

REGULATIONS FOR THE DEGREE OF BACHELOR OF LAWS (LLB)

These regulations apply to students admitted to the LLB curriculum under the 4-Year '2012 curriculum' in the academic year 2025-26 and thereafter.

(See also General Regulations and Regulations for First Degree Curricula for candidates admitted under the 4-Year '2012 curricula')

Admission to the Degree of Bachelor of Laws

- LL 1. To be eligible for admission to the degree of Bachelor of Laws, candidates 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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Period of Study

LL 2. The curriculum for the degree of Bachelor of Laws shall normally require eight semesters of full-time study, extending over not fewer than four 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 six academic years, except with the approval of the Board of the Faculty of Law.

Completion of the Curriculum

- LL 3. 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) follow instruction and attend classes as required, and complete all coursework requirements;
 - (d) satisfy the capstone requirement; and
 - (e) pass in courses totalling at least 240 credits in value, in the manner specified as follows:
 - 156 credits of Professional Core including 114 credits of compulsory courses and 42 credits of disciplinary electives²;

¹ A pass in LLAW1016 Legal research and writing shall be deemed to satisfy the "English in the Discipline" requirement under UG5 of the Regulations for First Degree Curricula.

² Law electives, including a 6-credit Designated Disciplinary Elective and a 6-credit Designated Research Course.

- a non-credit bearing Academic Communication in English course³ in accordance with UG5(a);
- 6 credits in Chinese language enhancement⁴ in accordance with UG5(c);
- 36 credits of Common Core⁵ courses in accordance with UG(5)(d);
- 6 credits in artificial intelligence literacy in accordance with UG(5)(e);
- a non-credit bearing course in national education and national security education, and any other non-credit bearing courses as may be required from time to time in accordance with UG5(f); and
- 36 credits of free electives⁶.

Advanced Standing

LL 4. The Board of the Faculty of Law may grant advanced standing to candidates in recognition of studies completed successfully before admission to the University in accordance with UG2 of the Regulations for First Degree Curricula. Advanced standing credits granted will be recorded on the transcript of the candidate but shall not be included in the calculation of the GPA nor be taken into consideration for the honours classification of the degree to be awarded.

Transfer of Credits

LL 5. Candidates may, with the approval of the Board of the Faculty, transfer credits for courses completed at other institutions at any time during their candidatures. The number of transferred credits may be recorded in the transcript of the candidate, but the results of courses completed at other institutions shall not be included in the calculation of the GPA. The number of credits to be transferred shall not exceed half of the total credits normally required under the degree curricula of the candidates during their candidature at the University.

³ Candidates who have achieved Level 5 or above in English Language in the Hong Kong Diploma of Secondary Education Examination, or equivalent, are exempted from this requirement.

⁴ (a) Non-local Putonghua/Mandarin-speaking students should take CUND9001 Basic Spoken and Written Cantonese for Mandarin Speakers, or CUND9002 Practical Chinese and Hong Kong Society, or CUND9003 Cantonese for Non-Cantonese Speaking Students, or CUND9004 Practical Applied Chinese Writing and Effective Presentation Skills for Non-local Mandarin Speaking Students; and
 (b) Students who did not study Chinese language during their secondary education and have not reached the required proficiency level for the Chinese language enhancement course, CLAW9001, should seek approval from the Board of the Faculty to take a 6-credit course in either Chinese language or Chinese culture offered by the School of Chinese in lieu, especially for international and exchange students.

⁵ Candidates shall complete successfully 36 credits in the Common Core Curriculum, comprising at least 6 credits and not more than 12 credits from each Area of Inquiry with not more than 24 credits being selected within one academic year except where candidates are required to make up for failed credits.

⁶ Free electives are courses offered by any Faculty of the University, including Faculty of Law.

Selection of Courses

LL 6. Candidates shall select their courses 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 only during the add/drop period of the 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.

LL 7. 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 the Faculty of Law. Withdrawal without permission will result in a fail grade in the relevant course(s).

Specialisation

LL 8. Candidates who have obtained at least 36 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.

LL 9. Candidates shall declare their choice of specialisation, if any, in the beginning of the third academic year. Declaration made beyond the first semester of the fourth academic year will not be considered.

Minor in Another Discipline

LL 10. Candidates who have obtained the requisite number of credits (which shall not be fewer than 36 credits and not more than 48 credits) to declare a minor in a department, centre, school, programme or disciplinary field will be duly recognised by having the minor stated in the official academic transcript.

Progression in Curriculum

LL 11.

