

REGULATIONS FOR THE DEGREE OF BACHELOR OF LAWS (LLB) AWARDED IN CONJUNCTION WITH THE DEGREE OF BACHELOR OF ARTS IN LITERARY STUDIES (BA[Literary Studies])

These regulations apply to students who have obtained the degree of Bachelor of Arts in Literary Studies, are admitted to the two-year LLB curriculum in the academic year 2014-15 and thereafter.

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

Admission to the degree of Bachelor of Laws

To be eligible for admission to the courses leading to the degree of Bachelor of Laws under these regulations, candidates shall

- (a) hold the degree of Bachelor of Arts in Literary Studies from the University of Hong Kong;
 - (b) apply for admission to the LLB curriculum within five academic years after obtaining the degree of Bachelor of Arts in Literary Studies, unless otherwise permitted by the Board of Studies for the Bachelor of Arts (Literary Studies) and Bachelor of Laws (hereinafter referred to as the "Board of Studies");
 - (c) comply with the General Regulations; and
 - (d) comply with the Regulations for First Degree Curricula.
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Period of study

The curriculum shall normally require four semesters of full-time study, extending over not fewer than two academic years, and shall include any assessment to be held during and /or at the end of each semester. Candidates shall not in any case be permitted to extend their studies beyond the maximum period of registration of three academic years, except with the approval of the Board of Studies.

Completion of curriculum

To complete the curriculum, a candidate shall

- (a) comply with the General Regulations;
- (b) satisfy the requirements prescribed in UG5 of the Regulations for First Degree Curricula;
- (c) satisfy the compulsory mooted requirement, unless otherwise exempted by the Head of the Department of Law;
- (d) satisfy the examiners in at least 126 credits of courses selected from the law courses and required courses offered in the syllabus prescribed below (excluding those which the candidate has already taken and passed in his or her studies for the BA (Literary Studies) degree.

Advanced standing

The Board of Studies may grant advanced standing to candidates in recognition of studies completed successfully in an approved institution of higher education elsewhere in accordance with UG2 of the Regulations for First Degree Curricula; provided that no candidate shall be eligible for such exemption without having earned at least 189 credits by passing courses in the BA Literary Studies degree at this University. Advanced standing credits granted will be recorded on the transcript of the candidate but shall not be included in the calculation of semester, year or cumulative GPA nor be taken into consideration for the honours classification of the degree to be awarded.

Selection of courses

Candidates shall select not fewer than 126 credits in the two years of study in accordance with these regulations and the guidelines specified in the syllabus before the beginning of each semester. Changes to the selection of courses may be made during the add/drop period designated for each semester in which the course begins, and such changes shall not be reflected in the transcript of the candidate. Requests for changes after the designated add/drop period of the semester shall not normally be considered.

Withdrawal from courses beyond the designated add/drop period will not be permitted, except for medical reasons and with the approval of the Board of Studies. Withdrawal without permission will result in a fail grade in the relevant course(s).

Specialisation

Candidates who have obtained at least 48 credits of law electives listed under one of the specialisations in the syllabus of the 2-year LLB curriculum will be duly recognised by having that specialisation stated in the official academic transcript.

Candidates shall declare their choice of specialization, if any, at the beginning of the first academic year of the 2-year LLB degree curriculum. Declaration made beyond the first semester of the second academic year of the 2-year LLB curriculum will not be considered.

Progression in curriculum

- (a) Candidates shall normally be required to take not fewer than 24 credits nor more than 36 credits in any one semester (except the summer semester) unless otherwise permitted or required by the Board of Studies, or except in the last semester of study when candidates may be required to take fewer than 24 credits to satisfy the outstanding curriculum requirements.
- (b) Candidates may, of their own volition, take additional credits not exceeding 6 credits in each semester, and/or further credits during the summer semester, accumulating up to a maximum of 72 credits in one academic year. With the special permission of the Board of Studies, candidates may exceed the annual study load of 72 credits in a given academic year provided that the total number of credits taken does not exceed the maximum

curriculum study load of 144 credits for the normative period of study specified in paragraph 2, save as provided for in paragraph 9(c).

- (c) Where candidates are required to make up for failed credits, the Board of Studies may give permission for candidates to exceed the annual study load of 72 credits provided that the total number of credits taken does not exceed the maximum curriculum study load of 216 credits for the maximum period of registration specified in paragraph 2.
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Grades

Grades shall be awarded in accordance with UG 8 of the Regulations for First Degree Curricula. Any course for which a candidate is given an F grade shall be taken into account in the calculation of the semester GPA (SGPA) and shall be recorded on the official academic transcript, and shall also be counted towards the cumulative GPA (CGPA) and the degree.

