

INVALIDITY OF ADMINISTRATIVE ACTS

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ABSTRACT

Administrative act is an expression of state attribution to create, change or erase specified juridical consequences. Administrative act is legal because is made based in law and in its execution. When the procedure of creating administrative act or its content is in discordance with demands defines in law this act can not create the needed juridical consequences so it is invalid. So compared to juridical invalidity when all elements of validity are verified, administrative acts have to be created based on law to be considered valid. The purpose of this paper is to study the elements that bring invalidity of administrative acts created from institutions attributed from law to do so and classification of invalid administrative acts. While analysing law literature and their changes we raise the question: Whether an invalid administrative act can be considered valid, in what circumstances and case and based on which procedure? Also how can juridical power of an invalid act be ceased. For this purpose base literature, law and their changes and court practices are taken into consideration.

Keywords: Illegality, relative invalidity, absolute invalidity, administrative control, administrative appeal.