

## **REGULATIONS FOR THE DEGREE OF MASTER OF COMMON LAW (MCL)**

*(See also General Regulations)*

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### **Admission requirements**

LL59 To be eligible for admission to the courses leading to the Master of Common Law, a candidate shall

- (a) comply with the General Regulations; and
- (b) (i) hold a degree in law from a university (or comparable institution accepted for this purpose) in a non-common law jurisdiction; or
- (ii) have been admitted to the professional practice of law in a non-common law jurisdiction.

A candidate for admission shall, if required, 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) above may, in exceptional circumstances, 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, and the candidate satisfies the examiners in a qualifying examination.

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### **Qualifying examination**

- LL60 (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 examination papers or a research paper.
- (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**

- LL61 To be eligible for the award of the Master of Common Law, 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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### **Curriculum**

LL62 The curriculum for the Master of Common Law shall normally extend over one year of full-time study. To complete the curriculum a candidate shall

- (a) follow instruction;
- (b) satisfactorily complete all prescribed written and other work;
- (c) satisfy the examiners in a compulsory course mentioned below;
- (d) satisfy the examiners in each of a total number of courses amounting to at least 48 credits in value (including the compulsory course mentioned above) and selected (with the approval of the Programme Director) from the courses listed in the Syllabuses below, which shall include at least 36 credits of courses designated below as “Common law subjects”.

## Examinations

LL63 Any candidate who has failed to pass a course or courses in the manner provided for in these Regulations may be permitted

- (a) to sit a supplementary examination; or
- (b) to repeat the course or courses by following the course of instruction at the next available opportunity and taking the prescribed examination, or by taking the prescribed examination without following the course of instruction; or
- (c) to undertake the study of any alternative course or courses at the next available opportunity which enable completion of the curriculum.

LL64 A candidate who has failed to pass a course or courses shall be recommended for the discontinuation of study under General Regulation G12 if not permitted to attend for examination at some other time or to sit a supplementary examination or to repeat the course or courses or to undertake the study of another course or courses which enable completion of the curriculum.

LL65 A candidate who is unable through illness or other acceptable reason to attend for examination may apply for permission to attend for examination at some other time.

## Examination results

LL66 At the conclusion of the examinations, a pass list shall be published in alphabetical order. A candidate who has shown exceptional merit may be awarded a mark of distinction, and this mark shall be recorded in the candidate's degree diploma.

## COURSEWORK

The courses available are as follows. Some of the courses are not taught every academic year, but are run only if teachers and resources are available.

### Compulsory courses

**(Candidates shall choose one from the following two courses)**

Research project (Oral Presentation) (6-credit course)

Guided research (12-credit course)

### Optional courses

#### *12-credit Courses*

- . Civil and commercial law in the People's Republic of China
- . Credit and security law (*Common Law subject*)
- . Introduction to law in East Asia
- . Remedies (*Common Law subject*)
- . Trade and investment in the People's Republic of China

#### *6-credit Courses*

- . Administrative law (*Common Law subject*)
- . Advanced administrative law (*Common Law subject*)
- . Advanced research methodology for law
- . Advanced seminar on Chinese law
- . Alternative dispute resolution

- . Arbitration law workshop
- . Arbitration practice, procedure and drafting
- . Armed conflict, humanitarian law and human rights
- . Bank security (*Common Law subject*)
- . Banking law (*Common Law subject*)
- . Business associations (*Common Law subject*)
- . Child and the law (*Common Law subject*)
- . Chinese laws governing foreign investments
- . Civil procedure (*Common Law subject*)
- . Commercial law (*Common Law subject*)
- . Company law (*Common Law subject*)
- . Company law and securities regulation in the People's Republic of China
- . Comparative company law
- . Comparative constitutional law
- . Comparative financial regulation
- . Comparative law
- . Competition Law (*Common Law subject*)
- . Competition, Mergers and Acquisitions (*Common Law subject*)
- . Constitutional and administrative law in the People's Republic of China (in Putonghua)
- . Constitutional law (*Common Law subject*)
- . Construction law (*Common Law subject*)
- . Copyright law (*Common Law subject*)
- . Corporate governance and shareholder remedies (*Common Law subject*)
- . Corporate reconstruction (*Common Law subject*)
- . Corruption : China in comparative perspective
- . Criminal justice and human rights
- . Criminal law and procedure in the People's Republic of China
- . Criminal law I (*Common Law subject*)
- . Criminal law II (*Common Law subject*)
- . Criminal procedure (*Common Law subject*)
- . Criminology
- . Cross-border insolvency law (*Common Law subject*)
- . Cross-border legal relations between the Mainland and Hong Kong
- . Current issues in comparative commercial law
- . Current issues in corporate law (*Common Law subject*)
- . Current issues in financial law (*Common Law subject*)
- . Current issues in human rights
- . Current issues in insolvency law (*Common Law subject*)
- . Current issues in international arbitration and dispute settlement
- . Current issues in PRC commercial law
- . Current legal controversies
- . Cybercrime
- . Derivatives : law and regulation (*Common Law subject*)
- . Development and human rights
- . Dispute resolution in the People's Republic of China
- . Dispute settlement in the WTO : practice and procedure
- . Economic analysis of law
- . Economic, social and cultural rights
- . Electronic banking and finance law (*Common Law subject*)
- . Emerging markets : finance and investment (*Common Law subject*)
- . Equality and non-discrimination
- . Equality and the law
- . Equity and trusts I (*Common Law subject*)
- . Equity and trusts II (*Common Law subject*)
- . Equity in commercial law (*Common Law subject*)

