

**REGULATIONS FOR THE DEGREE OF  
BACHELOR OF SOCIAL SCIENCES (GOVERNMENT AND LAWS)  
(BSocSc[Govt&Laws])**

*(See also General Regulations and Regulations for First Degree Curricula)*

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**Definitions**

**SSGL1<sup>1</sup>** In these Regulations, and in the Syllabuses for the degree of BSocSc(Govt & Laws), unless the context otherwise requires -

‘Core departments’ means the Departments of Politics and Public Administration, Psychology, Social Work and Social Administration, Sociology and Statistics and Actuarial Science;

‘Non-core departments’ means departments, centres, schools and programmes, other than core departments, teaching in the Faculty of Social Sciences;

‘Department’ means any one of the core and non-core departments;

‘Course’ means a course of instruction which normally carries 6 credits or in some cases 3 credits or multiples of 3, leading to one examination paper as defined in the syllabus;

‘Paper’ means one or more of the following tests: a theoretical examination paper, a practical examination paper, an assessment of field practice, a thesis, and a dissertation, or other assignments as prescribed in the syllabus of the course leading to it;

‘Credits’ means the weight assigned to each course relative to the total study load. The number of credits is indicative of the contact hours and/or study time associated with the course on a weekly basis;

‘Pre-requisite’ means a course which candidates must have completed as specified to the satisfaction of the Head of Department before being permitted to take the course in question.

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**Admission to the degree**

**SSGL2** To be eligible for admission to the degree of Bachelor of Social Sciences (Government and Laws) candidates shall

- (a) comply with the General Regulations;
  - (b) comply with the Regulations for First Degree Curricula; and
  - (c) complete the curriculum in accordance with the regulations that follow.
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**Length of study**

**SSGL3** The curriculum shall normally extend over three academic years consisting of six semesters of full-time study, excluding the summer semesters. Candidates shall not in any case be permitted to complete the curriculum in more than four academic years, which being the maximum period of registration.

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**Completion of the curriculum**

**SSGL4** To complete the curriculum, candidates shall:

- (a) satisfy the requirements prescribed in UG3 of the Regulations for First Degree Curricula<sup>2</sup>;
  - (b) enrol in not less than 180 credits of courses, unless otherwise required or permitted under the Regulations;
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<sup>1</sup> This regulation should be read in conjunction with UG1 of the Regulations for First Degree Curricula.

<sup>2</sup> The specific requirements applicable to candidates of this degree curriculum are spelt out in the syllabuses.

- (c) follow the required number of compulsory and elective courses as prescribed in the syllabuses of the equivalent of normally 60 credits for each year of study. For each semester, candidates shall select not less than 24 or more than 36 credits of courses except for the last semester of study;
  - (d) take a maximum of 63 credits of junior-level courses and the rest being senior-level courses and courses offered by the Department of Law as prescribed in the syllabuses over the entire period of studies;
  - (e) at least 24 and 15 credits of junior-level courses from the core and non-core departments other than the Department of Law respectively; and
  - (f) take not less than 54 and not more than 78 credits of senior-level courses from the Department of Politics and Public Administration.
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### **Selection of courses**

**SSGL5** Candidates who wish to withdraw from a course at the beginning of each semester may do so up to 2 weeks after the commencement of the semester. Withdrawal beyond the 2-week deadline will not be permitted, except for medical or other reasons acceptable by the Faculty Board, and candidates who withdraw from any course without permission will be given a failed grade.

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### **Assessment and grades**

**SSGL6** Candidates shall be assessed for each of the courses which they have registered. The assessment may take one or a combination of forms as prescribed in the syllabuses and shall normally include the candidates' coursework during the semester. Only those satisfactorily completed courses will earn credits.

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**SSGL7** Candidates' performance in a course shall be assessed with the grading system as prescribed in UG5 of the Regulations for First Degree Curricula.

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### **Failure in examination**

**SSGL8** Candidates who fail in any course may, as directed by the Board of Examiners, be permitted to present themselves for re-assessment with or without repeating the failed course. The timing and the form(s) of re-assessment shall be decided by the Board of Examiners. Candidates shall not be allowed to repeat a course for which they have achieved a passed grade for upgrading purposes, nor shall they be permitted to repeat a course more than once. The failed grade will be recorded in the official transcripts. The new grade obtained after re-assessment of the same failed course will also be recorded and will replace the previous F grade in the calculation of the weighted grade point averages. As failed courses shall not be credited towards a degree, failed compulsory courses must be re-assessed.

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### **Absence from examination**

**SSGL9** Candidates who are unable because of their illness to be present for any written examinations may apply for permission to present themselves for a supplementary examination to be held before the beginning of the first semester of the following academic year. Any such application shall be made on the form prescribed within two weeks of the first day of absence from any examination. Candidates who fail to satisfy the examiners in one or more papers in such a supplementary examination shall be considered under the provisions made in these Regulations for failure at the first attempt at the examination, except that a further supplementary examination shall not be permitted.

### **Performance assessment**

**SSGL10** At the end of each semester, candidates' performance shall be assessed for the purposes of determining

- (a) their eligibility for progression to an award of the degree;
  - (b) their eligibility for the award; or
  - (c) whether they be required to be discontinued from the programme.
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### **Progression of studies**

**SSGL11** Candidates shall be permitted to progress if they have:

- (a) not exceeded the maximum period of registration; and
- (b) accumulated not less than 30 credits and attained a GPA of 1.00 or above over the first and second semesters; or
- (c) accumulated not less than 30 credits and attained a GPA of 1.50 or above over the third and fourth semesters; or
- (d) accumulated not less than 30 credits and attained a GPA of 1.50 or above over the fifth and sixth semesters; or
- (e) attained a semester GPA of 1.50 or above at the end of each subsequent semester.

Those who have not been able to fulfill the requirements above shall be recommended for discontinuation from the programme under General Regulation G12.

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### **Award of the degree**

**SSGL12** To be eligible for the award of the degree of BSocSc (Govt & Laws), candidates shall have:

- (a) achieved a weighted GPA of 1.00 or above;
  - (b) successfully accumulated a minimum of 180 credits; and
  - (c) satisfied the requirements in UG3 of the Regulations for First Degree Curricula.
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### **Degree classification**

**SSGL13** A list shall be published of candidates successful in the examinations for each semester. A list of candidates who have successfully completed all the degree requirements shall be published in five divisions: First Class Honours, Second Class Honours Division One, Second Class Honours Division Two, Third Class Honours, Pass. The classification of honours shall be determined by the Board of the Faculty at its full discretion by taking the overall performance of candidates and other relevant factors into consideration.

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## **SYLLABUSES FOR THE DEGREE OF BACHELOR OF SOCIAL SCIENCES (GOVERNMENT & LAWS)**

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### **GENERAL FEATURES**

#### **1. Curriculum Requirements**

Regulations SSGL1 to 5 specify the requirements with which candidates have to comply for completion of the BSocSc(Govt & Laws) degree programme. Further details of the requirements are given in the syllabuses.

The programme which normally extends over three academic years of six semesters of full-time study provides candidates with the flexibility of completing their studies within a maximum period of four academic years. Candidates shall enrol in not less than 180 credits of courses for the curriculum. They shall select not less than 24 and not more than 36 credits of courses for each semester. The normal semester load is 30 credits.

### A. Junior-level courses

Candidates should take all the junior-level courses listed below which include the successful completion of the three language studies courses and the general studies courses as prescribed in Regulation UG3 “Requirements for Graduation” of the Regulations for First Degree Curricula. For the fulfillment of Regulation UG3, candidates shall also obtain a pass in an Information Technology proficiency test, or successfully complete a 3-credit course in Information Technology. Candidates may take additional courses and the maximum number of credits of junior-level courses to be taken is 63. All junior-level courses should be taken in the first or second semester with the exception of broadening courses and at most one 6-credit core or non-core introductory course. These courses are to be taken in the third or fourth semester of study.

#### a) Language studies courses:

|  |             |
|--|-------------|
| ECEN1901. Academic English for social sciences students                  | (3 credits) |
| ECEN1602. Writing solutions to legal problems                            | (3 credits) |
| CSSC1001. Practical Chinese language course for social sciences students | (3 credits) |

#### b) Broadening courses:

|   |             |
|---|-------------|
| Science and technology studies  | (3 credits) |
| Culture and value studies or any inter-faculty electives course outside the Faculties of Social Sciences and Law. | (3 credits) |

#### c) the following from the Department of Politics and Public Administration:

|   |             |
|---|-------------|
| POLI1003. Making sense of politics                      | (6 credits) |
| Plus another 6 credits of junior OR senior-level course | (6 credits) |

#### d) courses from 3 of the following five departments

|                                       |              |
|---------------------------------------|--------------|
| Economics and Finance                 | (18 credits) |
| Psychology                            |              |
| Social Work and Social Administration |              |
| Sociology                             |              |
| Statistics and Actuarial Science      |              |

### B. Senior-level course

#### a. Courses offered by the Department of Politics and Public Administration

Candidates are required to take not less than 54 and not more than 78 credits of senior-level courses in the third to subsequent semester of study. This includes the successful completion of the following two compulsory courses in the semester III to IV

|   |             |
|---|-------------|
| POLI0062. Political analysis, and       | (6 credits) |
| One of the following:                   | (6 credits) |
| POLI0005. Capitalism and social justice |             |
| POLI0010. Democracy and its critics     |             |
| POLI0015. Ethics and public affairs     |             |
| POLI0029. Political theory              |             |

Regarding A.c) and B.a) above, candidates should pass a minimum of 66 credits of courses.

Candidates may wish to concentrate in a specialist stream by taking 24 credits (out of the 54 to 78 credits) of senior-level courses in a designated stream. For the specialist streams please refer to the Department's Yearly Course Selection Guide Book.

#### **b. Courses offered by the Department of Law**

Candidates should pass all of the following courses:

|   |              |
|---|--------------|
| LLAW1007. Legal skills  | (9 credits)  |
| LLAW2001. Constitutional law                                  | (6 credits)  |
| LLAW2002. Administrative law                                  | (6 credits)  |
| LLAW1005. & LLAW1006. Law of tort I and II                    | (12 credits) |
| Courses of the value of 48 credits from the Department of Law | (48 credits) |

The following should be taken in the first, second and third years of study respectively unless the Head of the Department of Law approves otherwise:

Semesters I and II:

|  |              |
|--|--------------|
| LLAW1007. Legal skills                     | (9 credits)  |
| LLAW1005. & LLAW1006. Law of tort I and II | (12 credits) |

Semesters III and IV:

|  |              |
|--|--------------|
| LLAW2001. Constitutional law                     | (6 credits)  |
| LLAW2002. Administrative law                     | (6 credits)  |
| 18 credits of courses from the Department of Law | (18 credits) |

Semesters V and VI:

|  |              |
|--|--------------|
| 30 credits of courses from the Department of Law | (30 credits) |
|--|--------------|

## **2. Course Registration**

Course registration will take place before the commencement of each semester.

Candidates are advised to consult relevant teachers or Heads of Department on the suitable combinations of courses and to adhere closely to the normal study pattern. Less suitable combinations of courses may not be permitted because of timetabling difficulties. Courses listed in the syllabuses may not necessarily be offered every year; and depending on the exigencies of staffing, additional courses may be offered.

Candidates may change their course selection during the two-week add/drop period which is scheduled at the beginning of each semester. Withdrawal beyond the 2-week deadline will not be permitted, except for medical or other reasons acceptable by the Faculty Board. Candidates withdrawal from any course without permission will be given a failed grade.

