

**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, and Sociology;

‘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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<sup>(1)</sup> This regulation should be read in conjunction with UG1 of the Regulations for First Degree Curricula.

### **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 195 and not more than 216 credits of courses, unless otherwise required or permitted under the Regulations;
  - (c) follow the required number of compulsory and elective courses as prescribed in the syllabuses. For each semester, candidates shall select not less than 30 and not more than 36 credits of courses except for the last semester of study;
  - (d) take a maximum of 66 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) 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 change their selection of courses at the beginning of each semester may do so up to 2 weeks after the commencement of the semester. Requests for changes beyond the 2-week deadline will not be permitted, except for medical or other reasons accepted by the Faculty Board, and candidates' withdrawal from any course without permission will be given a failing 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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<sup>(2)</sup> The specific requirements applicable to candidates of this degree curriculum are spelt out in the syllabuses.

### **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.

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### **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 will 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 fulfil 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 195 credits; and
  - (c) satisfied the requirements in UG3 of the Regulations for First Degree Curricula.
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### **Degree classification**

**SSGL13** 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.

## 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 195 credits of courses for the curriculum. They shall select not less than 30 and not more than 36 credits of courses for each semester.

#### 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 broadening 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 66.

##### a) Language studies courses:

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

##### b) Broadening courses:

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|---|-------------|
| Science and technology studies  | (3 credits) |
| Culture and value studies or any elective courses outside the Faculties of Social Sciences and Law. | (3 credits) |

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

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|---|-------------|
| POLI1003. Making sense of politics  | (6 credits) |
| (This course must be successfully completed in semester I or II)                      |             |
| Plus another 6 credits of junior OR senior-level course                               | (6 credits) |
| (candidates are recommended to select POLI1002 Fundamentals of public administration) |             |

##### d) Courses from 3 of the following five departments:

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

##### e) Course offered by the Department of Philosophy:

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|---|-------------|
| PHIL1005. Critical thinking and logic   | (6 credits) |
| [This course can also serve the purpose of fulfilling the Broadening requirement (Culture and value studies) as mentioned in (b)] |             |

**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 semesters 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

POLI0067. Liberalism and its limits

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 handbook.

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

Candidates should pass all of the following courses:

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

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

LLAW1008. The legal system (6 credits)

LLAW1009. Law and society (6 credits)

LLAW1010, LLAW1011, LLAW1012, LLAW2015\*, and LLAW2016. Legal research and writing I, II, III, IV\* and V (15 credits)

LLAW2001. Constitutional law (6 credits)

LLAW2003. Criminal law I (6 credits)

LLAW2004. Criminal law II (6 credits)

LLAW3080. Governance and law (6 credits)

LLAW3093. Administrative law (6 credits)

Courses of the value of 12 credits from the Department of Law (12 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:

LLAW1008. The legal system (6 credits)

LLAW1009. Law and society (6 credits)

LLAW1010. & LLAW1011. Legal research and writing I and II (6 credits)

Semesters III and IV:

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

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

LLAW2001. Constitutional law (6 credits)

LLAW3093. Administrative law (6 credits)

LLAW1012. Legal research and writing III (3 credits)

Semesters V and VI:	
LLAW2003. Criminal law I	(6 credits)
LLAW2004. Criminal law II	(6 credits)
LLAW3080. Governance and law	(6 credits)
LLAW2015. & LLAW2016. Legal research and writing IV and V	(6 credits)
12 credits of courses from the Department of Law	(12 credits)

**\* Candidates may, in exceptional situations, seek a waiver of LLAW2015 Legal research and writing IV from the Head of the Department of Law.**

## 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 select other courses offered under the BSocSc (General Stream) curriculum.

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 to the Faculty Board. Candidates withdrawing 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 for 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 course follows on from language input into the Legal research and writing course in the first semester of Year 1. *Writing solutions to legal problems* dovetails closely with a substantive law course (Tort), allowing students to apply and articulate their knowledge of tort law as they frame a written response to the kinds of legal questions typically found in tutorial and examination questions. The initial focus is at the level of the discourse structure of legal arguments and then on the control of the grammar, vocabulary and stylistic features typical of the genre. Students receive substantial individual feedback on 3 problem cycles, featuring 2 revisions of each initial answer attempt. Assessment is wholly by coursework, including 2 extended pieces of writing under examination conditions at the end of the course.

**ECEN1901. Academic English for social sciences (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.

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**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.

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**Economics and Finance**

All senior level courses offered by the School of Economics and Finance require ECON1001.

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

An introduction to the basic concepts and principles of microeconomics – the study of demand and supply, consumer theory, cost and production, market structure, and resource allocation efficiency.

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**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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**Faculty of Social Sciences****FOSS1002. Appreciating social research (6 credits)**

Social science researchers investigate social phenomena from different perspectives using different research methodologies. This course will provide a chance for students to take a close look at social science research, and attain a general understanding of the different research orientations taken by social sciences researchers. After taking the course, students will be more knowledgeable and equipped to understand general research findings in social sciences. Emphasis will be on nurturing critical thinking skills and aptitudes for appreciating research evidences encountered in future studies and daily experiences. Assessment: 100% coursework.

**FOSS1003. Masters in social thought (6 credits)**

Over time, outstanding master thinkers in different social scientific disciplines have produced landmark studies and ingenious conceptual frameworks to illuminate the world we live in. This course introduces students to the works and ideas of selected 'masters' in social sciences, in particular how they continue to enlighten us, by applying their insights to examine the pressing social issues that surround us in the intricately globalized world of today. The basis for our enquiries will be from the works of writers as diverse as Sigmund Freud, Erich Fromm, J.S. Mill, Emile Durkheim, and Karl Marx amongst others. After taking the course, students will learn the ways of thinking and major insights of selected masters of social sciences. Students will also be able to make use of their insights to reflect on some of the major issues they face in life.

Assessment: 100% coursework.

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**Philosophy****PHIL1005. Critical thinking and logic (6 credits)**

Critical thinking is a matter of thinking clearly and rationally. It is important for solving problems, effective planning, and expressing ideas clearly and systematically. We shall study the basic principles of critical thinking, and see how they can be applied in everyday life.

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

This is an introductory course to the study of Public Administration. It seeks to introduce students to fundamental concepts and theories in the discipline. Main themes that will be examined include the traditions, core functions and processes, as well as the politics and accountability of public administration.

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

It is an introductory course offered to students with no previous background in political science. It covers the basic concepts, institutions and processes that one would encounter in the study of politics. Emphasis will be placed on the application of concepts to current issues, including (but not restricted to) that of Hong Kong.

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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.

**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.

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**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.

