	Tests, questions
2	Topic 14: Administrative process in France.	Identify the content and features of the judicial review process. Enforcement of court decisions in administrative proceedings in the UK	Tests, questions
2	Topic 15: Administrative process in the UK	Identify the content and features of the judicial review process. Enforcement of court decisions in administrative proceedings in the UK	Tests, questions

Literary sources

1. Bytyak Y. P., Harashchuk V. M. Law in public administration of Ukraine: teaching. a guide for students of higher education. X., 2017. 182 p.
2. Galunko V. and others. Law in public administration of Ukraine. Complete course: textbook. Kherson: OLDI-PLUS. 2018. 444 p.

3. Hrytsenko I. S., Melnyk R. S. General administrative law of Ukraine: textbook. Kyiv: Yuryнком Inter, 2017. 566p.
4. Hrytsenko I. S. and others. General Law in public administration: a textbook. Kyiv: Yurinkom Inter, 2017. 566 p.
5. Deneha V., Chorny Y., Shevchuk O., & Mentukh N. (2023). Competence of state authorities and local self-government bodies in the public-private partnerships area. *Journal of Legal, Ethical and Regulatory Issues*, 26(6), 1-19.
6. Oleksandr O Bryhinets, Ivo Svoboda, Oksana R Shevchuk, Yevgen V Kotukh, Valentyna Yu Radich Public value management and new public governance as modern approaches to the development of public administration *Revista San Gregorio* Vol. 1, No. 42, 2020. R. 205-213. Retrieved from <https://revista.sangregorio.edu.ec/index.php/REVISTASANGREGORIO/article/view/1568>
7. Oksana Shevchuk International legal experience in financing information security in the financial sphere *Visegrad Journal on Human Rights*. in No. 1/2022. 2022 R. 140-143. URL: https://journal-vjhr.sk/wp-content/uploads/2022/04/VJHR_1_2022.pdf
8. Oksana Bratasyuk, Oksana Shevchuk Protection of children's information (digital) rights who were illegally exported from the territory of Ukraine during the war or in occupation. *Visegrad Journal on Human Rights*. in No. 2/2022 R. 21-26. https://journal-vjhr.sk/wp-content/uploads/2022/06/VJHR_2_2022_Last.pdf
9. Shevchuk Oksana, Mentukh Natalia Current issues of investment support of state information security of Ukraine under conditions of maritime. *Reality of Politics. Estimates - Comments - Forecasts*. No. 22 (4) / 2022. R. 67– 80 <https://doi.org/10.15804/rop2022405>
10. Prof. Dr. Michael G. Faure. METRO Institute, Maastricht University. *The Harmonization, Codification and Integration of Environmental Law: A Search for Definitions / European Environmental Law Review*. June 2000. P. 174.

Information resources on the Internet

1. The official web portal of the Verkhovna Rada of Ukraine. URL: <http://portal.rada.gov.ua/>
2. Official online representation of the President of Ukraine. URL: <http://www.president.gov.ua/>
3. The single web portal of executive authorities of Ukraine. URL: <http://www.kmu.gov.ua/>
4. Official web portal of the judicial authorities of Ukraine. URL: <http://court.gov.ua/>
5. Official website of the Constitutional Court of Ukraine. URL: <http://www.ccu.gov.ua/>

Evaluation policy

- Policy on deadlines and rescheduling: Rescheduling of modules takes place with the permission of the dean's office if there are good reasons (for example, sick leave).
- Academic Integrity Policy: Copying during tests and exams is prohibited (including using mobile devices).
- Attendance Policy: Class attendance is mandatory component of assessment. For objective reasons (for example, illness, international internship, and other reasons), training can take place online with the permission of the university administration.

Assessment Credit module 1

The final grade for the course is calculated as follows:

Credit Module	Credit module	Credit module	Credit module
1	2	3	4
20%	20%	20%	40%
<p>1. oral survey during the class (3 topics of 5 points each = 15 points).</p> <p>2. Written work = 85 points.</p>	<p>1. Oral questioning during the class (12 topics of 5 points each = 60 points).</p> <p>2. Written paper = 40 points.</p>	<p>1. 1. Active participation in trainings, presentations and self-presentation = 20 points.</p> <p>2. Writing of the CPIT based on the formed individual tasks = 50 points.</p> <p>3. Defence of the CPIT = 30 points.</p>	<p>1. Test tasks (25 tests with 2 points per test) - max. 50 points.</p> <p>2. Task 1 - max. maximum 25 points.</p> <p>3. Task 2 - max. maximum 25 points.</p>

Student evaluation scale:

ECTS	Points	Content
A	90-100	excellent
B	85-89	good
C	75-84	good
D	65-74	satisfactorily
E	60-64	sufficiently
FX	35-59	unsatisfactory with the possibility of retaking
F	1-34	unsatisfactory with mandatory repeat course