

## ABSTRACT

The purpose of this paper is to analyze the importance of the constitutional principles concerning the formation and validity of discretionary administrative acts. It also presents State formation and its role in the creation of its juridical structure, placing the Federal Constitution as the supreme law and as responsible for the organization of the system of rules and principles that will outline the Public Administration acts. These principles are essential in order to guide the administrator towards his public role where the Constitution establishes the basic rules of law to be followed. With the need of linking the principles to the administrative acts, from their concept and with their elements and attributes, these acts are seen identifying the discretionary acts in their core, as well as the way such acts ensure an effective execution with a satisfactory result. For that, the above-mentioned structuralization should come from an appropriated language through open concepts aiming at understanding and harmonizing the administrative conducts to the vital needs of society. Thus, the discretionary power can be based on the duty of good administration and justice, putting away the possible existing conflicts through those constitutional principles, where then the thoughtful consideration will be, among others, the more effective choice.

Keywords: Constitutional Principles; Administrative Acts; Discretionary Power; Limitation; Duty of Good Administration.