## 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.  
Assessment: 50% coursework, 50% examination.

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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

### **STAT0301 (old code STAT1001). Elementary statistical methods (6 credits)**

Research findings are often fully or partly supported by data. Data, which are often concerned with situations involving variability and uncertainty, are collected from an experiment or a survey. They are used to estimate the true value of a certain quantity or to test the acceptability of a certain new hypothesis. Valid methods of analysing the data are thus essential to any successful investigation. The course presents the fundamentals of statistical methods widely used by researchers. There is no demand of sophisticated technical mathematics. Topics include: Presentation of data, Variability and Uncertainty, Measures of Central Tendency, Measures of Dispersion, Basic Probability Laws, Binomial Distribution, Poisson Distribution, Normal Distribution, Random Sampling, Sampling Distribution of the Mean, Central Limit Theorem, Point Estimation, Confidence Interval, Sample Size Determination, Hypothesis Testing, Inferences for Mean and Proportion, Simple Linear Regression and Correlation.

Assessment: 25% coursework, 75% examination.

Examination: One 2-hour written paper.

Prerequisites: HKCEE Mathematics. Not available to students with a pass in A-level Pure Mathematics.

Eligibility: Students taking or having taken STAT1301 or STAT1306 or STAT0302 or STAT1008 are not allowed to take this course.

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### **STAT1301. Probability & statistics I (6 credits)**

The discipline of statistics is concerned with situations in which uncertainty and variability play an essential role and forms an important descriptive and analytical tool in many practical problems. Against a background of motivating problems this course develops relevant probability models for the description of such uncertainty and variability and provides an introduction to the concepts, principles and methodology of statistical analysis. Topics include: Counting; selection with or without replacement; probability model; conditional probability; Bayes' Theorem; random variables;

distribution functions; densities; examples of distributions; joint distributions; independence of random variables and of events; expectation; variance; covariance; correlation coefficient; moments; conditional distributions; conditional expectation; transformation of random variables; bivariate normal distributions; simple inference based on normal samples: one-sample and two-sample problems, hypothesis tests and confidence intervals for means and variances.

Assessment: 25% coursework, 75% examination.

Examination: One 2-hour written paper.

Prerequisites: A-level Pure Mathematics or AS-level Mathematics & Statistics or equivalent.

Eligibility: Students taking or having taken STAT0301/STAT1001 or STAT0302/STAT1008 or STAT1306 are not allowed to take this course.

### **STAT1302. Probability & statistics II (6 credits)**

This course builds on STAT1301, introducing further the concepts and methods of statistics. Emphasis is on the two major areas of statistical analysis: estimation and hypothesis testing. Through the disciplines of statistical modelling, inference and decision making, students will be equipped with both quantitative skills and qualitative perceptions essential for making rigorous statistical analysis of real-life data. Topics include: 1. Overview: random sample; sampling distributions of statistics; moment generating function; probability generating function; large-sample theory: laws of large numbers and Central Limit Theorem; likelihood; sufficiency; factorisation criterion; 2. Estimation: estimator; bias; mean squared error; standard error; consistency; Fisher information; Cramér-Rao Lower Bound; efficiency; method of moments; maximum likelihood estimator; 3. Hypothesis testing: types of hypotheses; test statistics; p-value; size; power; likelihood ratio test; Neyman-Pearson Lemma; generalized likelihood ratio test; Pearson chi-squared test; Wald tests; 4. Confidence interval: confidence level; confidence limits; equal-tailed interval; construction based on hypothesis tests; 5. Nonparametric methods: theory of ranks; order statistics; non-parametric tests; robust methods.

Assessment: 25% coursework, 75% examination.

Examination: One 2-hour written paper.

Prerequisites: A-level Pure Mathematics or AS-level Mathematics & Statistics or equivalent AND taking or having taken STAT1301.

### **STAT1303 (old code STAT1011). Data management (6 credits)**

This course is designed for students who want to learn a statistical software (SAS or SPSS) for data management and elementary data analysis. 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. The course also covers the planning and implementation of data management system for statistical projects. Topics include: Data management system for statistical projects. Planning, documentation and implementation of data management system. Data validation and cleaning techniques. SAS/SPSS programming topics, including the following: Data set input and output. Working with different data types. Data manipulation. Data transformation. File manipulation. File management. Data reporting, summarization and presentation. Basic data analysis. Data queries. Macro facilities.

Assessment: 50% coursework, 50% examination.

Examination: One 2-hour written paper.

Prerequisites: HKCEE Mathematics or AS-level Mathematics & Statistics or A-level Pure Mathematics or equivalent AND taking or having taken STAT0301 or STAT0302 or STAT1301 or STAT1306 or ECON1003 or ECOL2006 or STAT1001 or STAT1008.

### **STAT1304 (old code STAT0104). The analysis of sample surveys (6 credits)**

We often try to infer the characteristics of a population by taking a sample from that population. The validity and the efficiency of the findings depend on the quality of the sample. This course considers the basic theory and practical applications for the different sampling design and analysis. Examples on

marketing surveys, social surveys and opinion polls will be considered.

Assessment: 25% coursework, 75% examination.

Examination: One 2-hour written paper.

Prerequisites: HKCEE Mathematics or AS-level Mathematics & Statistics or A-level Pure Mathematics or equivalent AND taking or having taken STAT0301 or STAT0302 or STAT1301 or STAT1306 or STAT1801 or ECON1003 or ECOL2006 or STAT1001 or STAT1008.

### **STAT1305 (old code 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 policymaking 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.

Examination: One 2-hour written paper.

Prerequisites: HKCEE Mathematics or AS-level Mathematics & Statistics or A-level Pure Mathematics or equivalent AND taking or having taken STAT0301 or STAT0302 or STAT1301 or STAT1306 or ECON1003 or ECOL2006 or STAT1001 or STAT1008.

### **STAT1306. Introductory statistics (6 credits)**

The discipline of statistics is concerned with situations involving uncertainty and variability. The interpretation of data needs special techniques when variability plays a role, as it usually does. Thus statistics forms an important descriptive and analytical tool of all many scientific disciplines. 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. Topics include: Presentation of data, Variability and Uncertainty, Measures of Central Tendency, Measures of Dispersion, Basic Probability Theory and Techniques, Random Variables and Probability Distributions, Random Samples, Point Estimation, Normal Sampling Theorem, Confidence Intervals, Hypotheses Testing, Simple Linear Regression and Correlation.

Assessment: 25% coursework and 75% examination.

Prerequisite: A-level Pure Mathematics or AS-level Mathematics & Statistics or MATH0801 or MATH0802. 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 "Risk Management" or "Statistics" should take STAT1301 instead of this course. (Students taking or having taken STAT1301 or STAT0301 or STAT0302 or STAT1801 are not allowed to take this course.)