- (a) Candidates shall normally be required to take not fewer than 24 credits nor more than 30 credits in any one semester (except the summer semester) unless otherwise permitted or required by the Board of the Faculty, 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 the Faculty, 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 288 credits for the normative period of study specified in LL2, save as provided for in LL11(c).

- (c) Where candidates are required to make up for failed credits, the Board of the Faculty 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 432 credits for the maximum period of registration specified in LL2.
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Grades

LL 12. Grades shall be awarded in accordance with UG8 of the Regulations for First Degree Curricula. Any course for which a candidate is given an F grade shall be recorded on the official academic transcript, and shall be taken into account in the calculation of the GPA. Courses which are graded as distinction, pass or fail shall be recorded on the transcript but shall not be counted towards the GPA.

Passing a Course

LL 13. Candidates shall pass a course if the Board of Examiners is satisfied by the candidates' performance in the assessment.

Assessment

LL 14.

- (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 passed courses will earn credits.
- (b) Candidates suspended under Statute XXXI shall not be allowed to take, present themselves for, and participate in any assessments during the period of suspension, unless otherwise permitted by the Senate.
- (c) 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.

- (d) Where candidates are permitted or required to present themselves for re-assessment/ re-examination/ assessment in an alternative course under (c) 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 GPA.
 - (e) A candidate shall not be permitted to repeat a course for which he or she has received a pass grade for the purpose of upgrading.
 - (f) There shall be no appeal against the results of examinations and all other forms of assessment.
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Absence from an Examination

LL 15. Candidates who are unable, because of 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 seven calendar days 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

LL 16. Subject to LL3, LL4 and LL5, a candidate who has passed courses totalling 240 credits in value shall be awarded the degree of LLB.

Discontinuation of Study

LL 17. Candidates shall be recommended for discontinuation of their studies if they fail to satisfy the examiners in the examinations in accordance with UG4(e) of the Regulations for First Degree Curricula as follows:

- (i) 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
 - (ii) fail to achieve an average semester GPA of 1.0 or higher for two consecutive semesters (not including the summer semester); or
 - (iii) exceed the maximum period of registration specified in LL2.
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Award of Degrees

LL 18.

- (a) The degree of Bachelor of Laws shall be awarded in five divisions in accordance with UG9 of the Regulations for First Degree Curricula:

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

- (b) The classification of honours shall be determined by the Board of Examiners for the degree in accordance with the following Graduation GPA (GGPA) scores, with all courses taken (including failed courses) carrying weightings which are proportionate to their credit values⁷:

Class of Honours	GGPA range
First Class Honours	3.60 – 4.30
Second Class Honours	(2.40 – 3.59)
<i>Division One</i>	3.00 – 3.59
<i>Division Two</i>	2.40 – 2.99
Third Class Honours	1.70 – 2.39
Pass	1.00 – 1.69

- (c) Honours classification may not be determined solely on the basis of a candidate's Graduation GPA and the Board of Examiners for the degree may, at its absolute discretion and with justification, award a higher class of honours to a candidate deemed to have demonstrated meritorious academic achievement but whose Graduation GPA falls below the range stipulated in (b) above of the higher classification by not more than 0.1 Grade Point.
- (d) A pass list of successful candidates shall be posted on Faculty notice boards and the student homepage.

⁷ For students in the 2025-26 intake and thereafter who have successfully completed six 6-credit Common Core courses, the calculation of Graduation GPA is subject to the proviso that either five 6-credit Common Core courses with the highest grades (covering all five Areas of Inquiry), or all six 6-credit courses will be counted towards Graduation GPA, depending on which generates the higher Graduation GPA. For students who have successfully completed two 3-credit Common Core Microcredentials in place of one 6-credit Common Core course, the average grade point of the two 3-credit courses will be treated as the grade point of a 6-credit Common Core course.

SYLLABUSES FOR THE DEGREE OF BACHELOR OF LAWS

These syllabuses apply to students admitted to the degree of Bachelor of Laws curriculum in the academic year 2026-27 and thereafter.

1. A candidate shall, unless otherwise approved by the Board of the Faculty of Law, complete 156 credits of professional core including 114 credits of compulsory courses and 42 credits of disciplinary electives of the curriculum in accordance with LL3 and the syllabuses as set out below. Subject to LL11, candidates shall select 57 credits of courses in their First Year, 63 credits in their Second Year and 60 credits of courses in each of their Third and Fourth Years.