In course registration, candidates should pay special attention to the pre-requisite and co-requisite requirements of courses as specified in the syllabuses. A prerequisite is a course which candidates must have completed in accordance with the conditions stipulated by the Head of Department before being permitted to take a course in question. A co-requisite is a course which candidates must take at the same time as the course in question.

## **3. Coursework and Examination Ratio**

Each 6-credit course leads to one written examination paper which will be two hours in length, or three hours in the case of a 12-credit course, unless otherwise specified. The final grading of each course will

be determined by performance in the examination and an assessment of coursework in the ratio of 60:40, unless otherwise specified; but courses offered by the Department of Politics and Public Administration, the School of Economics & Finance and the Department of Law, the ratio will be announced by teachers at the beginning of each semester.

The examinations and assessments of courses carrying weightings other than 6 and 12 credits are detailed in the syllabuses.

## JUNIOR LEVEL COURSES

### Language Studies Courses

#### English Centre

##### **ECEN1602. Writing solutions to legal problems (3 credits)**

The first part of this course aims to raise students' awareness of the language and informational structure of legislative instruments. At the same time, they apply this developing awareness to solving basic factual problems, both orally and in writing. The focus on solving problems in writing is then extended to exam and tutorial type questions involving a range of common law legal issues. The initial focus is at the level of overall organization of arguments and then on the control of grammar, vocabulary and stylistic features. Students receive substantial individual feedback on their writing. Assessment is wholly by coursework.

##### **ECEN1901. Academic English for social sciences students (3 credits)**

This course introduces students to features of speaking and writing in English in an academic context. Through small group work related to language and disciplinary issues the course develops abilities to produce clear and coherent spoken and written discourse for university study in the social sciences. Assessment: 100% coursework.

#### Chinese

##### **CSSC1001. Practical Chinese language course for social sciences students (3 credits)**

This course aims at enhancing students' knowledge and skills in practical Chinese writing in the social sciences. Students will be introduced to simplified Chinese characters, and will be trained to write letters, proposals, reports, press releases and announcements. They will also acquire the skills in making public speeches and presentations. The course involves extensive use of Chinese IT applications. Assessment: 50% coursework, 50% examination.

### Courses

#### Economics and Finance

All senior level courses offered by the School of Economics and Finance require either ECON1001 or a pass in Advanced Level Economics as a prerequisite.

##### **ECON1001. Introduction to economics I (6 credits)**

An introduction to the basic concepts and principles of economics, with emphasis on the theoretical framework of choice theory, the nature of constraints, the measure of value, the laws of demand and productivity, and the implications for resource use and employment.

**ECON1002. Introduction to economics II (6 credits)**

This course is an introduction to macroeconomics – the study of business cycle fluctuations and long run economic growth. Topics include the measurement of national economic performance; the problems of recession, unemployment, and inflation; money supply, government spending, and taxation; fiscal and monetary policies for full employment and price stability; the determination of the exchange rate; and international trade and payments.

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**Politics and Public Administration****POLI1002. Fundamentals of public administration (6 credits)**

This is a basic course in Public Administration. It seeks to introduce students to fundamental concepts and approaches. The three main areas of concern are: (1) the development of the discipline over the years; (2) the identification of the critical issues and problems related to modern public administration; and (3) the relationship between public administration and politics. In exploring these questions, special emphasis will be placed on Hong Kong's situation.

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**POLI1003. Making sense of politics (6 credits)**

This is a foundation course aimed at equipping students with the basic tools and concepts to make sense of the political world. Current issues will be discussed with the help of newspaper clippings and video excerpts. No prior knowledge of Government and Public Affairs (GPA) is needed.

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**Psychology****PSYC1001. Introduction to psychology (6 credits)**

Discussion of basic concepts in psychology and a preliminary survey of representative work carried out in various areas of psychological investigation, together with an investigation at some length of one such area. Assessment: 40% coursework, 60% examination.

Eligibility: Students taking or having taken PSYC1002 or PSYC1003 are not allowed to take this course.

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**PSYC1002. How the mind works: explorations in basic thinking processes (6 credits)**

We are all fascinated by the achievements of the human mind or brain. But we may also often ask ourselves how we can do things better, for example, remember more efficiently. This course will help us to understand more about the ways in which we solve problems, how we develop our abilities to communicate through language, and how we think creatively. It will help us to answer questions about why we forget things, how we manage to see things in the world around us, why we sleep and what our dreams mean. We will look at the ways in which the human brain operates, and how it manages to do such amazing things, through reference to research findings, theories and our own practical work. Lectures will include class demonstrations and activities, as well as videos, presented in a way to enhance your interest in, and memory of, what is already a fascinating area. Assessment: 50% coursework, 50% examination.

Eligibility: Students taking or having taken PSYC1001 are not allowed to take this course.

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**PSYC1003. Psychology and life: personality and social influence (6 credits)**

Through lectures and a series of stimulating class activities, students in this course will learn the latest research discoveries in motivation and emotion, human development, intelligence, personality, psychological testing, stress and health, abnormal psychological functioning, psychotherapy, social attraction, social influence and social competence. The course is intended to enhance the development of self-understanding and social competence. Assessment: 40% coursework, 60% examination.

Eligibility: Students taking or having taken PSYC1001 are not allowed to take this course.

## Social Work and Social Administration

### **SOWK1001. Introduction to social administration (6 credits)**

This is a basic course in the understanding of social policy in the areas of human resources planning and education, land use and housing, ageing and social security, family and support services, etc. Assessment: 40% coursework, 60% examination.

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### **SOWK1002. Introduction to social work (6 credits)**

The course introduces the basic principles and concepts of social work. Students will obtain an understanding of the philosophy, knowledge and values which form the base for social work practice, social work as a profession, and the role of the social worker in modern society. Assessment: 40% course, 60% examination.

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### **SOWK1003. Introduction to social welfare (6 credits)**

This course introduces the basic concepts and function of social welfare. Analysis will be undertaken of the range and variety of social services in Hong Kong including family services, youth centres, outreaching services, school social work, community development, rehabilitation, elderly services, probation and correctional services. Assessment: 40% coursework, 60% examination.

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## Sociology

### **SOCI1001. Introduction to sociology (6 credits)**

This course introduces students to the nature of sociological enquiry and the basic concepts used in sociological analysis. After some reference to the influence of inheritance and environment on human social behaviour, the course will focus on key concepts used in the analysis of cultures, social structures, social processes and social change. The relationship between research, concepts and contemporary theory will be explored at an introductory level.

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### **SOCI1002. Discovering society (6 credits)**

This course introduces students to the sociological way of thinking through reference mainly to Chinese societies such as Hong Kong, Mainland China, and overseas Chinese communities.

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### **SOCI1003. Introduction to anthropology (6 credits)**

This course will explore, through cross-cultural comparison, key social and cultural issues, such as marriage and the family, caste and class, ethnicity and identity, language and culture, state formation, economic values, gender and religion. The course will draw on studies of the peoples and cultures of Asia.

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## Statistics and Actuarial Science

### **STAT1000. Principles of statistics (6 credits)**

This course introduces the basic principles of statistics for students who have a strong interest in Statistics. The discipline of statistics is concerned with uncertainty and variability often met in social studies, scientific investigations, financial analyses and indeed every aspect of our daily life. The course introduces important probabilistic techniques for studying uncertainty, and illustrates how such techniques can be applied to make statistical analysis and interpretation of data in simple settings. Assessment: 25% coursework, 75% examination.

Prerequisite: A-level Pure Mathematics or AS-level Mathematics & Statistics or equivalent.  
Compulsory for students in the Statistics Stream.

Eligibility: Students taking or having taken STAT1001 or STAT1003 or STAT1006 or STAT1007 or STAT1008 or STAT1801 or STAT0601 or STAT0602 are not allowed to take this course.

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**STAT1001. Elementary statistical methods (6 credits)**

The discipline of statistics is concerned with situations involving uncertainty and variability. Variability greatly affects the interpretation of data. Thus statistics forms an important descriptive and analytical tool of the social sciences. This elementary course, which is taught without any technical mathematics, presents many standard situations of data interpretation. The statistical tests for these situations are presented. Assessment: 25% coursework, 75% examination.

Eligibility: Not available to students with a pass in A-level Pure Mathematics. Students who have taken MATH0802 or have AS-level Mathematics & Statistics are eligible for this course, but are advised that STAT1003 may be a more suitable choice. Students taking or having taken STAT1000 or STAT1003 or STAT1006 or STAT1007 or STAT1008 or STAT1801 or STAT0601 or STAT0602 are not allowed to take this course.

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**STAT1003. Introductory statistics (6 credits)**

The discipline of statistics is concerned with situations involving uncertainty and variability. The interpretation of data is greatly affected when variability plays a role, as it usually does. Thus statistics forms an important descriptive and analytical tool of the social sciences. Candidates with a mathematical background will find this course suitable, because the language of mathematics allows the subject of statistics to be presented with economy and clarity. Assessment: 25% coursework, 75% examination.

Prerequisite: Either A-level Pure Mathematics or AS-level Mathematics & Statistics or MATH0801 or MATH0802 or MATH0901 or MATH0902. Students without these qualifications, but with grade C or better in A-level Physics, are deemed to have sufficient mathematical training to enrol in this course. Students who intend to major in either of the 2 themes: "Risk Management" and "Statistics" should take STAT1000 or STAT1007 or STAT0601 instead of this course.

Eligibility: Students taking or having taken STAT1000 or STAT1001 or STAT1006 or STAT1007 or STAT1008 or STAT1801 or STAT0601 or STAT0602 are not allowed to take this course.

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**STAT1010. Introduction to demography (6 credits)**

Demography studies the distribution of population by age, gender, marital status, education level, culture, ethnicity, and other social and physical characteristics. It also focuses on population changes---migration, fertility and mortality rates. Knowledge in demography is vital to economic studies, business and government policy making and investment planning. The course introduces important statistical methods pertinent to the study of demography, with attention to problems of regional interest. Assessment: 25% coursework, 75% examination.

Prerequisite or co-requisite: STAT1000 or STAT1001 or STAT1003 or STAT1006 or STAT1007 or STAT1008 or STAT2001 or STAT0601 or STAT0602 or STAT1801 or ECON1003 or ECOL2006.

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**STAT1011 Data Management (6 credits)**

This course is designed for students who want to learn a statistical (SAS or SPSS) software for data management. This course focuses on using SAS or SPSS to manage data set input and output, work with different data types, manipulate and transform data, perform random sampling and descriptive data analysis, and create summary reports. Assessment: 40% coursework, 60% examination.

Pre-requisite or co-requisite: STAT1000 or STAT1001 or STAT1003 or STAT1006 or STAT1007 or STAT1008 or STAT1801 or STAT2001 or STAT0601 or STAT0602 or ECON1003 or ECOL2006.

## SENIOR LEVEL COURSES

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### Politics and Public Administration

Unless otherwise specified, the final grading for each course will be determined by performance in the examination and assessment of coursework in a ratio to be announced by individual course instructors at the beginning of each semester. The weighting of examination ranges from 40-60% of total course assessment.

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### Semesters III to VI

#### **POLI0001. A special topic in political science (6 credits)**

This course is offered from time to time. Students should consult the Department on the content of the unit on offer.