## **SENIOR LEVEL COURSES**

### **Faculty of Social Sciences**

#### **FOSS0003. Human security in the global context (6 credits)**

What is Human Security? How does the security and well-being of the individual relate to the security of the state? When we look around the world today, are our national security apparatuses providing us with the security that we need? Human Security refers to an emerging paradigm for understanding

global politics whose proponents believe that the world requires a more comprehensive notion of security, one that marries the traditionally separate fields of development and defense studies and links the traditionally opposing principles of human rights and state sovereignty. Human Security proponents argue that today's security threats go beyond our traditional understanding of defense threats, (e.g. attack from another state) to include poverty, economic inequality, diseases, human rights abuses, environmental pollution, and natural disasters. This course will review the emergence of and major themes behind the Human Security paradigm and will ask if and how Human Security can be meaningfully applied in a policy context. The use of real-world case studies and simulation exercises throughout the course will help students understand and apply the material covered. Students are encouraged to make their own critical judgments about the value of the Human Security agenda towards the end of the course.

Assessment: 40% examination and 60% coursework.

(This course will be recognized as a politics elective course.)

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### **FOSS0007. Policy/practice research project (9 credits)**

This course is under the Social Exposure Programme of the Faculty which aims at assisting students to develop social awareness, critical thinking, analytic ability, improve their interpersonal and communication skills, and enhance their integration of classroom knowledge into real life practice. Students will be assigned to work for a policy/practice research project from a list provided themes, for not less than 160 hours during term time or summer time. The tasks involved can be literature review, data collection, data analysis, report writing, or a combination of the above.

Assessment: 100% coursework.

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### **FOSS0008. Social science internship (9 credits)**

This course is under the Social Exposure Programme of the Faculty which aims at developing students good understanding of social issues through first-hand practical experience and applying knowledge and skills learned to real life situations. Students are expected to become more socially aware, develop critical thinking and analytic ability, and improve their effective interpersonal and communication skills. Students will be placed in a local, regional or international NGO, a public or private international or local organisation or a research centre affiliated to the Faculty for a period of not less than 160 hours during term time or summer time. Students will work for the organization under the supervision of its relevant staff.

Assessment: 100% coursework.

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### **FOSS0009. Social justice summer internship (9 credits)**

This Internship, under the Social Exposure Programme, is similar to the Social Science Internship except that the partnering organisation and the tasks assigned involve the cross-cutting of law and social sciences with a social science student pairing up with a law student. Students will work full time in the internship organization during summer for a period of not less than 160 hours under the supervision of its relevant staff. They may help with preparation of reports, carrying out research work or other relevant activities.

Assessment: 100% coursework.

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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.

**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 welfare rights.

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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, 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, rational choice approaches to democracy, and others.

**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.

Eligibility: Students taking or having taken FOSS0010 are not allowed to take this course.

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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 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 the fields of global ethics, market ethics, and political and administrative ethics.

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

This course introduces the gender dimension to the study of development, especially in an era of globalization. It begins with an overview of the articulation of gender concerns in western development theory and practice in the last three decades, and explores in greater depth the gendered impact of certain key processes at work today. They include war and nation building, the debt crisis, global economic restructuring and labour migration, global governance and the international women's movement.

Eligibility: Students taking or having taken FOSS0004 are not allowed to take this course.

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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 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 international character has been vital to its prosperity and vitality. 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, its complex identity as a Chinese world city and its track record in facing the challenges and opportunities associated with today's highly interdependent global system.

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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 controversies 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, international security threats, and transnational environmental problems. The course also covers issues such as the role of the U.S in world politics, or post-war international system shaped by the US.

Eligibility: Students taking or having taken FOSS0013 are not allowed to take this course.

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**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.

**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 the 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 level of difficulty, it may be advisable to take the course after the 4th semester.]

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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 explores the concept and dynamics of "development" through considering a range of concrete problems that have assumed primacy in the Third World today. Issues discussed will include ethnic conflict and displacement; poverty and inequality; foreign aid and neoliberal globalization; urbanization and environmental destruction; and civil society and democratization.

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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.

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

Public administration in Hong Kong has been going through a series of reform 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 public sector 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 the 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.

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

The political system of the United States is often touted as the quintessential democracy in the world. 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? What role does American political culture play? How are the powers divided among different branches of federal state governments? How do individuals and

interest groups exercise political power? How does the system work? To answer these questions and others, we will examine the philosophical foundations, working mechanisms and major controversies associated with the American political system.

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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. The course will examine the intellectual foundations associated with and the domestic political actors involved in U.S. international policy formulation and implementation. Students will then 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)**

This course asks why gender matters in politics and how women's integration into political life is important to the fulfillment of democratic citizenship. It will examine shortfalls in reality and seek to understand the processes whereby most women "vanish" from public decision making. Drawing from progressive experiences in different parts of the world, the course explores ways in which politics could be made more women-friendly, and how women's participation could help transform the nature and content of politics.

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**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 helps students to have a better understanding of major trends and issues in international relations of East Asia. Instead of providing a comprehensive survey of the history, culture, and national policies of countries in the region, it mainly addresses four issues in the course: What are major trends

in regional IR? What is the source of conflict in the region? What are the common interests that unite peoples and states of East Asia? How does the region organize itself? It explains dynamics and patterns of regional international relations in a broad geopolitical and geoeconomic context. Topics in discussion include major powers' role in the region, the Korean Peninsula, the Taiwan Strait, ASEAN, Southeastern Asia and regional institution-building.

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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. 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 (6 credits)**

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 and their relevance for understanding south China will also be examined. Part II analyses 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.

**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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**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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**POLI0066. Public administration and the public (6 credits)**

"Government is an instrument of the public for acting **collectively**." What distincts public administration from business administration is the notion of "the public". In the age of New Public Management, however, the distinctiveness and the identity of "the public" seem to have been largely lost.

This course seeks to (1) rediscover the "public" in public administration by analyzing various plausible conceptions of the public in relation to public administration, for example, as constituents, clients, customers, and citizens; and (2) evaluate the respective forms and potential for public participation in the processes of administration in these conceptions.

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**POLI0067. Liberalism and its limits (6 credits)**

This course explores a set of fundamental issues in liberalism. Liberalism, which is arguably the most influential tradition of political theory today, is about the proper scope of individual freedom and state power. Some of the issues to be discussed in this course are: What is freedom and what is its ground? Under what conditions should the state interfere with individual freedom? Should the state ban or discourage unethical or worthless ways of life? Should the state coerce people for their own good? Should we have the freedom to exclude people whom we don't like? What is so valuable about personal autonomy? The course aims to assess the strengths and limits of liberalism by examining the arguments for and against the liberal views on these issues.

