

Educational institution
«Belarusian State Economic University»

APPROVED

by the Rector of the educational
institution "Belarusian State University of
Economics"



A. V. Yegorov

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Registration number of UD 6431-25
/uch.

COMPARATIVE ADMINISTRATIVE-TORT LAW

Educational institution's curriculum
by academic discipline for the specialty
7-06-0421-01" Jurisprudence "

2025

The curriculum is based on the educational standard of advanced higher education OSVO 7-06-0421-01-2023-2023 and the curriculum for the specialty 7-06-0421-01 "Jurisprudence".

COMPILED BY:

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RECOMMENDED FOR APPROVAL:

Department of State and Legal Disciplines of the educational institution "Belarusian State University of Economics"

(protocol no. 12 of 12 05 2025);

Methodological Commission on the specialty "Law", " Jurisprudence "of the educational institution" Belarusian State University of Economics"

(protocol no. 10 of 05 06 2025);

Scientific and Methodological Council of the educational institution "Belarusian State University of Economics"

(protocol no. 6 of 25 06 2025)

EXPLANATORY NOTE

The academic program on the academic discipline "Comparative administrative-tort law" is aimed at a comprehensive and comprehensive study by undergraduates of legal approaches to administrative torts and procedural-executive mechanisms in various legal systems. The main attention is paid to the comparative analysis of models of administrative responsibility, features of law enforcement, as well as ways of implementing procedural and executive norms.

It is a necessary source of knowledge about the theoretical aspects of administrative tort, key features and classification of offenses, as well as mechanisms for bringing to justice. Special attention is paid to the procedural enforcement of administrative sanctions in international practice, with special attention to the Belarusian and Chinese legal systems.

The purpose of teaching the discipline is systematic assimilation by undergraduates of the theory of administrative-tort and procedural-executive law in a comparative aspect, a deep understanding of the content of legislation in these areas in various legal systems and the features of its application in modern conditions.

Achieving this goal involves solving the following **tasks**: mastering key concepts, principles and norms of administrative law that are characteristic of different legal systems; studying the features of administrative offenses, their classification and procedural enforcement; conducting a comparative analysis of legislation regulating administrative offenses and procedures for their resolution, with an emphasis on international experience; developing research and analytical tools. master's students ' competencies necessary for professional assessment of legal situations, identification of administrative offenses and selection of optimal procedures for their resolution; developing skills in developing proposals for improving national legislation, taking into account international practice, and instilling respect for the rule of law, the principles of justice and human rights in administrative practice.

As a result of studying the academic discipline "Comparative administrative-tort and law", the following competence is formed:

understand the essence of comparative law in the field of administrative and legal protection and protection of private and public interests, as well as apply the acquired knowledge, skills and abilities in scientific, teaching and practical activities.

As a result of studying the academic discipline, the master's student must:

know:

- basic theoretical and methodological foundations of administrative-tort and procedural-enforcement law, including their development in the international context;
- principles of administrative responsibility, grounds for applying administrative enforcement measures, as well as features of procedural procedures related to their implementation;
- the legislation of the Republic of Belarus regulating administrative offenses and its correlation with the legal system of the People's Republic of China and the legal systems of other states;

•key elements of administrative offenses and their specifics in different legal systems;

•international experience and standards in the field of administrative and tort regulation, including procedures for the enforcement of administrative sanctions;

•current trends and directions for improving administrative and procedural enforcement law, taking into account global challenges and integration processes;

be able to:

•analyze regulatory legal acts regulating administrative offenses and procedural and enforcement procedures, both at the national and international levels;

•apply theoretical knowledge for identification of administrative offenses, their qualification and selection of appropriate procedures for their resolution;

•conduct a comparative analysis of legal norms and institutions of administrative and tort law in different legal systems;

•evaluate the law enforcement practice in the field of administrative law, identify its problems and suggest ways to improve it;

•develop proposals for improving legislation in the field of administrative-tort and procedural-enforcement law, taking into account international experience and national characteristics;

•substantiate their conclusions and recommendations in scientific research and practical activities;

have the skill:

•practical application of the norms of administrative-tort and procedural-executive law in law enforcement activities;

•development and implementation of legal recommendations to improve administrative regulation and procedural procedures;

•preparation of analytical materials, scientific publications and expert opinions on issues of administrative responsibility and enforcement of administrative sanctions;

•using a comparative legal method to assess and adapt foreign experience in the field of administrative and tort law to national practice;

•work with legal documentation, drawing up legal acts and preparing procedural documents in the framework of administrative proceedings;

•conducting scientific research on topical issues of administrative and procedural enforcement law.

