

**THE UNIVERSITY OF HONG KONG**

Regulations and Syllabuses for  
the Degree of  
**LLB**

**2009-2010**

**REGULATIONS FOR THE DEGREE OF  
BACHELOR OF LAWS (LLB)**

~~[SUBJECT TO UNIVERSITY APPROVAL]~~

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

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**Eligibility for admission**

- LL 1. To be eligible for admission to the degree of Bachelor of Laws a candidate shall
- (a) comply with the General Regulations;
  - (b) comply with the Regulations for First Degree Curricula; and
  - (c) satisfy all the requirements of the curriculum in accordance with these Regulations and syllabus.
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**The curriculum**

- LL 2. Subject to LL 8 below, the curriculum for the degree of Bachelor of Laws shall extend over not less than four years and not more than six years of full-time study, except with the approval of the Board of the Faculty of Law.
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**Completion of the curriculum**

- LL 3. To complete the curriculum a candidate shall
- (a) comply with the General Regulations
  - (b) comply with the Regulations for First Degree Curricula,
  - (c) follow instruction and attend classes as required, and complete all coursework requirements;
  - (d) satisfy the compulsory moot requirement, unless otherwise exempted by the Head of the Department of Law; and
  - (e) pass in courses totalling at least 240 credits in value, in the manner specified below.
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**Advanced Standing**

- LL 4. The Board of the Faculty of Law may exempt any candidate from any of the courses, and award equivalent credits to such candidate (by way of advanced standing under UG 2 of the Regulations for First Degree Curricula), on the ground that appropriate courses have been completed successfully in other programmes: provided that no candidate shall be eligible for the award of the degree of Bachelor of Laws without having earned at least 120 credits by passing courses at this University.
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**Selection of courses**

LL 5. Candidates shall select their courses in accordance with these regulations and the guidelines specified in the syllabus by a prescribed date before the beginning of the academic year. Such selection shall be subject to approval by the Head of Department of Law. Changes to the selection of courses may be made subject to the approval of the Head of the Department of Law during the first two weeks of each semester, and such changes shall not be reflected in the transcript of the candidate. Requests for changes after the first two weeks of a semester shall not normally be considered.

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### **Specialisation**

LL 6. A candidate who has obtained at least 48 credits of law electives listed under one of the specialisations in the syllabus will be duly recognised by having that specialisation stated in the official academic transcript.

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### **Minor in another discipline**

LL 7. A candidate who has obtained the requisite number of credits (which shall not be less than 36 credits and not more than 48 credits) specified by the Board of the Faculty of Law for a minor in a department, centre, school, programme or disciplinary field prescribed by the Board of the Faculty of Law will be duly recognised by having the minor stated in the official academic transcript.

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### **Fast-track LLB**

LL 8. A candidate who has already obtained an undergraduate degree in any discipline and who has obtained courses totalling at least 174 law credits in this curriculum shall be awarded an LLB. The fast-track curriculum shall extend over at least two academic years.

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### **Passing a course**

LL 9. A candidate shall pass a course if the Board of Examiners is satisfied by the candidate's performance in the assessment.

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### **Grades**

LL 10. Grades shall be awarded in accordance with UG5 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, but shall not count towards the cumulative GPA (CGPA) and the degree. A pass in the Information Technology proficiency test or 3-credit course in Information Technology, and a pass in the course Mooting, shall be recorded on the transcript but shall not count towards the cumulative GPA (CGPA).

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**Failure to pass a course**

LL 11.

- (1) Any candidate who fails to pass a course or courses in the manner provided for in these Regulations may be permitted or required by the Board of Examiners
    - (a) to repeat the course or courses by following instruction and taking the prescribed examination (or any relevant assessment), or by taking the prescribed examination (or any relevant assessment) without following instruction; or
    - (b) to undertake the study of any alternative course or courses which enable completion of the curriculum.
  - (2) Where a candidate is permitted or required to be assessed in an alternative course under 1 (b), or to repeat a course or courses under (1)(a), the new grade obtained shall replace the previous F grade in the calculation of the cumulative GPA, but the previous F grade may be recorded on the transcript.
  - (3) A candidate shall not be permitted to repeat a course for which he or she has received a pass grade for upgrading purposes.
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**Overall pass**

LL 12. Subject to LL 3, LL 4 and LL 8, a candidate who has passed courses totalling 240 credits in value shall be awarded the degree of LL.B.

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**Discontinuation of study**

LL 13. A candidate

- (1) who is on probation and who, during the next academic year, fails to satisfy the criteria set out in the LLB examination procedures, or
- (2) who is on probation during the seventh semester and fails to satisfy the criteria set out in the LLB examination procedures, or is placed on probation at the end of the seventh semester or any subsequent semester and fails to satisfy the criteria set out in the LLB examination procedures during the next consecutive semester,

shall be recommended for discontinuation of study under the General Regulations.

