VNIVERSITAT ÖID VALÈNCIA

COURSE DATA

Data Subject	
Code	33857
Name	Organitational Regulation
Cycle	Grade
ECTS Credits	6.0
Academic year	2023 - 2024

Study (s)			
Degree	**Center**	**Acad. year**	**Period**
1007 - Degree in Information and Documentation	Faculty of Geography and History	1	First term

Subject-matter		
Degree	**Subject-matter**	**Character**
1007 - Degree in Information and Documentation	11 - Law	Basic Training

Coordination	
Name	**Department**
CASTILLO PARDO, ENCARNACION	45 - Administrative and Procedural Law
ITUREN OLIVER, JOSE ALBERTO	45 - Administrative and Procedural Law

SUMMARY

The subject Regulation of Organizations allows the student, after studying the sources of the Law, to know the rules that regulate the various information management activities carried out by organizations, both private and, especially, public.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

Other requirements

It is not considered necessary to meet specific requirements to study this subject.

OUTCOMES

1007 - Degree in Information and Documentation

- Capacity to write analytical reports and summaries with regard to management and organisation of information.
- Have oral and written communication skills in one's own language.
- Have problem-solving skills.
- Be able to work in a team and to integrate into multidisciplinary teams.
- Show motivation for quality.

LEARNING OUTCOMES

The intended outcomes of apprenticeship is the development of the student's ability to:

- Know and manage the terminology and legal-public vocabulary specific to the subject as well as technical-legal in general.

- Understand the basic concepts of the subject and the relationships between them as well as their interactions with social reality.

- Summarize the essential elements of the major blocks of content of the subject.

- Seek and manage the legal rules governing the management activities of the information

- Understanding of the social and legal challenges posed by the management of information.

- Understand any legal text that has to do with these matters.

- Express oneself correctly in writing and orally using concepts and arguments basic legal.

DESCRIPTION OF CONTENTS

VNIVERSITAT ĠĐVALÈNCIA

1. THE ORGANIZATION OF PUBLIC POWER.

I. The internal authorities.

1.1. The State.

1.2. The Autonomous Communities.

1.3. The Local Administrations.

II. Confusion between powers and public activities.

III. The European Union.

2. THE ORGANIZATION OF PUBLIC POWER

1. The King.

2. Parliament.

2.1. The camera.

2.2. Dependent control entities.

2.2.1. The Ombudsman.

2.2.2. The Court of Auditors and similar autonomous institutions.

3. The Judiciary and the Constitutional Court.

3.1 The General Council of the Judiciary.

3.2. Ordinary courts.

3.3. The Constitutional Court.

4. Organization of the Administration.

4.1 The State Council and its autonomous equivalents.

4.2. The Economic and Social Council and its autonomous equivalents.

3. SOURCES OF LAW.

1. The Constitution.

2. Rules with law enforcement.

2.1. The laws.

2.2. Legislative Decrees and Decrees-Laws.

3. Regulations.

4. Community law.

4.1. Kinds of standards.

4.2. Means of publication.

5. The custom. Differentiation of the precedent.

6. The general principles of law.

7. Jurisprudence.

4. PLURALITY OF SYSTEMS OF RULES.

1. The guiding principles of the relationship between European Union law and national law.
2. Relations between State and Autonomous Community law.
3. Consultation of internal judicial bodies with the Constitutional Court or the Court of Justice of the European Union.
4. International treaties and their relations with domestic law.

5. GENERAL INTRODUCTION ON DOCUMENTS IN SPANISH LAW.

1. The concept of document.
2. Public and private documents.
3. Some public administrative documents. Notarial documents.
3.1 Scriptures.
3.2 Minutes.
3.3.Testimoniouses.
4. Court documents.
4.1 Judgments.
4.2. Autos.
4.3. Providencias.
4.4 Measures of ordination.
5. Legislative documents.
5.1 Motion.
5.2 Resolution.
5.3 Law.

6. OTHER ADMINISTRATIVE DOCUMENTS.

1. Forms of manifestation of the legal activity of the Administration.
1.1. Administrative act.
1.2. Convention/Deal.
1.3. Contract.
2. The procedure and the administrative file.
2.1. Stages of the procedure.
2.2 Acts of procedure and resolution.
3. Administrative documentation of the material activity of the Administration. Particular analysis of medical documentation.

7. ADMINISTRATIVE INFORMATION IN MEANS OF PUBLIC ACCESS.

1. Content of the right of access to public information.
1.1. Subjective scope of the obligation to provide public information.
1.2. Limits to the right of access to public information.
1.2.1. Damage to public or private interests.
1.2.2. Protection of personal data.

2. Administrative management of information: information units.

3. Exercise of the right of access to public information.

3.1. Application and grounds for inadmissibility.

3.2. processing and resolution.

