



University of Prizren – “Ukshin HOTI”  
**Faculty of Law**

<b>TEACHING PROGRAM - SYLLABUS</b>							
<b>Level of Studies</b>		<b>Bachelor</b>	<b>Program</b>	<b>Law</b>	<b>Academic Year</b>	<b>2018/19</b>	
<b>Subject</b>		<b>The Special administrative procedure</b>					
<b>Year</b>	I-st	<b>Status of Subject</b>	<b>Z</b>	<b>Code</b>		<b>ECTS credi</b>	<b>4</b>
<b>Semester</b>	II-nd						
<b>Teaching week</b>		15		Teaching hours 45		Lecture	Exercise
						3	2
<b>Teaching Methodology</b>		<p>During the lecturing of this subject will be used modern methods of teaching, in a special focus will be the the student’s. The lecture will be presentet by interactive method.</p> <p>In order to prepare the best learning, preparing of this subject and the better chance of interaction in the clasrum, it is <i>strongly</i> recomanded for students to read material before the lecture for the topic wich will be lectured in the next hour.</p> <p>Students are encaugared to asked questions, comments and suggestoins during lectures and increase points of disccusion</p>					
<b>Consultation</b>		According the hours					
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<b>Subject Study Objectives:</b>	<b>Benifits from Students:</b>
<p>The special part of the administrative law includes and analyzes the rules it regulates the way the public administration exercises individual situations, and especially the way of extraction administrative acts in concrete areas administration.</p> <p>Also this subject, analyzes, legal institutes and the procedural rules they provide legality and objectivity of the work and placement in the public administration and inspire rationalization and economics of the procedure as well</p>	<p>After the successful completion of this course, the student should be able to:</p> <ul style="list-style-type: none"> <li>• Understand and describe basic principles, 3 legal institutes and procedural rules which ensure legality and objectivity of the work and placement in public administration and inspire rationalization and economics of the procedure, and hinder the arbitrariness of the body who conducts the administrative procedure.</li> <li>• Know how to implement the procedural mechanism</li> </ul>

<p>hinder the arbitrariness of the body that it develops administrative procedure.</p> <p>This course analyzes the special norms of law administrative, special procedures administrative, administrative matters and the act Administrative.</p> <p>Course Objectives: The course's course is oriented towards providing theoretical knowledge of special law administrative and its role to the institutes basic material and administrative law procedural. In this way, the student will be in able to understand when and where to apply the general principles of the administrative procedure in specific institutes of specific fields administrative based on the <i>lex specialis</i> principle derogate from general laws.</p>	<p>administrative and judicial, for the protection of rights and legal interests of citizens and legal persons in the sphere of public-juridical life when they appear as parties to the proceedings administrative.</p> <ul style="list-style-type: none"> <li>• Know to describe and analyze the rules with which regulates the way of exercising public administration in individual situations, e especially the way of issuing acts administrative and legal.</li> <li>• To be able to do the interpretation of right of the legal-material and legal process, in order to make the placement of right of the administrative matter, respectively issuing a valid decision (right and lawful) in the administrative procedure.</li> <li>• Express ideas, critical thoughts about many principles and institutes of law administrative;</li> <li>• Know how to apply the legal provisions and the provisions of the law on the procedure in practice administrative, when upon the placement of concrete administrative issues, decide on it rights, obligations and legal interests of legal entities.</li> <li>• Know in the future, independently in the quality of a professional expert to challenge the challenges that are presented in the area of administrative law.</li> </ul>
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<b>The methodology for the implementation of teaching topics:</b>		
Lectures, <i>Exercises</i> , interactive access, consultations.		
<b>Conditions for the implementation of teaching topic:</b>		
Academic literature, using its methods. të TI.		
<b>The way of assessing student ( in%)</b>		
The exam is successful if the student achieves 51% of the highest results (100).	<b>Assessment in %</b>	<b>The final grade</b>
	91-100	Exceptional knowledge (10)
Each student have to submit the exam.	81-90	Excellent (9)
	71-80	Very Good (8)
Participation and activity in the class will be count 10% of (100).	61-70	Good (7)
	51-60	Insufficient (6)
	0-50	Fail (5)