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#### **POLI0002. A special topic in political theory (6 credits)**

Each year (if possible) a political theory course will be offered under this heading. The topic chosen will depend upon the interests of staff and students. Students should consult the Department on the content of the course on offer.

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#### **POLI0003. Approaches to foreign policy analysis (6 credits)**

The process by which states arrive at foreign policy positions is the central focus of this course. Examples will be drawn largely from the U.S.A., China and the United Kingdom. Major crises and events will be studied in some detail to underline the action - reaction nature of foreign policy. The course is intended for those who have studied International Politics in a previous semester.

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#### **POLI0004. Bureaucracy and the public (6 credits)**

This course examines the political, legal and social dimensions of interaction between bureaucracies and the public. Consideration will be given to the effectiveness of complaint-handling institutions, such as the ombudsman, Freedom of Information Acts, secrecy provisions and the roles played by street-level bureaucrats.

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#### **POLI0005. Capitalism and social justice (6 credits)**

This course discusses the morality of capitalism with reference to such issues as exploitation, social justice and equality. Topics include the philosophical defence of free-market capitalism, egalitarian theories of social justice, Marxist critique of capitalism, the concept of exploitation, and market socialism.

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#### **POLI0006. China and Hong Kong: the politics of transition (6 credits)**

The development of relations between China and Hong Kong since 1982 is critical to our understanding of Hong Kong's current political problems. This course focuses on the Basic Law, autonomy, democratization, Taiwan, Macau, cross-border crime, and Hong Kong's political, economic and legal interaction with China.

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#### **POLI0009. Comparative politics (6 credits)**

This course introduces students to the methods and issues of comparative politics. It will examine the logic and method of comparative politics and some key issues in the comparative study of political

behaviour, institutions and processes, such as political culture, political participation, political parties, intergovernmental relations, state-society relations and political development.

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**POLI0010. Democracy and its critics (6 credits)**

This course discusses basic and practical issues concerning the nature, justification, and limits of democracy. Topics include the concept and foundations of democracy, participatory democracy, the elitist challenge to democracy, Marxist critique of capitalist democracy, and others.

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**POLI0012. East Asian political economy (6 credits)**

This course aims to examine the political processes that underlie the rapid economic transformation of East Asian countries. We will mainly cover Japan and the newly industrializing economies, namely Singapore, Hong Kong, Taiwan, and South Korea, but comparisons with China and other emerging economies such as Malaysia and Thailand will also be made. We will first introduce the salient features of the East Asian model of development and we will then analyze the pattern of political development, the relations between the state and other political actors, the development of administrative system, as well as the impact of international relations and strategic factors on the domestic political and economic processes of these cases.

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**POLI0013. Elections and representative democracy (6 credits)**

This course examines the relationship between various aspects of elections and representative democracy. Electoral systems, various aspects of the electoral process, the electoral process, and the role of representatives, among other topics, will be studied in relation to democratic principles and theories of representation. Examples will be drawn from both Hong Kong and other political systems.

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**POLI0015. Ethics and public affairs (6 credits)**

This course examines major public issues in contemporary societies from the perspectives of ethics and political theory. It aims to enhance students' abilities to critically analyze controversial ethical issues in public affairs. Topics include the nature and methods of moral arguments, major approaches in ethics and political theory, and selected studies of current public issues in Hong Kong and elsewhere.

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**POLI0016. Gender and development (6 credits)**

This course introduces a gender dimension to the study of Third World politics. It traces the development of gender concerns in western development theory and practice in the past three decades, and explores in greater depth some of the key themes which arise from the situation of the developing world today. These themes include colonialism and decolonization; nationalism; democratization; globalization and economic restructuring; as well as Hong Kong and international women's movements.

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**POLI0017. Government and business (6 credits)**

This course explores the interplay between government and business within major East Asian countries and how regional economic dynamism is shaping regional international relations in East Asia. The theoretical focus is on how government policy affects the market and how economic forces shape government political decisions. At the international level, it seeks to examine the political basis of regional economic integration and the economic foundation of international political cooperation in East Asia. Issue areas for this course include: the economic dynamism in East Asia, sub-regional economic growth circles, patterns of trade and investment, APEC, and security challenges and economic regionalism.

**POLI0018. The Japanese way of politics (6 credits)**

The Japanese political system before the early 1990s had been described as “karaoke democracy.” Just like in a karaoke stage whereby visible singers come and go but songs remain the same, prime ministers and cabinets changed in the Japanese political stage yet policy directions remained largely unchanged. Nonetheless, the “karaoke democracy” has become a thing of past. Since the early 1990s, Japanese politics has been in a state of flux. The Liberal Democratic Party (LDP), which had dominated Japanese politics for more than 38 years, collapsed in 1993. The Japan Socialist Party (JSP), the once main opposition party in the country, has increasingly faded into oblivion. After the reform of the electoral system in recent years, there has emerged a genuine multi-party system whereby frequent inter-party alignment and realignment becomes the order of the day. The national bureaucracy, reputed for its influential status, has come under severe public criticism and political attacks in the wake of prolonged economic slump.

The main questions to be addressed in this course include: What are the main characteristics of the Japanese democracy? How does it differ from other liberal democracies? Why had the LDP maintained its long-lasting rule between 1955 and 1993? What is the role of the bureaucracy in Japanese politics? How does the business community exert its political influence? What are the main characteristics of the Japanese political culture? How do ordinary Japanese and social groups exercise their political power? What are the main sources of political change in the 1990s? What contributed to the end of the LDP's dominance in national politics? What are the main changes in the electoral system? How do the Japanese political culture and domestic politics affect Japanese foreign relations?

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**POLI0019. Hong Kong and the world (6 credits)**

Hong Kong's interactions with the outside world are critical to its role as a major international city and will shape its ability to position itself as the leading gateway to the mainland of China. While Hong Kong's “foreign affairs portfolio” is controlled by China, Hong Kong retains considerable autonomy in shaping its international destiny. What global course should Hong Kong leaders chart? This class will examine the special administrative Region's unique international status, the political dimensions of its international economic-cultural-social links, and its complex identity as a Chinese world city. Moreover, it intends to explore the multiple and variegated external linkages between Hong Kong and the world within the context of globalization. Prominent members of the Hong Kong community will be invited to share their perspectives on Hong Kong's track record in facing the challenges and opportunities associated with today's highly interdependent global system. By exploring these themes with reference to the changing nature of the global system, the course hopes to provide students with in-depth knowledge of Hong Kong's international links and enhance their understanding of the complex problems of global governance.

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**POLI0020. Hong Kong politics (6 credits)**

This course focuses on the legal, political and institutional structure of the Hong Kong government. The political culture and attitudes of the Hong Kong people are discussed. Other topics include the Chief Executive, legislative politics, constitutional politics, public opinion, pressure groups, political parties, mass media, and Beijing's policy toward Hong Kong.

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**POLI0021. Understanding global issues (6 credits)**

This is an introductory course on world politics. The purpose of this course is to help students to understand major global issues and familiarize them with basic concepts, approaches and perspectives in international relations studies. As we are living in a 'shrinking' world characterized by unprecedented levels of global interdependence, the course will also focus on the processes and impacts of globalization on international relations. Some of the issues studied in the course will include humanitarian intervention, global economic governance, poverty and inequality, transnational environmental problems, and causes of international and civil conflict. After taking this course, students are expected to have a basic understanding of how world affairs are shaped by various forces at the national as well as global level and how the trend of globalization has changed interaction among states.

**POLI0022. Governing China (6 credits)**

This course is an introduction to contemporary Chinese politics. The main objective is to understand the ideology, institutions and processes of the contemporary Chinese political system and explore the socio-economic consequences, achievements, and problems of Chinese socialism.

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**POLI0023. Issues in contemporary Chinese politics (6 credits)**

An overview of some recent policy changes in China which are studied in the light of two main themes: the different ways in which political power is manifested, and the changing perceptions of ways in which governance of the state can best be effected: and to what ends.

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**POLI0024. Issues in public administration (6 credits)**

This course offers an opportunity for students to examine current issues in public administration, particularly those facing the Hong Kong government.

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**POLI0025. Managerial skills in public organizations (6 credits)**

This course focuses on the activities and functions of managers in public organizations. Emphasis is put on the environment and context within which public managers operate, and various managerial skills and tools that are essential to effective public managers. Students are expected to acquire skills to manage conflicts, lead, manage resources, communicate, and make decisions in the context of public organizations. Reference is made to the experiences in various public or non-profit organizations in Hong Kong.

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**POLI0027. Public policy-making: theories and application (6 credits)**

This course is designed to introduce students to major theoretical frameworks that have been devised to understand and explain public policy-making. The main questions asked are: why are certain policies made instead of others? What are the major factors that affect public policy-making? Empirical studies from both Hong Kong and elsewhere are included to illustrate the application of the theories. [Students wishing to take this course will normally have taken first year introductory courses in our department. Students are free to take the course from their third semester onward, but as the course involves some levels of difficulty, it *may* be advisable to take the course after the 4th semester.]

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**POLI0029. Political theory (6 credits)**

This course is an introduction to liberalism, which primarily concerns the proper scope of personal freedom and state power. Topics include liberty and autonomy, the harm principle, paternalism, legal moralism, and liberal neutrality. The course also discusses policy issues such as homosexuality, pornography, discrimination, and euthanasia.

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**POLI0031. Politics of economic reform in China (6 credits)**

This course examines the politics of economic reform in contemporary China. Issues covered include the connections between politics and economics, the political debates over economic reforms, the rationale and themes of the economic reform programme and the social and political consequences resulting from the implementation of these reforms. Reform policies to be studied include rural reform, enterprise reform, central-local relations as well as foreign economic policy.

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**POLI0033. Problems of the Third World (6 credits)**

This course will consider a range of concrete problems which have assumed primacy in the political, economic and social experience of Third World countries. Issues discussed will include colonialism;

authoritarianism and democratization; wars and ethnic conflicts; military coups; poverty and debt; population and AIDS; and the new international economic order.

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**POLI0034. Public administration in China (6 credits)**

This course aims to provide a critical introduction to public administration in contemporary China. Key topics that will be covered include the organization of the political system, policy-making and implementation, management and reform of the civil service, local government, public finance, and the relationship between government and business. The political and administrative implications of China's integration into the world economy will also be examined.

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**POLI0035. Public administration in Hong Kong (6 credits)**

Public administration in Hong Kong has been going through a series of reforms over the last decade or so. This course introduces students to the major issues confronting the bureaucracy, in particular its relationships to other actors in the political system and questions of accountability.

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**POLI0037. Managing people in public organizations (6 credits)**

The course examines the environment, institutions, processes and issues involved in the management of people in public organizations, particularly the Hong Kong government. Comparisons are made to the experience of managing people in public organizations overseas.

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**POLI0038. Public policy and democracy (6 credits)**

This course examines arguments for a more fundamental rethinking about the proper roles of government, community organizations, and citizens in public policy-making and new forms of service delivery. Potential consequences of reforms for program effectiveness as well as for political and social citizenship will be considered.

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**POLI0039. Public policy analysis (6 credits)**

This is an introductory course in the production of advice for public decisions and actions. This course emphasizes both the art and craft of policy analysis. The "art" dimension focuses on the skills in defining problems for analysis. The "craft" dimension, on the other hand, is concerned with theories, skills, and techniques that can be used to analyze, design, and assess policy options. Illustration is made with reference to policy problems in Hong Kong.

