



Universitat de Lleida

# DEGREE CURRICULUM **FOREST POLICY AND LEGISLATION**

Coordination: RIBELLES SANS, MARIA TERESA

Academic year 2023-24

## Subject's general information

Subject name	FOREST POLICY AND LEGISLATION			
Code	102441			
Semester	1st Q(SEMESTER) CONTINUED EVALUATION			
Typology	Degree	Course	Character	Modality
	Bachelor's Degree in Forest Engineering	4	COMPULSORY	Attendance-based
	Double degree: Bachelor's degree in Forest Engineering and Bachelor's degree in Nature Conservation	3	COMPULSORY	Attendance-based
Course number of credits (ECTS)	6			
Type of activity, credits, and groups	Activity type	PRALAB	PRAULA	TEORIA
	Number of credits	0.4	1.6	4
	Number of groups	1	1	1
Coordination	RIBELLES SANS, MARIA TERESA			
Department	ECONOMICS AND BUSINESS			
Teaching load distribution between lectures and independent student work	70% face-to-face 30% autonomous student work			
Important information on data processing	Consult <a href="#">this link</a> for more information.			
Language	50% Spanish 50% Catalan			
Distribution of credits	3.6 ECTS Large Group (GG) 2.4 ECTS Medium Group (GM)			

Teaching staff	E-mail addresses	Credits taught by teacher	Office and hour of attention
AUNOS GOMEZ, ALVARO IGNACIO	alvaro.aunos@udl.cat	1	
RIBELLES SANS, MARIA TERESA	mariateresa.ribelles@udl.cat	5	

## Subject's extra information

Subject/subject in the whole curriculum

The compulsory subject of Forest Policy and Legislation provides the student with the necessary interdisciplinary complement to ensure a comprehensive training for the Graduate in Forest Engineering, providing them with access to the legal framework of technical scientific activity that is carried out around the management, conservation and protection of forests. the forests.

The professional opportunities of the Graduate in Forestry Engineering show the need for adequate and sufficient knowledge of Forestry Legislation and administrative organization, so this subject provides the necessary instruments both for the exercise of a private professional activity, as well as for the performance of positions in the Public Administration that are related to forestry, by offering the student knowledge of the legal framework in which to carry out tasks of management, conservation, planning, etc.

recommendations

The subject requires continuous work throughout the semester, critical thinking and abstraction capacity. In the Virtual Campus, the didactic materials (material exposed in class, exercises, readings) of the subject are available to students. It is recommended to frequently visit the Virtual Campus space associated with the subject.

## Learning objectives

### KNOWLEDGE OBJECTIVES

Upon passing the subject, the student must be able to:

1. Know the main international legal-political instruments in the forestry field
2. Know the main sources of the Spanish legal system
3. Know the organization of the State and in particular the structure of the Forestry Administration
4. Acquire general concepts of Dº Administrative
5. Acquire general concepts of Dº Civil
6. Know the content of the Basic Forest Legislation of the State and the application and location of the Development Legislation of the State and the CCAA in forestry and environmental matters.
7. Know the main institutions of Spanish and Autonomous Forest Law.
8. Know the property regime and real rights in the Spanish legal system.
9. Know the statutory regime of forest property, its structure, classes and characteristics

10. Know and identify the administrative records with an impact on forest property
11. Know and carry out the processing of records of demarcation, inclusion and exclusion of the CMUP, forced expropriation, sanctions, etc.
12. Know the different forest planning instruments
13. Carry out a legal study of logging

## **CAPACITY OBJECTIVES**

The student who passes this subject must be able to:

1. Handle current forest regulations with ease.
2. Acquire skills at a basic level, in reading and commenting on legal texts.
3. Familiarize yourself with the necessary instruments to achieve the above objectives: legal texts, official journals, manuals, computer resources, databases, etc.
4. Relate all the knowledge acquired.
5. Integrate forest legislation in a global context, organizing and relating ideas.
6. Gain skill in solving the practical cases that arise.
7. Apply the corresponding regulations in each specific case.
8. Get and use a basic vocabulary of legislation.

## **Competences**

### **Basic skills**

CB1 - That the students have demonstrated that they possess and understand knowledge in an area of study that starts from the base of general secondary education, and is usually at a level that, although it is supported by advanced textbooks, also includes some aspects involving knowledge from the cutting edge of your field of study

CB2 - That students know how to apply their knowledge to their work or vocation in a professional way and have the skills that are usually demonstrated through the development and defense of arguments and problem solving within their area of study

CB3 - That students have the ability to gather and interpret relevant data (usually within their area of study) to make judgments that include reflection on relevant issues of a social, scientific or ethical nature

CB4 - That students can transmit information, ideas, problems and solutions to both a specialized and non-specialized public

CB5 - That students have developed those learning skills necessary to undertake further studies with a high degree of autonomy

### **Generic skills**

CG12 - Ability to organize and plan companies and other institutions, with knowledge of the legislative provisions that affect them and the fundamentals of marketing and commercialization of forest products.