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**POLI0069. Public policy, politics and social change (6 credits)**

It is a common belief that public policies aim to control socially harmful behavior and to advance desirable, collective societal ends. Contrary to this belief, some policies have only served as tools to

strengthen political and economic power of certain groups (or countries) at the expense of others. This course examines this dark side of public policies by addressing critical questions that include: whose interests are reflected in the policies? what are the institutional sources of policies/decisions? how does the powerful manipulate public opinion? who benefits and who pays for the costs of these policies in what ways? etc. By exploring answers to these questions, students are expected to identify sources of widespread injustice in contemporary societies. To conceptualize the core ideas, the course engages in the analysis of propaganda techniques, U.S. foreign policy, and the distribution of hazardous wastes, etc. The course will consist of a combination of lectures and group discussions. Active class participation is required.

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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.

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## **Compulsory 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).

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

An overview of major legal systems in the world (common law, civil law, socialist law, religious law), including a brief overview on a comparison between the common law system and the PRC legal system; the ideology of the common law system and the rule of law, justice and separation of powers; development of the Hong Kong legal system; classification of law, sources of Hong Kong law; law making process; Hong Kong court system; doctrine of stare decisis; access to justice and legal aid; legal profession and legal services; jury system; law reform; Government lawyers and organization of Government legal services; the language of the law; interface between the PRC legal system and the Hong Kong legal system.

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### **LLAW1009. Law and society (6 credits)**

This course aims to capture the dynamics between law and society, namely, how law is shaped by social changes, perception and thought, and how society is moulded by legal rules and norms. Broad interdisciplinary knowledge and perspectives relevant to the study of the relationship between law and society will be discussed. Theoretical, empirical and policy considerations will be taken into account. General themes chosen to highlight the above dynamics will include the relationship between law and political power, law and economic development, law and history, law and family, and law and social life.

Specific topics covered may vary from year to year and may include the following: the rule of law and the liberal constitutional state; law and economic development in the age of globalisation; the anthropology of law; law and culture; law and morality; the historical and philosophical foundations of western and Chinese law; current socio-legal issues in Hong Kong.

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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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**LLAW2003. Criminal law I (6 credits)**

This course introduces students to the principles of Hong Kong criminal law and liability. Topics include the nature and classification of crime, elements of criminal procedure in Hong Kong, the burden of proof and the impact of constitutional human rights, and the general principles of criminal responsibility, including criminal defences and degrees of participation. Offences considered will include homicide and theft.

Co-requisite: LLAW2004 Criminal law II

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**LLAW2004. Criminal law II (6 credits)**

This course examines further aspects of criminal law and liability in Hong Kong, including additional criminal defences and inchoate liability. It will examine the application of the general principles of criminal responsibility in selected criminal offence areas, including homicide, assaults, sexual offences, and theft and deception. Where possible, students will be encouraged to consider alternative approaches to the principles of liability, and to develop social policy analysis skills.

Prerequisite: LLAW 2003 Criminal law I

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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 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, student must have successfully completed POLI1002 Fundamentals of public administration and LLAW2002/3093 Administrative law.

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**LLAW3093. 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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### **LLAW1010. Legal research & writing I (3 credits)**

Case reading: distinguishing law/ fact; learning the structure and language of common law judgments; identifying relevant facts; identifying and defining legal issues, ratios, arguments, reasoning with precision; learning the ways in which judges in one case treat the judgments in earlier cases; precedent in action.

Basic legal writing skills using short weekly marked up and graded writing assignments in the format of case briefs, letters to clients, closed internal memoranda. Emphasis will be placed upon correct use of general English and appropriate legal terminology, clarity of expression and logical, effective organization of ideas and arguments.

Learning skills: pre class preparation, in class exercises, participation in class discussions using group and Socratic methods

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### **LLAW1011. Legal research and writing II (3 credits)**

All about legislation: the anatomy of an ordinance; The life cycle of an ordinance; the nature and use of the revised and loose-leaf editions of the Laws of Hong Kong and the Legal Supplements to the Gazette, the structure of the English Statute Book, the nature of subordinate legislation; reading ordinances; statutory interpretation in common law jurisdictions.

Basic legal writing skills using short, weekly marked up and graded writing assignments involving precise identification and resolution of statutory interpretation problems.

Learning skills: pre-class preparation, in class presentation on part of the life cycle of an ordinance, participation in very small group discussions with systematic reporting and feedback.

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### **LLAW1012. Legal research and writing III (3 credits)**

Library research involving identifying and physically locating appropriate Hong Kong and English case law and statutory provisions using (i) paper and (ii) electronic sources with emphasis upon thoroughness, efficiency and being as up to date as practically possible; basic research tools for Canada and Australia; use of legal encyclopedias, especially Halsburys, and digests such as Current Law and Hong Kong's own materials; a first introduction to legal journals.

Students will be expected to do a number of ungraded, narrowly focused research assignments, designed to assist students in familiarizing themselves with legal research tools and methods. They will then be expected to complete a research plan, a research file, an office memo, a barrister's skeleton, oral argument and final judgment – all based on an assigned research request (a different research request set by each tutor)

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### **LLAW2015. Legal research and writing IV (3 credits)**

Using material from a range of substantive law courses, students will be required to complete a number of written assignments such as a draft legal brief and a revised version, clauses for or answering problem questions in relation to simple hire purchase, car parking, employment or tenancy agreements, a simple set of pleadings, an essay critically commenting upon a legal journal article.

**LLAW2016. Legal research and writing V (3 credits)**

Students will be required to complete two supervised assignments, each involving the preparation of a research plan, working bibliography (if appropriate), full draft and final polished product. One assignment, to be completed in the first semester, will require research in an area of private law, probably in the form of an open memorandum. One assignment will require research in an area of public or comparative law (for LLB students in Constitutional Law) with the additional requirement of a presentation of the paper to a seminar of peers as a work in progress. The second assignment and presentation will be completed in the second semester.

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**PCLL Prerequisites****LLAW2012. Commercial law (6 credits)**

This course will introduce the fundamental principles of commercial law through the integration of legal issues associated with contracts, personal property, security and finance and equity in the context of commercial transactions. It focuses on the types of commercial transactions, the legal relations between parties thereto, issues arising from interrelated financial transactions, and credit and security. It covers introduction to personal property, rights in rem and rights in personam, bailment; commercial transactions (sale of goods and services, statutory control on unconscionable terms; implied terms and exemption/limitation clauses; transfer of title, nemo dat); gift; negotiable instruments, assignment of choses in action and security interests (retention of title, lien, pledges, mortgages, fixed and floating charges, guarantees); protection of interests in property and remedies (conversion, detinue, trespass, unjust enrichment, set-off); introduction to bankruptcy and corporate insolvency; settlement of commercial disputes.

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**LLAW2013. and LLAW2014. Land 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; leasehold estates in Hong Kong; ownership and possession; tenure and estates; equitable interests; possession-recovery and protection of possession; adverse possession and possessory title.

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

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).

Future interests: remainders and reversions: trusts for sale; vested and contingent interest; rules against inalienability.