3.3. Complaint to the Transparency and Good Governance Council.

8. PUBLIC ACCES TO ADMINISTRATIVE INFORMATION ON REQUEST.

1. Directive 2003/98/EC.

2. Law 37/2007 on the re-use of public sector information.

2.1 The open data.

2.2 Legal regime for re-use.

9. PROTECTION OF PERSONAL DATA.

1. Constitutional basis.

2. Concept of personal data.

3. Purpose of protection: personal data.

4. Rights relating to the protection of personal data.

5. The Data Protection Agency.

10. INTELLECTUAL PROPERTY RIGHTS.

1. Ownership of documents held by public authorities.

2. Protection of the intellectual property of private documents in administrative files and archives.

3. Creative commons.

4. The reproduction of monographs and journals by public institutions.

WORKLOAD

ACTIVITY	Hours	% To be attended
Theory classes	60,00	100
Development of individual work	20,00	0
Preparation of evaluation activities	15,00	0
Preparing lectures	30,00	0
Preparation of practical classes and problem	25,00	0
TOTAL	**150,00**	

TEACHING METHODOLOGY

Approximately two thirds of hours in a classroom will be devoted to the teaching of theoretical classes by the teacher. If necessary, students must have read certain materials beforehand, which shall be indicated or, where appropriate, provided in good time in order to promote optimal use of them, as well as their intelligent participation in them. The rest of the face to face classes will be devoted to public debate about certain practical problems that will be raised throughout the course. The statement of practical problems will be "hung" in the virtual classroom well in advance so that each of the students can analyze them and to draft a reply, duly reasoned and based on right, to the specific questions raised, written which will serve as a basis for further discussion.

Critical work will be carried out on the subject and with the formal requirements that at the time are indicate.

EVALUATION

The overall rating will be determined as follows:

Theoretical exam	50%
Class participation and qualification of practical problems	30%
Qualification of critical works	20%
Total	**100%**

In order to pass the course, it is essential to have obtained at least 5 out of 10 points in the theory exam.

This assessment starts from the premise that teaching at the University of Valencia is, by definition, oncampus lecture delivery method. In this sense, the student should be aware that attendance at both the theoretical and practical lectures is essential for proper monitoring of the contents of the course. The student must also consider the possibility to enroll part time when it is unable to attend all courses (60 credits). However, there is an exception for those students that justify it and request it. They have the possibility of being assessed without attending to all or part of the lectures. For these cases, students should proceed as follows:

- At the beginning of the course, student should inform to lecturer responsible for the course, the incidence that makes her/him unable to attend the class. This must be adequately justified in documentary form.

- The lectures in charge, in the light of this information, will decide the possibility of evaluation without full or partial assistance to the lectures.

Students who are in this situation must submit for evaluation all work required by the lecturer (not necessarily the same to those required for the course) and may also be called to defend them orally to the lecturer, and conduct a knowledge test. The weight of the final grade work will be 50% and the test the remaining 50% knowledge. Students who do not attend Theoretical activities and / or practices, and individual and collective practical work, will read a series of supplementary texts.

REFERENCES

Basic

- CERRILLO I MARTÍNEZ (dir.), La reutilización de la información del sector público, Comares, Granada, 2006.

- J. R. CRUZ MUNDET y F. MIKALARENA PEÑA, Información y documentación administrativa, Tecnos, Madrid, 2006.

- ESCUIN PALOP, C., Curso de Derecho Administrativo. Parte General Ed. Tirant Lo Blanch 2011

- E. GUICHOT, Datos personales y Administración pública, Civitas, Madrid, 2005.

- E. GUICHOT, Publicidad y privacidad de la información administrativa, Civitas, Madrid, 2008.

- F. HERNÁNDEZ HERNÁNDEZ, El patrimonio documental y bibliográfico, Revista General de Información y Documentación, 6-1, 1996, pp. 11-42.

- A. PÉREZ MORENO, «Las competencias sobre el patrimonio documental de la Administración local», en El Derecho público a comienzos del siglo XXI: Estudios en homenaje al profesor Allan R. Brewer Carías, coord. por Alfredo Arismendi A. y Jesús Caballero Ortiz, Vol. 2, 2003, pp. 1435-1444.

- R. RIVERO ORTEGA, El expediente administrativo. De los legajos a los soportes electrónicos, Aranzadi, 2009.

- F. VELASCO CABALLERO, La información administrativa al público, Montecorvo, Madrid, 1998.

- PIÑAR MAÑAS, J.L. (dir.), Administración electrónica y ciudadanos, Cizur Menor: Civitas Thomson Reuters, 2011

- ALBERCH FUGUERAS, R. y CRUZ MUNDET, J.R. Archívese!: los documentos del poder, el poder de los documentos, Madrid Alianza, D.L. 1999

- FERNÁNDEZ SÁNCHEZ, S., Transparencia, acceso a la información pública y buen gobierno: Ley 19/2013, de 9 de diciembre, Cizur Menor: Thomson Reuters Aranzadi, D.L. 2014

- GONZÁLEZ PÉREZ, J., y GONZÁLEZ NAVARRO, F., Artículo 37: derecho de acceso a Archivos y Registros, en Comentarios a la ley de régimen jurídico de las Administraciones Públicas y procedimiento administrativo común. Cízur Menor : Thomson Reuters Civitas, 2012 ; p. 751-774. Regimen Jurídico de los documentos: aspectos administrativos, civiles, penales y procesales

- SENDÍN GARCÍA, M. y GÓMEZ DÍAZ, R. (dir.), Regimen Jurídico de los documentos : aspectos administrativos, civiles, penales y procesales, Granada : Comares, 2009

Additional

- GARCÍA MACHO, R., Derecho administrativo de la información y administración transparente, Marcial Pons, Madrid, 2010.