CG7 - Ability to solve technical problems arising from the management of natural spaces.

### **Specific Competences**

CEMC14 - Ability to know, understand and use the principles of Forest Certification

CEMC15 - Ability to know, understand and use the principles of Forest Legislation.

CEMC16 - Ability to know, understand and use the principles of Sociology and Forest Policy.

## Subject contents

### **THEORETICAL AGENDA**

The course program is structured in three parts:

I. Forest Policy,

II. General Part (State Organization, Spanish Forest System, legal regime of public goods, legal regime of private goods)

III. Main current forest law institutions. .

### **FIRST PART**

SUBJECT 1. Introduction to Forest Policy

TOPIC 2. Value of forests

SUBJECT 3. Forest certification

### **SECOND PART**

SUBJECT 4: System of sources of the Spanish D<sup>o</sup>. His classes. Government regulations with the rank of Law. Regulatory power. Kinds of regulations. Custom. The general principles of D<sup>o</sup>. The Community D<sup>o</sup>. Incidence of the fountain system in the Spanish D<sup>o</sup> Forestal.

SUBJECT 5. The organization of the State and the Public Administration. Main Institutions. The Central State Administration. The Peripheral Administration of the State. The Autonomous Communities and their Administration. Local Administration. Institutional Administration. The Spanish forestry system

UNIT 6. Public goods. The distribution of powers over public goods. The public domain: concept, classes, ownership. Demanal affectation. Demanal mutations. The disaffection. Heritage assets. Communal goods. The National Heritage

SUBJECT 7. The system of protection of public assets: administrative boundaries. The ex officio recovery and administrative eviction. The power of investigation and sanctioning. Other protection instruments: Inventories, Catalogs, Property Registry and Cadastre

SUBJECT 8. The forms of use of the public domain. The use by individuals of the public domain: common use (authorizations, licenses), private use (parking lots, occupations). The public concession

SUBJECT 9. The property right. Domain: powers and limitations to property rights. Ways of acquiring property. Ways to lose property

SUBJECT 10. General study of property rights. Usufruct of mountains. Rustic easements: water, pasture, etc. Distance between plantations

### **THIRD PART**

SUBJECT 11. Competence titles in matters of mounts and forest exploitation. Llei43 / 2003 of November 21 basic mountains. Autonomous forest laws.

SUBJECT 12. Concept of mount. The property of the mountains. Classification. Legal regime of forests in Spanish law.

SUBJECT13. Catalog of Public Utility Forests. Background and current moment. Relationship of the Catalog of

Public Utility Forests with the Property Registry and the Real Estate Cadastre.

SUBJECT 14. The demarcation of mountains. Nature and legal regime. Phases of the administrative boundary. Resources. legal effects

UNIT 15. Livestock roads. Nature and Legal Regime. Classes of livestock roads. Uses in livestock tracks.

UNIT 16. Protected natural spaces. Brief reference to forest planning (main planning instruments)

## PRACTICAL ACTIVITIES

The following practical activities will be carried out:

Resolution of practical cases

Study of cases

Learning in the use of computerized means to search for normative sources

Comments on legal-administrative texts

Audiovisual sessions with subsequent discussion

Directed work: writing reports and studies on specific issues

Participation of experts for a closer approach to the forest legal reality

## Methodology

**Master classes:** In the master classes the contents of the subject are presented orally by a teacher without the active participation of the students. In the first place, the use of the expository session as a teaching methodology is proposed. Through the expository session, students are presented in a systematic and orderly manner, the need for adequate and sufficient knowledge of Forestry Legislation and its administrative organization, so this subject provides the necessary instruments both for the exercise of a professional activity private, as well as for the performance of positions in the Public Administration that are related to forestry, by offering the student the knowledge of the legal framework in which to carry out tasks of management, conservation, planning, etc. rights and obligations derived from the Statute of the profession of administrative manager and its implications. trying to provide examples and understanding by the student of this figure.

**Case study:** Method used to study an individual, an institution, a problem, etc. in a contextual and detailed way (analysis processes must be developed). The student learns by solving concrete problems, it is known as problem based learning system.

**Guided debate:** Based on the Socratic method, the teacher or teacher leads a debate by raising questions and different hypotheses around a specific topic, which the students have previously worked on in a master class, conference or through recommended readings, text comments, etc On the one hand, the profile of the students must be taken into account, so that the sessions must be adapted to their previous skills and, on the other hand, the professionalizing nature of the degree, which requires focusing the sessions as far as possible from a practical side. On the other hand, it is necessary to take into account that the Master is taught in blended mode, so the role of the student's autonomous work will be very prominent.

