**Differences and similarities between the legal systems of the country of origin and the host country**

1. **Regarding the structure and objectives of the State, the regulatory system, and the jurisdictional function.**
	1. **Spanish legal system**

Spain is a social and democratic state of law organized in the form of a parliamentary monarchy. The constitution guarantees the principle of legality, normative hierarchy and legal certainty. Likewise, the said constitution recognizes liberty, equality, justice, and political pluralism as superior values.

On the other hand, the Spanish legal system is established hierarchically. Therefore, at the top of the legal pyramid is the 1978 Political Constitution. At a lower level are the laws, both organic and ordinary, which share their position with decree-laws and legislative decrees. Finally, at the base of the legal system are the regulations and other decentralized or territorial norms.

Similarly, justice is administered in the name of the king. The Spanish judiciary is independent and organized hierarchically. Likewise, the Spanish judicial system is unitary, as the autonomous communities do not have jurisdictional functions as such.

Additionally, the Spanish judicial system is composed of the Supreme Court, the High Courts of Justice, the National Court, and the Courts. Likewise, the system combines unity with decentralization[[1]](#footnote-2), allowing the autonomous communities to have competencies so that, in their respective territorial areas, they ensure the material conditions that allow for a complete administration of justice.[[2]](#footnote-3)

The Supreme Court, with jurisdiction throughout Spain, is the highest judicial body in civil, criminal, administrative, and social matters, whose role is the interpretation of Spanish jurisprudence. For its part, the Constitutional Court has jurisdiction throughout the Spanish territory and handles the appeal of unconstitutionality, the appeal for protection, and competence conflicts between the State and the Autonomous Communities or among the Autonomous Communities themselves.

From a territorial point of view, *“the judiciary is divided into municipalities, judicial districts that consist of one or more neighboring municipalities, provinces, and autonomous communities”[[3]](#footnote-4),* each of which has a high court of justice.

For its part, the jurisdictional function corresponds to the *“jurisdictional orders”* (civil, criminal, administrative, and social), whose governance is entrusted to the General Council of the Judiciary, and the legislative competence belongs to the General Courts.[[4]](#footnote-5)

* 1. **Colombian legal system**

Colombia, just like Spain, is a Social and Democratic State of Law.[[5]](#footnote-6) "However, unlike what happens there, the Colombian State is organized as a unitary, decentralized republic with -administrative- autonomy of its territorial entities, democratic, participatory, and pluralistic.[[6]](#footnote-7) The Colombian State is based *“on respect for human dignity, work, and the solidarity of the people who make it up, and the prevalence of the general interest”.[[7]](#footnote-8)*

Similarly, it is evident that the essential purposes of the State are different, as in Colombia they are *“to serve the community, promote general prosperity and guarantee the effectiveness of the principles, rights, and duties enshrined in the Constitution; to facilitate the participation of all in the decisions that affect them and in the economic, political, administrative, and cultural life of the Nation; to defend national independence, maintain territorial integrity, and ensure peaceful coexistence and the validity of a just order”.[[8]](#footnote-9)*

On the other hand, just like the Spanish legal system, the Colombian legal system is hierarchically organized. Therefore, the main norm is the 1991 Political Constitution, followed by laws (statutory, organic, and ordinary) and decrees (executive, regulatory, and law).

Similarly, unlike the Spanish system, justice in Colombia is administered in the name of the Republic and by authority of the Law. On the other hand, in Colombia, as in Spain, the Judicial Branch, although part of the public power, is also autonomous and independent[[9]](#footnote-10) and operates throughout the national territory.

The Colombian judicial system includes various jurisdictions[[10]](#footnote-11), each of which has been assigned different competencies. Among these, the ordinary jurisdiction is responsible for resolving disputes in civil, criminal, commercial, labor, and family matters. The contentious-administrative jurisdiction, which resolves administrative disputes arising from the activities of public entities, as well as from individuals performing functions typical of the different state bodies; the constitutional jurisdiction, which ensures the protection of fundamental[[11]](#footnote-12) rights and the safeguarding of the Constitution[[12]](#footnote-13); the indigenous jurisdiction, which, by virtue of the principle of ethnic and cultural diversity contained in Article 7[[13]](#footnote-14) of the Constitution, allows indigenous authorities to exercise jurisdictional functions in their territories in accordance with their norms and procedures; the military criminal jurisdiction, which investigates and judges punishable conduct committed by members of the armed forces on active duty and in relation to the same.

