

REGULATIONS FOR THE DEGREE OF DOCTOR OF LEGAL SCIENCE (SJD)

(See also General Regulations)

The degree of Doctor of Legal Science (SJD) is a postgraduate degree. Such a degree shall be awarded to a candidate who satisfies the coursework requirements, and on completion of an approved scheme of research,

- (a) presents a successful thesis embodying the results of the candidate's original research and representing a contribution to knowledge worthy of publication; and
- (b) satisfies the examiners in an oral examination (and any other examination if required) in matters relevant to the subject of the thesis.

Admission requirements

LL 70 To be eligible for admission to the programme leading to the degree of Doctor of Legal Science a candidate must:

- (a) comply with the General Regulations;
- (b) hold one of the following qualifications:
 - (i) the LLM degree of this University; or
 - (ii) the LLM degree of any other approved University
(in either case admission will be restricted to those whose performance in the LLM indicates a level of attainment sufficient to justify admission to a doctoral programme); or
 - (iii) the LLB degree or equivalent from this or any other approved University with Upper Second Class Honours or equivalent; or
 - (iv) any other qualification accepted by the Senate on the recommendation of the Faculty of Law in an individual case; and
- (c) shall satisfy the examiners in a qualifying examination if required.

Advanced standing (transitional provision)

- LL 71
- (a) Holders of the LLM degree of this University may apply for admission to the SJD programme with credit given for the courses completed for that LLM degree.
 - (b) In deciding whether to admit such an applicant the Faculty Higher Degrees Committee will take into account how far the applicant's work for the LLM constituted an adequate preparation for the intended research work. Such admission will not normally be granted to candidates who have not attained at least a Grade B in each of the related subjects.
 - (c) Candidates admitted under LL 71(a) are still required to take the Advanced Research course.
 - (d) Candidates admitted under LL 71(a) may be required by the Head of Department to take other courses which would be open to SJD students if the Head of Department of Law considers it necessary in order to prepare the candidate for his or her thesis topic.
 - (e) This Regulation shall be in effect for a transitional period of three years only from the introduction of the SJD programme, and will thus cease to be applicable to anyone seeking to enter the SJD programme after the academic year 2000-01.

Qualifying examination

- LL 72 (a) A qualifying examination may be set to test the candidate's ability to pursue the research project proposed. It shall consist of one or more written papers.
- (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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Registration

LL 73 Successful candidates will in the first instance be granted “provisional registration” for the SJD degree, such registration to be confirmed only when successful candidates satisfy the requirements set out in LL 77 below.

Period of study

- LL 74 (a) The course shall begin in September each year. The minimum period of study is 36 months full-time or 54 months part-time, of which the normal expectation would be that the student would spend 9 months full-time or 18 months part-time enrolled in courses to satisfy the requirements of LL 77 below, and 27 months full-time or 36 months part-time engaged on research for the thesis.
- (b) The Head of Department may approve that a student postpone enrolment in one or more courses beyond the period anticipated in LL 74(a).
- (c) The maximum period of study shall be 60 months full-time or 72 months part-time.
- (d) In exceptional circumstances a candidate may apply for a shorter or longer period of registration after confirmation of candidature.
- (e) Any extra period allowed for revision or re-submission under regulation LL 82 shall not count towards the maximum period of study.
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Leave of absence

LL 75 A candidate who wishes to be absent from Hong Kong and/or the approved course of study and research or who proposes to take vacation leave shall be required to submit in writing an application for leave of absence. A full-time candidate is entitled to take up to one month of vacation leave every twelve-month period during the minimum period of study. Any leave of absence granted for the purpose of study for the degree for which the candidate is registered, or any period of vacation leave of up to one month in each period of twelve months to which a full-time candidate is entitled, shall be counted towards the period of study and the minimum period required to be spent in Hong Kong. Leave of absence granted for any other reason shall result in the extension of the period of study by the period of absence. Leave of absence shall not be granted for any consecutive period of more than twelve months.

Award of the degree

- LL 76 To be eligible for the award of the degree a candidate shall:
- (a) comply with the General Regulations;
- (b) complete the coursework requirements for the degree set out in regulation LL 77 below;
- (c) complete, to the satisfaction of the examiners, a thesis as specified in regulation LL 80 below; and
- (d) satisfy the examiners at the oral examination and in any other examination as provided in LL 80(c).

Coursework

LL 77 To complete the coursework requirement a candidate shall follow the courses of study listed below, and satisfy the examiners in each course:

- (a) Advanced research methodology for law (1-unit course);
- (b) Other courses from the syllabus of the Master of Laws totalling seven credit units, as approved by the candidate's supervisor.

