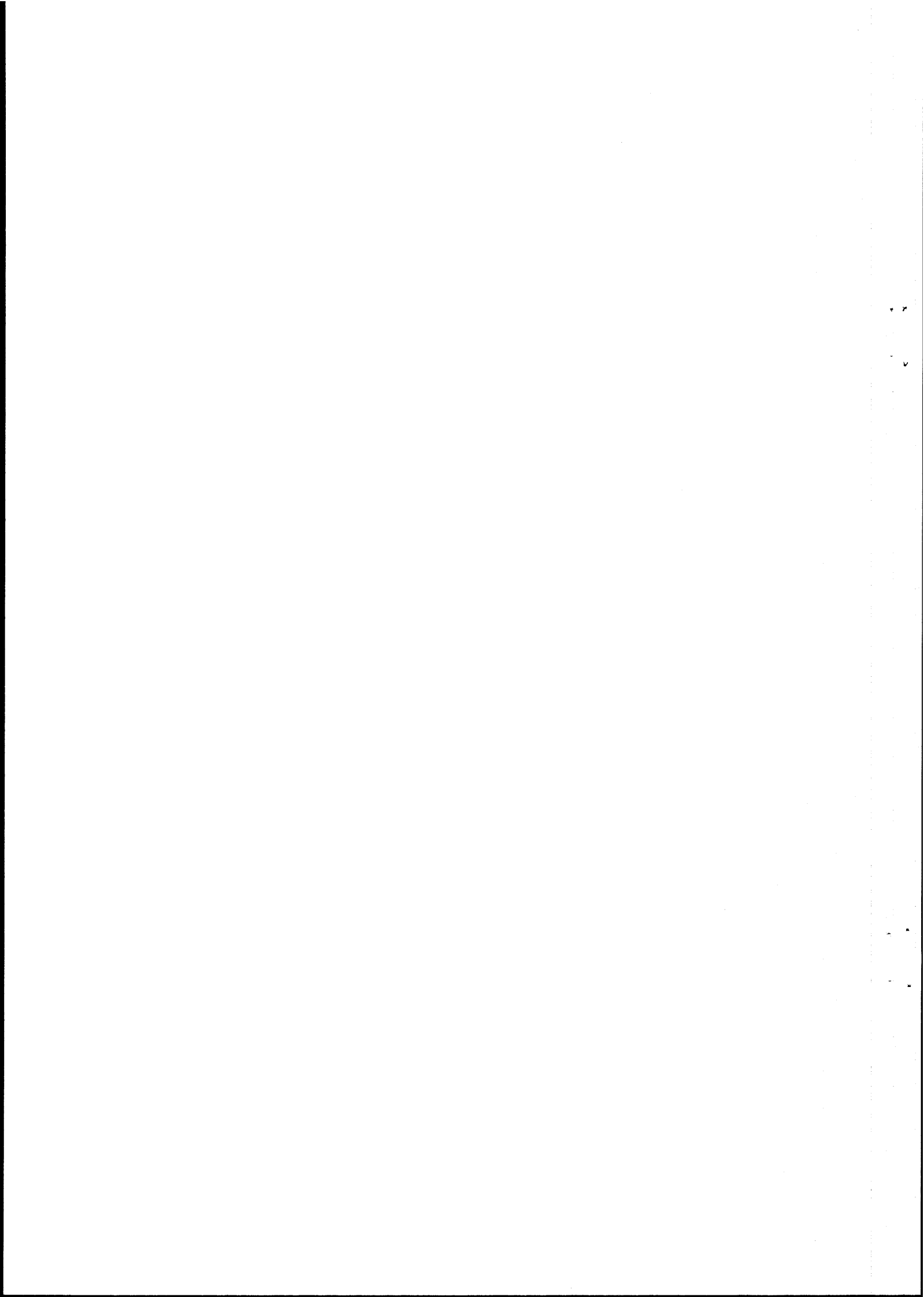


THE UNIVERSITY OF HONG KONG

Regulations and Syllabuses for
LLM
plus
Regulations Governing the Format
etc of Dissertations for
Higher Degrees by Coursework