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**Absence from an examination**

LL 14. Candidates who are unable through illness or other acceptable reason to attend for examination may apply for permission to attend for examination at some other time.

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**Pass lists**

LL 15. The degree of Bachelor of Laws shall be awarded in five divisions and normally on the basis of cumulative GPA :

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

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**SYLLABUS FOR THE  
 DEGREE OF BACHELOR OF LAWS**

1. A candidate shall, unless otherwise approved by the Head of Department, complete the compulsory courses and electives of the curriculum in accordance with the order of study as set out below. Unless the Head of Department determines otherwise, candidates shall select 60 credits of courses in each of their First and Second Years, and 60-63 credits of courses in each of their Third and Fourth Years. A candidate may take a maximum of 48 credits of electives in non-law subjects as may be specified and approved by the Head of Department from time to time.

***First Year (60 credits)***

Law of contract I (6 credits)  
 Law of contract II (6 credits)  
 Law and society (6 credits)  
 Law of tort I (6 credits)  
 Law of tort II (6 credits)  
 Legal research and writing I, II and III (9 credits)  
 The legal system (6 credits)

Critical thinking and logic (6 credits)<sup>1</sup>  
 Writing solutions to legal problems (3 credits)  
 Practical Chinese language for law students (3 credits)\*  
 A course in 'Science and Technology Studies' (3 credits)

***Second Year (60 credits)***

Commercial law (6 credits)  
 Constitutional law (6 credits)  
 Criminal law I (6 credits)

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<sup>1</sup> A pass in the course 'Critical thinking and logic' shall be deemed to satisfy the requirement of UG 3(a) (iv) of the Regulations for First Degree Curricula.

Criminal law II (6 credits)  
 Land law I (6 credits)  
 Land law II (6 credits)  
 Legal research and writing IV and V (6 credits)  
 Introduction to Chinese law (6 credits)  
 Electives (12 credits)

**Third Year (60-63 credits)**

Administrative law (6 credits)  
 Equity and trusts I (6 credits)  
 Equity and trusts II (6 credits)  
 Introduction to legal theory (6 credits)  
 Mooting (3 credits) \*\*  
 Research project (oral presentation) (6 credits) \*\*\*  
 Electives (27-30 credits)

**Fourth Year (60-63 credits in total)**

Electives (60-63 credits)

[\* or a substitute 3-credit language course approved by the Head of the Department of Law where the candidate has been exempted from this course.]

[\*\* This may be substituted by participation in Jessup mooting or any other international moot competition approved by the Head of the Department of Law.]

[\*\*\* Or one of the following courses: Guided Research, International Mooting Competition, Jessup International Law Moot Court Competition, or such other course(s) as may be approved from time to time by the Head of Department as a Designated Research Course.]

2. Where a candidate has been exempted from the course 'Practical Chinese for law students', a substitute 3-credit course in languages other than Chinese and English, as approved by the Head of the Department of Law, should be completed.
3. The requirement of UG 3 (b) can be fulfilled by either obtaining a pass in an information technology proficiency test or completing a 3-credit course in information technology. The 3 credits earned by completing the information technology course will be counted in addition to the 240 credits as specified in LL 3 (e).
4. The 3-credit course in Mooting which fulfils the requirement of LL 3(d) shall be graded with pass/fail and shall not be counted in the calculation of the CGPA.
5. Unless the Head of Department determines otherwise, and subject to any advanced standing given under LL 4, a 'fast track' candidate under LL8 shall complete 174 credits of compulsory courses and electives of the curriculum as follows:

Administrative law (6 credits)

Commercial law (6 credits)  
 Constitutional law (6 credits)  
 Criminal law I (6 credits)  
 Criminal law II (6 credits)  
 Equity and trusts I (6 credits)  
 Equity and trusts II (6 credits)  
 Introduction to Chinese law (6 credits)  
 Land law I (6 credits)  
 Land law II (6 credits)  
 Law of contract I (6 credits)  
 Law of contract II (6 credits)  
 Law of tort I (6 credits)  
 Law of tort II (6 credits)  
 Legal research and writing I to V (15 credits)  
 Mooting (3 credits)  
 Research project (oral presentation) (6 credits) \*\*\*  
 The legal system (6 credits)

Law electives (60 credits)<sup>2</sup>

6. The law electives are listed as follows<sup>2</sup>:

*12-credit course*

Guided research

*6-credit course (unless otherwise mentioned)*

Advanced topics in IP law  
 Alternative dispute resolution  
 Animal law  
 Arbitration law  
 Arbitration in Greater China  
 Bank security  
 Banking law  
 Business associations  
 Carriage of goods by sea  
 Child and the law  
 China investment law  
 China trade law  
 Chinese laws governing foreign investments  
 Civil procedure

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<sup>2</sup> For the purpose of PCLL admission, a candidate must satisfactorily complete Evidence I (or Evidence II), Land Law III (Conveyancing), Criminal Procedure, Civil Procedure, and either Business Associations or Company Law, and comply with any other requirements as may be specified in the PCLL regulations from time to time.