As part of the educational process in this discipline, a master's student should acquire not only theoretical and practical knowledge, skills and abilities in the specialty, but also develop their value-personal, spiritual potential, form the qualities of a patriot and a citizen who is ready to actively participate in the economic, industrial, socio-cultural and public life of the country.

The academic discipline "Comparative administrative-tort and procedural-executive law "is closely related to such academic disciplines as" Law-making of representative, executive and judicial authorities", "Actual problems of regulation and implementation of public law relations", "Administrative Law".

The form of education is full – time.

In accordance with the university curriculum, the following subjects are assigned to study:

the total number of training hours is 90,
- for full-time education, 36 hours of classroom classes are provided, including lectures-18 hours, seminars - 18 hours.

Distribution of classroom time by course and semester:

1 semester-lectures – 18 hours, seminars - 18 hours.

Independent work of a master's student – 54 hours.

Labor intensity – 3 z. e.

Form of intermediate certification-credit.

CONTENT OF THE TRAINING MATERIAL

Topic 1. Comparative analysis of administrative and legal coercion in Belarus, China and other legal systems

Administrative and legal coercion as a means of combating offenses in Belarus, China, and the countries of the continental and Anglo-Saxon legal systems. Similarities and differences in administrative and preventive measures, preventive measures, and restorative measures. Features of regulation and application of administrative coercion in the context of different legal traditions.

Topic 2. Administrative Code of the Republic of Belarus, Administrative Code of China and their correlation with the legislation of other countries

The concept, structure and principles of administrative and tort legislation in Belarus and China, its operation in space, in the circle of persons and in time. Peculiarities of interpretation and application of administrative legislation in national legal systems.

Topic 3. Grounds for administrative responsibility and exemption from it: the experience of Belarus, China and international trends

The concept of administrative responsibility in Belarus and China. Exemption from administrative liability in minor cases, under extenuating circumstances or reconciliation of the parties. Comparative analysis of the grounds for exemption from liability in the context of national legislation and international trends.

Topic 4. Administrative offense as a basis of liability: approaches of Belarus, China and other countries

The concept and composition of an administrative offense. The difference between an administrative offense and other types of offenses. Comparison of categories of administrative offenses, their social harmfulness and punishability in Belarus and China with a brief analysis of approaches in the Anglo-Saxon and European legal systems.

Topic 5. Circumstances precluding recognition of an act as an administrative offense: a comparative approach of Belarus, China and international practice

The concept and types of circumstances that exclude the recognition of an act as an administrative offense. Necessary defense, extreme necessity, reasonable risk, and other circumstances. Features of legislative regulation and law enforcement practice in Belarus, China and other countries. Analysis of similarities and differences in approaches to protecting the rights and legitimate interests of citizens.

Topic 6. Administrative penalties: a comparative analysis of the system of Belarus and China

The concept, types and system of administrative penalties in Belarus and China. Features of applying administrative liability measures in different legal systems. Comparative analysis of law enforcement practices and mechanisms for ensuring the effectiveness of penalties.

Topic 7. Imposition of administrative penalties: similarities and differences in the approaches of Belarus, China and other countries

General rules for imposing administrative penalties in Belarus and China. Consideration of mitigating and aggravating circumstances when bringing to administrative responsibility, terms. Comparative analysis of procedures based on international standards and law enforcement practices in Europe and North America.

Topic 8. Procedural and executive law and administrative process: a comparative analysis of Belarus, China and international legal systems

The concept and structure of procedural and enforcement law. The main tasks and sources of procedural and enforcement law in Belarus and China, their correlation with international norms. The concept of administrative process, its content and tasks. Comparative analysis of the stages of the administrative process: initiation of proceedings, consideration, adjudication and execution. Principles of administrative procedure, their similarities and differences in different legal systems.