2009-2010



REGULATIONS FOR THE DEGREES OF MASTER OF LAWS (LLM), MASTER OF LAWS IN CHINESE LAW (LLM[Chinese Law]), MASTER OF LAWS IN CORPORATE & FINANCIAL LAW (LLM[CFL]), MASTER OF LAWS IN HUMAN RIGHTS (LLM[HR]) AND MASTER OF LAWS IN INFORMATION TECHNOLOGY AND INTELLECTUAL PROPERTY LAW (LLM[IT&IPL])

(See also General Regulations)

Admission requirements

LL 14. To be eligible for admission to the courses leading to the degree of Master of Laws (in the general stream or a specialist stream) a candidate shall

- (a) comply with the General Regulations; and
- (b)
 - (i) hold the degree of Bachelor of Laws with at least second class honours of this University; or
 - (ii) hold a degree in law with at least second class honours from another university or comparable institution accepted for this purpose; or
 - (iii) have been admitted to the professional practice of law in Hong Kong or in a territory or country other than Hong Kong; or
 - (iv) have obtained either the Common Professional Examination of England and Wales or the Common Professional Examination Certificate of this University provided that in either case the candidate has also obtained a second class honours degree of this University or from another university or comparable institution accepted for this purpose; or
 - (v) in the case of admission to the Master of Laws in Human Rights programme or the Master of Laws in Corporate and Financial Law only, hold another degree in a discipline other than law with at least second class honours or a qualification of equivalent standard from this University or from another university or comparable institution accepted for this purpose and provided that the Faculty Higher Degrees Committee is satisfied that by reason of candidate's background, experience and professional qualifications, if any, the candidate is fit to follow the programme.

LL 15. A candidate for admission under Regulation (b)(ii), (b)(iii), (b)(iv) or (b)(v) above shall produce evidence of sufficient academic attainment and shall satisfy the examiners in a qualifying examination if such an examination is required. A candidate who fails to meet the requirements of (b)(i), (b)(ii), (b)(iii), (b)(iv) or (b)(v) above by reason only of the fact that his or her degree is not of at least second class honours standard may, nevertheless, be admitted provided that the Faculty Higher Degrees Committee is satisfied that by reason of his or her background, experience and professional qualifications, if any, the candidate is fit to follow the courses.

LL 16. A candidate who has already completed a Postgraduate Diploma programme offered by this Faculty may apply for conversion to the Master's programme in the corresponding

specialty with advanced standing. Such candidate is required to achieve an average grade as determined by the Faculty Higher Degrees Committee from time to time in his or her Postgraduate Diploma.

Qualifying examination

LL 17.

- (a) A qualifying examination may be set to test the candidate's formal academic ability or his or her ability to follow the courses of study prescribed. It shall consist of one or more written papers or their equivalent.
 - (b) A candidate who is required to satisfy the examiners in a qualifying examination shall not be permitted to register until he or she has satisfied the examiners in the examination.
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Award of degree

LL 18. To be eligible for the award of the degree of Master of Laws (in the general stream or a specialist stream) a candidate shall

- (a) comply with the General Regulations; and
 - (b) complete the curriculum and satisfy the examiners in accordance with the regulations set out below.
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Length of Curriculum

LL 19. The curriculum shall comprise approximately 300 hours of prescribed work. It shall extend over a minimum of two academic years and a maximum of four academic years of part-time study, or a minimum of one academic year and a maximum of two academic years of full-time study, except the Master of Laws in Human Rights which shall extend over one academic year of full-time study or two academic years of part-time study.

Completion of the curriculum

LL 20. To complete the curriculum except for the degree of Master of Laws in Human Rights, a candidate shall

- (i) follow the equivalent of eight modules as prescribed by the syllabus; and
- (ii) satisfactorily complete all prescribed written and other work in each module;

LL 20.(A) To complete the curriculum for the degree of Master of Laws in Human Rights a candidate shall

- (i) in the case of a full-time candidate satisfactorily complete modules equivalent to 8 modules;
- (ii) in the case of a part-time candidate satisfactorily complete modules equivalent to 4 modules in each of the two years of study;

LL 20.(B) A candidate completing the curriculum under LL 20 and LL 20(A) shall also

- (i) satisfy attendance requirements, if any;
- (ii) satisfy the examiners in each module by either assessed written work carried out during the module or a written examination at the end of the module or both; and
- (iii) satisfy the examiners in an oral examination if such an examination is required.