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**POLI0040. Public sector management (6 credits)**

This course examines the structural design and operation of public sector as well as public organizations. Issues such as the use of various forms of organization in public service delivery, the adoption of corporatization and privatization, and public sector reform will be addressed. Reference is made to the experience in Hong Kong.

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**POLI0041. Research methods for politics and public administration (6 credits)**

Relevant, valid and reliable information is essential in making sound political and administrative decisions. This course examines issues on research design, measurement and scaling, sampling, and data collection and analysis, with emphasis on methods commonly used by politicians and public administrators such as mailed questionnaires, telephone interviews and focus groups. The course also examines the use of opinion polls, interpretation of poll results, and their effects on elections.

**POLI0044. American democracy (6 credits)**

The political system of the United States is often touted as the quintessential democracy in the world. Through institutional mechanisms such as free election, competitive party system, the division of power between three branches of government, the system is to provide the best safeguards for liberty and equality. While the democratic ideals embodied in the system have inspired many, the system also contains some important flaws. This course is to put the political system to the test. What are the philosophical foundations of the political system? How are the powers divided among different branches of federal government and between the federal government and state governments? How do individuals and interest groups exercise political power? How does the system work? What are the strengths and weaknesses of the system in comparison with other types of political systems? What is the role of American political culture in politics? To answer these questions, we will examine the philosophical foundation and the working mechanisms of the American political system. The course will cover important topical issues such as the constitution, the presidency, Congress, the judiciary, federalism, interest groups, party system, electoral politics and bureaucracy. Attention will also be given to other important issues such as policy-making process, civil rights, and racial politics.

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**POLI0045. The political economy of the European Union (6 credits)**

This course examines the political and economic dimension of the European Union. It will include a consideration of its political history, structure, policies and the effects of the market on national politics and economics.

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**POLI0046. Thesis in politics or public administration (12 credits)**

The thesis will consist of an investigation into a relevant aspect of politics or public administration which must be chosen in consultation with the supervisor before July 1 in the year preceding the final examination. The thesis must be submitted before April 1 of the following year. Assessment: 100% coursework.

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**POLI0047. United States foreign policy (6 credits)**

How does one make sense of the seeming "arrogance" of U.S. foreign policy? By enhancing student understanding of the causes and consequences of American international political choices, this course seeks to groom well-informed and objective critics of U.S. foreign policy. Organized into three sections, the course will begin by providing students with a historical overview of the domestic and international factors which have shaped the intellectual foundations of U.S. foreign policy. In the second part of the course, students will examine the domestic political actors involved in international policy formulation and implementation. In the third section, students will have the opportunity to apply this knowledge in a critical evaluation of some of the major international policy decisions made by the U.S. since WWII. The course will conclude with a discussion of the future of U.S. foreign policy, paying particular attention to the impact of the 9-11 attacks on the American world view.

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**POLI0050. Women and politics (6 credits)**

What has politics to do with women and what have women to do with politics? The first part of the course explores the concept of citizenship and the role of women in the body politic. How well do women fare as candidates in elections? Is there a glass ceiling for women who pursue a career in government? The second part of the course takes a comparative perspective on legislative recruitment and representation in public bureaucracies. Do women behave differently when they are in positions of power? Could women transform the nature and content of politics? The last part of the course focuses on women's political behaviour and discusses their capacity to transform politics.

**POLI0051. Issues in Chinese political philosophy (6 credits)**

A comparative study of Chinese and Western political philosophy, with special emphasis on Confucianism and liberalism. Topics include the nature of classical Confucian political thought, the developments of the Confucian traditions in response to local political changes and to the challenges presented by Western liberalism, the contemporary discourse on Confucianism and human rights, freedom, and democracy, and other related issues. Reference will be made to Chinese materials.

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**POLI0052. International relations of East Asia (6 credits)**

This course is designed to study the power structure and patterns of conflict and cooperation in East Asia. It examines the cause and consequence of the great power rivalry in East Asia in the context of historical experiences and geopolitical environment. Special attention will be paid to the following issue areas: (1) regional power structure and dynamics; (2) Sino-Japanese relations; (3) the role of the United States in East Asia; (4) the emerging role of ASEAN; (5) potential regional conflict zones: the Korean Peninsula, the Taiwan Straits, and the South China Sea.

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**POLI0058. Managing the global economy (6 credits)**

This course examines the interaction of politics and economics in international relations with reference to the world economy's most dynamic region – the Asia-Pacific. It identifies the political considerations in global economic relations and analyzes the impact of economic factors on international relations. With reference to developments in the Asia-Pacific region, the course addresses four major areas. First, different theoretical perspectives on the free market global economy such as free trade versus environmental protection and competing priorities in different countries. Second, the key institutions in the global economic system – the World Bank, the International Monetary Fund, and the World Trade Organization (WTO). Third, critical issues in East Asia such as the role of the state in economic management, security and political factors in international economic relations and the prospects of regional economic co-operation. Finally, the major political challenges arising from economic conflicts in individual countries in the Asia-Pacific region.

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**POLI0059. China and the world (6 credits)**

China's place in the world has changed dramatically since the establishment of the People's Republic of China in 1949. How do we account for the transformation of the country's position from being a Soviet ally challenging the West, to an independent radical revolutionary state, and then reform-minded country eager to join the international community? As communism collapsed elsewhere after the end of the Cold War China is becoming an emerging global power practising "socialism with Chinese characteristics". How do we understand and analyze China's relations with the rest of the world? This course examines China's interaction with the rest of the world since 1949, with reference on competing perspectives including power-political, economic inter-dependence and historical-cultural analysis. The course concludes with a critical assessment of China's position in a globalizing world.

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**POLI0060. Public Financial Management**

The purpose of this course is to provide an overview of financial management in the public sector from a theoretical and practical perspective. The focus is primarily on the conceptual, methodological and institutional aspects of public expenditure and revenue management. The subject is approached largely from an economic standpoint, but there is also some exposure to accounting principles. However, no previous knowledge of either economics or accounting is assumed.

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**POLI0061. Hong Kong and South China: the political economy of regional development and cooperation (6 credits)**

The growing integration between Hong Kong and south China has profound implications not only for this region, but also for China and Asia as a whole. This course aims to analyze such an important

development and its many implications. It is divided into three parts. Part I offers an overview of the development of the south China region. Theoretical approaches in the study of regionalism, intergovernmental relations and globalization will also be introduced and their relevance for studying south China will be explored. Part II examines the social, economic and political links between Hong Kong and Greater China and the development experience of south China since the late 1970s. Part III will focus on several key issues in regional development and cooperation in the south China region, including intergovernmental cooperation mechanisms, economic and technological development, demographic flows, boundary control, transportation and infra-structural development, as well as environmental management.

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**POLI0062. Political analysis (6 credits)**

This senior division course is designed for politics and public administration majors for whom it is compulsory. Based on classical texts in political science and public administration that illustrate the methods of our discipline, the course teaches the skills of political analysis. Students will examine topics such as political culture, bureaucracy, revolution, democracy, social capital, political system, public choice, war and peace, and so forth.

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**POLI0063. Performance and accountability in the public sector (6 credits)**

This course examines the ideas and practices of ‘contractualism’ in the Public Sector, between and within bureaus, with external providers of public services and with the general public as users of those services. Its focus is on the role of ‘performance’ (standards, measurement and evaluation) as a key management tool in the contract environment. The course explores the potential value of these developments for public sector accountability.

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**POLI0064. Governance and law (6 credits)**

This course seeks to understand why the state regulates certain activities and behaviour in society, what different forms of regulation exist, when and what kind of legal regulation is deemed necessary, how legal regulation is enforced, and checks and balances against abuse in enforcement. This course is jointly taught by staff from the Department of Politics and Public Administration and the Department of Law. The main objective of the course is to explore the interface between the study of Politics and Law in understanding governance. Relevant case studies will be included for illustration and discussion. To take this course, students must have successfully completed POLI1002 Fundamentals of public administration and LLAW2002 Administrative Law. BSS(Government and Laws) students are allowed to take either POLI0064 or LLAW3080 to fulfill the respective programme requirements for the Department of Politics and Public Administration or the Department of Law.

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**POLI0065. Public organization and management (6 credits)**

This course will examine the fundamental theories of (i) organizational behaviours; (ii) organizational structures; (iii) decision making processes; and (iv) organizational management with particular emphasis on public organizations. To substantiate the validity of the theories, emphasis is placed on the application of theory to various organizational settings including public and nonprofit organizations, and the local, state and federal levels of bureaucracies. At the end of the course, students will have obtained the ability to develop critical perspectives on the modus operandi of organizations and to formulate problem-solving mechanisms under complex decision-making situations.

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**Law**

Junior and Senior level courses are not applicable to law courses.

The final grading for each course will be determined by performance in the examination and an assessment of coursework in a ratio to be announced by the teacher at the beginning of each semester.

## Compulsory Courses

### **LLAW1005. and LLAW1006. Law of tort I and II (12 credits)**

General principles of liability, negligence, defences to negligence, vicarious liability, loss distribution, fatal accidents, duty of care towards employees, statutory compensation for employees, breach of statutory duty, occupiers' liability, nuisance, *Rylands v. Fletcher*, trespass to person, trespass to property, other intentional torts to person and property, defences to trespass, defamation, other interests protected by the law of tort, remedies (damages and injunction).

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### **LLAW1007. Legal skills (9 credits)**

How to read and use cases; a brief history of law reports; the law reports of Hong Kong and other common law jurisdictions; finding cases in law reports; reading and finding statutes; the rules and practices of statutory interpretation; the use of reference work for lawyers; finding and using materials in law journals; an introduction to computers, e-mail and the internet; the implications of the "information society"; using electronic research materials in law; using international legal materials; conceptualizing research questions, formulating strategies and tackling research problems; the correct citation of legal materials and the avoidance of plagiarism; planning and organizing written work; and introduction to legal drafting.

The teaching method will rely more on "hands-on" exercises rather than instruction. Many of the skills developed in the course, including those of group work, are "life skills" as well as work and study skills, and are intended to lay the foundation for life-long learning.

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### **LLAW2001. Constitutional law (6 credits)**

The nature and characteristics of constitutions; constitutional doctrines : constitutionalism, the rule of law, the separation of powers, judicial review, autonomy, democracy, and human rights protection; the Basic Law of the Hong Kong Special Administrative Region, the Constitution of the People's Republic of China and their inter-relationship; comparison of the constitution of Hong Kong with the territory's colonial constitution and constitutions in other parts of the world; the relationship between Hong Kong Special Administrative Region and the Central Government of the People's Republic of China; the executive, legislative and judicial organs of the Hong Kong Special Administrative Region and their inter-relationships; human rights protection in Hong Kong; the prospect of constitutionalism in Hong Kong; judicial review of administrative action; control of law-making by delegates; the ombudsman; administrative appeals.

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### **LLAW2002. Administrative law (6 credits)**

The topics which may be included in the course in any particular year include theories of administrative decision-making, judicial review of administrative action (*ultra vires* and procedural fairness, *Wednesbury* unreasonableness, proportionality, abuse of power), delegated legislation, administrative law remedies, control of law-making by delegates, the practical aspects of bringing an action for judicial review under order 53 of the Rules of the High Court, non-curial means of control and scrutiny of administrative action (Ombudsman, Administrative appeals, public enquiries), the structure and operation of administrative tribunals in Hong Kong, the Bill of Rights and review of administrative decision-making in Hong Kong, and access to information.