First Year (57 credits)

LLAW1001	Law of contract I (6 credits)
LLAW1002	Law of contract II (6 credits)
LLAW1014	Criminal law I (6 credits)
LLAW1015	Criminal law II (6 credits)
LLAW1016	Legal research and writing ¹ (6 credits)
LLAW1008	The legal system of the Hong Kong SAR (6 credits)
AILT1001	Artificial intelligence literacy I (3 credits)
CAES1001	Academic communication in English ² (non-credit bearing)
CCXXxxxx	Common Core course ³ (18 credits)

Second Year (63 credits)

LLAW1005	Law of tort I (6 credits)
LLAW1006	Law of tort II (6 credits)
LLAW2001	Constitutional law (6 credits)
LLAW2009	Introduction to Chinese legal system (6 credits)
LLAW2018	Land law I (6 credits)
LLAW2019	Land law II (6 credits)
LLAW3093	Administrative law (6 credits)
CCXXxxxx	Common Core course ³ (18 credits)
AILT90xx	Artificial intelligence literacy course ⁴ (3 credits)

Third and Fourth Years (120 credits, 60 credits per year)

¹ A pass in LLAW1016 Legal research and writing shall be deemed to satisfy the “English in the Discipline” requirement under UG5 of the Regulations for First Degree Curricula.

² Candidates who have achieved Level 5 or above in English Language in the Hong Kong Diploma of Secondary Education Examination, or equivalent, are exempted from this requirement.

³ Candidates shall complete successfully 36 credits in the Common Core Curriculum, comprising at least 6 credits and not more than 12 credits from each Area of Inquiry with not more than 24 credits being selected within one academic year except where candidates are required to make up for failed credits.

⁴ Candidates shall take any 3-credit AILT courses offered by other Faculties/Schools that are open to all undergraduate students.

LLAW2012	Commercial law (6 credits)
LLAW3001	Introduction to legal theory (6 credits)
LLAW3010	Business associations (6 credits)
LLAW3094	Equity and trusts I (6 credits)
LLAW3095	Equity and trusts II (6 credits)
LLAWxxxx	Capstone course (6 credits)
LLAWxxxx	Disciplinary electives ⁵ (42 credits, including a 6-credit <i>Designated Disciplinary Elective</i> and a 6-credit <i>Designated Research Course</i>)
XXXXxxxx	Free electives ⁶ (36 credits)
CLAW9001	Practical Chinese for law students ⁷ (6 credits)

Capstone course (Choose one of the following courses)⁸:

LLAW3148	Clinical legal education
LLAW3198	Clinical legal education (China)
LLAW3256	Clinical legal education (special needs financial planning)
LLAW3280	Clinical legal education - refugee and human trafficking stream
LLAW3246	Disability rights clinic
LLAW3281	Human rights in practice clinic
LLAW3187	Mooting and dispute resolution ⁹
LLAW3230	Public interest clinic
LLAW3252	The global migration legal clinic

Designated disciplinary elective (choose one of the following courses):

LLAW3205	Advanced legal theory
LLAW3016	Comparative law
LLAW3220	Gender, sexuality and the law
LLAW3216	Justice
LLAW3285	Law and colonialism
LLAW3295	Law and government
LLAW3128	Law and literature
LLAW3239	Law and social justice

⁵ Law electives, including 6 credits Designated Disciplinary Elective and 6 credits Designated Research Course. For the purpose of fulfilling specialisation requirements, students are required to take and pass at least 36 credits of law electives under one of the specialisation clusters as indicated in the syllabus, of which the additional 6 credits can be made up from the free electives category.

⁶ Free electives are courses offered by any Faculty of the University, including Faculty of Law.

⁷ (a) Non-local Putonghua/Mandarin-speaking students should take CUND9001 Basic Spoken and Written Cantonese for Mandarin Speakers, or CUND9002 Practical Chinese and Hong Kong Society, or CUND9003 Cantonese for Non-Cantonese Speaking Students, or CUND9004 Practical Applied Chinese Writing and Effective Presentation Skills for Non-local Mandarin Speaking Students; and
(b) Students who did not study Chinese language during their secondary education and have not reached the required proficiency level for the Chinese language enhancement course, CLAW9001, should seek approval from the Board of the Faculty to take a 6-credit course in either Chinese language or Chinese culture offered by the School of Chinese in lieu, especially for international and exchange students.

⁸ Any of the listed capstone courses that fulfil the requirement of LL3(d) shall be graded with a pass/fail and shall not be counted in the calculation of the GPA. Any additional capstone course(s) taken will be counted towards the disciplinary elective requirement.

⁹ This may be substituted by participation in Jessup mooting or any other international moot competition approved by the Assistant Dean (Undergraduate and Taught Postgraduate Programmes).

