

Course Name : E Drejtë Administrative II							
Course Code	Course Type	Regular Semester	Lecture (hours/week)	Seminar (hours/week)	Lab. (hours/week)	Credits	ECTS
LAW 212	N/A	Spring	3.00	1.00	0.00	3.50	6.00
Lecturer		Besa Ombashi, PhD					
Assistant		Erisa Datja, MSc					
Course language		Albanian					
Course level		Master					
Description		The subject "Administrative Justice" studies the way of organization and the basic rules of operation of the state administration during the process of decision-making and review of administrative proceedings. This course studies the basic elements of this procedure, providing detailed concepts on the way of action, collegial organization, quorum during review and decision-making, the way to end the procedure, etc. The subject is designed to deal with the special part of administrative law. In this way, the administrative act is first treated by analyzing the form, content and features of the act. Then, the matter continues with the evidence of cases of validity and invalidity of the administrative act, the legal force of the act and the termination of the legal force. A special importance in this case is also given to the administrative appeal, explaining the terms and stages when the administrative appeal can be examined. In addition to these, the subject also deals with the analysis of the Law on Administrative Courts in order to identify new legal changes.					
Objectives		This course aims to: 1. To provide complete knowledge on the administrative act. 2. To acquaint students with the way of showing the administrative will of public administration bodies. 3. To enable the students to acquire the solutions that are provided by judicial administrative practice to administrative disputes that arise between different entities, both state and private. 4. To enable students to perceive the types of complaints that can be made in cases of conflicts in this field. 5. To acquaint the students with cases where the invalidity of legal acts can be requested or established. 6. To acquaint students with the current legislation regarding the special part of administrative law. 7. To explain to the students the new law on Administrative Courts, highlighting the relevant changes made by the legislator. 8. To enable students to be ready to become part of constructive discussions through their critical thinking.					
Core Concepts		1. Administrative act 2. Absolute nullity 3. Relative invalidity 4. Administrative appeal 5. Administrative procedure 6. Administrative contract 7. Administrative court					
Course Outline							
Week	Topic						
1	The administrative act and its features Definition, form, content, purpose and justification of the administrative act; the administrative act is a legal act, the unilateral act, specific to the bodies that carry out administrative activities, is a sub-legal act, the difference with court decisions. (S. Sadushi, Administrative Law 2, pp. 13-48)						
2	Classification of the administrative act and its legal force Classification according to the initiative for issuing the act, according to the form of expression of the will; according to the effect it brings, according to the character of the connections; names of acts according to bodies; citation of legal power, issuance of the act, recognition of the content of the act, delayed effect; entry into force; retroactive effect (S. Sadushi, Administrative Law 2, pp. 50-108)						

3	Validity of the administrative act Requirements for the validity of the act, competence, jurisdiction, delegation, substitution, posting; preliminary procedure, during the issuance of the act, after the approval of the act; compliance of the act with the content of the law; compliance of the act with the purpose of the law. (S. Sadushi, Administrative Law 2, pp. 110-145)
4	Invalidity of the administrative act Meaning of invalidity of the act, relative invalidity, absolute invalidity; differences between absolute and relative invalidity, legitimation, disposition, prescription, retroactive effect, significance of infringement, elimination of invalidity; considering the invalidity of the administrative act. (S. Sadushi, Administrative Law 2, pp. 147-176)
5	Termination of the legal force of the administrative act Understanding of termination of legal power; actual leave; legal leave, revocation of the act by the body itself, annulment by the superior body, annulment of the act by the court; correction of material errors in the administrative act. (S. Sadushi, Administrative Law 2, pp. 179-202)
6	Administrative appeal Appeal as a tool for exercising administrative control; the forms of making the appeal; the effects of the administrative appeal; administrative appeal issue; administrative appeal deadline; stages of this administrative appeal. (S. Sadushi, Administrative Law 2, pp. 204-234)
7	Execution of the administrative act Understanding of administrative execution; the ways of executing the administrative act; procedure for the execution of the administrative act; unenforceable administrative acts. (S. Sadushi, Administrative Law 2, pp. 235-246)
8	The semi-final exam
9	Administrative procedure Parties in administrative proceedings; initiation of administrative proceedings; the actions performed during the administrative procedure; principles to be respected; termination of administrative proceedings, final decision, withdrawal of claims or waiver of them, abandonment, impossibility. (S. Sadushi, Administrative Law 2, pp. 247-264)
10	Administrative contract Nature of administrative contracts; administrative contracts according to Albanian law; state of legality; invalid contracts; amendment and annulment of administrative contracts; connection of contracts. (S. Sadushi, Administrative Law 2, pp. 343-362)
11	Real administrative act The general meaning of the real act; features of the real act; eliminating the illegality of the real act. (S. Sadushi, Administrative Law 2, pp. 364-373)
12	Review judgment of the administrative act
13	Analysis of the law on the organization and functioning of the administrative court and adjudication of administrative disputes
14	Analysis of the law on the organization and operation of the administrative court and adjudication of administrative disputes (continued)
15	RECAPITULATION
16	Final Exam