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## Optional Courses

### **LLAW1001. and LLAW1002. Law of contract I and II (12 credits)**

The function of contract; formation of a valid contract; offer and acceptance; capacity; illegality; interpretation of the terms of a contract; misrepresentation; mistake; duress and undue influence; privity; performance, discharge and breach; quasi-contract; remedies; principles of agency (outline).

**LLAW1003. and LLAW1004. Law and society I and II (12 credits)**

This course provides an introduction to the following topics for the purpose of liberal education and providing broad interdisciplinary knowledge on which the study of the relationship between law and society may be pursued in the context of various areas of substantive law taught in the LL.B. curriculum. The intricate relations between law and society will be one of the primary concerns. Namely, they are the gaps between law and society, the constitutive force of law, and the interrelationship between law and other disciplines. Examples from daily lives in both the local and international contexts will be discussed. The concept of 'one country, two systems' will be borne in mind in teaching the course.

The topics may include: the history of Western political thought; the role of law in market and planned economies; property rights; the rise of the modern liberal constitutional state, including the concepts of state, government, liberalism, democracy, socialism, Marxism, human rights, constitutionalism, and major forms of government in the contemporary world; the role of the legal profession and courts in society; the Chinese legal and cultural traditions and their modernization.

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**LLAW1008. The legal system (6 credits)**

An overview of legal systems (types and components of legal systems, classification of law, sources of law, and the background to the Hong Kong legal system); the ideology of the Hong Kong legal system (justice, the rule of law, and the separation of powers doctrine); the structure of the courts; the jury system; legislative bodies; sources of law (the meaning and theory of the common law and its present reception in the SAR, local "Chinese law and custom" or "customary law", mainland Chinese law, statute law); the legal profession and legal services; the Secretary of Justice; an introduction to criminal and civil procedure.

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**LLAW2003. and LLAW2004. Criminal law I and II (12 credits)**

This course will introduce students to the principles and practice of criminal law in Hong Kong, including the aims and purposes of criminal law and punishment, the implications of the Bill of Rights, and the general principles of criminal liability, including strict liability, general defences, and inchoate and participation liability. A selection of offences will be examined in detail, including homicide offences, non-fatal offences against the person, sexual offences, criminal damage, and a range of offences against the Theft Ordinance (including theft, obtaining by deception and fraud).

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**LLAW2005. and LLAW2006. Property law I and II (12 credits)**

Introduction: concept of a proprietary interest; what is property law; classification of property; the nature of a trust.

Ownership, title and possession: legal ownership; title; tenure and estates; equitable interests; possession-recovery and protection of possession; adverse possession.

Priority: doctrine of notice; statutory intervention (e.g. land registration).

Creation and transfer of proprietary interests in land: creation; assignment; intervention of equity (e.g. *Walsh v Lonsdale*, part performance, estoppel, constructive and resulting trusts).

Concurrent interests: trusts for sale; joint tenancy and tenancy in common; severance; termination.

Leases: nature of leases; relationship of landlord and tenant; termination; statutory intervention.

Easements: nature; creation and determination.

Licences: revocability; enforceability.

Covenants: between landlord and tenant; between adjoining and co-owners; role in use and management of land.

Security interests: mortgages; charges; pledges; liens.

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**LLAW2007. and LLAW2008. Equity and introduction to trusts I and II (12 credits)**

History and nature of equity; equitable obligations (fiduciary obligations, breach of confidence other than trade secrets); equitable remedies (account, recession, compensation, Lord Cairns' Act, injunction).

History and nature of trusts; creation of express trusts (the three certainties, formal requirements, constitution of trusts); offshore trusts; pension trusts in Hong Kong; administration of trusts; variation of trusts; the duties of trustees and rights of beneficiaries; liability for breach of trust, personal and proprietary; resulting and constructive trusts.

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**LLAW2009. Introduction to PRC law (6 credits)**

A general overview of the present legal system and law of the PRC. The course begins with a survey of traditional Chinese law and the development of socialist theory and practice before and after 1949. It then provides an introduction to important areas of legislation enacted since 1979, including:

- Legal tradition
  - Constitutional reform: courts, procuracy and lawyers
  - The criminal process
  - Administrative litigation
  - Marriage law and the status of women
  - Introduction to civil law (focus on contract)
  - Mediation and dispute settlement
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**LLAW2010./LLAW2011. Social Justice Summer Internship (3 credits/6 credits)**

This is a programme offered to both law (including law mixed degree) and social sciences students. A law student will be paired up with a social sciences student in a placement with a voluntary agency or a public authority between June and August for a period of not less than 4 weeks. During the placement, students will work as volunteers for the agency/authority at the instructions and supervision of the relevant staff of the agency/authority. A joint report shall be submitted to the programme director within 4 weeks after the end of the placement. The report shall include 2 parts. The first part shall cover the nature of work they have done during the placement. The second part shall consist of their observations on social justice. In particular, it shall discuss how the social/legal system works, its strengths and weaknesses, the necessity for improvement in terms of organization and legislation. Participating students may also be required to do a presentation of their reports.

The course will be assessed on a pass/fail basis and will not be counted towards the calculation of the CGPA/WGPA or honours classification. However, it will be recorded on the official transcript.

If a student has completed the 3-credit course and has completed a research paper as prescribed by the teacher in charge, the course shall be counted as 6 credits and will be counted towards the CGPA/WGPA and honours classification.

If a student has chosen to combine this course with the course "LLAW3002 Guided Research", the course will be assessed according to the criteria and treated according to the arrangements of the "Guided Research" course.

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**LLAW3001. Introduction to legal theory (6 credits)**

The nature of law and laws: the central questions of legal theory, the relationship between law and morality, the function of law in society, the concepts and techniques used in the operation of developed legal systems.

Legal positivism: the command theory of law: Bentham and Austin; Hart's concept of law; Kelsen's pure theory of law.

Natural law and natural rights: Finnis, Dworkin, the nature of rights.

Legal realism; historical jurisprudence; legal reasoning; the future of the law in Hong Kong.

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**LLAW3002. Guided research (12 credits)**

An individual research project on an approved topic carried out under the supervision of an assigned teacher, resulting in the submission of a research paper not exceeding 10,000 words (excluding tables of cases and statutes, notes, appendices and bibliographies).

Instruction will be given on the principles of legal writing and in legal research methodology and techniques including standard library research aids and tools and use of electronic databases.

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**LLAW3003. Human rights law (12 credits)**

Cultural, historical and juridical background.

Domestic protection of human rights under the common law and by constitutional entrenchment.

Enforcement of human rights; principles of interpretation.

The content of substantive rights, including the following: life, self-determination, liberty and security of the person, freedom of movement, nationality, privacy, conscience, expression, association, assembly, equality, property, employment and education.

Human rights in a state of emergency.

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**LLAW3004. Use of Chinese in law II (12 credits)**

This course is designed to allow the teaching of law in the Chinese language. Its subject matter will vary according to the teacher concerned but must be the same as an optional course on an area of the law using English as the medium of instruction and offered as part of the LL.B. programme by the Faculty. This course teaches the substantive content of that course (the title of which will appear in brackets as part of the title of this course on the student's transcript) as well as Chinese language legal skills, and the assessment will be based on both substantive legal knowledge and the ability to use Chinese in expressing the law.

In addition to the study of the law through English materials, students will be required to do translation exercises and to study Chinese language materials on relevant legal concepts and doctrines.

Students who take this course cannot receive double credits by taking the optional course taught in English on the same area of law, and students who have already taken that course cannot take this course.

The medium of coursework and examination will be Chinese.

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**LLAW3006. Admiralty (6 credits)**

Introduction: maritime law; the Hong Kong legislation; public control of shipping and navigation in Hong Kong waters; control of marine pollution.

The ship: the ship as property; registration; purchase and sale; ship mortgages; liens; construction, maintenance and equipment; master and crew.

The running of the ship: contract of passage; contract of affreightment; charter-parties; loading and discharge; bills of lading; exclusion and limitation of liability; the Hague Rules; general average.

Navigation, safety at sea and collisions: the collision regulations; Hong Kong harbour regulations; collisions and liability for damage; limitation of liability.

Salvage, towage and wreck.

Marine insurance: history; course of business at Lloyds; insurable interest; indemnity; utmost good faith; types of policy; perils insured against; contents of policies; losses and other incidents of liability; rights of insurers; assignment of policies; mutual insurance.

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**LLAW3007. Alternative dispute resolution (6 credits)**

This course will examine the traditional methods of dispute resolution such as judicial adjudication, and consider alternative dispute resolution from both a Hong Kong and an Asia perspective.

This course is composed of two main parts:

- (a) an introduction to traditional methods of dispute resolution and a critique of their advantages and disadvantages; and
- (b) an examination of alternative dispute resolution methods, which will cover the following:
  - (i) the origin and development of the alternative dispute resolution movement, and

- (ii) an in-depth study of the following methods: confidential private listening; negotiation, mediation and conciliation; arbitration; good offices/ombudsman; mini-trials/summary jury trials; private courts and dispute resolution centres.

These methods of alternative dispute resolution will be examined by considering their present and potential application in Hong Kong and other parts of Asia, in such areas as: administrative complaints, commercial and construction disputes (both domestic and international), labour relations, landlord and tenant disputes and matrimonial disputes. Students will also engage in role playing exercises in simulated negotiation, mediation and arbitration with video taped assessment.

**LLAW3008. Bank security (6 credits)**

Lending and securities: the role of banks in trade and other financing; lending criteria; forms of securities; securities over goods and documents of title to goods including pledges, hypothecation and liens; financing of international trade including letters of credit, documentary bills of exchange, letters of guarantee and performance bonds; effect of Bills of Sale legislation; guarantees and sureties; set-off; fixed and floating charges; enforcement and realization of securities; general discussion of loan documentation.

Duties of banker in taking securities: undue influence; mistake; misrepresentation; duties to inform or disclose to customer and third parties.

Court proceedings affecting banker: garnishee proceedings; Mareva injunctions; disclosure orders; insolvency of customer; banker's liability as constructive trustee; jurisdiction and conflict of laws especially in regard to international banking.

(Note: Unless exempted, candidates are required to have taken Banking law before taking this course.)

**LLAW3009. Banking law (6 credits)**

Introduction: history of banking; outline of banking organization, control and regulation of financial institutions in Hong Kong; distinction drawn between banks and other deposit-taking institutions.

Banker-customer relationship: nature of the relationship and its development; meaning of 'customer' and types of accounts; banker's rights as against customer including appropriation of payment, lien and set-off; duties of banker including secrecy and payment of customers' cheques; implied duties of the customer; contractual attempts to modify such duties; supply of references; banker as adviser; determination of relationship.

Paper-based funds transfers: general principles in law relating to choose in action and their assignment; negotiable instruments especially cheques; money paid by mistake; forgery; direct debits; credit transfers.

Electronic funds transfers and other modern banking developments: nature and operation of various means of electronic funds transfers including consumer-related and non-consumer-related transfers; legal implications of such transfers; revocability and finality of payment instructions; standing orders; cheque cards; credit cards.

**LLAW3010. Business associations (6 credits)**

Outline of different types of business associations.

Partnership: their nature and creation and the rights and duties of the partner *inter se* and *vis-a-vis* third parties.

Registered companies: their development and nature; problems relating to incorporation; separate corporate personality; limited liability; memorandum and articles of association; *ultra vires* doctrine; an overview of membership, management and control.