Unlike Spain, in Colombia, the governance and judicial administration are entrusted to the Superior Council of the Judiciary[[14]](#footnote-15). Similarly, the legislative initiative is headed by the Constitutional Court, the Superior Council of the Judiciary, the Supreme Court of Justice, the Council of State, the National Electoral Council, the Attorney General of the Nation, and the Comptroller General of the Republic, who have the authority to present bills to the Congress of the Republic on matters related to their functions.

1. **Regarding the competencies of the contentious-administrative jurisdictions.**

Regarding administrative jurisdictions, it is evident that both in Spain and Colombia there are specialized jurisdictions that handle administrative disputes.

* 1. **Spanish legal system**

In Spain, the Courts and Tribunals of the contentious-administrative jurisdiction handle claims related to the actions of public administrations subject to Administrative Law. In this regard, this jurisdiction handles matters concerning the judicial protection of fundamental rights and the determination of appropriate compensations in cases related to the acts of the Government or the Governing Councils of the Autonomous Communities[[15]](#footnote-16); the acts and provisions of public law corporations; administrative contracts; and the patrimonial liability of public administrations.

* 1. **Colombian legal system**

In Colombia, the Contentious-Administrative Jurisdiction handles, in addition to what is provided in the Political Constitution and special laws, disputes arising from acts, contracts, facts, omissions, and operations subject to administrative law, involving public entities or individuals performing administrative functions. It also deals with matters related to the non-contractual liability of any public entity and disputes concerning contracts, regardless of their regime, involving a public entity or an individual acting in the exercise of state functions[[16]](#footnote-17).

1. **Regarding the organization and functioning of the contentious-administrative jurisdictions.**
	1. **Spanish legal system**

The contentious-administrative jurisdiction in the Spanish legal system is composed of the following judicial bodies: a) Administrative-Contentious Courts; b) Central Administrative-Contentious Courts; c) Administrative-Contentious Sections of the High Courts of Justice; d) Administrative-Contentious Section of the National Court; and e) Administrative-Contentious Section of the Supreme Court.

The Administrative-Contentious Courts are responsible for resolving administrative-contentious appeals against acts expressly assigned to them by law in the first or only instance (Art. 91, Organic Law of the Judiciary).[[17]](#footnote-18)

The Central Administrative-Contentious Courts handle acts issued by Ministers and Secretaries of State, unless they confirm on appeal, oversight, or guardianship; administrative-contentious appeals filed against general provisions and acts issued by public bodies with their own legal personality and entities belonging to the state public sector with nationwide competence; and appeals against resolutions issued by Ministers and Secretaries of State.

Similarly, within the autonomous community order, there are the Administrative-Contentious Chambers of the High Courts of Justice, which assume, among other competencies, those related to appeals concerning acts of autonomous administrations and local entities that are not assigned to lower courts (Art. 74).[[18]](#footnote-19)

Likewise, at the state or national level, there is the Administrative-Contentious Chamber of the National Court, which handles, among other things, appeals on acts of Ministers and Secretaries of State that do not correspond to the Central Courts (Art. 66)[[19]](#footnote-20), and the Administrative-Contentious Chamber of the Supreme Court, with exclusive jurisdiction over appeals against acts and provisions of the Council of Ministers, the General Council of the Judiciary, and other high state instances (Art. 58)[[20]](#footnote-21).

* 1. **Colombian legal system**

In Colombia, according to Article 106 act 1437 of 2011, the administrative jurisdiction is structured into three hierarchical levels, according to the territorial division established by the Superior Council of the Judiciary[[21]](#footnote-22) in judicial districts. Thus, it is composed of: a) Administrative Courts; b) Administrative Tribunals; and c) Council of State.

Firstly, at the local level, there are the administrative courts[[22]](#footnote-23), which handle in the first instance, among other matters, the annulment of administrative acts issued by district and municipal officials or bodies; nullity and reinstatement of labor rights cases that do not stem from an employment contract; those related to contracts, regardless of their regime, involving a public entity in the corresponding order or an individual performing state functions, based on the amount; and direct reparation cases, including those arising from the actions or omissions of judicial agents, also considering the amount.