<b>Obligations of student:</b>			
<b>Lectures:</b> To be present in interactive way for discussed topics.		<b>Exercises:</b> To be present in interactive way for discussed topics.	
<b>Student workload for the course</b>			
<b>Activity</b>	<b>Hours</b>	<b>Daw/Week</b>	<b>Total:</b>
Lecture	3	15	45
Exercise	2	15	30
Practice work			
Contact with the lecturer/Consultations	0.5	15 week	7.5 hours
Field exercises			
Seminars-Presentations	0.5	15 week	7.5 hours
Homework			
Self-Study time	3	15 week	30
Final preparation for the exam	3	15 week	30
Time spent of assesement (test, quizzes and final exam)			
Projects, presentations...etc.			
<b>Remark:</b>		<b>Total workload:</b>	175

<b>Week</b>	<b>Lecture</b>		<b>Lecture</b>	
	<b>Topic</b>	<b>classes</b>	<b>Topic</b>	<b>Classes</b>
1.	General reviews of the matter, including the report between the general part and the special part of administrative law	2	Questions and discussion	1
2.	The object and methods of study of the special part of administrative law, as well as its relationship with other branches law and the sources of its study.	2	Questions and discussion	1

3.	Basic elements and institutes of the special part of administrative law (administrative legal relations, special administrative law, procedures special administrative, administrative case, act Administrative).	2	Questions for discussions, interactivity	1
4.	The notion and elements of the offense; Meaning of administrative offense; The difference between the offense and other offenses; Misdemeanor regulation; Principle of legality; Norms that regulate offenses; Types of offenses; The way, place and time of performance offense; Subject of offense offense; penalties for offenses and protective measures; Responsibility of natural persons and legal entities for minor offenses; Responsibility of juvenile offenders; Circumstances which exclude liability for minor offenses; Convicts for offense and prosecution for offense; Prescription at offenses	2	Questions for discussions, interactivity, examples.	1
5.	Understanding the Misdemeanor Procedure and Basic Principles of thereof; Competent authorities for the conduct of the procedure minor; Subject and territorial competences in misdemeanor procedure; Exception in the procedure minor; Parties to the Misdemeanor Procedure; actions in the misdemeanor procedure; Deadlines and return to state of affairs previous in the misdemeanor procedure; Expenses of	2	Questions for discussions, interactivity, examples.	1

	<p>misdemeanor procedure; Start of the procedure  minor; Measures to ensure the presence of the defendant and other persons in the offense proceedings; of proven in the misdemeanor procedure; Interrogating him defendant; Hearing witnesses; Surveying; Watch on the place of the event; Locating raids; Temporal acquisition of items; Penalties for violating the order in the proceedings misdemeanor.</p>			
6.	<p>ADMINISTRATIVE PROCEDURE  The notion and types of submissions; Content, form, submission, acceptance and action based on the submissions; Review of case files and notification of the party on the conduct of the procedure; Invitations of the administrative body and their content; Obligation to respond to the invitations of the body; Minutes in administrative procedure (its content and types); Review of documents in the development of the administrative process; Sending documents (administrative decisions, letters of credit etc); Deadlines in the administrative process and return to the previous situation; Costs of administrative procedure and release from costs</p>	2	Questions for discussions, interactivity, examples.	1
7.	<p>ADMINISTRATIVE PROCEDURE. AT THE FIRST STAGE  Stages of regular administrative procedure; Initiate the administrative process ex officio; Initiate the administrative process at the request of the party; Merging issues into a process; Changing requests during the administrative process; Withdrawal of the party from the request</p>	2	Questions for discussions, interactivity, examples.	1

	during the administrative process; Reconciliation of counter parties in the administrative process.			
8.	Personal status (citizenship, personal name, residence, residence, job ability), keeping official records, types and procedures of registration.	2	Questions for discussion, interactivity	1
9.	Organization of the Tax Administration.	2	Questions for discussion, interactivity	1
10.	Organization of the Customs Administration	2	Questions for discussion	1
11.	Organization of the Judicial Administration	2	Questions for discussions, interactivity, examples.	1
12.	Organization of University Administration	2	Interactivity	1
13.	Special administrative procedures (customs, tax, expropriation, inspectorate, for realization of rights health ..)	2	Questions for discussions, interactivity, examples.	1

14.	exame	2	Questions and discussions	

## Literature

### **Basic Literature:**

Pjesa e Posaçme e Drejtës Administrative, Esat Stavileci, Mirlinda Batalli, Islam Pepaj, Prishtinë 2017

Recomanded Literature:

1. Esat Stavileci, Mirlinda Batalli, Sokol Sadushi, E Drejta Administrative – Organizimi dhe Veprimtaria Administrative, Prishtinë, 2012
2. Agur Sokoli, E drejta Procedurale Administrative, Fakulteti Juridik, Prishtinë, 2014.
3. B. Pollozhani, E, Stavileci, E. Dobjani, L. Salihu, E Drejta Administrative, Shkup, 2010.
4. Akademik Esat Savileci, Hyrje në Shkencat Administrative, Enti i Teksteve dhe i Mjeteve Mësimore i Kosovës, Prishtinë, 1997.
5. Dobjani Ermir, E Drejta Administrative 1, Tiranë, 2007.
6. Stavileci, Esat: Nacione dhe Parime të Administratës Publike, Akademia e Shkencave dhe e Arteve e Kosovës, Prishtinë, 2005.
7. Sadushi, Sokol: E Drejta Administrative II, Tiranë, 2005.
8. Çomo, Jani: E Drejta Administrative e Republikës së Shqipërisë, Libri i tretë, Tiranë, 1984.
9. Pollozhani Bajram: Salihu Lazim: Procedura Administrative dhe Konflikti Administrativ, Logos-A, Shkup-PrishtinëTiranë, 2004
10. Borkoviç, Dr. Ivo: Upravno pravo, Narodne Novine, Zagreb, 2002.
11. Galevski, Dr. Simeon: Upravno – Procesno pravo, TIHA, Skopje, 1997.
12. Schwartz, Bernard: Le droit administratif Americain, Paris, 1952.
13. Wade, H. R. W.: Administrative Law, New York, 1988. 14. J. C. Ricci: Droit administratif, Paris, 1996.
15. V. de Grutner: Allgemeins verwaltungsrecht, Berlin, 1988.
16. Gianini, M. S.: Istituzioni di diritto amministrativo, Milano, 1981.
17. Doracaku për përgatitjen e Provimit të Jurisprudncës, Prishtinë, 2015.

### 6 Third literature :

1. Ligji për Procedurën e Përgjithshme Administrative i Republikës së Kosovës, Ligji Nr. 05/L -031;
2. Ligji për Konfliktet Administrative i Republikës së Kosovës, Gazeta Zyrtare e Republikës së Kosovës: Nr. 82, tetor 2010 LigjiNr. 03/L-202; 3. Ligji për Gjykatat, Gazeta Zyrtare e Republikës së Kosovës: Nr. 79, gusht 2010, -Ligji Nr. 03/L-199; 4. Ligji Nr. 05/L-087 për Kundërvajtje, Gazeta Zyrtare e Republikës së Kosovës, Nr. 33 / 8 shtator 2016, Prishtinë 5. Ligji nr. 2004/46 i Republikës së Kosovës mbi librat amzë; 6. Ligji i Republikës së Kosovës nr.02/L-118 mbi emrat personal (2007); 7. Ligji nr. 2004/46 i Republikës së Kosovës për regjistrat e gjendjes civile; 8. Ligji nr. 03/L099 i Republikës së Kosovës për letërnjoftimin (2008). 9. Ligji nr. 03/L-126 i Republikës së Kosovës për të huajt; 10. Ligji Nr. 03/L-034 për shtetësinë e Kosovës 11. Ligji Nr. 03/L-222 i Republikës së Kosovës Për Administratën Tatimore dhe Procedurat; 12. Ligji Nr. 04/L-102 Për ndryshimin dhe Plotësimin e Ligjit për Administratën Tatimore dhe Procedurat Nr.03/L-222 13. Ligji Nr. 03/L - 170 i Republikës së Kosovës - Për masat Doganore për mbrojtjen e të drejtave të pronësisë; 14. Ligji Nr. 2004/49 i Republikës së KosovësLigji për Patentim; 15. Kodi Doganor dhe i Akcizave i Kosovës, Kodi Nr. 03/L-109; 16. Ligji Nr. 04/L-099 Për Ndryshimin dhe Plotësimin e Kodit Nr.03/L-109 Doganor dhe të Akcizave.

**Remark:**

Students are encouraged by the opportunities to use other literature.

**Remark for the Student:**

Students have to respect the rules of professional academic ethics, such as: silence in the class, switching off the phones, coming in the class on time, etc. Every violation according to these rules will be punished. Copy and other deceptive phenomena will be punished according to the applicable rules. The student should participate in exercises and to reflect alert and knowledge for initiatives, ideas and demonstration of learned knowledge in lectures and to use all opportunities for getting knowledge.

Communication with students will be mainly through e-mails and posting on University objects and personally during the consultations.