Provided that:

The programme of any individual student must be approved by the Head of Department and the Head will require to be satisfied that the intended programme of coursework study is sufficient preparation for the proposed research. Where appropriate the Head may approve up to the equivalent of four credit units of courses of instruction drawn from the undergraduate courses taught in the Faculty or drawn from courses offered in other Faculties of the University.

Confirmation of candidature

LL 78 In order to have candidature for the SJD confirmed, a student must attain at least an overall Grade C in each subject studied under LL 77. The Head of Department may recommend confirmation of candidature notwithstanding that approval has been given for not more than two credit units of study to be postponed under Regulation LL 74(b).

Supervision and progress

- LL 79 (a) After confirmation of candidature for the SJD a candidate shall be required to submit a progress report annually and may be required by the Head of Department to give one or more seminars on any part of his or her research.
- (b) A candidate may be discontinued if satisfactory progress is not being made.

The thesis

- LL 80 (a) The thesis should be between 50,000 and 60,000 words long (exclusive of tables of cases and statutes, notes, appendices and bibliographies). The dissertation must represent an original contribution to knowledge worthy of publication.
- (b) A candidate shall submit for approval the title of the thesis at any time following the confirmation of the candidature but not later than three months before the submission of the thesis for examination. Thereafter no modification of title shall be made without further approval.
- (c) A candidate shall not be permitted to submit a thesis until all coursework requirements have been satisfied.
- (d) The examiners shall examine the candidate orally and, in addition, may examine the candidate by other means; the candidate may be required to demonstrate not only an ability to discuss with knowledge the topic of the thesis, but to show a knowledge of the broad area or areas of learning which are relevant to that topic.

Failure to satisfy the examiners in the coursework components

- LL 81 (a) A candidate who has failed to achieve an overall Grade C in a course of instruction may be permitted

- (i) to attend a supplementary examination, or
 - (ii) to repeat the course of instruction in the following academic year and retake the prescribed examination, or
 - (iii) to undertake an alternative course of instruction during the following academic year.
- (b) A candidate who is not permitted to present himself for re-examination in any course or courses of instruction in which he or she has failed to satisfy the examiners shall be recommended for discontinuation of studies under General Regulation G12.
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Failure in the thesis component

LL 82 A candidate who has not satisfied the examiners in the thesis component:

- (a) may be required to resubmit the thesis after making corrections and amendments as required by the Board of Examiners, without a new examination; or
- (b) may be required to revise and resubmit the thesis for a new examination within a specified period, and may also be required to satisfy the examiners at a new oral examination, or any other examination as appropriate, on the subject of the revised thesis and/or the approved course of study and research; or
- (c) may be required to attend a new oral examination, or any other examination as appropriate, within a period not exceeding six months.

LL 83 A candidate who has not satisfied LL 82 may be recommended for the award of the LL.M. degree, unless the candidate has been admitted pursuant to LL 71.

Publication based on thesis

LL 84 Any publication based on work approved for a higher 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.

Results

LL 85 The degree shall be awarded without classification to a successful candidate.

COURSE OUTLINES

- . Advanced Research Methodology for Law (1 unit)
 - . Courses totalling seven credit units as specified in LL 77
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LLAW6022 Advanced Research Methodology for Law

This course is a one semester course which is required for all SJD students. No exemptions are possible, except for a student who has taken this course as an LL.M. student of this University. Even if a student claims to have taken a similar course elsewhere there is no exemption, as one of the purposes of this course is for students to interact with each other, and to offer advice and support to each other. For the same reason, attendance will be recorded meticulously at sessions, and discontinuation may be imposed as a penalty for failure to attend.

Course Content :

- . Different types of research in law : an introduction to different types of legal and inter-disciplinary research drawing on current examples from, particularly, the periodical literature
- . Reading research material : how to read critically, and productively
- . Issues in research on law : a discussion of issues such as objectivity, honesty and other theoretical and philosophical issues that arise in doing research
- . Advanced library research techniques - using paper sources
- . Archival material
- . Use of electronic resources
- . Empirical research techniques - how to read empirical research, and statistical material. An elementary introduction to empirical techniques for law students : observation studies, interviews. The secondary use of primary statistical material.
- . Formulating research topics - generating ideas, developing a 'thesis', research strategies
- . Writing a proposal
- . Planning the writing; dealing with writer's block, organisation of material - different ways of structuring a substantial piece of writing
- . The formalities of presentation - citing, acknowledging, plagiarism and how to avoid it, issues of appropriate language.