Secondly, at the departmental level, there are the Administrative Tribunals[[23]](#footnote-24), which handle, among other matters, in the first instance, actions for annulment against acts issued by departmental entities; those related to national, departmental, municipal, or district taxes, contributions, and fees; those related to contracts involving a public entity or an individual performing public functions; direct reparation cases, including those arising from the actions or omissions of judicial agents, considering the amount; those related to the protection of collective rights and interests and compliance; compensation for damages caused to a group; annulment actions against resolutions granting vacant lands; acts related to the expropriation under agrarian laws and administrative expropriation; and administrative acts of domain extinction; property clarification, boundary demarcation, and recovery of vacant lands.

In the second instance, the tribunals handle appeals against judgments issued in the first instance by administrative judges, as well as appeals against orders issued by them that are subject to such appeals, and complaints filed in case the appeal is not granted or is granted in a different effect than appropriate.

Lastly, the Council of State primarily performs the following functions: it is the advisory body to the government, the supreme judge of contentious-administrative matters[[24]](#footnote-25), and as such, the final judicial authority. As the supreme judge of contentious-administrative matters[[25]](#footnote-26), this Corporation handles in the first instance, among other matters, the annulment of administrative acts issued by national authorities, or by individuals or private entities performing administrative functions; the annulment of the electoral act that declares the results of the referendum, the plebiscite, and the national popular consultation; with a guarantee of double conformity, the repetition action exercised by the State against the President of the Republic, congressmen, ministers, administrative department directors, Attorney General of the Nation, Comptroller General of the Republic, Prosecutor General of the Nation, high court magistrates, National Civil Registry, Auditor General of the Republic, magistrates of the superior district courts, administrative tribunals, sectional judicial discipline commissions, sectional judiciary councils, the Superior Military Court, and others; and the annulment of arbitral awards issued in conflicts arising from contracts entered into by a public entity.

In the second instance, the Council of State handles appeal against judgments issued in the first instance by administrative tribunals and appeals against orders issued by them that are subject to this means of appeal. Among the matters handled by the Council of State, notable issues include the contractual and non-contractual liability of the State; protection of collective rights and interests; damages caused to a group; class actions; agrarian, mining, and oil-related issues; expropriation under agrarian laws and administrative expropriation; administrative acts of domain extinction; property clarification, boundary demarcation, and recovery of vacant lands.

1. **Regarding the procedures and applicable legal norms.**

**4.1. Spanish legal system**

Law 29 of 1998, which regulates the Spanish Contentious-Administrative Jurisdiction, establishes a specialized judicial system that allows citizens to challenge acts, provisions, and omissions of public administrations that they consider harmful to their rights and legitimate interests. In this way, it seeks to ensure effective control over the legality of administrative actions. Regarding its main aspects, the law defines the competence and organization of contentious-administrative courts and outlines the procedures to be followed for the filing and processing of appeals. It also details the types of appeals that can be filed and the precautionary measures that can be taken to avoid irreparable damage during the judicial process. Finally, it regulates the enforcement of the judgments issued by these courts, thus ensuring that judicial decisions are complied with.

In the first final provision of the aforementioned law, it is stated that, in matters not provided for there, the Civil Procedure Law, contained in Law 1 of 2000, shall apply subsidiarily.

The Administrative-Contentious Chamber of the Supreme Court[[26]](#footnote-27) also has the competence to process administrative-contentious appeals against acts and provisions of the Council of Ministers, the Government's Delegated Commissions, and the General Council of the Judiciary, as well as those issued by other state bodies, and cassation and review appeals under the terms provided by law.

**Furthermore, regarding the cassation appeal**[[27]](#footnote-28)**, it is evident that this mechanism is designed to challenge, among other decisions, judgments issued in single instance** by the contentious-administrative courts, and in single instance or on appeal by the contentious-administrative chamber of the National Court or the contentious-administrative chambers of the High Courts of Justice. Some orders issued by these last two judicial bodies are also subject to this appeal, such as those that reject the administrative-contentious appeal or make its continuation impossible, those that terminate precautionary measures, and those related to the enforcement of the judgment (in matters not decided in it).

