Advanced Ambient Environmental Administrative Law (B001356)

Course Specifications
Valid as from the academic year 2019-2020

Course size
(nominal values; actual values may depend on programme)

Credits 6.0  Study time 180 h  Contact hrs 45.0 h

Course offerings and teaching methods in academic year 2019-2020

A (semester 2)  Dutch  lecture: response 2.5 h
lecture
lecture 35.0 h
excursion 2.5 h
guided self-study 5.0 h

Lecturers in academic year 2019-2020

Van Hoorick, Geert  RE22  lecturer-in-charge

Offered in the following programmes in 2019-2020

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<td>Master of Science in Teaching in Social Sciences (main subject Laws)</td>
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<td>Master of Laws in Laws</td>
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Teaching languages

Dutch

Keywords

administrative law, town and country planning law, environmental law, nature conservation law, town and country planning, nature conservation, heritage conservation, property, monuments, landscape management, forest management, natural resources, wildlife, archeology, sustainable development

Position of the course

To deepen the insights into the branches of administrative and environmental law that have a spatial component, i.a. heritage and nature conservation law, and the historical backgrounds and the societal factors that determine that branch of law. This course is important for the students who want to specialise in public law and environmental law. Also this course aims to develop a positive attitude towards nature conservation and sustainable development among students.

Contents

In this course we deal with European (i.e. Birds and Habitats Directives) as well as Belgian and Flemish heritage and nature conservation law. The emphasis is laid on European and Flemish law, in a historic and comparative approach, and attention is paid to policy aspect and legal technical aspects. First we give an overview of policy instruments. Then we work with the primary sources (statutory law and case law) related to: general, area based and species oriented nature conservation, monuments and landscapes, archeological heritage, cultural heritage, forest management and wildlife management and hunting. We draw the attention especially on the relations with town and country planning, environmental law (in particular spatial planning and decision-making in permit systems), agriculture and forestry, the protection of property and international trade.

Initial competences

- to have a thorough knowledge of the basics, the structures and the methodology and systematic of Belgian law
- to have the abilities to analyse and to valuate legal texts and sources, to solve legal problems, and to apply the knowledge to specific cases
- to have the attitude to be willing to develop a critic and scientific attitude

(Approved)
Final competences
1. To have an advanced scientific knowledge of heritage and nature conservation law in the Flemish Region, the European dimension thereof, the historical backgrounds and the relations between that branch of law and societal factors.
2. To know the actual discussions and the new (policy) instruments in that branch of law (in comparative perspective).
3. To have the abilities to analyse, to interpret and to valuate spatial administrative law texts and sources.
4. To solve legal problems in this branch of law, and to apply the knowledge to complex cases, and make an oral or written argumentation to have the attitudes that nature conservation is needed for sustainable development.
5. To be open minded towards a positive role of law and lawyers therein.
6. To be open minded for concepts of other legal systems.

Conditions for credit contract
Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract
This course unit cannot be taken via an exam contract

Teaching methods
Guided self-study, excursion, lecture, lecture: response lecture

Extra information on the teaching methods
Because the matter is complex ex cathedra with interaction and work lecture are chosen. The lecturer aims at getting participation in the lectures and shows a critical attitude and draws the attention to societal factors the determine the law. The students get reading materials they must prepare and in certain determined lectures the students will be examined about it, followed by group discussions. An (guided) excursion to a nature reserve will be organized so that students will experience the difficulties of nature conservation policy on the field.

Learning materials and price
G. VAN HOORICK, Course material Advanced study: spatial administrative law and nature conservation law, annually updated, for free by website
The slides used in the lectures contain besides text also a lot of visual material.

References
- G. VAN HOORICK, Juridische aspecten van het natuurbehoed en de landschapszorg, Antwerpen, Intersentia, 2000
- L. VANDENHENDE e.a., Zakboekje onroerend erfgoed, Mechelen, Wolters Kluwer, jaargijs

Course content-related study coaching
1. providing examples of examination questions
2. answering questions of the students through e-mail or otherwise

Evaluation methods
end-of-term evaluation and continuous assessment

Examination methods in case of periodic evaluation during the first examination period
Oral examination

Examination methods in case of periodic evaluation during the second examination period
Oral examination

Examination methods in case of permanent evaluation
Open book examination, participation

Possibilities of retake in case of permanent evaluation
examination during the second examination period is not possible

Extra information on the examination methods
• 50% Periodical evaluation (10/20): oral exam
• 50% Non-periodical evaluation (10/20): written exam about the reading (open book) + obliged to participate in excursion

Calculation of the examination mark
See details evaluation forms.
Students who do not participate in all evaluations achieve maximum 7/20 for this course.

Facilities for Working Students

Written tests (9/20) can be replaced by writing of a comment under a by the lecturer given case-law.