

## Advanced Ambient Environmental Administrative Law (B001356)

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

Offering	Language	Teaching Method	Hours
A (semester 2)	Dutch	lecture: response	2.5 h
		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

Programme	crdts	offering
<a href="#">Master of Science in Teaching in Social Sciences (main subject Laws)</a>	6	A
<a href="#">Master of Laws in Laws</a>	6	A

### 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 evaluate 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

## 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 evaluate 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 that 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 natuurbehoud en de landschapszorg, Antwerpen, Intersentia, 2000
- H. SCHOUKENS, K. DE ROO en P. DE SMEDT, Handboek natuurbehoudsrecht, Mechelen, Kluwer, 2011
- L. VANDENHENDE e.a., Zakboekje onroerend erfgoed, Mechelen, Wolters Kluwer, jaarlijks

## 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.