In the case of judgments issued by the courts, their admissibility is conditioned on the fact that the censured decision can be extended in its effects and contains doctrine that is seriously harmful to the general interests. In the case of judgments issued by the High Courts of Justice, their admissibility is subject to the condition that it is based on a possible infringement of state or European Union law, that this infringement was decisive in the ruling, and that such laws were timely invoked in the process or considered by the chamber.

Regarding the admissibility of the appeal, the Supreme Court verifies that it presents an 'objective cassational interest for the formation of jurisprudence,' resulting in a fairly formal and strict selection system for the admissibility of the appeal, for which the law provides the events in which its existence can be predicted, including that the challenged provision establishes an interpretation of state or European Union law that contradicts that of other judicial bodies (in substantially similar matters), affects multiple similar situations, or misinterprets or misapplies a constitutional doctrine. The law also provides for cases in which it is valid to presume the existence of such cassational interest, such as when the reason for the decision is based on norms for which there is no jurisprudence, or when the decision under appeal deliberately deviates from existing jurisprudence without reason or by considering it erroneous, even when it was debated or is an established doctrine.

Regarding the content of the cassation judgment, if it is deemed admissible, the law states that the decision will establish the interpretation of state norms or the established interpretation if they are European Union norms and, based on other applicable norms, will resolve the issues and claims raised. Consequently, it may confirm the judgment or the appealed order, annul them in whole or in part, or even order the 'retroaction' of proceedings to a specific procedural moment in the respective instance.

Additionally, the law[[28]](#footnote-29) provides for the review of final judgments under precise grounds, which include the recovery of decisive documents that were not submitted in the process due to force majeure or by the actions of the party favored by the judgment, the existence of documents recognized or declared as false after the judgment or with the ignorance of one of the parties, the verification of a conviction for false testimony against those who testified in the process, or the finding of bribery, prevarication, violence, or other fraudulent maneuvers. According to the civil procedure law[[29]](#footnote-30), to which Law 29 of 1998 refers[[30]](#footnote-31), if the court deems the review admissible, it will declare so and may rescind the challenged judgment.

This appeal is also valid against final judicial decisions regarding which the European Court of Human Rights has declared were issued in violation of a right recognized in the European Convention on Human Rights and Fundamental Freedoms and its protocols, provided that such violation, due to its nature and severity, involves effects that persist and cannot cease except by virtue of judicial review.

**4.2. Colombian legal system**

In Colombia, the procedural law applicable to contentious-administrative matters is the Code of Administrative Procedure and Administrative Litigation (Law 1437 of 2011), which establishes the regulatory framework for procedures before the contentious-administrative jurisdiction. Furthermore, Article 306 of the aforementioned code stipulates that, in aspects not regulated by the mentioned statute, the provisions of the General Code of Procedure (Law 1564 of 2012) will apply subsidiarily.

In the Colombian legal system, the Council of State, unlike the Administrative Litigation Chamber of the Spanish Supreme Court, operates as a high court that independently and autonomously exercises its consultative and judicial functions with its own distinct criteria from those applied in other judicial bodies of the same nature. Likewise, in the Spanish legal system, the Council of State only acts as an advisory body to the Government, as it does not have judicial functions.

The Colombian Council of State is the supreme administrative litigation court and[[31]](#footnote-32), as such, it is clear that it constitutes an instance court and not a cassation court, as it has the power to process and decide only the matters indicated in the law in a single instance -in some cases with the guarantee of double conformity- or in the second instance as an appellate judge of orders and judgments in processes with a vocation for double instance. However, the Colombian contentious-administrative regulations do offer a procedural mechanism that, proportionally speaking, pursues similar aims to the cassation appeal regulated in the Spanish legal system regarding the need to establish jurisprudence in the interpretation and application of the law.