Passing a course

Candidates shall pass a course if the Board of Examiners is satisfied by the candidate's performance in the assessment.

Assessment

- (a) Candidates shall be assessed for each of the courses for which they have registered, and assessment may be conducted in any combination of continuous assessment of coursework, written examinations and /or any other assessable activities. Only satisfactorily completed courses will earn credits.
- (b) Candidates are required to make up for failed courses in the following manner as prescribed in the curriculum regulations:
- (i) undergoing re-assessment/ re-examination in the failed course to be held no later than the end of the following semester (not including the summer semester); or
 - (ii) re-submitting failed coursework, without having to repeat the same course of instruction; or
 - (iii) repeating the failed course by undergoing instruction and satisfying the assessments; or
 - (iv) for elective courses, taking another course in lieu and satisfying the assessment requirements.
- (c) Where candidates are permitted or required to present themselves for re-assessment/ re-examination/assessment in an alternative course under (b) above, the new grade obtained together with the previous F grade shall be recorded on the transcript and be included in the calculation of the semester GPA, the year GPA and the cumulative GPA.

- (d) A candidate shall not be permitted to repeat a course for which he or she has received a pass grade for the purposes of upgrading.
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Absence from an examination

Candidates who are unable through illness to be present at the written examination of any course may apply for permission to present themselves at a supplementary examination of the same course 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 the candidate's absence from any examination. Any supplementary examination shall be part of that academic year's examinations, and the provisions made in the regulations for failure at the first attempt shall apply accordingly.

Overall Pass

Subject to Paragraphs 3 and 4, a candidate who has passed courses not fewer than 126 credits in value shall be awarded the degree of LLB.

Discontinuation of Study

Candidates shall be recommended for discontinuation if they fail to satisfy the examiners in the examinations in accordance with UG 4(e) of the Regulations for First Degree Curricula as follows:

- (a) fail to complete successfully 36 or more credits in two consecutive semesters (not including the summer semester), except where they are not required to take such a number of credits in the two given semesters, or
- (b) fail to achieve an average Semester GPA of 1.0 or higher for two consecutive semesters; or
- (c) exceed the maximum period of registration specified in paragraph 2.
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Degree Classifications

- (a) The degree of Bachelor of Laws (LLB) shall be awarded in five divisions:

First Class Honours
Second Class Honours Division One
Second Class Honours Division Two
Third Class Honours
Pass

- (b) A pass list of successful candidates shall be posted on Faculty notice boards and the student homepage.

SYLLABUSES FOR THE DEGREE OF BACHELOR OF LAWS (LLB) AWARDED IN CONJUNCTION WITH THE DEGREE OF BACHELOR OF ARTS IN LITERARY STUDIES (BA[Literary Studies])

These syllabuses apply to students admitted to the LLB curriculum in September 2014.

The full 5-year curriculum is set out below for easy reference. Please consult the Regulations for the Degree of Bachelor of Arts in Literary Studies awarded in conjunction with the Degree of Bachelor of Laws and the Syllabus for the Degree of Bachelor of Arts in Literary Studies for Arts course descriptions. For the LLB degree, please also refer to the Syllabus for the Degree of Bachelor of Laws for the full list of law courses available.

FIRST YEAR (63 credits)

Arts (18 credits)

18 credits of Arts Distribution requirements: chosen from at least two different Arts programmes, including 6 credits of ENGL1009 Introduction to English Studies (6 credits).

These 18 Arts credits should consist of EITHER 6 credits each from three different Arts programmes OR 12 credits from one Arts programme and 6 credits from another. Please refer to the BA Syllabuses for the 3-year '2010 curriculum' for courses to satisfy the 18 credits of the Arts Distribution requirements in the first year.

Law (30 credits)

LLAW1013	Legal Research and Writing I (6 credits)
LLAW1008	The Legal System (6 credits)
LLAW1009	Law and Society (6 credits)
LLAW1001	Law of Contract I (6 credits)
LLAW1002	Law of Contract II (6 credits)

University requirements (15 credits)

CCXXxxxx	Common core courses (12 credits)*
CAES1201	Academic English for Arts Students (3 credits)

* from two different Areas of Inquiry

SECOND YEAR (69 credits)

Arts (18 credits)

18 credits from Literary Studies introductory course list

Note:

Students are advised to consult Chinese, Comparative Literature and English for their prerequisites and requirements for non-major students.