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.

Land registration and priorities.

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**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.

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### **LLAW3094. and LLAW3095. Equity and 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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### **LLAW3097. Civil procedure (6 credits)**

The conduct of civil litigation in the High Court and District Court: considerations prior to commencement of action; jurisdiction of courts; parties and joinder; commencement of proceedings by writs and originating summonses; applications for judicial review; service of process; pleadings (Statement of Claim, Defences and Counter-Claims; Replies); summary disposal of actions; interlocutory proceedings; discovery; further and better particulars; interrogatories; admissions; pre-trial security; compromises and settlements; aspects of the civil trial and costs; civil appeals; costs; enforcement of judgements.

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### **LLAW3099. Criminal procedure (6 credits)**

The conduct of criminal cases in Magistracies, District Courts and the High Court. Police powers including arrest, detention, search and seizure; questioning; remedies for abuse of police powers; bail; jurisdiction of criminal courts; formulation and amendment of charges; commencement of criminal proceedings; transfers and committals; indictments; preparation for trial and discovery in criminal proceedings; pleas; plea bargaining; juries and aspects of criminal trials; costs; sentencing options; criminal appeals.

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### **LLAW3102. Evidence I (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.

**LLAW3105. Law of conveyancing (6 credits)**

System of land tenure in Hong Kong; Government leases and Conditions; user restrictions and modification of restrictions; planning and building controls; deeds of mutual covenant and building management; sale and purchase agreements; formalities; the nature of title, good and doubtful titles; possessory title; limitations on title; proof of title; completion; registration of instruments; assignments; remedies for breach; mortgages.

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**Other Courses**

Not all law courses may be offered every year.

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

A general overview of the legal system and the basic principles of law in force in mainland China today. Topics to be covered include the historical background to the contemporary Chinese legal system; constitutional law; sources of law; the law-making institutions and processes; the courts, procuratorates and legal profession; basic principles of civil and criminal procedure and administrative litigation; basic principles of civil, commercial, administrative and criminal law; and the impact of globalisation on Chinese legal developments.

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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)**

This course encourages critical reflections on the nature of law, the central issues of jurisprudence and the concepts and techniques used in the operation of legal systems. Topics to be covered may include some of the following: the relationship between law and morality; natural law; legal positivism; Ronald Dworkin's jurisprudence; utilitarianism and economic analysis of law; justice; liberty; rights; the Rule of Law; punishment; adjudication and legal reasoning; legal realism; sociological jurisprudence; critical legal studies; feminist jurisprudence; postmodern jurisprudence.

**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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**LLAW3004. Use of Chinese in law II (6 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.

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**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.)

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**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.

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**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.

**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.

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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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### **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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### **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.

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### **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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**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 Principals of family law.)

**LLAW3033. 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)**

This course is intended to provide an introduction to the major issues in labour and employment law in Hong Kong. It is concerned with the law governing the workplace: the common law of the contract of employment, the statutory provisions regulating the contract of employment and governing the rights and obligations of workers and employers, workers' entitlements under legislation, workplace safety, the right to compensation for work-related injury, protection against discrimination, and collective rights such as the right to form trade unions, to bargain and to strike. International law, in the form of the International Labour Organisation conventions as well as the major UN conventions on human rights, and their interface with domestic law, will be considered.

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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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**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.

**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.

**LLAW3046. Children 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.

**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. Law of international finance I (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.

**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 mootng 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 mootng competitions listed below (or any other mootng 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 mootng 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 mootng 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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**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.

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**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. 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.

**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 I - Introduction to the law of the WTO (6 credits)**

“Public” or governmental regulation of international trade is separate from but complementary to “private” international business transactions. At the international level, the World Trade Organization (WTO) is the primary multilateral legal and institutional framework that governs trade relations and trade-related issues between States. This course will examine the rules, norms and policies that constitute the WTO and its substantive agreements, with a special perspective and focus on issues that are related to China’s membership. The course will begin with a review of policies that affect international trade, and economic theories associated with such policies. The Agreement Establishing the WTO (WTO Agreement), the increasingly complex management of the activities of the WTO, and its decision-making processes, will be examined. Next, the substantive agreements and associated legal instruments included in the Annexes to the WTO Agreement will be analyzed. Significant attention will be focused on the core principles of the WTO Agreements: market access; non-discrimination; transparency and administration of justice; and, binding dispute settlement. In particular, the application of these principles under the GATT and GATS will be explored. The course will further examine some WTO rules that allow derogations from these general principles and specific obligations. These derogations include rules pertaining to regional trading agreements, safeguards, general exceptions, anti-dumping measures, subsidies and countervailing duties. Finally, the course will conclude with an examination of WTO rules on trade-related investment measures (TRIMs), and environmental measures which affect international trade.

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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.

**LLAW3073. Media law (6 credits)**

The primary objective of the course is an appreciation of the extent that law is affecting media practice. A familiarity with principal areas, such as defamation, privacy, contempt of court and various regulatory regimes governing the media will be developed. The underlying themes throughout the course are the meaning of freedom of the press, the responsibility of the media as a watchdog, and the balance between the two. Apart from a study of the local context, there will be frequent references to comparative materials, in particular the USA. The syllabus outline is as follows :

1. Introduction: the role of the press in democratic society, its relation and differences with freedom of expression, the history of, and the justification of the development.
2. Freedom of the press: freedom from what, and freedom to do what? No licensing; control by the Press Council.
3. The Law of Defamation and its defences.
4. News Gathering I: Intrusion into Privacy.
5. News Gathering II: access to information, official meetings and records, places and institutions.
6. Breach of Confidence.
7. Publication of Obscene and Indecent articles
8. Contempt of Court: Disclosure of news sources and prejudicial reporting of trial.
9. Access to the Media and the rights of reply.
10. Broadcasting regulation and the differences between broadcasting and printing media.
11. Regulated Media and Beyond: the Internet.

Media law will be a one-semester course. Seminar will be conducted, where students are expected to have prepared for class discussion.

Assessment: 60% exam, 40% class participation, a research paper of about 15 pages and a presentation on the research paper.

**LLAW3075. Privacy and data protection (6 credits)**

This course will consider the question of protection of privacy by the common law, bills of rights, the constitution, with particular reference to electronic surveillance and the conflict between privacy and free speech, including problems related to the Internet. Specific issues to be discussed will include: the concept of 'privacy' and the genesis and development of its political, philosophical and economic underpinnings, background to the legislation; existing common law and statutory protection: the equitable remedy for breach of confidence, defamation, copyright, the intentional infliction of emotional distress, the public interest, remedies, electronic surveillance, interception of communications, telephone tapping under the Telecommunication Ordinance, the protection of 'personal information', the data protection principles, data matching and PINS, access rights, transborder data flow, the Privacy Commissioner: powers, functions, exemptions from the principles, the sectoral codes, the international dimension: UN Guidelines, Council of Europe Convention and OECD Guidelines, Council of the EC draft directive, Articles 17 and 19 of the ICCPR, Article of the BORO, the ECHR, and the Internet and the protection of personal information.