Thus, within the framework of the function of the Full Chamber of Administrative Litigation of the Council of State, which is to unify or establish jurisprudence in matters of legal importance or economic or social significance[[32]](#footnote-33), the legislator designed the extraordinary appeal for the unification of jurisprudence. This seeks to ensure unity in the interpretation of the law and its uniform application, as well as to guarantee the rights of the subjects harmed by the reproached provision[[33]](#footnote-34). This means of appeal will be known by the respective Section of the Administrative Litigation Chamber, in accordance with the specialty of the matter in question.[[34]](#footnote-35)

The admissibility of this extraordinary appeal[[35]](#footnote-36) requires that it be directed against judgments issued in a single instance and in the second instance by the administrative courts and that, if the contested decision is of an economic nature, a certain amount is met according to the nature of the process (except in labor and pension matters). For its admission[[36]](#footnote-37), in addition to the formal requirements, it is necessary to indicate the opposed unification ruling and the reasons why it is considered that the questioned decision should have been different according to the unification criterion defined there.

Regarding the content of the judgment[[37]](#footnote-38) that resolves the extraordinary appeal, if the conditions are met, in the event of it being upheld wholly or partially, the Chamber is authorized to annul the relevant part of the challenged ruling and even issue a replacement judgment and adopt the corresponding decisions. If, additionally, the annulled ruling was enforced, the Chamber can nullify the procedural acts carried out for that purpose and order the lower court judge to proceed with the restitutions and other measures as appropriate.

Moreover, the contentious-administrative statute also provides for a procedural instrument with the capacity to alter the res judicata attribute of final judgments, which is the extraordinary appeal for review.[[38]](#footnote-39) The Council of State is also responsible for this through the Full Chamber of Administrative Litigation if the judgment was issued by a section or subsection of the Corporation; or through the relevant section or subsection according to the matter if it is a judgment issued by an administrative court.[[39]](#footnote-40)

Among the grounds for which this appeal is admissible, regulated in a precise and exhaustive manner, are some similar to those provided in the Spanish legal system, such as the recovery of decisive documents that would have led to a different determination and could not be submitted due to force majeure, a fortuitous event, or the actions of the opposing party; the existence of false documents that served as the basis for the ruling; and the verification of a criminal conviction against experts for crimes committed in reports rendered in the process, or one imposed for violence or bribery in delivering the judgment, among others.

Depending on the established ground, if applicable, the Chamber may invalidate the judgment under review and issue the one that corresponds by law, in which case it will resolve the restitutions, damages, profits, and other consequences arising from the decision.[[40]](#footnote-41)

1. **Other aspects**
	1. **Spain**

Spain is a Parliamentary Monarchy where the King acts as the Head of State, as established in Title II of the Constitution, titled "of the Crown." In this framework, it is stipulated that "the King reigns, but does not govern," which means that although the monarch is the Head of State, they do not hold executive power. The King’s role is limited to being a symbol of national unity, exercising the faculties granted by the 1978 Constitution to develop representative, political, and ceremonial acts.[[41]](#footnote-42)

Thusly, the Spanish government, like any executive body, has the faculty to issue decrees and regulations. Its actions must adhere to the principles of objectivity, efficiency, coordination, compliance with the legal framework, and respect for established rights, as outlined in the Constitution. Furthermore, the Constitution mandates that the Government be organized hierarchically, decentralized, and deconcentrated.

In Spain, the process of electing the President of the Government is indirect and is governed by the 1978 Constitution. General elections are held approximately every four years, in which Spanish citizens elect the members of the Congress of Deputies and the Senate who, once elected, meet to form the General Courts. Subsequently, the King, after consulting with the representatives of the parliamentary political groups, proposes a candidate for the Presidency of the Government.

In view of the above, the designated candidate presents their political program before the Congress of Deputies and requests the confidence of the Chamber. Then, a vote is carried out in which the candidate must obtain an absolute majority of the votes to be invested as president. If the candidate does not obtain this absolute majority in the first vote, a second vote will be held 48 hours later, in which a simple majority will suffice for their investiture. If the candidate fails to obtain the confidence of the Congress in the previous votes, new proposals will be processed in accordance with the same procedure. However, if after two months from the first investiture vote none of the candidates has obtained the confidence of the Congress, the King will proceed to dissolve both Chambers and call new elections.

**5.2. Colombia**

In contrast, in Colombia the executive branch is one of the three branches of public power, along with the legislative and judicial branches. Its structure is oriented towards a presidential system and is divided into three levels: national, departmental, and municipal or district. At the national level, it includes the President of the Republic, the Vice President, the ministers, the directors of administrative departments, and the superintendencies. At the departmental level, it is composed of the governorates and the cabinet secretaries. Finally, at the municipal or district level, it includes the mayors and their cabinet secretaries.