LLAW3172	Law and social theory
LLAW3283	Law and society
LLAW3292	Law and society in China
LLAW3233	Law, history and culture
LLAW3039	Legal history
LLAW3146	Multiculturalism and the law
LLAW3235	Punishment and society
LLAW3282	The economic analysis of law
LLAW3278	The legal profession

2. The disciplinary electives are listed as follows¹⁰:

LLAW3015	Advanced company law
LLAW3206	Advanced law of obligations
LLAW3205	Advanced legal theory
LLAW3151	Advanced seminar in law and technology
LLAW3265	Advanced seminars in trust and equity
LLAW3214	Advanced topics in constitutional law
LLAW3294	AI and private law
LLAW3007	Alternative dispute resolution
LLAW3244	Alternative finance
LLAW3140	Animal law
LLAW3164	Arbitration and conflict of laws in Greater China
LLAW3112	Arbitration law
LLAW3207	Arms control and disarmament law
LLAW3009	Banking law
LLAW3186	Business and human rights
LLAW3138	Carriage of goods by sea
LLAW3107	China civil law (in Putonghua)
LLAW3108	China criminal law and procedure
LLAW3109	China economic law
LLAW3087	China intellectual property law
LLAW3153	China investment law
LLAW3152	China property law
LLAW3181	China security and insolvency law
LLAW3129	China tort law
LLAW3154	China trade law
LLAW3081	Chinese commercial law (in Putonghua)
LLAW3173	Chinese family law in comparative perspective
LLAW3097	Civil procedure
LLAW3241	Climate change law and policy
LLAW3088	Commercial dispute resolution in China
LLAW3125	Comparative constitutional law
LLAW3257	Comparative corporate law
LLAW3144	Comparative environmental law
LLAW3016	Comparative law
LLAW3191	Comparative family law

¹⁰ For the purpose of PCLL admissions, a candidate must satisfactorily complete Evidence I (or Evidence II), and comply with any other requirements as may be specified in the PCLL regulations from time to time.

LLAW3123	Competition law I
LLAW3124	Competition law II (HK and EU competition law)
LLAW3199	Competition law and intellectual property
LLAW3236	Competition law in the digital economy
LLAW3301	Computing for lawyers: automation and prediction
LLAW3098	Constitutional and administrative law in the PRC
LLAW3067	Construction law
LLAW3200	Copyright and creativity
LLAW3184	Credit and security law
LLAW3099	Criminal procedure
LLAW3018	Criminology
LLAW3298	Cross-border legal relations between the Mainland and Hong Kong
LLAW3066	Cross-border legal relations between the Mainland and Hong Kong (in Putonghua)
LLAW3101	Cybercrime
LLAW3127	Dealing with legacies of human rights violations
LLAW3179	Digital copyright
LLAW3117	Economic, social and cultural rights
LLAW3218	Energy law
LLAW3071	Equality and non-discrimination
LLAW3102	Evidence I
LLAW3103	Evidence II
LLAW3258	Financial regulations and compliance
LLAW3220	Gender, sexuality and the law
LLAW3080	Governance and law
LLAW3203	Guided research
LLAW3217	Guided research II
LLAW3133	Healthcare law
LLAW3110	Human rights and cyberspace
LLAW3022	Human rights in Hong Kong
LLAW3083	Human rights: history, theory and politics
LLAW3023	Insolvency law
LLAW3024	Insurance law
LLAW3084	Intellectual property and information technology
LLAW3085	International and comparative intellectual property law
LLAW3086	International and regional protection of human rights
LLAW3072	International business taxation
LLAW3111	International commercial arbitration
LLAW3025	International commercial litigation
LLAW3076	International commercial transactions
LLAW3078	International economic law
LLAW3134	International environmental law
LLAW3026	International human rights
LLAW3058	International mooted competition ⁹
LLAW3027	International organisations
LLAW3135	International protection of refugees and displaced persons
LLAW3136	International securities law
LLAW3160	Interpretation of statutes, contracts and treaties
LLAW3248	Introduction to class action litigation in the USA
LLAW3159	Introduction to negotiation theory and practice
LLAW3030	Private international law (the conflict of laws)