**LLAW3076. International commercial transactions (6 credits)**

The topic of International Commercial Transactions touches on a number of legal frameworks that govern international business. The various frameworks consist of a patchwork of national and international, governmental and private-sector laws, agreements and mandatory or voluntary codes of conduct. This course will be presented in four parts, and in each part, relevant laws and decisions of tribunals in various jurisdictions in Asia are comparatively considered to present a range of issues arising in contemporary practice. It will begin with an introduction and examination of commercial and legal implications of terms-of-art frequently used in international sales agreements, shipping contracts, insurance and financing arrangements, and customs documentation. International efforts to unify or harmonize definitions and their legal implications, as well as rules that govern the interpretation of

contractual terms, such as the 2000 Inco-terms, ICC Uniform Customs and Practice for Documentary Credits, 1980 Vienna Convention on the International Sale of Goods, and UNIDROIT principles, will be discussed. Agency, distribution, technology and intellectual property transfers, and e-commerce, as widespread and emerging modes of conducting international business, the legal issues inherent in each form, and associated regulation will be considered. Issues related to international investment agreements involving governments will be examined. Special problems related to corruption and money-laundering will be discussed. Significant attention will be paid to the settlement of international commercial and investment disputes, which will include an examination of special problems associated with the recognition and enforcement of awards and judgments.

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**LLAW3077. International trade regulation II: selected issues on WTO and China (6 credits)**

This course is an advanced seminar on the interactions between WTO law and national measures in selected areas such as customs administration; public health and safety, consumer protection, industrial and competition policies; agricultural, textiles and clothing markets, financial services markets, telecommunications, and intellectual property rights. Each topic will include a discussion of the interactions between WTO law and national measures with respect to China. This will include examination of issues related to State trading, economies in transition and differential treatment to accommodate the special needs of developing economies. The course will begin with a review of the general principles of the WTO agreements, and a discussion of the sources of WTO law concerning China's commitments and obligations. Topics of study will include valuation for customs purposes, pre-shipment inspection, rules of origin and import licensing procedures. The WTO agreements on sanitary and phytosanitary measures and technical barriers to trade will also be considered, as will the treatment of anti-dumping measures, subsidies and countervailing duties, and government procurement. Policies related to trade in agricultural products, textiles and clothing will be addressed in the light of relevant WTO agreements. The GATS and its annexes on Financial Services with respect to banking, insurance and securities, and, Telecommunications will be examined. Finally, the course will conclude with a detailed analysis of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs Agreement) and a review of the requirements necessary for a national regime to implement the TRIPs agreement.

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**LLAW3078. Introduction to international economic law (6 credits)**

The recent dramatic transformation of the international economic legal order is generally attributed to "globalization", on the one hand, and liberalization, harmonization and unification of national policies and laws that affect trade, investment, and financial and commercial transactions across national borders, on the other hand. Concerns arise as to the coherence and compatibility of these processes and efforts with respect to national and global economic development, and overall welfare. This is the domain of international economic law; the law and policy of relations between national governments concerning the regulation of economic transactions that have cross-border effects. The course will broadly introduce those areas of international law and institutions that have shaped, or are the resultant of, the recent transformation of the international economic legal order, under three general themes: international trade, investment and competition law; international financial and monetary law; international commercial transactions. It will cover the relevant activities of international organizations such as the WTO, ASEAN, APEC, NAFTA, EU and ICSID. In addition to trade, investment and competition, the subject matter will include topics dealing with banking, insurance and securities. The role of institutions such as central banks through the BIS and the Basle Committee in the development of regulatory frameworks will be examined. The activities of two Bretton Woods international institutions, the World Bank and IMF, as well as the IOSCO will be studied. Efforts to unify or harmonize laws that affect international commercial transactions by international institutions such as the ICC, UNCITRAL, UNIDROIT, Hague Conference in Private International Law and OECD will also be examined.

**LLAW3081. PRC commercial law (6 credits)**

The course will examine the legal framework governing commercial transactions in mainland China. Special attention will be paid to General Principles of Civil Law, Contract Law, Company Law, Bankruptcy Law, and other principal legislation in the area. Dispute resolution will also be briefly discussed. In order to enable students to better appreciate the rapid legal development and practical issues, the course will be taught in Putonghua and examined in Chinese. Problem solving approach will be used in the course.

Pre-requisite: completion of Introduction to Chinese Law or the equivalent and sufficient Chinese proficiency.

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**LLAW3082. Regulation of cyberspace II: internet content (6 credits)**

Regulation of content in cyberspace is plagued with many difficulties. The ability to access and utilize information over the global network has made regulations and laws regulating to the Internet a challenging prospect. As existing legal and regulatory principles continue to be adapted to the online environment, novel issues arise. This course will examine many of the inherent difficulties including Internet Service Provider liability for third party content, censorship and access control, the role of technology in protecting and shielding entities from liability, the difficulty in promulgating international standards, and the unique problems of jurisdiction and regulatory arbitrage in cyberspace. The course is divided into three themes where topics may include:

1. Internet Jurisdiction and Liability
  - Jurisdiction everywhere vs. jurisdiction nowhere
  - Internet Service Provider Liability
2. Censorship and Freedom of Expression in Cyberspace
  - Censorship of Internet Content and Internet Access (Internet access policies, firewall technology, filtering systems, laws)
  - Control of search engines (The Google Effect – censorship and anticensorship technology)
  - Defamation
  - Commercial speech
  - Harmful content/Obscenity
  - Hate speech
  - Private regulation of speech through nontransparent methods
  - Regulation of speech through computer code (technologies)
3. Select Issues in Intellectual Property
  - Copyright and other protection of Internet content (hypertext linking, caching, search engines, meta-tag, etc.)
  - Mounting tension between intellectual property protection and freedom of expression
  - Liability of ISPs for IP infringements by others
  - Technologies used to prevent works distributed via the Internet and to ensure their lawful use (digital rights management systems, spiders, bots, and other tracking devices)

This course will be a one-semester course conducted in a seminar format where students are expected to be well-prepared and participate in class. Previous exposure to intellectual property law and information technology law is an asset but is by no means a pre-requisite.

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**LLAW3083. Human rights: history, theory and politics (6 credits)**

This course will consider the evolution of concepts of human rights from historical, political, theoretical and philosophical perspectives. The Western traditions of human rights and the challenges to them will be examined. The issue of universal standards and cultural relativism and the political economy of human rights will also be examined, including the challenge to the dominant Western paradigms by the proponents of Asian values in interpreting and implementing human rights. Theoretical and practical questions relating to violations of human rights by non-State actors will also be considered, as will the impact of globalisation on the enjoyment of human rights. Feminist challenges to the dominant models and practice of human rights will also be examined.