Unlike in Spain, the President of the Republic is the head of the executive branch, acting as Head of State, Head of Government, and the highest administrative authority. Among his most important functions are representing the country internationally and signing treaties with other countries, freely appointing and dismissing ministers and directors of administrative departments, directing the public force and acting as Supreme Commander of the Armed Forces, promulgating, obeying and sanctioning laws, and presenting the National Development Plan to Congress.

On the other hand, to be elected President of Colombia, certain requirements must be requirements: being Colombian by birth, a citizen in exercise, and over thirty years old at the time of the election.

The Colombian electoral process has marked differences compared to the Spanish one. Firstly, it begins with the call for elections, made by the National Civil Registry. Political parties and significant citizen movements register their candidates with the Registry. During the electoral campaign, candidates present their proposals and seek to gain voter support through debates, interviews, and public events.

In the first round of elections, citizens vote for their preferred candidate. If a candidate obtains more than 50% of valid votes, they are declared the winner. If no candidate secures more than 50% of votes in the first round, a second round is held between the two candidates with the highest number of votes. The candidate who receives the majority of votes in this second round is elected President.

The elected President takes office on August 7 following the election. During the inauguration ceremony, the President is sworn-in before Congress and officially assumes their duties.[[42]](#footnote-43)

1. ESCOBAR ROCA, Guillermo. Law, Between Power and Justice: A Critical Introduction to the Spanish Legal System. Tirant lo Blanch, 2017. [↑](#footnote-ref-2)
2. Organic Law on The Judiciary. Law 6 of 1985. *“Article 438 (...) 3. The Ministry of Justice and the Autonomous Regions, in their respective territories, will have competence to design, create and organise the general procedural services, charged with registration and distribution duties, acts of communication, judicial assistance, the enforcement of judicial rulings, non-adversarial proceedings, mediation and procedural organisation (...)”.* [↑](#footnote-ref-3)
3. VARGAS, Ligia María. The Subjective Element of Crime in the Rome Statute: A Comparative Criminal Law Analysis. Bogotá: Universidad de los Andes, 2020. p. 98. [↑](#footnote-ref-4)
4. Op. cit. Pág. 99. [↑](#footnote-ref-5)
5. Art 1 Political Constitution of Colombia 1991. [↑](#footnote-ref-6)
6. Ibídem. [↑](#footnote-ref-7)
7. Ibídem. [↑](#footnote-ref-8)
8. Art 2 Political Constitution of Colombia 1991. [↑](#footnote-ref-9)
9. Art 228 Political Constitution of Colombia 1991 and Art 5 of Law 270 of 1996. [↑](#footnote-ref-10)
10. Art 11- 12 of Law 270 of 1996. [↑](#footnote-ref-11)
11. LÓPEZ DAZA, Germán Alfonso. Fundamentals of Colombian Constitutional Law. Tirant lo Blanch, 2023. [↑](#footnote-ref-12)
12. Art 241 Political Constitution of Colombia 1991. [↑](#footnote-ref-13)
13. *"Article 7. The State recognizes and protects the ethnic and cultural diversity of the Colombian Nation."* [↑](#footnote-ref-14)
14. Art 254 Political Constitution of Colombia 1991 and Art 75 of Law 270 of 1996. [↑](#footnote-ref-15)
15. Law 29 of 1998. [↑](#footnote-ref-16)
16. #  Administrative Litigation and Contentious Act. *“Article 104. Of the jurisdiction of contentious administrative: The Jurisdiction of contentious Administrative is established to hear, in addition to the provisions of the Political Constitution and in special laws, controversies and litigation arising from acts, contracts, facts, omissions. and operations, subject to administrative law, in which public entities are involved, or individuals when they exercise an administrative function.*

# *You will also learn about the following processes:*

# *1. Those related to the extracontractual liability of any public entity, whatever the applicable regime.*

# *2. Those relating to contracts, whatever their regime, in which a public entity or an individual in the exercise of State functions is a party. (…)”*

 [↑](#footnote-ref-17)
17. Act 6 of 1985. *”Article 91. 1. Contentious administrative courts will hear in sole or first instance contentious administrative appeals against administrative resolutions in the terms provided by the law.*

