

Valid for 2021.FS

Module Name: State & Administrative Law	
Module Code	w.BA.XX.2SVR-BL.XX
Module Description	Students are able to name the different problems and issues of constitutional and administrative law. They are able to apply the relevant legal sources to specific cases. They know the political system in Switzerland and understand issues and questions of constitutional and administrative law and how they differ from issues and questions of private law.
Program and Specialization	Business Law
Legal Framework	Academic Regulations BSc dated 29.01.2009, Appendix to the Academic Regulations for the degree programs in Business Administration, Business Information Technology, and Business Law, first adopted on 12.05.2009
Module Category	Module Type: Compulsory
	Program Phase: First-Year Studies
ECTS	6
Organizational Unit	W Abteilung Business Law
Module Coordinator	Oliver Streiff (stfo)
Deputy Module Coordinator	Patrice Martin Zumsteg (zumg)
Prerequisite Knowledge	none
Contribution to Program Learning Goals (Affected by Module)	§ Professional Competence § Methodological Competence § Social Competence § Self-Competence
Contribution to Program Learning Objectives	Professional Competence § Knowing and Understanding Content of Theoretical and Practical Relevance § Apply, Analyze, and Synthesize Content of Theoretical and Practical Relevance § Evaluate Content of Theoretical and Practical Relevance Methodological Competence § Problem-Solving & Critical Thinking § Scientific Methodology § Work Methods, Techniques, and Procedures § Information Literacy § Creativity & Innovation Social Competence § Written Communication § Oral Communication § Teamwork & Conflict Management § Intercultural Insight & Ability to Change Perspective Self-Competence § Self-Management & Self-Reflection § Ethical & Social Responsibility § Learning & Change
Module Learning Objectives	Students... § are able to explain the relationship between the political, state law, and economic systems. § are able to explain the structure and the processes of the Swiss political system, federal state law, and the constitution as it pertains to business law. § are able to explain the basic terminology of state and administrative law, institutions, and procedures. § are able to describe key expressions of state and administrative law and explain the practical scope of these expressions. § are able to apply key aspects of federal state law to complex practical cases. § are able to apply the rules and regulations of state and administrative law to specific cases. § are able to apply basic application-oriented knowledge of particular areas of state and administrative law. § are able to understand current events as they relate to the state political system and administrative law based on the theoretical knowledge acquired. § are able to identify the major legal sources and questions related to state and administrative law relevant in an everyday context, and understand the rules and regulations involved. § are able to define legal problems of state and administrative law as part of the Swiss legal system. § are able to analyze rules and regulations of state and administrative law.

	§ are able to analyze and critically reflect on Swiss Federal Court rulings on key issues of state and administrative law. § are able to present and apply the knowledge they have acquired. § are able to discuss different solutions in class. § are able to give constructive feedback. § are able to develop the motivation to continue learning about issues of state and administrative law.		
Module Content	§ Basic terminology of constitutional law § Legal sources, drafting of legislation, and the application of law § Structural principles and the origins of the Federal Constitution § State and individual: basic rights, right to freedom, and legal protection (rule of law) § Instruments of participation (democracy) § State benefits (welfare state) § Levels of state (federal state) § Federal authorities § Legal sources and application of law in administrative law § Administrative organs § Forms of administrative practice / behaviour § Principles of administrative practice; procedures § Legal protection § Public property law § Permits and licenses § Public levies § Police § State liability		
Links to other modules	The content of this module is linked to the following modules: w.BA.XX.2BPR.XX w.BA.XX.2ÖR-BL.XX w.BA.XX.2RöU.XX		
Methods of Instruction	§ Interactive Instruction § Exercises § Literature Review § Discussion § Learning videos § Independent work on a case	Social Settings Used: § Individual Work § Group Work	
Digital Resources	§ Teaching Videos § Practice and Application Exercises (with Key) § Multiple Choice Tests § Exercises in small group classes via livestream		
Type of Instruction	Classroom Instruction	Guided Self-Study	Autonomous Self-Study
	Large Class	-	28 h
	Small Class	28 h	40 h
	Group Instruction	-	-
	Practical Work	-	-
	Seminar	-	-
	Total	28 h	68 h
			84 h
Performance Assessment			
End-of-module exam	Form	Length (min.)	Weighting
Written exam	Specified documentation	120	100,00 %
Permitted Resources	Approved calculator according to "Guidelines on Supplementary Materials"	With dictionary	
Others	Assessment	Length (min.)	Weighting
Written Assignment	Pass/Fail	-	-
Classroom Attendance Requirement	Mandatory Attendance: None None		
Language of Instruction/Examination	German		
Compulsory Reading	§ Mosimann, H., Völger Winsky, M. & Pluess, K. (2017). Öffentliches Recht, Ein Grundriss für Studium und Praxis. 3rd edition. Zürich: Schulthess. ISBN 978-3-7255-7624-1.		

Recommended Reading	<p>§ Guth, M. & Kayser, M. (2020). Übungsbuch Staatsrecht. 2nd edition. Zürich: Orell Füssli. ISBN 9783280074343.</p> <p>§ Biaggini, G., Gächter, T. & Kiener, R. (2015). Staatsrecht. 2nd edition. Zürich: Dike. ISBN 978-3-03751-739-0.</p> <p>§ Häfelin, U., Haller, W., Keller, H. & Thurnherr, D. (2016). Schweizerisches Bundesstaatsrecht. 9th edition. Zürich: Schulthess. ISBN 978-3-7255-7411-7.</p> <p>§ Häfelin, U., Müller, G. & Uhlmann, F. (2020). Allgemeines Verwaltungsrecht. 8th edition. Zürich: Dike. ISBN 9783038912217.</p> <p>§ Tschannen, P., Zimmerli, U. & Müller, M. (2014). Allgemeines Verwaltungsrecht. 4th edition. Bern: Stämpfli. ISBN 978-3-7272-8690-2.</p> <p>§ Karlen, P. (2018). Schweizerisches Verwaltungsrecht. 1st edition. Zürich: Schulthess. ISBN 978-3-7255-7898-6.</p> <p>§ Waldmann, B. & Wiederkehr, R. (2019). Allgemeines Verwaltungsrecht. 1. Aufl edition. Zürich/Basel/Genf: Schulthess Verlag. ISBN 978-3-7255-7981-5.</p> <p>§ Tschentscher, A., Lienhard, A. & Sprecher, F. (2019). Öffentliches Recht. 2. Aufl edition. Zürich/St. Gallen: Dike Verlag AG. ISBN 978-3-03891-099-2.</p>
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