<sup>2</sup> For the purpose of PCLL admission, a candidate must satisfactorily complete Evidence I (or Evidence II), Land Law III (Conveyancing), Criminal Procedure, Civil Procedure, and either Business Associations or Company Law, and comply with any other requirements as may be specified in the PCLL regulations from time to time.

Clinical legal education  
Company law  
Comparative constitutional law  
Comparative environmental law  
Comparative law  
Comparative remedies in trust law  
Competition law  
Constitutional and administrative law in the PRC  
Construction law  
Copyright law  
Corruption: China in comparative perspective  
Criminal procedure  
Criminology  
Cross-border legal relations between the Mainland and Hong Kong  
Current issues in comparative commercial law  
Current issues in insolvency law  
Current legal controversies  
Cybercrime  
Dealing with legacies of human rights violations  
Dispute resolution in the PRC  
Dispute settlement in the WTO: Practice & procedure  
Economic analysis of law  
Economic, social and cultural rights  
Emerging markets: finance and investment  
Equality and non-discrimination  
Ethnicity, human rights and democracy  
European economic regulation  
Evidence I  
Evidence II  
Global business law I  
Global business law II  
Globalisation and human rights  
Governance and law  
Healthcare law  
Hong Kong Basic Law  
Human rights: history, theory and politics  
Human rights and cyberspace  
Human rights and governance  
Human rights in China  
Human rights in Hong Kong  
Information technology law  
Insolvency law  
Insurance law  
Intellectual property and information technology  
International and comparative intellectual property law  
International and regional protection of human rights  
International commercial arbitration  
International commercial litigation  
International commercial transactions  
International criminal law

International economic law  
International environmental law  
International human rights  
International law and modernity for a multipolar world  
International law in a world of crises  
International moot competition  
International organisations  
International protection of refugees and displaced persons  
International securities law  
International trade law I  
International trade law II  
Interpretation of statutes, contracts and treaties  
Introduction to Chinese law and legal system  
Introduction to information technology law  
Introduction to international human rights law  
Introduction to negotiation theory and practice  
Introduction to private international law  
Issues in family law  
Issues in information technology law  
Issues in intellectual property law  
Jessup international law moot court competition  
Labour law  
Land law III (Conveyancing)  
Law and development in the PRC  
Law and film  
Law and literature  
Law and politics of constitutions  
Law and religion  
Law in East Asia  
Law, economics, regulation and development  
Law, justice and ideology  
Law, meaning and interpretation  
Law of International Finance I – Debt  
Law of restitution I  
Law of restitution II  
Law of the sea  
Law, technology and ethics  
Law, the individual and the community: a cross-cultural dialogue  
Legal aspects of white collar crime  
Legal translation  
Media law  
Medico-legal issues  
Multiculturalism and the law  
Planning and environmental law  
Public international law in domestic courts  
PRC civil and commercial law<sup>3</sup>  
PRC civil law (in Putonghua)<sup>4</sup>

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<sup>3</sup> Students taking this course may not take “PRC civil law (in Putonghua)” or “PRC commercial law (in Putonghua)”.

PRC commercial law (in Putonghua)<sup>5</sup>  
 PRC criminal law and procedure  
 PRC economic law  
 PRC intellectual property law  
 PRC property law  
 PRC tort law  
 Principles of family law  
 Principles of Hong Kong taxation on income  
 Privacy and data protection  
 Public international law  
 Public international law in domestic courts  
 Regulation of cyberspace II: internet content  
 Regulation of financial markets  
 Remedies  
 Research project (oral presentation)  
 Rights and remedies in the criminal process  
 Rights of the child in international and domestic law  
 Securities regulation  
 Selected issues: WTO and China  
 Selected legal Issues in commercial practice  
 Selected problems in international law  
 Summer Internship (3 credits)  
 Sociology of law  
 Space law and policy  
 Succession  
 Telecommunications law  
 The law of E-commerce: international trade and logistics  
 Topics in English and European legal history  
 Topic in law and literature: flaubert & eilot  
 Use of Chinese in law I  
 Use of Chinese in law II  
 World Trade Organization: law and policy

Subject to the approval of the Head of the Department of Law, courses listed in the various LLM programmes may be specified from time to time as available to LLB students.

7. For the purpose of LL 6, the following specialisations are available for any student who has obtained 48 credits by completing courses listed below in the respective category or such other courses as may be approved by the Head of the Department of Law for the purposes of inclusion in that category. Not all specialisations are necessarily on offer every year.