LLAW3263	Issues in consumer law: theory and policy
LLAW3033	Issues in intellectual property law
LLAW3059	Jessup international law moot court competition ⁹
LLAW3216	Justice
LLAW3034	Labour law
LLAW3190	Language and the law
LLAW3249	Language rights and linguistic justice
LLAW3285	Law and colonialism
LLAW3065	Law and ethics of artificial intelligence
LLAW3141	Law and film
LLAW3295	Law and government
LLAW3128	Law and literature
LLAW3142	Law and politics of constitutions
LLAW3239	Law and social justice
LLAW3172	Law and social theory
LLAW3283	Law and society
LLAW3233	Law, history and culture
LLAW3037	Law of agency
LLAW3048	Law of restitution
LLAW3049	Law of the sea
LLAW3145	Law, economics, regulation and development
LLAW3254	Law, innovation, technology, entrepreneurship: tech startup law
LLAW3273	Law, innovation, technology and entrepreneurship (LITE) lab - social impact entrepreneurship
LLAW3161	Law, meaning and interpretation
LLAW3090	Legal aspects of white collar crime
LLAW3234	Legal and legislative drafting
LLAW3226	Legal fictions: United States citizenship and the right to write in America
LLAW3269	Legal foundations for global health and development
LLAW3039	Legal history
LLAW3275	Legal language in Hong Kong: issues and directions
LLAW3162	Legal translation
LLAW3255	LITE lab: emerging technology and business models (undergraduate)
LLAW3272	LITE lab: AI and legal technology and the future of the profession sandbox
LLAW3073	Media law
LLAW3192	Mediation
LLAW3040	Medico-legal issues
LLAW3146	Multiculturalism and the law
LLAW3303	Murder: law and policy
LLAW3178	Online dispute resolution
LLAW3302	Patent law
LLAW3042	Planning and environmental law
LLAW3043	Principles of family law
LLAW3075	Privacy and data protection
LLAW3044	Public international law
LLAW3235	Punishment and society
LLAW3069	Regulation of financial markets
LLAW3045	Remedies
LLAW3068	Rights of the child in international and domestic law

LLAW3290	Seminar on human rights and constitutionalism in Asia
LLAW3277	Seminars in private law
LLAW3274	Shakespeare and the law
LLAW3147	Space law and policy
LLAW3054	Succession
LLAW2011	Summer internship
LLAW3251	The beginnings of English law and literature
LLAW3282	The economic analysis of law
LLAW3264	The law of signs: interpretative controversies in legal semiotics
LLAW3212	The law on financial derivatives and structured products
LLAW3278	The legal profession
LLAW3260	The Mainland China legal internship programme
LLAW3143	Topics in law and literature: Flaubert and Eliot
LLAW3171	Topics in English and European legal history
LLAW3113	Topics in technology law
LLAW3176	Trademarks and unfair competition
LLAW3221	Trusts in practice
LLAW3055	Use of Chinese in law I
LLAW3004	Use of Chinese in law II
LLAW3070	World Trade Organization: law and policy

The advanced disciplinary electives are listed as follows¹¹:

LLAW3289	Armed conflicts and international humanitarian law
LLAW3201	China shipping law (in Putonghua)
LLAW3062	Human rights in China
LLAW3299	Law and regulation of private banking and wealth management
LLAW3292	Law and society in China
LLAW3286	Law and wealth management
LLAW3287	Legal concepts and practical application in financial transactions
LLAW3270	Legal pluralism in Hong Kong
LLAW3297	Medical malpractice
LLAW3291	Mental disability and the law
LLAW3183	Mergers and acquisitions
LLAW3115	Rights and remedies in the criminal process
LLAW3293	Securities regulation
LLAW3311	Selected topics in Chinese law
LLAW3306	Selected topics in commercial law
LLAW3307	Selected topics in corporate and financial law
LLAW3310	Selected topics in international and comparative law
LLAW3304	Selected topics in private law
LLAW3305	Selected topics in public law
LLAW3309	Selected topics in regulatory law
LLAW3308	Selected topics in technology law
LLAW3300	Sports law

¹¹ Students must meet the following requirements before enrolling in any of the courses on the list:

- (i) must achieve a CGPA of 3.3 or above at the point of enrolment,
- (ii) choose no more than two from the course list during their undergraduate studies, and
- (iii) enrolment in any of the courses is subject to places being available. No guarantee of successful enrolment in a selected course.

LLAW3288 Transnational criminal law

3. For the purpose of LL 8, the following specialisations are available for any student who has obtained 36 credits by completing courses listed below in the respective category or such other courses as may be approved by the Assistant Dean (Undergraduate and Taught Postgraduate Programmes) 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

LLAW3151	Advanced seminar in law and technology
LLAW3164	Arbitration and conflict of laws in Greater China
LLAW3107	China civil law (in Putonghua)
LLAW3108	China criminal law and procedure
LLAW3109	China economic law
LLAW3087	China intellectual property law
LLAW3153	China investment law
LLAW3152	China property law
LLAW3181	China security and insolvency law
LLAW3201	China shipping law (in Putonghua) ¹¹
LLAW3129	China tort law
LLAW3154	China trade law
LLAW3081	Chinese commercial law (in Putonghua)
LLAW3173	Chinese family law in comparative perspective
LLAW3088	Commercial dispute resolution in China
LLAW3098	Constitutional and administrative law in the PRC
LLAW3298	Cross-border legal relations between the Mainland and Hong Kong
LLAW3066	Cross-border legal relations between the Mainland and Hong Kong (in Putonghua)
LLAW3270	Legal pluralism in Hong Kong ¹¹
LLAW3272	LITE lab: AI and legal technology and the future of the profession sandbox
LLAW3260	The Mainland China legal internship programme