Law (30 credits)

LLAW2017	Legal Research and Writing II (6 credits)
LLAW1005	Law of Tort I (6 credits)
LLAW1006	Law of Tort II (6 credits)
LLAW2001	Constitutional Law (6 credits)
LLAW2009	Introduction to Chinese Law (6 credits)

Introductory interdisciplinary core course (6 credits)

LALS2001	Introduction to law and literary studies (6 credits)*
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*Successful completion of LALS2001 Introduction to Law and Literary Studies will also fulfill 6 credits (List B) of the advanced ENGL course enrollment requirement for English non-majors. For details of this requirement, please refer to the syllabus of the School of English for the 3-year '2010 curriculum'.

University requirements (6 credits)

CAES1602	Writing solutions to legal problems (3 credits)
CART2001	Practical Chinese language course for Arts students (3 credits)

Note:

Candidates who have not studied the Chinese language during their secondary education or who have not attained the requisite level of competence in the Chinese language to take CART2001 may apply for exemption and take a credit-bearing Cantonese or Putonghua language course offered by the School of Chinese (especially for international and exchange students), or take an elective course in lieu.

THIRD YEAR (66 credits)

Arts (30 credits)

30 credits from Literary Studies advanced course list

Law (24 credits)

LLAW2003	Criminal Law I (6 credits)
LLAW2004	Criminal Law II (6 credits)
LLAW3010	Business Associations [†] (6 credits)
LLAWxxxx	Law elective (6 credits)

Advanced interdisciplinary elective (12 credits)

LALS3001	Law and literature (6 credits) (cross-listed as ENGL2118)
LALS3002	Law, meaning and interpretation (6 credits) (cross-listed as ENGL2126)

LALS3003	Legal discourse and the mind (6 credits) (cross-listed as ENGL2127)
LALS3004	Law and film (6 credits) (cross-listed as LLAW3141)
LALS3005	Legal Fictions: United States citizenship and the right to write in America (6 credits) (cross-listed as AMER2046)

FOURTH YEAR (66 credits)

Arts (6 credits)

6 credits of Literary Studies advanced course list

Law (60 credits)

LLAW2012	Commercial Law (6 credits)
LLAW3093	Administrative Law (6 credits)
LLAW3001	Introduction to Legal Theory (6 credits)
LLAW2013	Land Law I (6 credits)
LLAW2014	Land Law II (6 credits)
LLAW3097	Civil Procedure [†] (6 credits)
LLAW3099	Criminal Procedure [†] (6 credits)
LLAW3102	Evidence I [†] (6 credits)
LLAW3187	Mooting and dispute resolution (6 credits)
LLAWxxxx	Law electives (6 credits)

FIFTH YEAR (60 credits)

Law (54 credits)

LLAW3094	Equity and Trusts I (6 credits)
LLAW3095	Equity and Trusts II (6 credits)
LLAW3105	Land Law III (Conveyancing) [†] (6 credits)
LLAWxxxx	Law electives (36 credits)

Advanced interdisciplinary core course (6 credits)

LALS5001	Research project in law and literary studies (6 credits)
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[†] Prescribed PCLL Pre-requisites

Course List

A. Literary Studies courses

i. Literary Studies prerequisites

for students admitted in 2011/12:

ENGL1009	Introduction to English studies
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for students admitted in 2012/13:

ENGL1011	An introduction to the study of meaning (6 credits)
ENGL1013	Exploring the modern: Reading early 20th century British writing (6 credits)
ENGL1014	Imaginary geographies: The art of writing place (6 credits)
ENGL1016	Introduction to life writing (6 credits)
ENGL1019	Literature and imitation (6 credits)
ENGL1020	Nineteenth-century literature and culture (6 credits)
ENGL1021	Periods of literary history (6 credits)
ENGL1022	Poetry past and present (6 credits)
ENGL1024	Topics in world literature (6 credits)
ENGL1025	Understanding narratives (6 credits)

ii. Introductory Literary Studies electives

Students are advised to consult the School of Chinese, the Department of Comparative Literature and the School of English for their prerequisites and requirements for non-major students.