Topic 9. Participants and stages of the administrative process: comparative approach of Belarus, China and other legal systems

The concept and types of participants in the administrative process. The court, bodies and officials conducting administrative proceedings: their powers, structure and principles of functioning. Participants defending their own or represented rights and interests, their rights and obligations. Circumstances that exclude the possibility of participating in the administrative process.

Stages of the administrative process: initiation of a case, collection of evidence, consideration of the case, making a decision and execution. The role of participants at various stages of the process. Comparative analysis of the Belarusian and Chinese approaches to stages and participation in the administrative process.

EDUCATIONAL AND METHODICAL MAP OF THE ACADEMIC DISCIPLINE "COMPARATIVE ADMINISTRATIVE-TORT LAW"

Full-time advanced higher education program

Section number, topics	Section name, topics	Number of classroom hours					Literature	Form of knowledge control		
		Lectures	Practical classes	Seminar classes	Laboratory classes	Number of hours USR				
						L	Pz/S	lab		
1	Comparative analysis of administrative and legal coercion in Belarus, China and other legal systems	2							[1-3]	Express poll
	Comparative analysis of administrative and legal coercion in Belarus, China and other legal systems			2					[1-3]	Express poll
2	Of the administrative code of the Republic of Belarus, the administrative code of China and their relationship with the laws of other countries	2							[1-3]	test
	Of the administrative code of the Republic of Belarus, the administrative code of China and their relationship with the laws of other countries			2					[1-3]	test
3	Grounds of administrative responsibility and the liberation from it: the experience of Belarus, China and international trends	2							[1-3]	Express poll
	Grounds of administrative responsibility and the liberation from it: the experience of Belarus, China and international trends			2					[1-3]	Express poll
4	Administrative offense as a basis of liability: approaches Belarus, China and other countries	2							[1-3]	test
	Administrative offense as a basis of liability: approaches Belarus, China and other countries			2					[1-3]	test
5	Circumstances excluding recognition of act administrative offence: a comparative approach Belarus, China and international practices	2							[1-3]	Express poll

	Circumstances excluding recognition of act administrative offence: a comparative approach Belarus, China and international practices			2				[1-3]	test
6	Measures of administrative penalties: comparative analysis of Belarus and China	2						[1-3]	test
	Measures of administrative penalties: comparative analysis of Belarus and China			2				[1-3]	test
7	The Imposition of administrative penalties: similarities and differences in the approaches of Belarus, China and other countries	2						[1-3]	Express poll
	The Imposition of administrative penalties: similarities and differences in the approaches of Belarus, China and other countries			2				[1-3]	Express poll
8	Procedural-Executive law and the administrative process: a comparative analysis of Belarus, China and international legal systems	2						[1-3]	test
	Procedural-Executive law and the administrative process: a comparative analysis of Belarus, China and international legal systems			2				[1-3]	test
9	Participants and the stage of the administrative process: comparative approach of Belarus, China and other legal systems	2						[1-3]	express survey
	Participants and the stage of the administrative process: comparative approach of Belarus, China and other legal systems			2				[1-3]	express survey
Total hours		18		18				[1-3]	credit

INFORMATIONAL AND METHODOLOGICAL PART

Literature

Main page:

1. Administrative-tort and procedural-executive law: textbook / edited by L. M. Ryabtsev, O. I. Chupris. - Minsk: Vysheyshaya shkola, 2022. - 463 p. - ISBN 978-985-06-3422-1. - Text: electronic // Lan : electronic library system. - URL: <https://e.lanbook.com/book/275687> (accessed: 22.01.2024). - Access mode: for authorization. users.
2. Administrative-tort and procedural-executive law: textbook : in 2 parts / L. M. Ryabtsev, T. V. Telyatitskaya, O. I. Chupris [et al.]; edited by L. M. Ryabtsev, O. I. Chupris. - Minsk: Vysheyshaya shkola, 2017. - Part 1: Administrative-tort law. - 327 p. - ISBN 978-985-06-2869-5. - Text : electronic // Lan : electronic library system. - URL: <https://e.lanbook.com/book/111321> (accessed: 22.01.2024). - Access mode: for authorization. users.
3. Administrative-tort and procedural-executive law: textbook : in 2 parts / L. M. Ryabtsev, T. V. Telyatitskaya, O. I. Chupris [et al.]; edited by L. M. Ryabtsev, O. I. Chupris. - Minsk: Vysheyshaya shkola, 2017. - Part 2: Procedural-executive law. - 239 p. - ISBN 978-985-06-2887-9. - Text : electronic // Lan : electronic library system. - URL: <https://e.lanbook.com/book/111323> (accessed: 22.01.2024). - Access mode: for authorization. users.