Commercial, corporate and financial law

LLAW3015	Advanced company law
LLAW3206	Advanced law of obligations
LLAW3151	Advanced seminar in law and technology
LLAW3265	Advanced seminars in trust and equity
LLAW3007	Alternative dispute resolution
LLAW3244	Alternative finance
LLAW3164	Arbitration and conflict of laws in Greater China
LLAW3009	Banking law
LLAW3109	China economic law
LLAW3153	China investment law
LLAW3154	China trade law

LLAW3081	Chinese commercial law (in Putonghua)
LLAW3088	Commercial dispute resolution in China
LLAW3123	Competition law I
LLAW3124	Competition law II (HK and EU competition law)
LLAW3199	Competition law and intellectual property
LLAW3184	Credit and security law
LLAW3258	Financial regulations and compliance
LLAW3023	Insolvency law
LLAW3024	Insurance law
LLAW3072	International business taxation
LLAW3136	International securities law
LLAW3160	Interpretation of statutes, contracts and treaties
LLAW3030	Private international law (the conflict of laws)
LLAW3263	Issues in consumer law: theory and policy
LLAW3033	Issues in intellectual property law
LLAW3299	Law and regulation of private banking and wealth management ¹¹
LLAW3286	Law and wealth management ¹¹
LLAW3254	Law, innovation, technology, entrepreneurship: tech startup law
LLAW3273	Law, innovation, technology and entrepreneurship (LITE) lab - social impact entrepreneurship
LLAW3037	Law of agency
LLAW3048	Law of restitution
LLAW3287	Legal concepts and practical application in financial transactions ¹¹
LLAW3255	LITE lab: emerging technology and business models (undergraduate)
LLAW3272	LITE lab: AI and legal technology and the future of the profession sandbox
LLAW3183	Mergers and acquisitions ¹¹
LLAW3069	Regulation of financial markets
LLAW3045	Remedies
LLAW3293	Securities regulation ¹¹
LLAW3277	Seminars in private law
LLAW3212	The law on financial derivatives and structured products
LLAW3260	The Mainland China legal internship programme
LLAW3176	Trademarks and unfair competition

International trade and economic law

LLAW3151	Advanced seminar in law and technology
LLAW3138	Carriage of goods by sea
LLAW3153	China investment law
LLAW3154	China trade law
LLAW3123	Competition law I
LLAW3124	Competition law II (HK and EU competition law)
LLAW3085	International and comparative intellectual property law
LLAW3111	International commercial arbitration
LLAW3025	International commercial litigation
LLAW3076	International commercial transactions
LLAW3078	International economic law
LLAW3027	International organisations
LLAW3263	Issues in consumer law: theory and policy
LLAW3049	Law of the sea

LLAW3145 Law, economics, regulation and development
LLAW3272 LITE lab: AI and legal technology and the future of the profession
sandbox
LLAW3044 Public international law
LLAW3070 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.

Compulsory courses (in the order listed in the syllabus)

FIRST YEAR

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

The function of contract; formation of contract, including offer and acceptance, consideration and estoppel, certainty, intention to create legal relations and privity; contents of a contract, including express and implied terms, exemption clauses and statutory control; vitiating factors, including mistake, misrepresentation, duress, undue influence and unconscionability; discharge of contract, including performance, agreement, breach and frustration; remedies, including damages, specific performance, injunctions, action for an agreed sum, account of profits, liquidated damages, deposits, part-payments, rectification and rescission.

Assessment: 10% class participation in tutorials, 40% mid-year examination, 50% final examination

LLAW1014 and LLAW1015 Criminal law I and Criminal law II (12 credits)

Criminal law I 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. Offences considered will include homicide, non-fatal offences against the person, criminal damage and theft.

Criminal law II examines further aspects of criminal law and liability in Hong Kong, including criminal defences, participation 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.

Assessment: Magistrate’s court report*, 50% mid-term examination, 50% final examination

*[Students who fail this component will not be allowed to take the examinations and will be considered to have failed the courses.]

LLAW1016 Legal research and writing (6 credits)

Legal Research and Writing is a foundation skills course offered in the first semester of the first year. It introduces students to judgments, ordinances, and specific genres such as case notes and legal memoranda. As a practice-focused skills course, the lectures and tutorials work in tandem to help students develop the following inter-related skills, which are essential for the study of other law subjects and for future legal work:

Legal analysis – to closely read and analyse common law judgments, to use and interpret legislation, and to identify legal issues from fact-patterns.