Prerequisites	The student must attend the course at a minimum rate of 75%.
Literature	1. Sokol Sadushi, E drejta administrative 2 (Tiranë 2008)
References	1. Alma Faskaj, Procedimi administrative në Republikën e Shqipërisë (Tiranë 2013) 2. Ermir Dobjani, Erlir Puto, Elsa Toska & Erajd Dobjani, E drejta administrative, Kontrolli mbi administratën publike (Prishtinë 2013) 3. Eralda Met-Hasani, Kuptimi i administratës publike sipas legjislacionit të vendit tonë, Studime Juridike, Fakulteti i Drejtësisë, Universiteti i Tiranës, Dhjetor 2007 4. Eralda Met-Hasani, Etika në administratën publike, Studime Juridike, Fakulteti i Drejtësisë, Universiteti i Tiranës, Nr. 1, 2011 5. Eralda Met-Hasani, Enti Publik: risi e legjislacionit të vendit tonë, Trajtime Juridike, Shkolla e Magjistraturës, Mars 2003 6. "Komentari i Kodit të Procedurave Administrative", ISPL (Instituti për Studime Publike & Ligjore), Tiranë 2003 7. Zaganjori, Anastasi, (Methasani) Çani, Shteti i së Drejtës në Kushtetutën e Republikës së Shqipërisë, Adelprint, Tiranë, 2011 8. Zaganjori, (Methasani) Çani, Alimehmeti, Shteti i së Drejtës dhe qeverisja vendore, Tiranë, 2013 9. Eralda (Met-Hasani) Çani, Studim Doktorature mbi Këshillin e Ministrave, Biblioteka e Fakultetit të Drejtësisë, UT, Tiranë, Tetor, 2008 10. Sokol Sadushi, DREJTËSIA KUSHTETUESE NË ZHVILLIM, Tiranë, 2012
Course Outcome	
1	1. Students will have the opportunity to become theoretically familiar with the legislation in force on administrative law.
2	2. Students will be able to understand the act and the forms of the administrative act.
3	3. Students will have real knowledge regarding the legal force and the termination of the legal force of the act.
4	4. Students will be able to understand the difference between the types of invalidity of the administrative act.
5	5. Students will be able to practically use the legal mechanisms of administrative law in the protection of the legal interests of persons entering into relations with the public administration in the country.
6	6. Students will be able to understand the new legal changes in the field of administrative law.

Course Evaluation			
In-term Studies	Quantity	Percentage	
Midterms	1	30	
Quizzes	0	0	
Projects	0	0	
Term Projects	0	0	
Laboratory	0	0	
Class Participation	0	0	
Total in-term evaluation percent			30
Final exam percent			70
Total			100
ECTS Workload (Based on Student Workload)			
Activities	Quantity	Duration (hours)	Total (hours)
Course duration (Including the exam week: 16x Total hours of the course)	16	4	64
Study hours outside the classroom (Preparation, Practice, etc.)	14	4	56
Duties	0	0	0
Midterms	1	10	10
Final Exam	1	20	20
Other	0	0	0
Total Work Load			150
Total Work Load / 25 (hours)			6.00
ECTS			6.00