### **LLAW3084. Intellectual property and technology: protecting and managing digital assets (6 credits)**

This course examines intellectual property rights such as patents, trademarks and copyright and the challenges faced by them in the on-line world. The course will also examine the various forms of protection for software. Enforcement issues in the on-line world will also be considered as will issues specific to e-commerce such as domain names and strategies for the protection of web sites.

The following topics may be covered:

- A brief history of intellectual property and its nature.
- Intellectual property rights: patents, trademarks, copyright, registered designs - the nature of each right; the protection offered by each of these rights and how it can be obtained; duration of protection; infringement and enforcement; intellectual property laws in Hong Kong.
- The nature of software : copyright or patent protection for software; diverging views and provisions in the United States, Europe and Hong Kong. The patentability of software US vs European/Hong Kong view. Patents for business methods - the position in the US, Europe and Hong Kong. Disputes over patents for business methods : Amazon.com v Barnesandnoble.com; Network Engineering Software Inc. v eBay Inc.; Winston v Ask Jeeves Inc.etc.
- The challenges of intellectual property in the Internet Age: the territorial nature of intellectual property rights; international efforts to harmonise intellectual property rights; TRIPS obligations; European Community Directives. Copyright in the Information Society - the end of the first sale doctrine? Copyright infringement in the on-line world -hyper linking, framing, caching, browsing, 'down stream infringement', Napster, MP3. Trademark infringement in the on-line world - domains and hidden trademark infringement (meta-tags). A look at case law from Hong Kong, Europe and the United States. The application of the fair use doctrine and implied licences on the Internet. Establishing jurisdiction for intellectual property cases on the Internet; enforcement issues on the Internet - which remedy is useful in cyberspace?
- Domain name issues. The decentralised nature of the Internet and the management of unique identifiers. The domain name system explained. Challenges to the domain name system PGMedia Inc D/B/A/Name.Space v Network Solutions Inc. and the National Science Foundation. The formation of ICANN, its role and mandate. Disputes over domain names and ICANN's 1999 Uniform Dispute Resolution Policy. Cybersquatters and typo-squatters. An overview of UDRP decisions in the past year. Domain name trends and new initiatives. Domain names in Hong Kong - the overhaul of the existing system. Chinese language domain names - VeriSign vs CNNIC registrations.
- Trademarks, passing-off and domain names - where should the analogies end?
- Protecting your website - IP strategies for websites. Branding and co-branding issues.
- Trade Secrets and the Internet
- Trademark infringement in the on-line world - domains and hidden trademark infringement (meta-tags). A look at case law from Hong Kong, Europe and the United States. The application of the fair use doctrine and implied licences on the Internet. Establishing jurisdiction for intellectual property cases on the Internet; enforcement issues on the Internet - which remedy is useful in cyberspace?

### **LLAW3085. International and comparative intellectual property law (6 credits)**

This course examines the international framework within which intellectual property law operates, including copyright, patents, trade marks, designs and other forms of intellectual property. The course examines how multilateral Conventions and other agreements such as TRIPS shape national intellectual property laws, the effect of international bodies such as WIPO and WTO, the role of bilateral agreements, and other international influences on the development of intellectual property laws. Previous or concurrent study of intellectual property is recommended to students considering this course.

**LLAW3086. International and regional protection of human rights (6 credits)**

This course will examine the evolution of international standards of human rights within the United Nations system and the mechanisms established to promote their enjoyment. The topics to be covered will include the development and content of the International Bill of Rights, the major United Nations human rights treaties and the work of the United Nations treaty bodies. The Charter-based mechanisms of the United Nations will be examined, including the Commission on Human Rights and its thematic and country-specific procedures. Particular attention will be given to the relevance of these mechanisms to the Asian-Pacific region.

The European, Inter-American and African regional systems for the protection of human rights will also be considered, in particular the work of their supervisory organs. The possibilities for an Asian regional or sub-regional human rights machinery for the protection of human rights will also be examined.

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**LLAW3087. PRC intellectual property law (6 credits)**

This course will examine all major areas of Chinese intellectual property, including trademarks, patents, copyright, competition and related trade and technology transfer issues, with a brief introduction to background, policies and administrative procedures. Reading knowledge of Chinese helpful but not required. No prerequisite.

Topics to be covered: the IP challenge and common ground; overview of IP administration and ARR/ALL procedures; trade and service marks; patents and technology transfer; copyright and software protection; and competition (trade secrets, advertising etc).

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**LLAW3088. Dispute Resolution in the People's Republic of China (6 credits)**

This course examines the major features of commercial dispute resolution in the People's Republic of China. Chinese approaches to disputes and dispute settlement, including cultural and political influences, will be considered at the outset. The four principal Chinese institutions for commercial dispute resolution - amicable negotiations, conciliation, arbitration and litigation - will be the focus of the course, with an emphasis on commercial arbitration. Administrative channels for resolving disputes will also be discussed.

Both PRC foreign-related and domestic commercial arbitration will be treated at length. Arbitration before the China International Economic and Trade Arbitration Commission (CIETAC) will be a prominent feature of this part of the course, including an examination of the jurisdiction, procedures and practices of CIETAC. The emergence of reorganized domestic arbitration commissions will be discussed, including arbitral procedures and practices. Issues of enforcement of both Chinese and foreign arbitral awards in the PRC will also be covered.

Other topics include : institutional conciliation before the Beijing Conciliation Centre and in the People's Courts; joint conciliation; enforceability of conciliation agreements; foreign-related litigation in the People's Courts, including court organization, jurisdiction and venue, service of process, preservation measures, pre-trial and trial procedures, appellate procedures and enforcement of judgements; and bilateral judicial assistance agreements. A reading knowledge of simplified Chinese characters would be desirable.

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**LLAW3090. Legal aspects of white collar crime (6 credits)**

The course applies international and comparative perspectives to the problem of white collar crime in the HKSAR. The topics covered include defining 'white collar crime', money laundering, terrorist financing, forfeiture/confiscation of crime tainted property, corporate criminal liability, punishing the corporation, investigating and prosecuting white collar crime, and possibly others.

**LLAW3091. Ethnicity, human rights and democracy (6 credits)**

The rise of ethnic consciousness and the prevalence of conflicts based on diverse ethnic claims raise fundamental problems for rights and democracy. The course examines the causes of the rise of ethnicity and the challenges it poses to rights and democracy. The dominant modes of rights and liberal democracy, based on notions of the individual (or citizen) and social homogeneity, seem to clash with the claims of groups rights and cultural relativism. Many recent developments in the regime of rights and international law respond to this clash: the rise of rights of indigenous peoples, consociationalist democracy, new modes of expression of self-determination, developments in the rights of minorities, various forms of autonomy, the expansion of the scope of humanitarian intervention, and the adaptation of bills of rights to accommodate multi-culturalism.