CHIN1101	A Survey of the Chinese language (6 credits)
CHIN1102	Introduction to standard works in classical Chinese literature (6 credits)
CHIN1103	Introduction to standard works in modern Chinese literature (6 credits)
CHIN1105	History of Chinese literature: a general survey (6 credits)
CHIN1106	Poetry and the couplet: composition and appreciation (6 credits)
CHIN1107	Creative writing (6 credits)
CHIN1109	Introduction to Chinese women's literature (6 credits)
CHIN1114	Contrastive study of Cantonese and Modern Standard Chinese (6 credits)
CHIN2121	Prose up to the nineteenth century (6 credits)
CHIN2123	<i>Shi</i> poetry up to the nineteenth century (6 credits)
CHIN2125	<i>Ci</i> poetry up to the nineteenth century (6 credits)
CHIN2127	Classical Chinese fiction (6 credits)
CHIN2152	Literature, modernity and nation in twentieth century China (6 credits)
CLIT2001	Comparative studies of literary and visual narratives (6 credits)
CLIT2094	Introduction to Critical Theory and Cultural Studies (6 credits)
ENGL1011	An introduction to the study of meaning (6 credits)
ENGL1012	Language as social action (6 credits)
ENGL1013	Exploring the modern: Reading early 20th century British writing (6 credits)
ENGL1014	Imaginary geographies: The art of writing place (6 credits)
ENGL1015	Introduction to English linguistics (6 credits)
ENGL1017	Introduction to sociolinguistics (6 credits)
ENGL1018	Language and gender (6 credits)
ENGL1019	Literature and imitation (6 credits)
ENGL1020	Nineteenth-century literature and culture (6 credits)
ENGL1021	Periods of literary history (6 credits)
ENGL1022	Poetry past and present (6 credits)
ENGL1023	The view from nowhere: Experimental prose (6 credits)
ENGL1024	Topics in world literature (6 credits)
ENGL1025	Understanding narratives (6 credits)
ENGL1026	Adaptation: From text to screen (6 credits)
ENGL1027	Analyzing discourse (6 credits)
ENGL1028	Awakenings: Exploring women's writing (6 credits)
ENGL1029	Drama: Comedy and renewal (6 credits)
ENGL1030	Dramatic changes: Versions of Renaissance literature (6 credits)

ENGL1032	'High' and 'low' literature (6 credits)
ENGL1033	Intercultural communication (6 credits)
ENGL1034	Language and prejudice (6 credits)
ENGL1035	Language crimes (6 credits)
ENGL1036	Meaning and metaphor (6 credits)
ENGL1037	Persuasion (6 credits)
ENGL1038	Practice of criticism (6 credits)
ENGL1039	Realism and representation (6 credits)
ENGL1040	Rewriting and writing back (6 credits)
ENGL1041	Subjectivity in literature (6 credits)
LCOM1002	Language, communication, society, field (6 credits)
LCOM1003	Theorizing communication (6 credits)

iii. Advanced Literary Studies electives

CHIN2122	Prose: selected writers (6 credits)
CHIN2124	<i>Shi</i> poetry: selected writers (6 credits)
CHIN2126	<i>Ci</i> poetry: selected writers (6 credits)
CHIN2130	Modern Chinese literature (1917-1949): fiction (6 credits)
CHIN2132	Contemporary Chinese literature (since 1949): fiction (6 credits)
CHIN2136	Classical Chinese literary criticism (6 credits)
CHIN2145	Chinese theatre during the Yuan, Ming, and Qing periods (6 credits)
CHIN2146	The “sickly beauties”: gender and illness in late imperial China (6 credits)
CHIN2147	Reading of classical Chinese texts (6 credits)
CHIN2148	Modern Chinese grammar and rhetoric (6 credits)
CHIN2149	Chinese language from social perspectives (6 credits)
CHIN2150	A comprehensive survey of Chinese linguistics (6 credits)
CHIN2151	Gender and sexuality in Ming and Qing fiction (6 credits)
CHIN2153	Sinophone literature and film (6 credits)
CHIN2154	Taiwan literature from the Japanese colonial period to the 1990s (6 credits)
CLIT2003	Modern drama in comparative perspective (6 credits)
CLIT2007	Film culture I (6 credits)
CLIT2037	Gender and sexuality in Chinese literature and film (6 credits)
CLIT2060	Fiction and film in contemporary Chinese societies (6 credits)
CLIT2065	Hong Kong culture: Representations of identity in literature and film (6 credits)
CLIT2075	Modern poetry: Hong Kong and beyond (6 credits)
CLIT2092	Modern American poetry: Politics and aesthetics (6 credits)
CLIT2095	World, text, and critic (6 credits)
CLIT2096	Ethics of film and literature (6 credits)
CLIT2008	Film culture II (6 credits)
CLIT2061	Narratives of the past in the contemporary moment (6 credits)
ENGL2002	Language in society (6 credits)
ENGL2007	Literary linguistics (6 credits)
ENGL2010	English novel I (6 credits)
ENGL2011	English novel II (6 credits)
ENGL2012	Contemporary literary theory (6 credits)
ENGL2022	Women, feminism and writing I (6 credits)
ENGL2030	World Englishes (6 credits)
ENGL2035	Reading poetry (6 credits)
ENGL2039	Gender and discourse (6 credits)

