

## ANNEX 2 – COURSE DESCRIPTION

<b>Course title</b>	<b>Administrative Procedure</b>				
<b>Course code</b>	<b>LAW-401</b>				
<b>Course type</b>	<b>Compulsory</b>				
<b>Level</b>	<b>Undergraduate</b>				
<b>Year / Semester</b>	4 <sup>th</sup> /G				
<b>Teacher's name</b>	Petros Konstantinidis				
<b>ECTS</b>	6	<b>Lectures / week</b>	3 hour per week	<b>Laboratories / week</b>	
<b>Course purpose and objectives</b>	<p>The purpose of the course is for students to learn and understand the characteristics of administrative procedural law. Also, with an analytical method and a critical approach, students will understand the special system of Cyprus administrative procedural law. In particular, the aim is to understand the concept of the examination system and the general powers of the Administrative Court in contrast to the adversarial system that governs civil jurisdiction in the standards of common law.</p> <p>Furthermore, substantive administrative law will be connected with procedural rules and how the former affect the administrative trial. Also, there will be an analytical examination of article 146 of the Cyprus Constitution. To this, will be presented in detail and with reference to relevant case-law, the conditions for the admissibility of an annulment application, the jurisdiction of the Administrative Court as well as the Court of Appeal.</p> <p>Even more, the purpose of the course is for the student to acquire the necessary knowledge and method to be able to understand and solve practical issues of administrative procedural law, while developing the necessary argumentation with references to legislation and case-law.</p>				
<b>Learning outcomes</b>	<p>Upon completing the course, students are expected to:</p> <ul style="list-style-type: none"> <li>• Be able to understand the basic characteristics of administrative litigation.</li> <li>• Comprehend the purpose and functioning of administrative litigation.</li> <li>• Understand the concept of administrative dispute and distinguish it from civil litigation.</li> </ul>				

	<ul style="list-style-type: none"> <li>• Apply procedural rules and relevant case law.</li> <li>• Analyse the concepts of admissibility and merit of an appeal.</li> <li>• Know the sources of Cypriot administrative procedural law.</li> <li>• Analyse the provisions of Article 146 of the Constitution.</li> <li>• Explain the concept of legal interest as a prerequisite for the admissibility of an appeal and distinguish it from the concept of “action popularis”.</li> <li>• Acquire the ability to draft an application and how to submit it to the Administrative Court.</li> <li>• Identify various procedural issues arising in administrative litigation (e.g., amending application, joining applications, etc.).</li> <li>• Understand the process and conditions for granting interim judicial protection (interim injunctions).</li> <li>• Have sufficient knowledge of the appeals process and all judicial remedies within administrative jurisdiction.</li> <li>• Develop a critical and analytical approach to case law.</li> <li>• Identify relevant decisions of both domestic and foreign courts.</li> <li>• Develop legal arguments for issues related to administrative litigation.</li> </ul>		
<b>Prerequisites</b>	Administrative Law (LAW-211)	<b>Required</b>	None
<b>Course content</b>	<p>The control of public administration actions.</p> <p>Objectives of administrative trial.</p> <p>The object of the administrative trial.</p> <p>The sources of Cyprus administrative procedural law.</p> <p>The characteristics of Cyprus administrative procedural law.</p> <p>The formation of administrative justice in Cyprus.</p> <p>The Administrative Court and the Administrative Court of International Protection.</p> <p>The administrative dispute: concept and distinctions.</p> <p>The framework of judicial review.</p> <p>Constitutional issues.</p> <p>The fundamental principles of administrative proceedings.</p> <p>The conditions for the admissibility of the administrative trial according to article 146 of the Constitution.</p>		

	<p>The merits of the application: the grounds for annulment.</p> <p>The procedure for adjudicating an application before the Court.</p> <p>Interim judicial protection – suspension of implementation of the administrative action.</p> <p>Abolition and reinstatement of the administrative trial.</p> <p>The review process – Appeal.</p>
<b>Teaching methodology</b>	<p>Lectures with the help of powerpoints and encouraging active participation and dialogue. Assignments and presentations.</p> <p>Analysis of relevant cases of the Cyprus Courts and other relative Courts.</p> <p>Case studies/examples.</p> <p>Study pleadings of the administrative trial</p>
<b>Bibliography</b>	<p>Paraskevas K. Cyprus Administrative Procedural Law (Nomiki Bibliothiki 2020).</p> <p>Tsatsos G., Handbook of Cypriot Administrative Law (Nomiki Bibliothiki 2021).</p> <p>A.S. Angelidis / S.A. Angelidis, Administrative Procedural Law - Basic Principles as Shaped within the Framework of Article 146 of the Constitution, Law 33/64, Procedural Regulations, and Case Law, 2nd ed. (Pancyprian Bar Association 2020).</p> <p>H. Nicolaou / P. Michaelides, Cypriot Administrative Law Fundamental Principles - Judicial Review (Nomiki Bibliothiki 2019).</p> <p>E.P. Spiliotopoulos, Handbook of Administrative Law, Volume I, 15th ed. (Nomiki Bibliothiki 2017).</p> <p>N. Charalambous, Handbook of Cypriot Administrative Law, 3rd Edition, supplemented and revised (Nicosia 2016).</p> <p>P. Dagtoglou, Administrative Procedural Law, 6th ed. (Sakkoulas 2014).</p> <p>S. Glyceria, The Legal Interest in the Application for Annulment (Sakkoulas 1998).</p>
<b>Assessment</b>	<p>Assignment 30%</p> <p>Participation 20%</p> <p>Final exam 50%</p>
<b>Language</b>	Greek