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**LLAW3092. Current issues in insolvency law (6 credits)**

Insolvency cases in Hong Kong are at an all-time high and the entire insolvency legal regime – including the bankruptcy of individuals and the liquidation and rescue of companies – is in transition. This course will cover both personal and corporate insolvency and will address the ongoing initiatives to reform Hong Kong law.

Detailed knowledge of insolvency law is not a prerequisite. The Hong Kong Corporate and Personal Insolvency Manuals will be assigned and will provide students with both an overview of insolvency law in Hong Kong and a detailed analysis of practical considerations. Discussions in class will consider the adequacy of existing insolvency laws and procedures in Hong Kong and evaluate the strengths and weaknesses of the law reform amendments and proposals. Comparisons will be made with insolvency law developments in other jurisdictions.

There will be four primary areas covered: (1) personal insolvency law (both bankruptcy and voluntary arrangements); (2) corporate liquidation; (3) corporate rescue (including out-of-court rescues and the proposed Provisional Supervision procedures); and (4) cross-border insolvency.

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**LLAW3096. Mooting (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 mooting instructions issued to the students by the Faculty of Law.

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**LLAW3098. Constitutional and administrative law in the PRC (6 credits)**

This course consists of two parts. The first part of the course examines the following topics: (1) China's constitutional development and reform, (2) the state system, (3) the status of the Chinese Communist Party, (4) citizen's rights and obligations, and (5) the social and economic system. Through comparative studies, students are expected to understand the major differences between the concepts under the Chinese Constitution and the features of western liberal constitutionalism and the difficulties, as well as perspectives, for China's constitutional reform.

The second part of the course focuses on China's administrative law system. Topics of this part include (1) historical foundation and development of the administrative system in China, (2) comparative studies of Chinese and western administrative law systems, (3) administrative review including administrative reconsideration, punishment, and supervision, (4) judicial review or administrative litigation, and (5) state compensation. In contrast to the first part, this part is mainly conducted through case study format. Students are expected to analyse the issues in the cases by applying relevant laws and regulations.

**LLAW3100. Current issues in comparative commercial law (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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**LLAW3101. Cybercrime (6 credits)**

'Cybercrime' refers to computer-mediated activities which are either criminal or regarded as illicit and which can be conducted through global electronic networks. It encompasses cybercrimes against the person (e.g. cyber-stalking, cyber-pornography), cybercrimes against property (e.g. hacking, viruses, causing damage to data, cyber-fraud), and cyber-terrorism. The computer age has also provided organised crime with more sophisticated and potentially secure techniques for supporting and developing networks for a range of criminal activities, including drugs-trafficking, money laundering, illegal arms trafficking, and smuggling.

Cybercrime poses new challenges for criminal justice, criminal law, and law enforcement. This course will examine the nature of and problems created by cybercrime, along with some of the legal and policy challenges arising in relation to the development of national and international law enforcement and regulatory responses to cybercrime.

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**LLAW3103. Evidence II (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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**LLAW3104. Intellectual property issues in biotechnology (6 credits)**

This course explores the particular doctrines and issues concerning the patenting of biotechnological inventions in, inter alia, pharmaceuticals (including Chinese medicine), life forms, DNA sequences, cell lines, food productions, environmental protection and similar technologies. The course will survey the international dimension of biotechnology patenting with the focus on the development of Hong Kong and mainland China. Particularly, the course will introduce students to the biotechnology revolution and the commercialisation of biotechnological discoveries through patenting. Patent systems of various countries such as the US, EU, Hong Kong and mainland China concerning biotechnology will be examined. The course also briefly introduces other forms of intellectual property protection for biotechnology such as copyright, trademarks and trade secrets. In addition, the debates surrounding the exploitation of raw materials and traditional knowledge of the lesser developed countries such as South Africa and India by the advanced nations for the pharmaceutical inventions will be discussed.

Previous study or concurrent enrolment in any basic intellectual property course is recommended but not required. Scientific and technical background is helpful but not required.

**LLAW3107. PRC civil law (6 credits)**

This course will introduce the fundamental legal concepts relating to civil relations and transactions in the PRC as well as the principles underlying the areas of law, including property, torts, and contracts. Both a descriptive account of the law and interdisciplinary methods of studying some areas of the law such as tort law and contract law of the PRC will be provided. Through the study of the above specific areas of law, students will be provided with the necessary analytical skills and judgmental power which are essential to their future work.

Knowledge in written Chinese and Putonghua is essential as the course will be taught in Chinese and Putonghua.

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**LLAW3108. PRC criminal law and procedure (6 credits)**

This course will examine the structure of criminal liabilities under Chinese criminal law and the stages of criminal process on the mainland of the People's Republic of China (PRC). It will consider: (1) the organisations of criminal law in China and their relationship; (2) the changing rules of criminal liabilities and criminal process and their political and social contexts; and (3) the operations of the criminal law and the culture of criminal justice system in China. Major topics of the course include: definition of crime in the PRC, structure and principles of PRC criminal law, commercial crimes in the market economy, powers in criminal investigation, the judiciary and criminal trial, rules of evidence, and rights of the accused.

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**LLAW3109. PRC economic law (6 credits)**

This course examines the basic legislation of economic law in China, including banking law, consumer protection law, product quality law, anti-unfair competition law and taxation law. The study will focus on the functions of the government in the business environment of China today. The course will enable students not only to understand the general principles and laws in these areas, but also to appreciate relevant policy issues in the context of China's transition towards a market economy. The commitments of the Chinese Government on its accession to the WTO will also be addressed.

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**LLAW3110. Human rights and cyberspace (6 credits)**

The exponential growth of the Internet and World-wide web provides great opportunities for and poses significant challenges to enjoyment of human rights in many years. This course will examine a number of areas in which the Internet revolution has provided new tools and opportunities for promoting the enjoyment of human rights, as well as for enabling violations of human rights:

The use of the Internet for building human rights networks for the dissemination of information and the co-ordination of action at national and international levels.

Issues of access to technology, in particular the opportunities for persons with certain disabilities provided by IT developments, the problems of accessibility and the legal obligations of e-service providers to ensure that their services are accessible to persons with disabilities.

The use of the Internet for the dissemination of racist material and other forms of offensive material. Cyberstalking and harassment through the Internet.

The global dimensions of the Internet: the difference between rich and poor, the issue of language.

Gender and the Internet.

Freedom of expression and the Internet.

Jurisdictional and substantive law problems in relation to human rights and the Internet.

Use of the Internet by non-governmental organisations for building international networks and co-ordinating activism of human rights issues.