ENGL2045	Travel writing (6 credits)
ENGL2047	English discourse structures and strategies (6 credits)
ENGL2048	Language and jargon (6 credits)
ENGL2055	American Gothic: Haunted homes (6 credits)
ENGL2057	Text and image (6 credits)
ENGL2069	Form and meaning (6 credits)
ENGL2074	Postcolonial readings (6 credits)
ENGL2075	The idea of China (6 credits)
ENGL2076	Romanticism (6 credits)
ENGL2078	The novel today (6 credits)
ENGL2079	Shakespeare (6 credits)
ENGL2080	Women, feminism and writing II (6 credits)
ENGL2089	Making Americans: Literature as ritual and renewal (6 credits)
ENGL2092	Postcolonial English (6 credits)
ENGL2093	Literary islands: English poetry and prose from the South Pacific and the Caribbean (6 credits)
ENGL2095	The East: Asia in English writing (6 credits)
ENGL2097	Imagining Hong Kong (6 credits)
ENGL2099	Language, identity, and Asian Americans (6 credits)
ENGL2101	Culture and society (6 credits)
ENGL2109	Writing diaspora (6 credits)
ENGL2110	Writing back (6 credits)
ENGL2112	An introduction to the history of English (6 credits)
ENGL2113	Conrad and others (6 credits)
ENGL2118	Law and literature (6 credits)
ENGL2120	Science fiction and utopia (6 credits)
ENGL2122	Victorians at home and abroad (6 credits)
ENGL2123	Language and identity in Hong Kong (6 credits)
ENGL2126	Law, meaning, and interpretation (6 credits)
ENGL2127	Legal discourse and the mind (6 credits)
ENGL2128	Modernism (6 credits)
ENGL2131	The critic as artist (6 credits)
ENGL2132	Cross-cultural issues and theories (6 credits)
ENGL2134	World literature (6 credits)
ENGL2135	The cosmopolitan imagination (6 credits)
ENGL2137	The profession of playwright in early modern England (6 credits)
ENGL2138	Language and globalization (6 credits)
EUST2014	Classical roots of European civilization (6 credits)
EUST2030	The Modern Imagination in Europe (6 credits)

B. Interdisciplinary courses

i. Introductory interdisciplinary core course

LALS2001 Introduction to law and literary studies (6 credits)

This course introduces students to the different ways in which literary and legal texts can interact. Topics include literature as a humanizing supplement to the law, the history of ‘discipline’ as a concept, legal versus literary interpretation, linguistic dimensions of court judgments, confessions, and psychological processes implicit in legal reasoning. The course is deliberately designed as a

team-taught course so that students enrolled in the double degree will be exposed to the approaches of different faculty members involved in the programme from an early stage in their academic careers.

Assessment: 20% continuous assessment; 30% mid-term research paper; 50% final research paper.

ii. Advanced interdisciplinary electives

The successful completion of any of the advanced interdisciplinary courses below by the end of the Fourth Year will fulfill the capstone experience for the BA (Literary Studies) programme.

LALS3001 Law and Literature (6 credits) (cross-listed as ENGL2118)

This course explores the complex inter-relations between literature and the law by examining the ways in which each discipline has responded to the other's presence. Both law and literature are products of language. Does that mean that they are cognate disciplines, or are they competing epistemologies? Why do legal themes recur in fiction, and what kinds of literary structures underpin legal argumentation? Now do novelists and playwrights imagine the law, and how do lawyers and judges interpret literary works? We will think through these questions by juxtaposing novels, plays, court cases, and critical theory. Prerequisite: a previous course in legal and/or literary subject.

Assessment: 40% continuous assessment, 60% research paper.

