



Acción popular de moralidad administrativa [

2010

text (article)

Analítica

Popular Action of Administrative Morality is an act of constitutional origin (art. 88) that has a legal development to the issuance of Law 472 of 1998, which had within its features a financial incentive of 15%, which was eliminated by the last section of Law 1425 of 2010. Among the reforms proposed in the new Code of Administrative overcome is the jurisprudential debate whether through action or actions may void contracts, which entry is forbidden by Article 144 of Act 1437 of 2011, which also establishing a procedural requirement, where the plaintiff must first contact the entity and addressing potential violation of collective rights. The case law has defined administrative morality as the right of the community to which public property is managed in accordance with current legislation, with due diligence and proper care of a good official. Although the State Councils position is that it is possible the accumulation process, we believe it may be reviewable by eliminating the economic incentive. Additionally, the doctrine of contentious court finds that the class action to have a legal order to protect the collective right, make it autonomous from other activities and also has a main character for that very reason. The management within the public administration can sacrifice principles for the implementation of others when you are running a standard, to that extent, or made an improper administration weighting and then the judge can deprive people of validity, or otherwise The popular judge may conclude that there was only one solution weighting, and in case if there are several possible solutions with the weight requirement, the court shall not substitute popular decision in favor of one of them and in this be respected if taken by the administration. Another case deals with the weighted criterion when making a decision to protect a collective right, when faced principles where none is absolute they are upholding legal institutions and popular judge must decide

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