**LLAW3011. Chinese laws governing foreign investments (6 credits)**

The course will examine the laws and regulations governing foreign investment in China. The focus is not so much on an analytical study of each individual enactment, but on how they all come together to create the present legal and business regime and culture in which foreign investors are to function.

The course will consider the laws governing the activities of foreign investment enterprises (e.g. foreign exchange, labour issues, organizing subsidiaries), foreign investment forms (e.g. equity joint ventures, co-operative joint ventures, wholly foreign-owned enterprises), restricted investments (e.g. banking, other financial services, telecommunications, retail and wholesale trade) and corporate organizations (e.g. companies limited by shares, conversion of state-owned enterprises, holding companies and mergers). The many practical difficulties faced by foreign investors, and the limitations of the current legal framework will be examined.

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**LLAW3012. Civil litigation (6 credits)**

Introduction to civil procedure: an overview of the civil process including preliminary considerations before action, commencement, parties, pleadings, discovery, motions, pre-emptive strikes, trial, appeal, enforcement of judgments; judicial review, administrative litigation and other variations.

Introduction to advocacy: a consideration of how a party's legal position is presented, including theories and strategies of litigation, *viva voce* and other types of evidence, oral argument and appellate advocacy, negotiation and settlement, ethical considerations.

Critique of the trial process: an examination of the traditional adversarial process including adversarial and non-adversarial systems in other jurisdictions, and various forms of alternative dispute resolution within the adversarial context.

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**LLAW3013. Commercial law I (6 credits)**

Sale of goods: formation and subject matter of contract; duties of seller: title, quality, quantity, delivery; duties of buyer: transfer of property and risk; frustration and other discharge; seller's remedies; buyer's remedies.

Acquisition of goods from non-owner: *nemo dat* and exceptions.

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**LLAW3014. Commercial law II (6 credits)**

Consumer protection: product liability; statutory duties; exemption clauses and control thereof.

Personal property security interest: retention of title, hire-purchase, finance lease, sale and mortgage hire back, chattel mortgage, etc.

Carriage and storage of goods: general introduction with emphasis on carriers and warehousemen as bailees.

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**LLAW3015. Company law (6 credits)**

Capital: the nature and types of capital; raising, maintenance and reduction of capital; shares: transfer and registration, purchase by a company and financial assistance for purchase of its own shares; dividends, distributable profits.

Corporate borrowing: debentures, company charges, floating charges, registration, remedies of charge.

The governance of a company: members, general meetings; directors, the position and duties of directors; board meetings; conflict of interest; majority rule, minority protection; external regulation, disclosure, notifications, annual return, audits, inspections and investigations.

Corporate failure: reconstructions and schemes and winding-up (overview).

Listed companies: regulation; public issues; mergers, acquisitions and takeovers.

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**LLAW3016. Comparative law (6 credits)**

The common law system provides principles and methods for responding to society's needs and values. Some of those principles and methods will be compared with the legal and extra-legal equivalents in non-common law nations. The influence of special social and economic characteristics will be noted. Appropriate jurisprudential theory will be discussed.

There will be case studies of one or both of the following:

The Constitutions of the People's Republic of China and the U.S.S.R. with those of selected common law jurisdictions (e.g. U.K., U.S.A., Australia);  
 The principles of the civil law of selected European nations with equivalent common law principles, taking special note of the harmonization policy of the E.E.C.

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**LLAW3017. Copyright law (6 credits)**

Economic, social and other justifications for copyright protection.  
 Requirements for copyright protection under the relevant copyright statutes.  
 Rights subsisting under a copyright and its infringement.  
 The law relating to industrial designs.  
 Reforms of copyright law.  
 Comparative study of copyright law in the People's Republic of China and/or Taiwan.

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**LLAW3018. Criminology (6 credits)**

Criminology involves a study of the phenomenon of crime and will involve a consideration of the following areas: the definition and nature of crime; the justification and theories of punishment; the various schools which provide perspectives on the understanding of the etiology of crime; the treatment of the offender and crime prevention and control.

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**LLAW3019. Current legal controversies (6 credits)**

The main objective of this course is to examine two or more topical legal issues in Hong Kong and place them in their social and political context. This will both encourage a more profound understanding of 'law in action' in specified areas, and serve as an opportunity to bring students up to date in subjects they have studied, but which may have changed in important respects since they studied them. It also allows for a broader analysis of legal problems, their genesis, development and effect than is possible in other courses. This analysis seeks where possible to straddle the borders of discrete law subjects and to consider the general question of the reform of the law.

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**LLAW3020. Economic analysis of law (6 credits)**

The course will begin with a brief review of the major forms of law and economics scholarship. Introduction to basic concepts such as moral hazard, adverse selection, collective action, free ride, prisoner's dilemma, tragedy of the commons, and externalities will be provided during the beginning of the course. Thereafter, discussion will enter into areas such as contracts, property, torts, corporations, and collective decision making. The course will end with the major criticisms of the law and economics scholarship.

The course is not designed to teach law *per se* in any of these areas, but instead uses examples from these areas to highlight the economic tools and concepts and to show their usefulness in many areas of the law.

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**LLAW3021. Fundamentals of evidence and trial procedure (6 credits)**

What may be proved: facts in issue; relevance; admissibility and weight.  
 Functions of judge and jury: who decides; judicial discretion.  
 Burden of proof: standard of proof; presumptions.  
 Methods of proof: oral testimony; documentary evidence; real evidence, proof without evidence.  
 Oral testimony: competence, compellability of witnesses; questioning of witnesses including rules *re* previous consistent statements, refreshment of memory and collateral issues; corroboration of witnesses; identification evidence.  
 Hearsay: scope, rationale, problem areas.

Common law exceptions to hearsay: informal admissions especially confessions; other common law exceptions.

Statutory exceptions to hearsay.

Evidence of character of parties.

Privilege and public interest immunity.

Similar fact evidence.

Opinion and expert evidence.

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### **LLAW3022. Human rights in Hong Kong (6 credits)**

History of enactment, the Bill of Rights Regime, ICCPR, implementation of human rights treaties, Basic Law, interpretation, scope of application, inter-citizen rights, *locus standi*, permissible limitations, derogation and reservation, enforcement and remedy.

Study of selected rights, including civil and political rights, economic, social & cultural rights and people's rights. Topics covered include impact on civil and criminal process, right to a fair and public trial, arrest, search and seizure, torture and degrading treatment, liberty and security of person, freedom of association and assembly, freedom of expression, right to nationality, right to family, right to political participation, discrimination and equality, right to housing, social securities, education and environment.

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### **LLAW3023. Insolvency law (6 credits)**

The law of bankruptcy, and of winding up and dissolution of companies, and the recovery of debts generally. Acts of bankruptcy, commencement, the petition, bankruptcy of a firm, appointment of a receiver, adjudication, compositions and schemes of arrangement, consequences of bankruptcy, criminal bankruptcy, disabilities, discharge.

The failure of a company's business from the directors' and members' view-point, the decision to wind up and consequences of delay, the effect of prior receivership and the claims of secured creditors on winding up in general.

Winding up by the Court, the petition, winding up orders and their consequences, the role of the liquidator. Voluntary winding up, its general procedures and consequences, preferential debts, effect of winding up on antecedent and other transactions, proof of debts, dissolution, the lawyer's role.

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### **LLAW3024. Insurance law (6 credits)**

Regulation of the insurance industry, types of insurance, indemnity and non-indemnity insurance, the insurance contract, renewal, indemnity, contribution, subrogation, insurable interest, the duty of utmost good faith, disclosure, the proposal as the basis of the contract, promissory warranties, waiver, definition of the risk, limits of liability, exceptions and conditions, third parties rights against the insurer, double insurance, professional indemnity, motor insurance, personal line insurance, and marine insurance.

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### **LLAW3025. International commercial litigation (6 credits)**

The course will examine in depth a number of important public and private international law issues from the perspective of international commercial litigation.

The areas to be covered may include: introduction to litigation and procedure in Hong Kong, Mareva injunctions and Anton Piller orders, the jurisdiction of Hong Kong courts over persons, firms and corporations and in *in rem* actions, extended jurisdiction under RSC, Order 11, the exercise of discretion on the grounds of *lis alibi pendens* and *forum non conveniens*, choice of jurisdiction clauses, and *res judicata*. Reference will be made to the position in other countries, e.g. Australia, Canada, the USA and PRC, as well as in Europe under the Brussels and Lugano Conventions.

The course will also deal with the issue of state immunity, the taking of evidence in other jurisdictions, and the enforcement of foreign judgements and arbitral awards in Hong Kong under the common law and statutory regimes.

**LLAW3026. International human rights (6 credits)**

The course will include a common element and an optional component. The common element is divided into two parts: (a) conceptual issues and (b) modalities for prescribing, invoking, appraising and implementing human rights. The first part will include an introduction to the concept of human rights and development of international human rights law. The second part will examine the techniques and procedures in protecting human rights, including reporting procedure, fact-finding commission, role and functions of various official institutions and non-governmental organizations, domestic absorption of international standards, sanctions and humanitarian intervention.

The optional component will vary from year to year, depending on teachers' expertise and students' interest. It will cover one or more of the following areas: (a) an in-depth study of one of the human rights conventions, such as the European Convention on Human Rights, the Convention Against Torture or the Inter-American Convention of Human Rights, their modus operandi, cases and practices, and a critical appraisal of the system; (b) a study on contemporary international human rights issues, such as protection of minorities, non-discrimination, nationality and refugees; (c) a comparative study of constitutional protection of human rights in selected countries.

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**LLAW3027. International organizations (6 credits)**

International organizations: their developing importance especially in regional affairs; their constitutions; their law-making roles and methods; the importance of consensus, package deals and weighted votes; their status within the framework of international law.

A selection will be made from the following case studies:

The United Nations Conference on the Law of the Sea (UNCLOS III);

Regional economic organization: the Pacific Forum, the Organization of American States, the Organization of African Unity;

Regional defence organization: NATO, the Warsaw Pact.

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**LLAW3028. International trade law I (6 credits)**

International trade terms and the use of documents in export sales; contract issues in the international trade context; China trade comparisons; attempts at standardisation, codification and unification; Hong Kong regulation of international sales transactions; bills of exchange; collections; documentary credits; bank guarantees and performance bonds; export credit insurance.

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**LLAW3029. International trade law II (6 credits)**

Carriage by sea; carriage by air; multi-modal transport and containerisation; marine insurance; commercial arbitration regimes in Hong Kong and abroad; public regulation of international trade including aspects of the General Agreement on Tariffs and Trade and Multi-fibre Agreement.

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**LLAW3030. Introduction to private international law (6 credits)**

This course is intended to provide a basic introduction to the area of conflict of laws. It will provide an overview of the nature and theories of the conflict of laws; fundamental concepts; classification, characterization and renvoi; domicile and the status of individuals and corporations; the jurisdiction of local courts; the recognition and enforcement of foreign law; procedure and proof of foreign law; and the harmonization of conflicts rules through international treaties.

Problems of the choice of law in a number of the following areas will be considered: contracts, torts, property and succession.

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**LLAW3031. Issues in evidence and trial procedure (6 credits)**

The course is intended to provide an opportunity for (a) in depth study of specialist areas of the law relating to evidence and procedure and (b) introducing students to different approaches towards problems of proof suggested by scholars in other disciplines.