- Chinese law
- Commercial, corporate and financial law
- International trade and economic law

Chinese law

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<sup>4</sup> Students taking this course may not take "PRC civil and commercial law".

<sup>5</sup> Students taking this course may not take "PRC civil and commercial law".

Arbitration in Greater China  
 China investment law  
 China trade law  
 Chinese laws governing foreign investments  
 Constitutional and administrative law in the PRC  
 Cross-border legal relations between the mainland and Hong Kong (in Putonghua)  
 Corruption: China in comparative perspective  
 Dispute resolution in the PRC  
 Human rights in China  
 International trade law I  
 International trade law II  
 Law and development in the PRC  
 PRC civil and commercial law<sup>3</sup>  
 PRC civil law (in Putonghua)<sup>4</sup>  
 PRC commercial law (in Putonghua)<sup>5</sup>  
 PRC criminal law and procedure  
 PRC economic law  
 PRC information technology law  
 PRC intellectual property law  
 PRC tort law  
 Selected issues: WTO and China

*Commercial, corporate and financial law*

Alternative dispute resolution  
 Arbitration in Greater China  
 Bank security  
 Banking law  
 Business association  
 Company law  
 Competition law  
 Copyright law  
 Current issues in comparative commercial law  
 Current issues in insolvency law  
 Emerging markets: finance and investment  
 European economic regulation  
 Global business law I  
 Global business law II  
 Insolvency law  
 Insurance law  
 International securities law  
 International trade law I  
 International trade law II  
 The law of E-commerce: international trade and logistics

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<sup>3</sup> Students taking this course may not take “PRC civil law (in Putonghua)” or “PRC commercial law (in Putonghua)”.

<sup>4</sup> Students taking this course may not take “PRC civil and commercial law”.

<sup>5</sup> Students taking this course may not take “PRC civil and commercial law”.

Introduction to private international law  
 Issues in intellectual property law  
 Law of agency  
 Law of restitution  
 PRC commercial law (in Putonghua)  
 PRC economic law  
 Principles of Hong Kong taxation on income  
 Regulation of financial markets  
 Remedies  
 Secured transactions (3 credits)  
 Securities regulation

International trade and economic law

Carriage of goods by sea  
 Comparative law  
 Competition law  
 Dispute settlement in the WTO: practice & procedure  
 Global business law I  
 Global business law II  
 European economic regulation  
 International and comparative intellectual property law  
 International organisations  
 International mooted competition  
 International commercial arbitration  
 International commercial litigation  
 International commercial transactions  
 International economic law  
 International trade law I  
 International trade law II  
 Law, economics, regulation and development  
 Law in East Asia  
 Law of the sea  
 Public international law  
 Selected issues: WTO and China  
 Selected problems in international law  
 The law of E-commerce: international trade and logistics  
 World Trade Organization: law and policy

**COURSE DESCRIPTIONS**

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.

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*Compulsory courses (in the order listed in the syllabus)*

**LLAW 1001 and LLAW 1002 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; misinterpretation; mistake; duress and undue influence; privity; performance; discharge and breach; quasi-contract; remedies; principles of agency.

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**LLAW 1009 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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**LLAW 1005 and LLAW 1006 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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**LLAW 1008 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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**LLAW 1010 Legal research and 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 organisation of ideas and arguments.

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

### **LLAW 1011 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.

### **LLAW 1012 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).

### **PHIL 1005 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 show how they can be applied in everyday life.

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

The course follows on from language input into the Legal Research and Writing I course in Semester 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 issues typically found in tutorial and examination questions. The focus is on the discourse structure of legal arguments, with attention paid to control of the grammar, vocabulary and stylistic features typical of problem solutions. Students receive substantial individual feedback on 3 problem cycles, featuring revisions of each answer. Assessment is wholly by coursework, including 1 extended piece of writing under examination conditions at the end of the course.

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**CLAW1009 Practical Chinese language for law students (3 credits)**

This course is designed to teach the basic skills of practical Chinese, to help students learn the characteristics of Chinese legal language so as to be able to express ideas and opinions in Chinese in a legal context, as well as to enable students to realize that language proficiency is a lifelong self-learning process. The course, which lasts for one semester, will include teaching in a variety of basic practical Chinese writing skills, with an emphasis on the writing of Chinese legal language. Equal weight will be given to coursework and examination in assessment.

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**LLAW 2012 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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**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 resumption of sovereignty and the Basic Law of the Hong Kong Special Administrative Region, its framework and content, interpretation and amendment;

international dimension and external affairs; 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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**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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**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.

### **LLAW 2015 Legal research and writing IV (3 credits)**

Using materials 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 on a legal journal article.

### **LLAW 2016 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. The other assignment will require research in an area of public or comparative 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.