LALS3002 Law, meaning and interpretation (6 credits) (cross-listed as ENGL2126)

This course assumes no specialized knowledge of law or linguistics. It offers a multidisciplinary introduction to key debates within legal theory about language and discourse, and to the interface between the study of language and the discipline of law. The presentation of theories of language and law is complemented by exercises which reflect real life legal dilemmas. This course has been designed to progress from the study of meaning (especially lexical meaning) to the study of narration, interpretation and discourse. No technical knowledge of law is required rather interest and willingness to learn. The emphasis is on understanding and applying theory to real legal questions and problems: law is seen in the context of issues such as authority and power, doubt and certainty; narrative coherence, indeterminacy and disorder.

Assessment: 40% continuous assessment; 60% research paper.

LALS3003 Legal Discourse and the Mind (6 credits) (cross-listed as ENGL2127)

This course is a critical enquiry into how the law, as a cultural construct, attempts to reflect the society's values by regulating behaviour, and the challenges embedded in such a representation. The course shows how the processes of human perception, language use, memory reconstruction and decision-making interact with the legal system, and how such interactions sometimes pose challenges to justice.

Assessment: 30% continuous assessment; 70% research paper.

LALS3004 Law and Film (6 credits) (cross-listed as LLAW3141)

This elective course introduces students to the cultural study of the law by considering the multiple responses of cinematic texts to legal events. How are lawyers and legal institutions

represented on the screen, and what does that tell us about the law? Is there a jurisprudential subtext to film? How do films attempt to capture traumatic events and human rights violations? Readings in jurisprudential theory and film theory will inform our discussion.
Assessment: 40% continuous assessment, 60% research paper.

LALS3005 Legal Fictions: United States citizenship and the right to write in America (6 credits) (cross-listed as AMER2046)

In 1776, the idea of self-evidence grounded the philosophical assertion that “all men are created equal.” And yet, political, economic and social equality in the democratic republic of the United States has often proven less of a guarantee and more of a promise. Beginning with Thomas Jefferson’s writing of the “Declaration of Independence,” the recognition of a person as fully human in the United States has depended on assumptions regarding race, class and gender. The course examines the changing definition of United States citizenship by putting legal texts (the U.S. Constitution, federal and state laws, Executive Orders, Supreme Court decisions) in dialogue with literary writings and film. In this course we will read stories by people whom federal and or state law barred from full citizenship. Through autobiographies, fiction, poetry and speeches, we will examine the cultural legacy of legal terms such as “domestic dependent nation,” “illegal alien” and “unlawful enemy combatant.” The course themes may include: property and democracy, slavery, westward expansion and Indian Removal, immigration (with particular focus on China and Asia), the right of women to vote, and the wartime powers of the Executive Office. Our goal will be to pay careful attention to the language and genres of the American legislative and judicial system, and conversely to contextualize literature in relation to the legal history through which the U.S. Constitution has been reinterpreted and amended to broaden its terms of equality. We will read writers who used words to protest against and revise the historical circumstances in which they had to fight for legal standing. We will also consider how different kinds of writing -- legal, scientific, autobiographical and fictional -- employ different rhetorical strategies to reach audiences, affect readers and influence the world.

Prerequisite: Nil
Assessment: 100% coursework

iii. Advanced interdisciplinary core course

LALS5001 Capstone: Research project in law and literary studies (6 credits)

The final-year research project enables students to pursue their individual interests in any aspect of the intersection between literary and legal discourses under the supervision of a faculty member. The project will culminate in an extended essay of approximately 5,000 words. Students are expected to meet with their supervisors regularly and to present their work-in-progress to their supervisors in the course of the semester.
Assessment: 100% research paper.

C. Law Electives

The courses available to students are listed below. Where two courses are described as “I and II” (12 credits), this means that they may either be taught separately in two semesters in the same

academic year or be taught as one combined course in one semester, and may either be examined separately or at the same time.

