

**COURSE DATA****Data Subject**

<b>Code</b>	34978
<b>Name</b>	Institutions of Valencian regional law
<b>Cycle</b>	Grade
<b>ECTS Credits</b>	4.5
<b>Academic year</b>	2023 - 2024

**Study (s)**

<b>Degree</b>	<b>Center</b>	<b>Acad. year</b>	<b>Period</b>
1300 - Degree in Political and Public Administration Sciences	Faculty of Law	4	First term

**Subject-matter**

<b>Degree</b>	<b>Subject-matter</b>	<b>Character</b>
1300 - Degree in Political and Public Administration Sciences	37 - Institutions of Valencian regional law	Optional

**Coordination**

<b>Name</b>	<b>Department</b>
GARRIDO MAYOL, VICENTE	55 - Constitutional Law, Political and Administrative Sciences

**SUMMARY**

The State that defines our Constitution is, in the words of the Constitutional Court, a complex State that pivots on two principles, the principle of unity and the principle of autonomy. It is essential that every graduate in CC. Policies by one of the Valencian universities have a deep knowledge of the organization and functions of the political institutions of the Valencian Community. The subject is aimed at studying the institutions of self-government of the Valencian people, indispensable for every graduate in CCPP who wishes to carry out his profession in the Community Valencian



## PREVIOUS KNOWLEDGE

### Relationship to other subjects of the same degree

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

### Other requirements

have studied Constitutional Law

## OUTCOMES

### 1300 - Degree in Political and Public Administration Sciences

- Have knowledge and ability to understand essential facts, concepts, principles and theories relating to political science and public administration, and to the spectrum of other reference disciplines.
- Develop the learning skills needed to complete further studies or training with some degree of autonomy.
- Know the main theories and approaches of political science and public administration, as well as ideas and forms of political organisation.
- Know and be able to analyse the structure and functioning of public administrations.
- Know and be able to interpret historical political and social frameworks so as to have a better understanding of current reality and future prospects; be able to manage historical documentary sources and to conduct comparative analyses of continuity and discontinuity in situations of change.

## LEARNING OUTCOMES

-Access to constitutional and statutory values. Assumption of the Valencian differential event.- Know the justification of the Autonomous Community.-To know the juridical-political structure of the Valencian Community and its Government Institutions; the powers of the Generalitat; The sources of Valencian law and the result of legislative and regulatory activity; the form of financing and the inter-administrative relations.-Understand the Statute of Autonomy as a basic institutional norm of the Valencian Community. Practical aspects in the application of the Statute.-To know the result of the activity of the Institutions of the Generalitat. Know how to relate the Valencian right with that of the State and solve the conflicts that may arise.-Capacity critical and abstraction. Localization of legal documentation. Teamwork and public exposure.

## DESCRIPTION OF CONTENTS



### **1. Documentary background of the Statute of Autonomy of the Valencian Community.**

- The remote antecedents of the autonomy of the Valencian Community.
- The preliminary draft of the Statute of Autonomy elaborated during the Second Republic.
- The Statute Projects Elaborated in the Transition.

### **2. The conformation of the Valencian Community: the autonomous process**

- The right to self-government of the Valencian people.
- Preautonomy.
- The regional commitment of October 8, 1978 and the exercise of the regional initiative.
- The Valencian route to autonomy.

### **3. The Statute of autonomy: general characteristics.**

- Legal nature.
- Main characteristics of the Statute of Autonomy of 2006.
- The denomination, the territory and the people of the Community.
- The symbols of the Valencian Community: its legislative development.

### **4. The rights of Valencians**

- The statutory rights of Valencians
- Recognition of rights in statutory headquarters: special reference to STC 247/2007
- Political meaning and legal effectiveness
- Typology of recognized rights

### **5. The linguistic co-official regime**

- Own language and linguistic normalization.
- The "own" character of the Valencian language
- The Valencian legal regime
- Language rights in the educational and administrative field
- The principle of linguistic non-discrimination

### **6. The Generalitat: its Institutions**

The organization of the self-government system of the Valencian Community: LA GENERALITAT.

- The PRESIDENT OF THE GENERALITAT: its legal status.
- The "CONSELL": its structure, training process and functions. The Government Law.
- LES CORTS: composition and electoral system. Organization of les Corts: its governing and representation bodies. The statute of the Deputies of les Corts.
- The mandate of les Corts: its dissolution. The functions of les Corts. The legislative function: the legislative initiative and the process of elaboration and approval of laws. The control function The



budgetary function. Other functions.