Dissertation

LL 21. A candidate, whether full-time or part-time, who elects to submit a dissertation equivalent to either one module or two shall submit the title not later than six months before presenting the dissertation for examination. The dissertation must be presented not later than August 31 of the year in which the candidate would like to graduate.

LL 22. In exceptional circumstances a candidate may apply to the Faculty Board for an extension of the period within which the dissertation must be presented.

LL 23. The candidate shall submit a statement that the dissertation represents his or her own work undertaken after registration as a candidate for the degree. The examiners may require an oral examination on the subject of the dissertation.

Failure to satisfy the examiners

LL 24. A candidate who has failed to satisfy the examiners in not more than two modules/credit units in any academic year may be permitted

- (a) to attend a supplementary examination; or
- (b) to repeat the module(s)/course(s) at the next available opportunity and to re-take the prescribed examination or examinations; or
- (c) to re-take the prescribed examination or examinations at the next available opportunity without repeating the module(s)/ course(s); or
- (d) to undertake the study of an alternative module(s)/ course(s)/modules at the next available opportunity and to take the prescribed examination or examinations.

LL 25. A candidate who has failed to present a satisfactory dissertation may be permitted, subject to his performance in other examinations, to revise the dissertation and to re-present it within a specified period as determined by the Board of Examiners after receiving a notice that it is unsatisfactory.

LL 26. A candidate who is not permitted to present himself or herself for re-examination in any module(s)/ courses(s) in which he or she has failed to satisfy the examiners or to revise and re-present the dissertation shall be recommended for discontinuation of studies under General Regulation G 12.

Absence from examination

LL 27. A candidate who is unable because of illness or other acceptable reason to attend for examination may apply for permission to attend for examination at some other time.

Examination results

LL 28. At the conclusion of the examination a pass list shall be published. A candidate who has shown exceptional merit at the whole examination may be awarded a mark of distinction and this mark shall be recorded in the candidate's degree diploma.

Advanced standing

LL 29. For the degree of Master of Laws, Master of Laws in Chinese Law, Master of Laws in Corporate and Financial Law, or the degree of Master of Laws in Information Technology and Intellectual Property Law, a candidate may be given advanced standing for up to 2 modules on the ground that equivalent modules or courses have been passed at another university or comparable institution accepted by the Senate for this purpose: provided that no candidate shall be eligible for the award of any of the degrees set out in these regulations without having earned at least 6 modules in this programme. A holder of the corresponding Postgraduate Diploma (see LL16 above and regulations for the Postgraduate Diplomas) offered by this Faculty may be eligible to apply for advanced standing for up to 2 modules, but he or she may not enrol in any course which he or she has satisfactorily completed in the relevant Postgraduate Diploma.

Conversion

LL 30. A candidate who has been admitted to a Postgraduate Diploma programme and who has satisfied the examiners in all examinations, may be considered for admission to the Master of Laws or the corresponding Master's programme provided that his or her application for conversion has been submitted on or before the prescribed deadline (see regulations for the Postgraduate Diplomas). Candidates who satisfy the examiners in the Master's programme examinations shall qualify for the award of the Master's degree, but shall not qualify for the award of the relevant Postgraduate Diploma (see regulations for the Postgraduate Diplomas). A candidate under these circumstances who, for whatever reasons, does not have sufficient modules for the award of the Master's degree shall qualify for the award of the relevant

Postgraduate Diploma.

LL 30.(A) A candidate with a degree of Master of Laws from Hong Kong or another jurisdiction may apply for advanced standing status. Such candidate shall be eligible for the award of the degree of Master of Laws upon successful completion of not less than 6 modules in this programme.

Exit qualification

LL 31. A candidate who has enrolled in the degree of Master of Laws in Chinese Law, or the degree of Master of Laws in Corporate and Financial Law, or the degree of Master of Laws in Information Technology and Intellectual Property Law and has completed satisfactorily 4 modules may qualify for the award of the corresponding Postgraduate Diploma (see regulations for the Postgraduate Diplomas for details). Such candidate is required to inform the Faculty Higher Degrees Committee as soon as possible after his or her completion of 4 modules, or in any case, not later than the commencement of the fourth academic year of study which is the last year of the maximum period of study allowed (exact date to be confirmed by the Faculty), whether he or she would like to opt for the above exit qualifications.

