

30524 - Environmental Law

Syllabus Information

Academic year: 2023/24

Subject: 30524 - Environmental Law

Faculty / School: 102 - Facultad de Derecho

Degree: 432 - Joint Law - Business Administration and Management Programme

ECTS: 6.0

Year: 5

Semester: Second semester

Subject type: Compulsory

Module:

1. General information

The main goal of this subject is to allow students of Law Degree to specialize in Environmental Law, conceived as one of the most relevant sectors of Administrative Law. The aim is that the student knows and understands the most significant forms of environmental action of public administrations and knows how to apply the knowledge acquired for the resolution of conflicts, fluently handling the legal terminology of the discipline and the techniques of legal argumentation. The approaches of this subject are oriented towards the achievement of SDGs 4.7, 6, 10.3, 13 and 15.

2. Learning results

1. Knows with precision the topics, general principles and fundamental concepts of Environmental Law included in the program of the subject (SDG 6, 10, 13 and 15).
2. Apply their theoretical knowledge and the rules of the environmental legal system to the resolution of practical cases (SDG 4).
3. It identifies the competing interests at stake and the legal assets protected.
4. Exercises legal reasoning skills and provides answers to legal problems, offering alternative solutions to existing conflicts.
5. Uses legal terminology specific to the subject, both in written and oral expression.
6. Is able to understand and explain the contents of administrative and judicial documents related to the environment.

3. Syllabus

PART ONE: NATURAL ENVIRONMENT

Unit 1: Environmental management

- Evolution of environmental policies.
- Public environmental protection function.
- Environmental principles.
- Environmental rights.

Unit 2: Corporate sustainability

- Environmental authorizations.
- Environmental assessments.
- Market and environmental techniques.

Unit 3: Environmental responsibility

- Crimes against the environment.
- Environmental administrative sanctions.
- Civil liability and environment.
- Administrative liability for environmental damages.

Unit 4: Contaminations

- Water quality.
- Air quality and climate change.
- Fight against noise.
- Waste and contaminated soils.

Unit 5: Biodiversity

- Species protection.

- Montes.
- Hunting and fishing.
- Protected natural areas.

PART TWO: URBAN ENVIRONMENT

Unit 6: Urban planning

- Evolution of urban planning.
- State legislation on urban planning.
- Autonomous Community town planning legislation.
- Local administration and urban planning.

Unit 7: Planning

- Land use planning.
- General Urban Development Plan.
- Derived urban planning.
- Nature and effects of urban plans.
- Urban planning agreements.

Unit 8: Land regime

- Urban land use.
- Property regime.
- Urban land.
- Land for development.
- Undeveloped land.

Unit 9: Urban management

- Integrated actions.
- Management systems.
- Fight against speculation.
- Expropriation and liability.

Unit 10: Building and urban discipline

- Communications, declarations and licenses.
- Elements of urban planning licenses.
- Protection of legality.
- Infringements and penalties.

4. Academic activities

4.1. FACE-TO-FACE ACADEMIC ACTIVITIES

Master class: 36 hours (theoretical-practical sessions in which the contents of the subject will be explained).

Practical exercises: 24 hours (problem solving and case studies, assignments and face-to-face tutorials).

Personal study and preparation of practical assignments: 85 hours.

Assessment tests. 5 hours.

Academic activities type 6: There will be complementary activities type 6, of diverse content, such as seminars, conferences, role-playing, film forums, etc.

5. Assessment system

5.1. PRESENCE-BASED MODALITY

GLOBAL ON-SITE ASSESSMENT

The assessment of the Environmental Law course will follow the global assessment test system. This global test will be held according to the examination calendar approved for the different exams of the academic year, will be written, will deal with all the contents of the Environmental Law program and will be developed in two tests:

a) A **theoretical test**, consisting of between three and six short questions, related, but not necessarily coinciding with the headings of the Environmental Law program, with limited space to answer. For the realization of the theoretical test the student may not consult books, notes or texts of any kind, or use electronic media. Its duration will not exceed 60 minutes.

b) A **practical test**, which will consist of the development and reasoned answer to a series of questions formulated around a factual assumption, with the exclusive help of legal texts and, likewise, with limited space to answer. Its duration will not exceed 240 minutes.

The overall grade of the course will be given by the weighted average of the grades of both tests, being the value of the theoretical test 30% and the practical test 70%. The weighted average will not be calculated, nor will it be possible to pass the subject, if a student does not take and pass the two tests -theoretical and practical- that make up the global test. The grades of the theoretical or practical tests will not be retained for successive exams.

CONTINUOUS ON-SITE ASSESSMENT

It is possible to pass the theoretical part of the global test in advance, during the school period.

In order to pass the theoretical part of the global test in advance, the student will have to prove a profitable and regular work during the academic period, participating and passing all the evaluable activities designed and programmed to effect by the teaching staff responsible for the subject. These assessable activities, in the number determined by the faculty , may consist of answering short questions, test-type questionnaires or the completion of other exercises, oral or written, related to General Administrative Law.

Students who pass the assessable activities will only have to take the practical part of the global test which, , has a value of 70% of the final grade. The grade corresponding to the continuous evaluation can be retained in the tests of the same academic year.

Evaluation criteria: The knowledge acquired, the adequacy of the question/answer, the clarity and precision of the answers, the use of legal terminology, the suitability of the arguments used, the ability to resolve conflicts by offering alternative solutions based on law will be assessed, the ability to compare abstract legal ideas and concepts, the correct support in the regulations in force, the capacity for synthesis and analysis, as well as the quality of written expression, reasoning and application of legal principles and rules.