*2. It also falls to the Administrative Courts to authorise, via a ruling, entry into homes and other buildings and areas wherein access requires the consent of the owner, where such action is required for the enforcement of the acts of the Administration, except in the case of the enforcement of measures for the protection of minors issued by the Public Body with competence in this area.”* [↑](#footnote-ref-18)
18. Act 6 of 1985. “*Article 74. 1. Contentious administrative divisions of the High Courts of Justice will also hear in sole instance appeals against:*

*a) Acts by the Local Councils and the administrative bodies of the Autonomous Regions when their cognizance is not vested in the Contentious Administrative Courts.*

*b) General provisions issued by the Autonomous Regions and Local Councils”* [↑](#footnote-ref-19)
19. Organic Law on The Judiciary. Law 6 of 1985. *The Contentious Administrative Division of the Audiencia Nacional will hear the following matters:*

*a) In sole instance, administrative appeals against legal provisions and acts by Cabinet Ministers and State Secretaries which cognizance the law has not vested in the Central Contentious- Administrative Courts.*

*b) In sole instance, administrative appeals against decisions by the Supervisory Committee of Terrorism Financing Activities. It will also hear of any envisaged extension of the terms submitted by the aforementioned Supervisory Committee applicable to the measures foreseen in Article 1 and 2 of Spanish Act 12/2003 - Prevention and Blockage of Terrorist Activities.*

*c) Cognizance of appeals against resolutions given by the Central Contentious-Administrative Courts when so established by law.*

*d) Appeals which are not heard in the High Courts of Justice regarding Agreements entered into by the Public Authorities and resolutions from the Central Comptroller Court and any other*

*e) Conflicts of jurisdiction between the Central Contentious Administrative Courts and other exceptional appeals vested in this judicial body by law”.* [↑](#footnote-ref-20)
20. PARADA VÁZQUEZ, José Ramón. Administrative Law: General Part. Madrid, Marcial Pons, 1990. 3 vols. [↑](#footnote-ref-21)
21. Article 50 act 270 of 1996. [↑](#footnote-ref-22)
22. Articles 154 and 155 act 1437 of 2011. [↑](#footnote-ref-23)
23. Articles 151 to 153 act 1437 of 2011. [↑](#footnote-ref-24)
24. Article 107 act 1437 of 2011. [↑](#footnote-ref-25)
25. Articles 149 and 150 act 1437 of 2011. [↑](#footnote-ref-26)
26. Article 12 of act 29 of 1998. [↑](#footnote-ref-27)
27. Articles 86 act 29 of 1998. [↑](#footnote-ref-28)
28. Article 102 act 29 of 1998. [↑](#footnote-ref-29)
29. Article 516 act 1 of 2000. [↑](#footnote-ref-30)
30. Article 102 act 29 of 1998. *“3. With regard to standing, time limits, procedure, and the effects of judgments issued in this review procedure, the provisions of the Civil Procedure Law shall apply (...)”.* [↑](#footnote-ref-31)
31. Article 237 (paragraph 1) of the Political Constitution of Colombia 1991 and Article 107 act 1437 of 2011. [↑](#footnote-ref-32)
32. Articles 111 (paragraph 3) and 271 act 1437 of 2011. [↑](#footnote-ref-33)
33. Article 256 act 1437 of 2011. [↑](#footnote-ref-34)
34. Article 259 act 1437 of 2011. [↑](#footnote-ref-35)
35. Article 257 act 1437 of 2011. [↑](#footnote-ref-36)
36. Articles 258 and 262 act 1437 of 2011. [↑](#footnote-ref-37)
37. Article 267 act 1437 of 2011. [↑](#footnote-ref-38)
38. Article 248 act 1437 of 2011. [↑](#footnote-ref-39)
39. Article 249 act 1437 of 2011. [↑](#footnote-ref-40)
40. Article 255 act 1437 of 2011. [↑](#footnote-ref-41)
41. FRAGA IRIBARNE, Manuel. Political Structure of Spain. Madrid: Doncel, 1966. [↑](#footnote-ref-42)
42. GUILLÉN MARTÍNEZ, Fernando. Political Power in Colombia. Bogotá: Editorial Planeta, 2017. [↑](#footnote-ref-43)