Topics for study will be selected on a yearly basis from the following list: expert evidence; similar facts evidence; police practices and a fair trial; public interest immunity; interrogatories and other forms of admission; the use of forensic science; probability theory and proof; comparative evidence and procedure; admissibility/relevance of the confessions of third persons; evasions of the hearsay rule; features and problems of identification testimony; pre-trial and trial experiments; reforms; codification, together with any current controversies or developments in the general area of evidence and procedure the teachers or students find appropriate or interesting.

(*Note:* Students enrolling for this course must have completed LLAW3021 or an equivalent course.)

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**LLAW3032. Issues in family law (6 credits)**

This course examines current controversial issues pertaining to family law. Topics examined include rights and obligations of husband and wife during marriage, on divorce and protection for children and the weaker spouse.

(*Note:* Students enrolling for this course should preferably have taken LLAW3043.)

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**LLAW3033. Issues in intellectual property law (6 credits)**

This course examines current controversial issues and problems in intellectual property law in the context of the circumstances of Hong Kong, with reference but not limited to the following areas:

Passing off action and other economic torts.

Registration of trade marks relating to goods and trade marks relating to services.

Copyright and designs: protection and infringement.

Protection of confidence and privacy.

Patents: requirements for grant and infringement.

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**LLAW3034. Labour law (6 credits)**

The scope and sources of labour law.

The contract of employment: formation; obligations of parties, express and implied; termination and suspension of the contract and remedies for breach; restraint of trade; apprenticeship.

Statutes affecting employment terms in regard to formal requirements, wages, notice of termination; suspension, lay-off and redundancy; hours of work, rest days and holidays; children, young persons and women; the Labour Tribunal.

The employer's responsibility for the safety of his employees; negligence and breach of statutory duty; health, safety and welfare and other conditions of work in industry; enforcement; employees compensation.

The law of collective relations (in outline only).

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**LLAW3035. Law in East Asia (6 credits)**

This course will be the first opportunity for students in this Faculty to learn about the legal systems of the East Asian countries. The course will be taught thematically and comparatively from among the following topics:

An introduction to the historical foundations of the modern legal systems of Japan, South Korea and Taiwan;

Legal institutions: structure of state, courts, legal professions;

Codification of law, especially the institutions of private law;

Civil and commercial law;

Civil process and mediation;

Rights of the accused person;

Human rights and the legal status of women;

Framework for foreign trade and investment.

These topics will be examined from a comparative perspective with reference to the law in Hong Kong. The law will be analysed in the context of its history as well as its economic, political and cultural foundations.

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**LLAW3036. Law, justice and ideology (6 credits)**

Social theory and the sociology of law: Pound, Erlich, Durkheim, Weber; law and social change. Law as ideology: law and power, Marxist theories of law and state, critical legal studies. Theories of justice: utilitarianism, the economic analysis of law, Rawls, Nozick, Hayek.

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**LLAW3037. Law of agency (6 credits)**

The nature and creation of agency relationship; the relationship and rights and duties of principal and agent *inter se* and *vis-a-vis* third parties; comparison of the ability of the 'agent' to affect the 'principal's' legal position in contract, tort and property.

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**LLAW3038. Legal fictions: representations of the law in literature, philosophy and cinema (6 credits)**

This course will examine the representation of law in a variety of contexts: literary, philosophical and cinematic. Issues such as justice, rights, the Rule of Law, positivism, the language of the law, the trial and the role of the profession will be canvassed through 'texts' as varied as Plato's *Republic*, Sophocles's *Antigone*, Mary Shelley's *Frankenstein*, Melville's *Bartleby the Scrivener*, Dickens's *A Tale of Two Cities* (or, alternatively, *Bleak House*), Kafka's *The Trial* (or *Before the Law*), Dworkin's *Law's Empire*, Foucault's *Discipline and Punish*, *Witness for the Prosecution*, *Judgment at Nuremberg* and perhaps a sampling of various television series ('Rumpole', 'L.A. Law', 'Perry Mason', 'Street Legal' and possibly that series that was stranger than fiction, the OJ Simpson trial).

How the law is 'imagined' by these various 'texts' constitutes an important social document, unlocking, to a certain extent, the values -- moral, political, juridical -- of the culture that produced the document. But this course will argue that these representations of the law do more than just 'hold up a mirror to nature'; indeed, they force us to rethink the law, reconceiving it, as well, as a representation -- in short, a text, subject to the same conventions of aesthetic representation. So the course will conclude by examining actual legal judgments, and how those judgments are informed by narrative conventions, plot structures, novelistic characterization and constitutive metaphors.

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**LLAW3039. Legal history (6 credits)**

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**LLAW3040. Medico-legal issues (6 credits)**

This course examine how the law regulates medical practice. Topics examined include consent to medical treatment, abortion, pre-natal injuries, death and withholding life sustaining treatment, euthanasia, organ transplant, confidentiality and access to medical records.

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**LLAW3041. People's Republic of China civil and commercial law (6 credits)**

This course will begin with a discussion of the political economy of China's legal change. It will then examine the specific areas of the law from both a theoretical and practical approach. Topics addressed in the course include: contract law, the law on secured transactions, corporate law, securities regulation, and the foreign trade regime in the People's Republic of China.

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**LLAW3042. Planning and environmental law (6 credits)**

Planning and land use

The government lease and land use control; Town Planning; Protecting the non-urban environment: country parks, marine parks, wetlands and the harbour; Environmental impact assessment;

**Pollution control**

Air, noise, water pollution and waste; legislation and common law;

The wider context

International environmental law as it applies to Hong Kong; Trade and the environment.

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**LLAW3043. Principles of family law (6 credits)**

This course covers basic principles of Hong Kong family law and its historical development. It examines marriage formation, nullity and legal consequences of marriage. It covers protection of spouse and children from domestic violence. This course also covers judicial separation, divorce and ancillary relief. The law relating to children is also examined with emphasis on parental responsibility, child adoption and child protection from abuse and neglect. Also studied is the impact on family law of the UN Convention on the Rights of the Child and other international treaties binding on Hong Kong.

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**LLAW3044. Public international law (6 credits)**

Topics will include some of the following: introduction to the nature of international law and its historical development; sources of international law; the relationship between international and municipal law; the subjects of international law; the concept of sovereignty and state recognition; state jurisdiction; the acquisition and loss of territory; state responsibility; state succession; treaties and other international legal agreements; the pacific settlement of disputes; the use of force; international institutions; human rights.

The above is intended merely as a guide to the general nature of the subject matter to be covered. Special reference will be made throughout to considerations which are particularly relevant in the Hong Kong and Southeast Asian contexts.

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**LLAW3045. Remedies (6 credits)**

Damages: purpose, assessment and entitlement to damages at common law; remoteness of damages in contract and tort; damages for personal injury; damages in equity.

Specific performance: nature of the remedy; specific performance as an alternative to damages; supervision of the performance; discretionary consideration.

Injunctions: equitable origins of the injunction; power to grant injunctions; the different types of injunction; penalties for failure to comply with an injunction.

Other equitable remedies: declarations; restitution; rescission; rectification; account; delivery-up and cancellation of documents; receivers.

Defences to equitable remedies: the maxims of equity; the overriding discretion of the court.

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**LLAW3046. The child and the law (6 credits)**

This course covers the law of parent and child with emphasis on the emerging concept of parental responsibility and the rights of the child. It examines the increasing importance of parentage as a status and the effect of Parent and Child Ordinance (1993) on the status of children in Hong Kong. Also examined here is the effect of divorce on children and the enforcement of child support obligation. The course also examines the importance of listening to children in family proceedings and the role of mediation in the settlement of family disputes over children. Also considered is the law of child adoption and protection from abuse and neglect.

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**LLAW3047. The Hong Kong Basic Law (6 credits)**

The background to the Basic Law (the Joint Declaration and the process of drafting and agreeing on the Basic Law), basic Chinese and Western liberal constitutional concepts relevant to an understanding of the structure and orientation of the Basic Law, the relationship of the Basic Law to the Chinese Constitution, the relationship between the Hong Kong Special Administrative Region and the Chinese

central government, the institutional structure of the Hong Kong SAR, especially the relationship between the executive and the legislature, the concept and special aspects of 'one country, two systems' (e.g. the economic system preserved in the Basic Law), human rights, judicial review and constitutional litigation.

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**LLAW3048. The law of restitution (6 credits)**

This course covers the following topics: basic concepts in the law of restitution; restitution for money paid upon mistake; restitution of benefits paid upon failure of consideration; restitution of unlawful tax payments; restitutionary claims from 'third parties' (knowing receipt & tracing); restitutionary remedy for torts, breach of contract and equitable wrongs; defences for claims in restitution; restitutionary claims in insolvency proceedings.

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**LLAW3049. The law of the sea (6 credits)**

This course will examine some of the important issues in the law of the sea originating from customary international law and law-making treaties, most notably the United Nations Convention on the Law of the Sea. The course will discuss such maritime zones as internal waters, territorial sea, contiguous zones, exclusive economic zones, the high seas, continental shelf, and international seabed areas. It will then consider rules and issues relating to various uses of the various sea zones, such as fishing, deep seabed mining, navigation and communication, marine scientific research, regulation of marine pollution, marine boundary disputes, military uses of the sea, and settlement of marine disputes. The course will also examine the interrelationship between international law and domestic law with respect to maritime matters. Relevant Chinese law will be taken into proper account.

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**LLAW3050. Securities regulation (6 credits)**

This course is an introduction to the framework of securities regulations. Topics include: self-regulation, regulatory agencies, financial and transactional intermediaries, primary distributions, secondary trading, acquisitions and mergers, insider trading, securities fraud, derivatives and globalization.

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**LLAW3051. Selected problems of international law (6 credits)**

A detailed examination of selected issues of international law in areas such as international environmental law, international criminal law, law of treaties, international economic law, law of the sea, law of war and humanitarian law, air and space law, international organizations and settlement of international disputes.

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**LLAW3052. Shipping law (6 credits)**

This course will examine the law relating to the carriage of goods by sea. Particular emphasis will be placed on charterparties (time, voyage, and demise), recent issues affecting bills of lading, exclusion and limitation of liability, demurrage, freight, liens and damages.

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**LLAW3053. Sociology of law (6 credits)**

The main objective of the course is to provide a general introduction to the sociological study of law. It attempts to develop an understanding of law in its social context by examining social theories of law and empirical research relating to law in contemporary industrialized societies, including Hong Kong. In seeking to explore the operation of law in action, the course first explores the theories and typologies of Durkheim and Weber with particular emphasis on problems of legitimacy, ideology, and social solidarity.

Specific sociologically significant features of the law are then considered. These include: the legal profession; the functions of courts; the enforcement of law by the police; the Rule of Law.

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**LLAW3054. Succession (6 credits)**

The law relating to the validity, construction, revocation and operation of wills and the rules governing intestate succession; family provision, the nature and purpose of the office of executor and administrator.

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**LLAW3055. Use of Chinese in law I (6 credits)**

This course is designed to introduce students to the developing bilingual legal system in Hong Kong. It will be taught in Chinese (Cantonese).

Lectures will deal mainly with the following: the history of the official language policy in Hong Kong; Chinese legal vocabulary relating to basic legal concepts and areas of law such as public law, criminal law, the law of criminal procedure, the law of contract, the law of property and the law of tort; sources of Chinese language legal literature in Hong Kong, Taiwan and mainland China; the translation of legal documents.

Tutorials will involve discussion (in Cantonese) of basic elements in the Hong Kong legal system, hypothetical cases and current issues, as well as the use of Chinese to explain English legal documents and give legal advice.