LLAW3113	Advanced issues in information technology law
LLAW3199	Advanced topics in competition law
LLAW3007	Alternative dispute resolution
LLAW3140	Animal law
LLAW3164	Arbitration in Greater China
LLAW3112	Arbitration law
LLAW3008	Bank security
LLAW3009	Banking law
LLAW3138	Carriage of goods by sea
LLAW3046	Child and the law
LLAW3153	China investment law
LLAW3154	China trade law
LLAW3081	Chinese commercial law (in Putonghua) ¹
LLAW3173	Chinese family law in comparative perspective
LLAW3011	Chinese laws governing foreign investments
LLAW3097	Civil procedure
LLAW3148	Clinical legal education
LLAW3198	Clinical legal education (China)
LLAW3088	Commercial dispute resolution in China
LLAW3139	Communications law
LLAW3015	Company law
LLAW3125	Comparative constitutional law
LLAW3144	Comparative environmental law
LLAW3016	Comparative law
LLAW3191	Comparative family law
LLAW3156	Comparative remedies in trust law
LLAW3123	Competition law
LLAW3098	Constitutional and administrative law in the PRC
LLAW3196	Constitutionalism in emerging states
LLAW3067	Construction law
LLAW3200	Copyright and creativity
LLAW3017	Copyright law
LLAW3183	Corporate conflicts
LLAW3137	Corruption: China in comparative perspective
LLAW3184	Credit and security law
LLAW3099	Criminal procedure
LLAW3018	Criminology
LLAW3182	Cross border corporate finance: issues and techniques
LLAW3066	Cross-border legal relations between the Mainland and Hong Kong
LLAW3100	Current issues in comparative commercial law
LLAW3092	Current issues in insolvency law
LLAW3195	Current issues in Chinese law
LLAW3019	Current legal controversies
LLAW3101	Cybercrime
LLAW3127	Dealing with legacies of human rights violations
LLAW3179	Digital copyright

¹ Students taking this course may not take “PRC civil and commercial law”.

LLAW3119	Dispute settlement in the WTO: Practice & procedure
LLAW3151	E-business law
LLAW3020	Economic analysis of law
LLAW3117	Economic, social and cultural rights
LLAW3063	Emerging markets: finance and investment
LLAW3071	Equality and non-discrimination
LLAW3091	Ethnicity, human rights and democracy
LLAW3124	European economic regulation
LLAW3102	Evidence I
LLAW3103	Evidence II
LLAW3165	Global business law I
LLAW3166	Global business law II
LLAW3169	Globalization and human rights
LLAW3080	Governance and law
LLAW3203	Guided research
LLAW3133	Healthcare law
LLAW3047	Hong Kong Basic Law
LLAW3110	Human rights and cyberspace
LLAW3168	Human rights and governance
LLAW3083	Human rights: history, theory and politics
LLAW3062	Human rights in China
LLAW3022	Human rights in Hong Kong
LLAW3065	Information technology law
LLAW3023	Insolvency law
LLAW3024	Insurance law
LLAW3084	Intellectual property and information technology
LLAW3087	Intellectual property law in China
LLAW3104	Intellectual property, innovation and development
LLAW3155	Intellectual property policy and practice
LLAW3085	International and comparative intellectual property law
LLAW3086	International and regional protection of human rights
LLAW3111	International commercial arbitration
LLAW3025	International commercial litigation
LLAW3076	International commercial transactions
LLAW3057	International criminal law
LLAW3078	International economic law
LLAW3134	International environmental law
LLAW3026	International human rights
LLAW3175	International humanitarian law
LLAW3157	International law and modernity for a multipolar world
LLAW3158	International law in a world of crises
LLAW3058	International mooted competition
LLAW3027	International organisations
LLAW3135	International protection of refugees and displaced persons
LLAW3136	International securities law
LLAW3028	International trade law I
LLAW3160	Interpretation of statutes, contracts and treaties
LLAW3170	Introduction to Chinese law and legal system
LLAW3150	Introduction to information technology law
LLAW3120	Introduction to international human rights law
LLAW3159	Introduction to negotiation theory and practice

LLAW3030	Introduction to private international law (Conflict of laws)
LLAW3032	Issues in family law
LLAW3033	Issues in intellectual property law
LLAW3059	Jessup international law moot court competition
LLAW3034	Labour law
LLAW3105	Land law III (Conveyancing)
LLAW3130	Law and development in the PRC
LLAW3174	Law and policy
LLAW3142	Law and politics of constitutions
LLAW3118	Law and religion
LLAW3172	Law and social theory
LLAW3035	Law in East Asia
LLAW3145	Law, economics, regulation and development
LLAW3036	Law, justice and ideology
LLAW3037	Law of agency
LLAW3056	Law of international finance I – debt
LLAW3048	Law of restitution I
LLAW3121	Law of restitution II
LLAW3049	Law of the sea
LLAW3061	Law, the individual and the community: A cross-cultural dialogue
LLAW3090	Legal aspects of white collar crime
LLAW3162	Legal translation
LLAW3073	Media law
LLAW3192	Mediation
LLAW3040	Medico-legal issues
LLAW3146	Multiculturalism and the law
LLAW3178	Online dispute resolution
LLAW3042	Planning and environmental law
LLAW3041	PRC civil and commercial law ²
LLAW3107	PRC civil law (in Putonghua) ³
LLAW3108	PRC criminal law and procedure
LLAW3109	PRC economic law
LLAW3089	PRC information technology law
LLAW3181	PRC security and insolvency law
LLAW3201	PRC shipping law (in Putonghua)
LLAW3177	PRC taxation law and policy
LLAW3129	PRC tort law
LLAW3167	Preventative law: approach to conflict prevention and resolution
LLAW3043	Principles of family law
LLAW3072	Principles of Hong Kong taxation on income
LLAW3075	Privacy and data protection
LLAW3194	Property protection in China: Law, politics and culture
LLAW3044	Public international law
LLAW3163	Public international law in domestic courts
LLAW3180	Regulation of cyberspace
LLAW3069	Regulation of financial markets
LLAW3045	Remedies