Additional information:

4. Administrative law in 2 parts 2. Administrative-tort and procedural-executive law / I. V. Kozeletsky et al., ed. by I. V. Kozeletsky, A. I. Sukharkova. - Minsk. Academy of the Ministry of Internal Affairs, 2013, 438 p.
5. Administrative law. Part 2. Administrative and tort law. The special part. / under the general editorship of A. N. Kramnik. Minsk: BSU Publishing Center, 2012, 394 p.
6. Anikeenko Yu. B., Novoselova N. V. Administrativno-tort'nom pravo : uchebnoe posobie [Administrative and tort law : a textbook] / Yu. B. Anikeenko, N. V. Novoselova ; under the general editorship of S. D. Khazanov. — Moscow: INFRA-M, 2024. — 293 p. — (Higher education). — DOI 10.12737/1018189. - ISBN 978-5-16-019209-3. - Text: electronic. - URL: <https://znanium.com/catalog/product/2095999> (accessed: 22.01.2024). - Access mode: by subscription.
7. Bahrakh, D. N. Administrative responsibility: textbook. manual for the courses "Adm. Responsibility", "Adm. jurisdiction" / D. N. Bakhrakh. - Moscow: Yurisprudentsiya, 1999. - 110 p.
8. Vasilevich G. A., Vasilevich S. G. Administrativnaya otvetstvennost' za narushenie prav i svobody cheloveka i grazhdana [Administrative responsibility for violation of human and civil rights and freedoms].
9. Vasilevich S. G. Teoriya i praktika napravleniya administrativnykh vyzganiy materialnogo kharaktera po zakonodatel'stva Respubliki Belarus [Theory and practice of imposing administrative penalties of a material nature under the legislation of the

Republic of Belarus]. Minsk: Pravo i ekonomika, 2011, 194 p. (in Russ.)

10. Vasilevich S. G. Aktual'nye problemy administrativno - tortnogo prava na sovremenном etape [Actual problems of administrative and tort law at the present stage].

11. Zabelov S. M. , Ignatyuk A. Z., Hasanov A. P. Administrative-tort and procedural-executive law : a practical course for students of higher education institutions who master the educational program of higher education of the first stage in the specialty 1-26 01 02 "Public Administration and Law" / S. M. Zabelov, A. Z. Ignatyuk, A. P. Hasanov ; Academy of Management under the President of the Republic of Tatarstan. Belarus. – Minsk : Academy of Management under the President of the Republic of Belarus, 2022–, 135 p.

12. Ignatyuk A. Z. Administrativno-tort'nom pravo i administrativnyy protsess : posobie [Administrative and tort law and administrative process: a manual]. – Minsk : Narodnaya asveta Publ., 2022–, 263 p. (in Russian)

13. Kirin A.V. Administrativno-tort'noe pravo : uchebnik [Administrative and tort law: textbook]. Moscow: Publishing House of the Higher School of Economics, 2023, 545 p. (Textbooks of the Higher School of Economics). - Access mode: by subscription. - URL: <https://biblioclub.ru/index.php?page=book&id=708118> (accessed: 22.01.2024). - Bibliogr. in the book-ISBN 978-5-7598-2314-8 (in translation) -- ISBN 978-5-7598-2873-0 (e-book). - DOI 10.17323/978-5-7598-2314-8. - Text: electronic.

14. Kramnik A. N., Kramnik N. A., Sadovskaya A. A. Administrativnaya otvetstvennost ' za otrazhdeniya protiv poryadka upravleniya [Administrative responsibility for offenses against the order of management]. - Minsk: 2013. - 184 p.