Research – to identify and locate appropriate cases, legislation, and secondary sources.

Legal writing – to write succinctly and effectively, and to construct logical and persuasive arguments.

Assessment: 15% class contribution, participation in tutorials, 35% writing exercises / presentations, 50% final examination

LLAW1008 The legal system of the Hong Kong SAR (6 credits)

This course provides students with a comprehensive introduction to principles of law governing the legal system of the Hong Kong Special Administrative Region of the People's Republic of China, the only common law jurisdiction in East Asia. It encourages students to appreciate the underlying values of legal practice and the administration of justice in the context of wider global and regional developments. It explains the crucial role played by the rule of law in Hong Kong's historic transition from a cluster of marginal fishing settlements into an international financial centre under Chinese sovereignty over the course of nearly two centuries

Assessment: 10% tutorial participation, 90% examination

AILT1001 Artificial intelligence literacy I (3 credits)

Artificial Intelligence (AI) literacy is essential for navigating our modern society effectively and responsibly. This course provides students with the skills and knowledge needed to understand AI concepts, interact with AI systems, and critically evaluate their impact. Through lectures, online learning activities and a practical project, students will explore the ethical, social, and technological dimensions of AI, preparing them to make informed decisions in a world that is increasingly AI-driven.

Assessment: 20% participation, 40% group assignment, 40% final test

CAES1001 Academic communication in English (non-credit bearing)

The course is designed to equip first-year undergraduate students with a solid foundation in academic English literacy to succeed in their university studies. The course is dedicated to nurturing students' competencies in an English-medium university environment and fostering their confidence in effective oral, written, and visual communication. This is achieved by cultivating students' critical reading skills, information literacy skills, and digital literacy skills for academic English learning. The course also provides students with a comprehensive understanding of academic rhetoric across different mediums, including written, spoken, and visual tasks. By familiarizing students with the key genres and communication conventions in university education, the course empowers students to apply the acquired knowledge and skills to Common Core Courses.

Assessment: 100% coursework

SECOND YEAR

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

Tort is one of the first subjects undertaken in the LLB degree. Along with contract and unjust enrichment (also sometimes referred to as restitution), it forms part of the law of obligations, which covers the

situations in which one person may be liable to another person in private law. In tort, that liability is, generally, to pay damages as compensation for a wrong. The law of torts covers a vast array of circumstances in which an individual incurs responsibility for conduct that the law classifies as wrongful.

For the most part, the law of torts comprises a set of doctrines and principles that have been developed by the common law courts. It is, accordingly, for the most part a subject that demands familiarity with the rules enshrined in case law. But, as with most other areas of law today, statute law now also plays an important role. As such, students who study this course will need to master both a large number of cases and a limited number of statutes.

While the law of torts has been around in one form or another for centuries, the rules it contains are far from settled. Much of the law—including new developments—remains controversial. Mastery of the subject thus requires familiarity not just with the established principles that are clear and universally accepted, but also some appreciation of those parts that are unsettled and the subject of ongoing debates.

Assessment: 30% continuous assessment, 70% final examination

LLAW2001 Constitutional law (6 credits)

Constitutional law is a core component of a legal system. It also constitutes the foundation of a legal system, because it stipulates what are the sources of law in the legal system and how the law is made; it establishes, empowers and constrains the legislative, executive and judicial branches of government; and it regulates the relationship between these organs of government as well as the relationship between the government and the people. From the perspective of the people, constitutional law guarantees and protects their human rights and fundamental freedoms.

In Hong Kong, constitutional law also performs the important function of regulating the relationship between Hong Kong as a Special Administrative Region of the People's Republic of China (PRC) and the Central Government Authorities of the PRC. Constitutional law in Hong Kong is therefore the legal foundation of 'One Country, Two Systems'. It is also an area of the law which is often the focus of public and media attention. Constitutional law cases and controversies often appear in the Hong Kong press as frontpage news stories. The outcomes of constitutional litigation sometimes not only change the lives of the parties to the case, but also have wide and deep impact on the Hong Kong community and its public and social policies, or the political relationship between Hong Kong and mainland China.

Constitutional law is closely related to politics, political philosophy and history. In students' previous legal studies, they have already come across aspects of constitutional history and constitutional theory (e.g. in the Law and Society course), as well as some constitutional controversies in Hong Kong (e.g. in the Legal System course). We hope that this course on constitutional law will provide for students the opportunity to study the subject more systematically and intensively. However, as it is only a one-semester course, it can do no more than opening the door for students, so that students who are interested in a broader and deeper understanding of the subject may acquire a solid foundation for their future studies in this interesting, exciting and challenging domain of public law.

