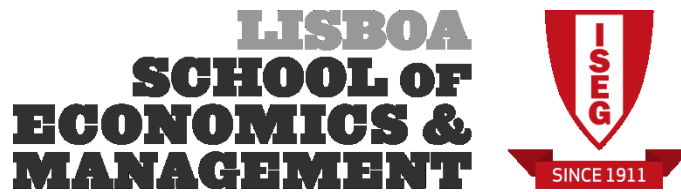


UNIVERSIDADE DE LISBOA  
INSTITUTO SUPERIOR DE ECONOMIA E GESTÃO



EXERCISES

CHAPTER III

**Which branches of Law are applicable to the following situations?**

1. By means of Decree-law no. 100-B/2004 of 22 December, the Head of State dissolved the Parliament.
2. In order to ensure effective protection, administrative courts may “ex officio” set a deadline for the fulfillment of the duties that they entail the Administration and implement, when necessary, compulsory pecuniary sanctions.
3. In observance of the principle of separation and interdependence of powers, administrative courts rule about the compliance of binding rules and legal principles by the Administration, and not about the convenience or expediency of its actions.
4. In the response to a procedural lawsuit in which the parental custody was being required, by divorce, the father of Beatrice, minor, with five years old, forgot to attach the elements of proof to such lawsuit.
5. Mark was fired for missing work during 15 days, unjustifiably.
6. Administrative courts also ensure the enforcement of their judgments, including those set against the Administration, either by issuing the judgment that produces the effects of the due administrative act, when the practice and content of this act are strictly bound, either providing the material implementation of what has been determined by the judicial decision.
7. Lawsuits arising from an employment contract, filed by the employee against the employer, may be filed in those courts of the place of rendering of the work or the residence of the plaintiff.

8. The judge should condemn in a higher amount of the request or in a different object when that results from the application to the proven facts or to facts that he can use, of non-derogable provisions of laws or instruments of labor regulation.
9. Miguel wonders if Ana is likely to inherit some of his assets when he dies.
10. The challenging of rules in administrative litigation covers the declaration of illegality of rules under administrative Law, by their own vices or deriving from the invalidity of those acts executed under the scope of the respective approval procedure.
11. The European Commission has announced today that it will take a legal action against Portugal for breaching the Treaty of Lisbon.
12. Whoever holds the legitimacy to file a lawsuit at administrative courts may request for the adoption of injunctions, anticipatory or protective, which show adequacy in order to ensure the utility of the judgment under such proceedings.
13. António and Bento robbed the house of Duarte.
14. In case of collective dismissal, injunctions of suspension and impugnation actions must be proposed at the court of the place where the rendering of work used to take place.
15. Under Portuguese law, a trader who receives a shipment of defective parts is a consumer? Justify your answer.
16. When one intends to obtain a judgment to be enforced over common assets or assets owned by the spouse who was not a party to the employment contract, the lawsuit action shall be filed against both spouses.
17. In a democratic State, the people exercise sovereignty through the organs of sovereignty. Making use of the Portuguese Constitution, please indicate and characterize the various functions of the State, referring the relevant constitutional provisions.
18. Windy Corporation”, a company dedicated to build bridges, won the tender opened by the Ministry of Public Works to build a bridge over the Tagus River.
19. António, Berta and Carlos wish to incorporate a company to buy and sell used cars.
20. Carlos bought Catherine a holiday house in the Algarve.
21. Pedro was caught carrying home a computer from the office where he works and was fired.
22. Miguel wonders if Ana is likely to inherit some of his assets when he dies.

23. A German citizen residing in France wishes to marry in Portugal with a Spanish citizen, but he is unaware of which is the competent law to regulate the formalities of marriage.
24. Corporation “Moonbi” was notified to respond to a civil lawsuit.
25. Manuel killed João in cold blood and was arrested.
26. Anna, nutritionist, incorporates a company named “100% Energy”.
27. Claudia makes a will and appoints David and Edward as her heirs.
28. At any time during the proceedings the parties may agree on a divorce by mutual agreement to the extent the necessary requisites are verified.
29. Edward wishes to incorporate a share company and register a trademark.
30. The decisions of labor courts may be challenged by means of an appeal.