- The other institutions of the Generalitat:
  - a) The institutions commissioned by les Corts:
    - THE TRADE UNION.
    - The SINDIC DE GREUGES.
  - b) The advisory and regulatory institutions:
    - The CONSELL JURIDIC CONSULTIU.
    - The CONSELL VALENCIÀ DE CULTURA Consell Valencià de Cultura.
    - THE ECONOMIC I SOCIAL COMMITTEE.
    - THE VALENCIAN ACADEMY OF LA LLENGUA.
    - THE JUDICIAL ORGANIZATION in the Valencian Community: the TSJCV.

## **7. The competence system**

- The LOTRAVA: its repeal and the reform of the Statute of Autonomy of 1994.
- The competence system in the 2006 statute.
- The subjects of exclusive competence of the Generalitat Valenciana.
- Shared faculties:
  - a) legislative development;
  - b) Autonomous execution of State legislation

## **8. The Valencian legal system: its sources.**

- The Valencian legal system: its control.
- The relationship between Valencian Law and State Law: the principles of hierarchy and of competition.
- The supplementary value of State Law.
- Special reference to Valencian Civil Law.

## **9. The regional administration**

- The organization of the Autonomous Administration.
- Principles of the administrative organization of the Generalitat.
- Organization of the Administration of the Generalitat.
- The staff at the service of the Valencian Public Administration.
- The Institutional Administration and the Public Corporate and Foundational Sector.
- The responsibility of the Public Administration of the Generalitat.
- Relations with other Administrations: Provincials, municipalities ...
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- The Valencian public sector.



### 10. The financing system.

- Participation in state taxes.
- The power to establish own taxes.
- The patrimony of the Generalitat.
- Specialized and other credit institutions necessary for the development of economic policy.

### 11. The Generalitat's relations with the State and with other Autonomous Communities.

- The Generalitat's relations with the State and with other Autonomous Communities.
- Guiding principles of collaborative relationships.
- Statutory ordering of collaboration instruments.
- The agreements and collaboration agreements.
- Special reference to relations with the European Union.

### 12. The reform of the Statute

- Assumptions.
- The special parliamentary procedure in the Congress of Deputies and in the Senate to reform the Statute.
- The reforms approved.

## WORKLOAD

ACTIVITY	Hours	% To be attended
Theoretical and practical classes	45,00	100
<b>TOTAL</b>	<b>45,00</b>	

## TEACHING METHODOLOGY

- Lecture classes, case studies, resolution of exercises and problems, cooperative learning.
- Schemes, concept maps, summaries both individually and in groups.
- Individual and / or group presentations.
- Tutoring assistance
- Comprehensive reading of texts and study materials
- Expression of knowledge orally or in writing

## EVALUATION



The evaluation will consist of the realization of a final test on theoretical contents and the realization of activities of continuous evaluation of practical character. The final test will consist of an oral or written exam, being able to combine test questions with development questions (70% of the grade). In the event that the exam is oral, it will be recorded. As for the continuous evaluation, the attendance to the practical classes will be required, depending on the qualification of the attendance to the classes, valuing the resolution and exposure in class of several practical cases and the solution given by the students to the cases delivered by the teacher (30% of the grade). Continuous evaluation activities, by their nature, are not recoverable in second announcement.

## REFERENCES

### Basic

- Política y Gobierno en la Comunitat Valenciana. Martín Cubas, J., Garrido Mayol, V. Tirant lo Blanch. 2020.
- Instituciones Políticas de la Comunitat Valenciana. VV.AA. (Coord. F. Visiedo Mazón). Tirant lo Blanch. Valencia, 2022.
- Comentarios al Estatuto de autonomía de la Comunitat Valenciana. Vicente Garrido Mayol (Director). Tirant lo Blanch. Valencia, 2013.
- Comentario al Estatuto de autonomía de la Comunidad Valenciana. VV.AA., Coord. José M<sup>a</sup> Baño León. Thomson-Civitas, 2007.
- "Instituciones Políticas de la Comunidad Valenciana". Vicente Garrido Mayol (Coordinador). Fundación Broseta. Valencia, 1999.
- "Comentarios al Estatuto de autonomía de la Comunidad Valenciana". Varios autores. Tomos I, II, III y IV. Editados por el Consell Valencià de Cultura. Valencia, 1993-96.
- La Comunidad Valenciana: derecho autonómico e Instituciones Políticas. J.C. de Bartolomé. Tirant lo Blanch. Valencia, 2002
- "Las instituciones forales valencianas, base de nuestra autonomía". Vicente Garrido Mayol. E. Soler. Valencia, 1993.