Together with the expository session, highlight the resolution of practical cases applying the well-known and classic methodology in the field of Learning Law based on problem solving. Thus, students are provided with a practical case, that is, a fictitious assumption that they will have to solve and interpret in a legal key, applying the theoretical knowledge previously acquired or that will be developed as a result of the practical case in question. The practical case will be resolved during the face-to-face session following the corresponding guidelines and indications, such as a series of questions associated with the practical case. The objective is for students to participate actively in the practical sessions, contributing their points of view and legally reasoned opinions. Through this methodology, disciplinary and professional skills are consolidated, providing solutions.

## Evaluation

This course consists of two differentiated disciplines: 1) Forest Policy; 2) Law and Forest Legislation

### **A- Evaluation of the UD of Forest Legislation**

It will be carried out according to the following guidelines:

a) Calculation of the Forest Legislation part in the whole course: 80% of the total value

b) Evaluation in the 1st call:

-- Face-to-face multiple choice exam with four options on the official assessment date set by the academic calendar and corresponding to the 1st part of the program

--face-to-face multiple choice exam with four options on the official assessment date set by the academic calendar and corresponding to the 2nd part of the program

c) Evaluation in the 2nd call (recovery):

-- Face-to-face multiple choice exam with four-option questions in which students with an average grade between the grade obtained between the 1st and 2nd exam that does not exceed a grade of 5 will be presented. In this case, students must recover the part or suspended parts. The activities evaluated by examination in the aforementioned terms will represent 70% of the total mark of Forest Legislation. The practical activities also evaluated, together with the student's class attendance and her positive and participatory attitude in the classroom, will account for 10% of the final grade.

### **B- Evaluation of the Forest Policy UD**

It will be carried out according to the following guidelines:

1. Calculation of the Politics part of the course as a whole: 20% of the total value.

2. Evaluation in the 1st call: exam (not multiple choice) on a date to be decided by the students.

3. Assessment in the 2nd call (retake): multiple choice exam and the same format as the rest of the legislation subject.

Observation.- The score obtained in the first continuous assessment exam corresponding to the forestry policy module can only be averaged and added to the score obtained in the other two parts of legislation when it is equal to or greater than 4 points out of 10 (equivalent to 0.8 points out of 2). Otherwise, the policy module must always be recovered in the exam of the 2nd call

### **COMPLETE EVALUATION OF THE FOREST POLICY AND LEGISLATION COURSE**

For assessment purposes, the course is broken down into three separate modules:

1. Legislation subject evaluated in the first continuous assessment exam: weighting of 4 points in the final grade.

2. Legislation subject evaluated in the second continuous assessment exam: weighting of 4 points in the final grade.

3. Forest policy content: weighting of 2 points in the final grade.

Passing the subject will meet the following conditions:

1. When a grade equal to or greater than 5 points out of 10 is obtained in any exam, the corresponding subject will be exempt from evaluation in the 2nd call (retake).

2. In the legislation part, the average between the two qualifications obtained in the continuous assessment tests will be made. In the event that a score equal to or greater than 5 points out of 10 is not obtained, the student will

only have to recover the failed module in the 2nd call.

3. In the first call, the qualification obtained in the continuous evaluation exam corresponding to the forest policy module can only be averaged with the other two legislation when it is equal to or greater than 4 points out of 10 (equivalent to 0.8 points out of 2 ). Otherwise, the policy module must be recovered in the 2nd call.

4. With the exception indicated in the preceding point, passing the subject will be the average result of the grade obtained in each of the 3 Modules with the weightings already indicated above.

## **Plagiarism**

In accordance with art. 3.1 of the UdL evaluation regulations, the student may not use, in any case, during the evaluation tests, unauthorized means or fraudulent mechanisms. The student who uses any fraudulent means related to the test and/or carries electronic devices that are not allowed, will have to abandon the exam or the test, and will be subject to the consequences provided for in these regulations or in any other internal regulations of the UdL

Article 43 of the UdL Coexistence Regulations describes the applicable sanctions, which include, among others and depending on the seriousness of the offense, the loss of the right to be evaluated in the subject, the loss of enrollment for one semester or a course or expulsion for up to three years.

## Bibliography

### **Bibliografía básica**

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SANCHEZ MORÓN, M Y OTROS (1997): Los bienes públicos (régimen jurídico). Ed. Tecnos. Madrid

TEXTOS LEGALES VIGENTES

### **Bibliografía complementaria**

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