Publication

LL 32. Any publication based on work approved for this degree should contain a reference to the effect that the work was submitted to the University of Hong Kong for the award of the degree.

SYLLABUSES FOR THE DEGREE OF MASTER OF LAWS

COURSEWORK

The Board of Examiners shall decide what proportion of the final assessment for each module shall be determined by written work carried out during the course. Candidates will be informed at the beginning of the course of the relative proportions of the final assessment to be derived from coursework and from written examinations which will be held at the end of the teaching programme.

PROGRAMMES

The following programmes in the Master's programme are available :-

LL.M.

LL.M. in Chinese Law

LL.M. in Human Rights

LL.M. in Corporate & Financial Law

LL.M. in Information Technology & Intellectual Property Law

MASTER OF LAWS (LLM)

OBJECTIVES

The degree of Master of Laws is offered by the Faculty of Law to meet a need in various specialist areas of the law that are of importance to Hong Kong and its locality, and to offer modules which Hong Kong is perhaps uniquely placed to provide to students from both within and outside Hong Kong. The modules available at present focus upon international trade law, commercial law, Chinese law, information technology law, intellectual property law and public law (including human rights).

STRUCTURE

Candidates are required to complete 8 modules. Candidates may choose modules from the module outlines below and modules from any of the specialist programmes, in any case, not more than 5 modules from each of the specialist programmes. Candidates may apply to substitute for not more than 2 modules by taking courses or modules offered by any other Department in the University. Such application shall be approved by the Faculty Higher Degrees Committee who has to be satisfied that such course(s)/ modules from any other Department or Departments in the University are of equivalent standard to that or those listed in this syllabus. Permission will normally be granted only to take postgraduate course(s) or module(s), and only for those courses or modules which can be shown to have relevance to that candidate's overall course of study. Permission shall not be granted to substitute any other course or module for a compulsory module in the programme. Candidates are also required to

obtain the approval of the Head(s) of the Department(s) which offer(s) the substitute course(s) or module(s).

Candidates, on accepting a place, shall notify the Faculty Higher Degrees Committee of the modules which they wish to follow. The selection of modules shall, however, be subject to approval by the Faculty Higher Degrees Committee in the light of the availability of resources. In any academic year only some of the modules listed will be available.

DISSERTATION

To be regarded as two modules a dissertation shall comprise a paper not exceeding 20,000 words (exclusive of tables of cases and statutes, notes, appendices and bibliographies) on a legal topic approved by the Faculty Higher Degrees Committee. A one-module dissertation shall comprise a paper on a legal topic likewise approved not exceeding 10,000 words (exclusive of tables of cases and statutes, notes, appendices and bibliographies). In both cases the dissertation must provide evidence of original research work and a capacity for critical legal analysis and argument.

MODULE OUTLINES

PRC law

Two modules

- . Civil and commercial law in the People's Republic of China (LLAW6003)

One module

- . Advanced seminar on Chinese law (LLAW6115)
- . China Investment Law (LLAW6185)
- . China Trade Law (LLAW6186)
- . Company law and securities regulation in the People's Republic of China (LLAW6025)
- . Constitutional and administrative law in the People's Republic of China (LLAW6113)
- . Corruption: China in comparative perspective (LLAW6171)
- . Criminal law and procedure in the People's Republic of China (LLAW6112)
- . Cross-border legal relations between the Mainland and Hong Kong (LLAW6114)
- . Current issues in PRC commercial law (LLAW6028)
- . Dispute resolution in the People's Republic of China (LLAW6029)
- . Human rights in the People's Republic of China (LLAW6070)
- . Introduction to Chinese law and legal system (LLAW6008)
- . Law and regulation of banking and insurance in the People's Republic of China (LLAW6110)
- . Legal Chinese in commercial transactions (LLAW6041)
- . Law and development in the People's Republic of China (LLAW6056)
- . PRC intellectual property law (LLAW6044)
- . PRC information technology law (LLAW6139)
- . PRC security and insolvency law (LLAW6048)