- . Ethnicity, human rights and democracy
- . European economic regulation
- . Evidence I (*Common Law subject*)
- . Evidence II (*Common Law subject*)
- . Freedom of speech and the press
- . Gender issues in human rights
- . Global business law
- . Globalisation and human rights
- . Governance and law
- . Healthcare law (*Common Law subject*)
- . Hong Kong and international law
- . Arbitration law (*Common Law subject*)
- . Hong Kong basic law (*Common Law subject*)
- . Hong Kong environmental law
- . Hong Kong intellectual property law (*Common Law subject*)
- . Human rights : history, theory and politics
- . Human rights and cyberspace
- . Human rights and governance
- . Human rights in China
- . Human rights in Hong Kong (*Common Law subject*)
- . Human rights in the People's Republic of China
- . Indigenous peoples and human rights
- . Information technology law (*Common Law subject*)
- . Insurance law (Common Law subject)
- . Intellectual property and Information technology
- . Law, technology and ethics
- . Intellectual property law (Common Law subject)
- . International air law : structure and organisation
- . International and comparative intellectual property law
- . International and regional protection of human rights
- . International commercial arbitration
- . International commercial litigation (Common Law subject)
- . International commercial transactions (Common Law subject)
- . International criminal law
- . International environmental law
- . International human rights
- . International humanitarian law
- . International investment law with East Asia focus
- . International moot competition
- . International organizations
- . International protection of refugees and displaced persons
- . International sales (3 credits)
- . International securities law
- . International tax and tax planning
- . International trade law I (*Common Law subject*)
- . International trade law II (*Common Law subject*)
- . Introduction to Chinese law
- . Introduction to Chinese law and legal system
- . International economic law
- . Introduction to legal theory
- . Introduction to private international law (*Common Law subject*)
- . Issues in family law (*Common Law subject*)
- . Issues in information technology law
- . Issues in intellectual property law (*Common Law subject*)
- . Jessup international law moot court competition

- . Labour law (*Common Law subject*)
- . Labour rights and human rights
- . Land law I (*Common Law subject*)
- . Land law II (*Common Law subject*)
- . Land law III (conveyancing) (*Common Law subject*)
- . Law and development in the People's Republic of China
- . Law and literature
- . Law and regulation of banking and insurance in the People's Republic of China
- . Law and religion
- . Law and society
- . Law in East Asia
- . Law of contract I (*Common Law subject*)
- . Law of contract II (*Common Law subject*)
- . Law of international finance I – debt
- . Law of international finance II – equity and structured finance
- . Law of restitution I (*Common Law subject*)
- . Law of restitution II (*Common Law subject*)
- . Law of the sea
- . Law of tort I (*Common Law subject*)
- . Law of tort II (*Common Law subject*)
- . Law, justice and ideology
- . Law, the individual and the community: a cross-cultural dialogue (*Common Law subject*)
- . Legal aspects of white collar crime
- . Legal Chinese in commercial transactions
- . Legal fictions : representations of the law in literature, philosophy and cinema
- . Legal research and writing I, II and III (9 credits)
- . Legal research and writing IV and V
- . Liabilities in international aviation
- . Media law (*Common Law subject*)
- . Mediation
- . Mediation advocacy
- . Medico-legal issues (*Common Law subject*)
- . National protection of human rights
- . Negotiation : settlement and advocacy
- . Pension and investment funds (*Common Law subject*)
- . Planning and environmental law (*Common Law subject*)
- . Postmodern legal theory
- . PRC civil and commercial law<sup>1</sup>
- . PRC civil law (in Putonghua)<sup>2</sup>
- . PRC commercial law (in Putonghua)<sup>3</sup>
- . PRC criminal law and procedure (in Putonghua)
- . PRC economic law
- . PRC information technology law
- . Protecting and enforcing intellectual property rights in China
- . PRC security and insolvency law
- . PRC tort law
- . Principles of family law (*Common Law subject*)
- . Principles of Hong Kong taxation on income (*Common Law subject*)
- . Privacy and data protection (*Common Law subject*)
- . Project finance (*Common Law subject*)

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<sup>1</sup> Students taking this course may not take “PRC civil law (in Putonghua)” or “PRC commercial law (in Putonghua)”.

<sup>2</sup> Students taking this course may not take “PRC civil and commercial law”.

<sup>3</sup> Students taking this course may not take “PRC civil and commercial law”.

- . Public international law
  - . Real estate law in the People's Republic of China
  - . Regulation of cyberspace I: technology and internet governance
  - . Regulation of cyberspace II: internet content
  - . Regulation of financial markets (*Common Law subject*)
  - . Remedies (*Common Law subject*)
  - . Rights and remedies in the criminal process (*Common Law subject*)
  - . Rights of the child in international and domestic law
  - . Secured transactions (3 credits)
  - . Securities regulation (*Common Law subject*)
  - . Selected issues : WTO and China
  - . Selected legal issues in commercial practice (*Common Law subject*)
  - . Selected problems in international law
  - . Seminar in human rights research, sources and methodology
  - . Sociology of law
  - . Succession (*Common Law subject*)
  - . Taxation in the People's Republic of China
  - . Telecommunications law
  - . The law of E-commerce: international trade and logistics
  - . The law of restitution (*Common Law subject*)
  - . The law of the sea
  - . The legal system (*Common Law subject*)
  - . The rights of the child in international and domestic law
  - . Use of Chinese in law I
  - . Use of Chinese in law II
  - . World Trade Organization : law and policy
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## **COURSE DESCRIPTIONS**

Please refer to the course descriptions in the Regulations for the Degree of Bachelor of Laws (LLB), the Regulations for the Degrees of Master of Laws (LLM), Master of Laws in Chinese Law (LLM[Chinese Law]), Master of Laws in Corporate and 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]) and the Regulations for the Degree of Master of Laws in Arbitration and Dispute Resolution (LLM[ARB&DR]).