² Students taking this course may not take “PRC civil law (in Putonghua)” or “Chinese commercial law (in Putonghua)”.

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

LLAW3115	Rights and remedies in the criminal process
LLAW3068	Rights of the child in international and domestic law
LLAW3050	Securities regulation
LLAW3077	Selected issues: WTO and China
LLAW3116	Selected legal issues in commercial practice
LLAW3051	Selected problems in international law
LLAW3053	Sociology of law
LLAW3147	Space law and policy
LLAW3054	Succession
LLAW2011	Summer internship
LLAW3171	Topics in English and European legal history
LLAW3143	Topics in law and literature: Flaubert and Eliot
LLAW3176	Trademarks and unfair competition
LLAW3055	Use of Chinese in law I
LLAW3004	Use of Chinese in law II
LLAW3070	World Trade Organization: Law and policy

COURSE DESCRIPTIONS: COMPULSORY LAW COURSES

FOURTH YEAR

LLAW2012 Commercial law (6 credits)

With respect to substantive law, students will consider a range of issues including:

1. The Law of Agency

2. Sale of Goods, including
 - The *nemo dat* rule and its exceptions
 - Duties of Seller and Buyer
 - Implied terms
 - Passing of Property and Risk
 - Remedies

3. Credit and Security, including
 - Fixed and Floating Charges, Registration, Priorities

Assessment: 100% examination.

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: joint tenancy and tenancy in common; ownership in multi-storey buildings; 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.

Assessment: 50% examination at the end of 1st semester, 50% examination at the end of 2nd semester.

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.

Assessment: 25% in-class group presentation, 75% examination.

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.

Assessment: 25% research paper, 75% examination.

LLAW 3097 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; service of process; pleadings (Statement of Claim, Defences and Counter-Claims; Reply); 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; enforcement of judgements and appeals.

Assessment: 100% examination.

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.

Assessment: 100% examination.

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.

Exclusion of evidence; self-incrimination; confession; unlawfully obtained evidence and human rights violation.

Privilege and public interest immunity.

Similar fact evidence.

Opinion and expert evidence.

Assessment: 70% examination, 25% take home mid-term test, 5% district court visit report.

LLAW3187 Mooting and dispute resolution (6 credits)

The course is designed to introduce students to:

- (i) 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. It builds upon what has been learnt in LRW II;
- (ii) dispute resolution methods including mediation, negotiation and litigation.

Pre-requisite: Legal research and writing II

Assessment:

- (i) Prepare and submit a skeleton argument and undertake a moot to a satisfactory level;
 - (ii) Attend a local court and produce a report of the event with a comparative commentary on alternative methods of dispute resolution.
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FIFTH YEAR

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.

Pre-requisite: Law of contract I and II

Co-requisite: Land law I and II

Assessment: 30% in-class test, 70% examination.

LLAW3105 Land law III[†] (Conveyancing) (6 credits)

Government leases and Conditions; sale and grant of land by Government; sectioning and subdivision of land; duration of leases; compliance with Conditions; certificate of compliance; user restrictions in Government leases and Conditions; waiver of restrictive covenants;

Deeds of mutual covenant; nature of co-owners' interests; common terms in deeds of mutual covenants; allocation of shares; basis principles governing building management; enforcement of covenants in deeds of mutual covenant;

Special features of the New Territories: small house policy and tsos and t'ongs;

Planning: Outline Zoning Plans; planning permission; planning through building controls; Land (Compulsory Sale for Redevelopment) Ordinance;

Termination of Government leases and Conditions; resumptions by the Government and assessment of compensation;

Remedies; specific performance; rescission, damages; other express remedies in sale and purchase agreements;

Land titles system

Assessment: 100% examination.

[†] Prescribed PCLL Pre-requisites