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**LLAW3056. Foundations of international financial law (6 credits)**

This foundation course will examine, primarily from a legal perspective but with interdisciplinary dimensions, the structure and operation of international bank and capital markets. The course, while sensitive to key issues of domestic, regional and international regulation of international securities offerings and international banking, will concentrate primarily on private law aspects of international financial transactions such as basic trade financing, Eurodollar syndicated loans, Loan sales and participation, Eurobond offerings, and basic interest rate and currency swaps, legal opinions and private international law considerations.

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**LLAW3057. International criminal law (6 credits)**

This course explores the rationale, origins, normative development, institutional mechanisms and role of international criminal law. To do this, we trace the roots of international criminal law in customary laws of war and early attempts to enforce rules prohibiting war crimes, before reviewing the operation of the Nuremberg and Tokyo International Military Tribunals that were established after the Second World War. We then take account of the Geneva Conventions, 1949, and the rise of international human rights law, focusing on the crimes of aggression, genocide, war crimes and crimes against humanity. We then delve into the law and practice of the ad hoc International Criminal Tribunals for the former Yugoslavia and Rwanda and relate their establishment and operation to the emerging system of international criminal law, and the process under way to establish the International Criminal Court. Other problems of international crime, including terrorism, drug-trafficking, hostage-taking and hijacking, also will be considered against the backdrop of the domestic and international socio-political realities of our time.

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**LLAW3058. International mooting competition (6 credits)**

Students who have been selected as members of the team to represent the University of Hong Kong in one of the international mooting competitions listed below (or any other mooting competition approved by the Faculty Board) are eligible to enrol in this course.

The competitions are the William C Vis International Commercial Arbitration Moot (takes place in Vienna), the International Environmental Law Moot Court Competition, the Telders International

Human Rights Law Moot, the Cardozo International Intellectual Property Moot, and the Manfred Lachs Space Law Moot Competition.

These competitions involve the preparation as members of a team of substantial written memorials, as well as participation in oral rounds.

A member of the Faculty will act as supervisor for those enrolled in the course. Assessment for the course may include components for written work, oral advocacy, and a brief individual research paper. With the Head's permission, it is possible to take this course on a non-credit earning basis.

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**LLAW3059. Jessup international law moot court competition (6 credits)**

The Philip C. Jessup International Law Moot Court Competition is an international mooted competition in the field of public international law. Teams of up to five members prepare written memorials on a problem involving contemporary issues of international law, and participate in the Hong Kong regional mooted competition; the winner of the regional round is entitled to participate in the international rounds held in the United States. The deadline for the submission of the written briefs is normally early January; the oral rounds normally take place in February (Hong Kong) and late March/early April (international rounds).

Eligibility for enrolment in the course is limited to those students who have been selected as members of the team to represent the University of Hong Kong. A member of the Faculty will act as supervisor for those enrolled in the course. Assessment for the course may include components for written work, oral advocacy, and a brief individual research paper.

With the Head's permission, it is possible to take this course on a non-credit earning basis.

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**LLAW3060. Moot court (3 credits)**

The course is designed to introduce students to appellate advocacy in the form of a 'moot court' exercise. Students are required, in teams of two, to assume the role of counsel for one of the parties in an appeal from a fictional trial decision. They are required to prepare and submit to the 'court', a skeleton of their legal arguments, and a list of authorities, and to make oral argument before the court, to the satisfaction of the faculty member who is assigned to the court, and in conformity with the written mooted instructions issued to the students by the Faculty of Law.

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**LLAW3061. Law, the individual and the community: a cross-cultural dialogue (6 credits)**

This course is a "global classroom" course centred on dialogue amongst parallel classes at universities in a number of countries (including Canada, Singapore, Malaysia, Finland and the USA) by means primarily of Internet-based communications technology. The course deals with competing ideas about the appropriate relationship between individual and community and the role of law in regulating that relationship. A special concern is to explore the extent to which human rights are an indispensable and universally-desirable aspect of such legal regulation. Are there reasons to believe that either the idea of human rights or the content attributed to some human rights cannot be justified as appropriate for all societies in all contexts? In order to provide a context for the dialogue amongst the students in the different universities, selected cases and scenarios from international human rights law (as well as some comparative constitutional case law) provide the concrete focus for exploring the broader theme. The issues to be examined are likely to include (though will not necessarily be restricted to) the death penalty, preventive detention, sexuality, corporal punishment, parent and child relationship, and freedom of expression.

The course will involve regular meetings of the class in Hong Kong, together with participation by students in discussions with their counterparts in other countries for 8 weeks during the semester. This discussion will be based around the common themes and reading being considered simultaneously by each of the classes during that period. The main form of communication technology used to link the students is an Internet website discussion group (a series of "conferences"), hosted by the Bora Laskin Law Library at the University of Toronto, with a back-up site at the National University of Singapore.

Students will be required to contribute to the conferences on a weekly basis as part of the course. The co-instructors at the different institutions will moderate general conferences involving all students from all the participating universities.

[Note: This course was originally conceptualised and implemented by Professor Craig Scott of the University of Toronto and Professor Kevin Tan, of the National University of Singapore. The course description above is based largely on their course description and appears with their permission.]

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**LLAW3062. Human Rights in China (6 credits)**

This course will examine the international and domestic dimensions of the protection of human rights in the People's Republic of China. It will examine the applicability of international human rights standards to the PRC, the stance of the PRC in relation to international national mechanisms for the protection of human rights, and the place of international standards in domestic law. The course will consider the theoretical debates about the origin and contingency of human rights standards, questions of priorities in human rights, and the issue of rights in Chinese cultural contexts. It will also examine the extent of human rights protections available under the Chinese constitution and other laws, and will focus on selected issues, which may include the criminal justice system, freedom of expression, freedom of association, freedom of religion, labour rights, gender discrimination, and minorities/self-determination. The course will also examine the social and political forces that may contribute to the improvement of human rights in China.

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**LLAW3063. Emerging markets: finance and investment (6 credits)**

Consideration of the fundamental regulatory and contractual aspects of financing and investment in developing countries and transitioning economies. Specific subject matter will include the role of law in economic reforms, financial sector reforms in emerging economies, basics of infrastructure financing from the countries perspective, debt rescheduling, privatization, regulation of foreign direct investment and related dispute resolution considerations from the emerging countries perspective.

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**LAW3065. Information technology law (6 credits)**

This course examines the legal and policy issues brought forth by technological advances in information technology. Topics to be covered include, but are not limited to, the following:

Copyright protection for computer programs and databases.

Patent protection for computer-related inventions.

Semiconductor chip designs protection.

Legal issues on the Internet.

Electronic transactions and public key infrastructure.

Computer crimes.

Data protection.

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**LLAW3066. Cross-border legal relations between the mainland and Hong Kong (6 credits)**

The course will focus on the constitutional, criminal and civil aspects of cross-border legal relations, which will include:

1. The status of PRC constitution and the Basic Law and the issue of congressional supremacy,
2. Criminal jurisdictions,
3. Repatriation of fugitives and sentenced persons and mutual legal assistance in other criminal matters,
4. Mutual recognition and enforcement of arbitral awards and judgments,
5. Procedures of cross-border services and evidence taking, and
6. Cross-border insolvency and family law matters.

The course will be taught in both putonghua and English. The medium of coursework and examination will be in Chinese.

**LLAW3067. Construction law (6 credits)**

The purpose of this course is to provide an introduction to the subject of construction law in Hong Kong including

- the construction industry in context
  - roles and relationships of the professions engaged in construction and their regulation
  - controls over building
  - traditional and new forms of contracting
  - procurement strategy and risk management
  - tendering and contract formation
  - liability in tort and contract
  - contractor's and employer's obligations
  - responsibility for design, defective buildings and subsequent owners
  - time and payment issues
  - preparation and defence of contractor's claims
  - insurance and bonds
  - nominated, named and domestic subcontractors and suppliers
  - financial remedies for breach of contract
  - suspension and determination of construction contracts
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**LLAW3068. The rights of the child in international and domestic law (6 credits)**

This course will examine the concept of children's rights within the Asia-Pacific region as a general theoretical issue, as well as consider selected issues of domestic law and practice in the light of the minimum standards mandated by international human rights law. The second part of the course will seek to apply these theoretical models to the concrete legal situations in the region. It will consider international instruments such as the United Nations Convention on the Rights of the Child, the African Charter on the Rights and Welfare of Children, and the Hague Conventions on Child Abduction and Inter-country Adoption, as well as other regional or bilateral arrangements.

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**LLAW3069. Regulation of financial markets (6 credits)**

This foundation course addresses the nature and operation of financial markets and the role of regulation. Coverage, based on comparative analysis and international standards, will include major financial sectors (banking, securities, insurance), supporting legal and institutional structures, and current issues and trends.

(Note: Cross-listed for all final year undergraduates (from any Faculty) and all post-graduate students.)

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**LLAW3070. International trade regulation - WTO and China (6 credits)**

"Public" regulation of international trade is separate from but complementary to "private" international business transactions. This course will examine governmental and inter-governmental regulation of international trade at the international, national and regional levels. The course will focus on the regime of the GATT/WTO, although it will also consider some other multilateral and bilateral trade agreements as well as domestic laws affecting international trade in goods and in services. It will review in some detail such areas as anti-dumping duty, countervailing duty, safeguard measures, and other trade remedies. The course will also examine trade-related intellectual property, investment measures, government procurement, trade in agriculture and textiles, customs issues relating to classification and valuation of commodities and rules of origin, import and export controls, and dispute resolution. Chinese law and U.S. law that affect Hong Kong the most will be given special consideration.

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**LLAW3071. Equality and non-discrimination (6 credits)**

This course will consider theories of equality, international standards on equality and non-discrimination, and their implementation in national laws and practice. The course will examine

(with an emphasis on inequality issues of relevance to Asia) different forms of discrimination and inequality, which may include discrimination on the basis of race, class, ethnicity, sex, disability and other grounds.

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**LLAW3072. Principles of Hong Kong Taxation on Income (6 credits)**

This course concentrates on the principles of law governing Hong Kong taxes on income: profits tax, salaries tax and property tax. Both the scheme of the relevant statutes and the ways in which case law has interpreted the relevant statutory provisions will be examined. On a practical level, relevant practices of the Inland Revenue Department will also be highlighted. Having acquired a sound knowledge of the law and practice, students will be expected to apply that knowledge to simulated but realistic situations commonly encountered in Hong Kong. Tax policy issues, including an analysis of Hong Kong's source-based jurisdiction of tax, capital taxation, broadly-based indirect taxation and taxation compliance will be covered. Where appropriate, these matters will be contrasted with the taxation system of Mainland China as well as other Asian jurisdictions.

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**LLAW3080. Governance and law (6 credits)**

This course seeks to understand why the state regulates certain activities and behaviour in society, what different forms of regulation exist, when and what kind of legal regulation is deemed necessary, how legal regulation is enforced, and checks and balances against abuse in enforcement. This course is jointly taught by staff from the Department of Politics and Public Administration and the Department of Law. The main objective of the course is to explore the interface between the study of Politics and Law in understanding governance. Relevant case studies will be included for illustration and discussion. To take this course, students must have successfully completed POLI1002 Fundamentals of public administration and LLAW2002 Administrative Law.

Students are allowed to take either POLI0064 or LLAW3080 to fulfill the respective programme requirements for the Department of Politics and Public Administration or the Department of Law.