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- URL: <https://biblioclub.ru/index.php?page=book&id=573135> (accessed: 22.01.2024). - ISBN 978-985-7081-93-6. - Text: electronic.

21. Chupris O. I., Hasan L. I. Teoriya meri administrativnogo vzaimaniya i ee normativno-pravovaya realizatsiya [Theory of administrative recovery measures and its regulatory implementation]. Minsk: BSU Publ., 2014, 99 p. (in Russian)

Regulatory legal acts:

1. Constitution of the Republic of Belarus of 1994 (with amendments and additions adopted at republican referendums on November 24, 1996, October 17, 2004 and February 27, 2022). Minsk: National Center for Legal Information, 2024. 80 p.
2. Code of Administrative Offences of the Republic of Belarus: Code of the Republic of Belarus on Administrative Offences. Belarus, 6 Jan. 2021, No. 91-3, with amendments and additions // ETALON [Electronic resource] / National Center of Legal Information. Rep. Belarus. - Minsk, 2024.
3. Procedural and Executive Code of the Republic of Belarus on Administrative Offenses: Code of the Republic of Belarus on Administrative Offenses. Belarus, 6 Jan. 2021, No. 92-3, with amendments and additions // ETALON [Electronic resource] / National Center of Legal Information. Rep. Belarus. - Minsk, 2024.

List of questions for conducting the test

1. Administrative and legal coercion as a means of combating offenses in Belarus, China, and the countries of the continental and Anglo-Saxon legal systems.
2. The concept, structure and principles of administrative and tort legislation in Belarus and China, its operation in space, in the circle of persons and in time.
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11. The concept of administrative process, its content and tasks.
12. Comparative analysis of the stages of the administrative process: initiation of proceedings, consideration, adjudication and execution.
13. Principles of administrative procedure, their similarities and differences in different legal systems.
14. The concept and types of participants in the administrative process.
15. The court, bodies and officials conducting administrative proceedings: their powers, structure and principles of functioning.
16. Participants defending their own or represented rights and interests, their rights and obligations.
17. Stages of the administrative process.
18. The role of participants at various stages of the administrative process. Comparative analysis of the Belarusian and Chinese approaches to stages and participation in the administrative process.

Organization of independent work of undergraduates

To obtain competencies in an academic discipline, an important stage is the independent work of undergraduates.

A full-time student is allowed to work independently for 54 hours.

The content of independent work of students includes all the topics of the discipline from the section "Content of educational material".

When studying an academic discipline, the following forms of independent work are used:

- in-depth study of sections, topics, individual questions, and concepts;
- preparation for completing test tasks;
- preparation for passing the intermediate certification.

Quality control of knowledge acquisition

Diagnostics of the quality of knowledge acquisition is carried out within the framework of current control and intermediate certification.

Ongoing monitoring activities are carried out during the semester and include the following forms of monitoring:

- test;
- express survey during classroom sessions.

The current assessment in the academic discipline is conducted three times a semester.

The results of the current assessment for the semester, obtained during the activities of the current assessment, are evaluated by a mark in points on a ten-point scale and are reflected in the statement of the current assessment in the academic discipline.

Requirements for students passing the intermediate certification.

Students are admitted to the intermediate certification in the academic discipline, provided that they successfully pass the current certification (implementation of current control measures) in the academic discipline provided for in the current semester by this curriculum.

Intermediate certification is carried out in the form of a test.

Methodology for forming a grade for an academic discipline

In accordance with the Regulation on the rating system for assessing the knowledge, skills and abilities of BGEU master's students.

**PROTOCOL FOR APPROVING THE CURRICULUM
WITH OTHER ACADEMIC DISCIPLINES OF THE SPECIALTY**

Name of the academic discipline to be studied approval required	Title departments	Offers about changes in the curriculum content institutions of higher education in the academic discipline	The decision made by the department that developed the curriculum (with the date and time of its publication). protocol numbers)
Law-making by representative, executive, and judicial authorities	Theory and history of law	D. B. Evgenova <i>Б</i> There are no comments or suggestions	. N12 12. 05. 2025
Current problems of regulation and implementation of public law relations			