Assessment: 30% take home assignment, 70% examination

LLAW2009 Introduction to Chinese legal system (6 credits)

The course provides an overview of the basic rules and institutions of the legal system that is operating in the mainland of People's Republic of China (PRC) and the fundamental concepts in the core areas of Chinese law. The aim of the teaching is to introduce the structures, institutions, and distinctive features

of the Chinese legal system and improve the understanding of Chinese law as compared with other legal systems, including the common law-based legal system in Hong Kong.

Assessment: 20% tutorial participation, 40% essay, 40% final examination

LLAW2018 and LLAW2019 Land law I and II (12 credits)

Introduction to property and land law.

Acquisition of interests in land: legal and equitable methods.

Concurrent interests under ownership; trusts; joint ownership (including partition of land)

Acquisition of interests by proprietary estoppel or adverse possession.

Priority: enforceability of interests against third parties.

Leases: nature; creation; termination; relationship of landlord and tenant.

Leasehold covenants: nature; enforceability; remedies.

Licences: nature; revocability; enforceability.

Easements: nature; creation; determination.

Security interests: mortgages; charges.

Government leases and Conditions of grant

Deeds of mutual covenant

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

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

Assessment: 50% mid-term examination, 50% examination

LLAW3093 Administrative law (6 credits)

The course will introduce Hong Kong's law on judicial review of administrative action. Topics that may be covered in any particular year include: theories of administrative decision-making, grounds of judicial review (errors of law and fact, procedural impropriety, errors in the exercise of discretion, legitimate expectations), the public-private divide, the practical aspects of bringing an action for judicial review, and non-curial means of control and scrutiny of administration action (Ombudsman, Administrative appeals, public enquiries). The course will guide students on how to apply the law in factual scenarios and encourage students to reflect upon various theoretical issues in administrative law.

Pre-requisite: Have taken and passed LLAW2001 Constitutional law (or its equivalent).

Assessment: 50% mid-term assessment, 50% final examination

THIRD YEAR AND FOURTH YEAR

LLAW2012 Commercial law (6 credits)

This course introduces students to the fundamental legal concepts and principles relating to commercial law in Hong Kong and covers the following topics:

A: Personal Property

- Types of Personal Property
 - Chose in Possession
 - Chose in Action
- Types of Rights and Interests

- Possession
- Ownership
- Legal and Equitable Assignment

B: Sale of Goods

- Scope and Application of the Sale of Goods Ordinance (Cap. 26)
- Passing of Property
- Transfer of Risks
- Transfer of Title and the *Nemo Dat* Rule
- Implied Terms
- Duties and Remedies of Seller and Buyer

C: Agency

- Creation of Agency
- Types of Authority
- Undisclosed Agency
- Effects of Agency
- Duties of an Agent
- Termination of Agency

D: Credit and Security

- Types of Security
 - Real Security - Pledges, Liens, Mortgages, Charges
 - Personal Security – Guarantee, Indemnity
- Rules of Priority

Assessment: 20% in-class participation, 80% in-hall final examination

LLAW3001 Introduction to legal theory (6 credits)

This course encourages critical reflection 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 will include the following: assessing the relationships between law, politics and morality; natural law; legal positivism; theories of justice; adjudication and legal reasoning; legal realism; feminist jurisprudence; sociological jurisprudence.

Assessment: 20% class participation, 20% essay, 60% examination

LLAW3010 Business associations (6 credits)

This course introduces students to the law of business associations. The two main forms of business association to be covered in the course are partnerships and companies, with a predominant focus on the latter. Students will acquire an understanding of the basic issues in company law, including company formation, corporate personality, the relationship between the company and outsiders, directors' duties, member's rights in a company, and the dissolution of a company. The focus will be on Hong Kong law.

The course adopts the usual lecture-tutorial format. The tutorials are highly interactive and students are expected to come prepared and to participate actively in tutorial discussions.

Pre-requisite: Have taken and passed Commercial Law

Assessment: 20% in-class participation, 80% final examination

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, rescission, 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: Have taken and passed Law of contract I and II

Co-requisite: Have taken and passed (or concurrently taking) Land law I and II

Assessment: 20% class participation, 30% mid-term test, 50% examination

CLAW9001 Practical Chinese for law students (6 credits)

The course is designed to enhance the students' proficiency in the use of the Chinese language in the legal profession. It helps to sharpen the students' skills in writing formal letters, notices, announcements, proposals and reports. As a variety of the Chinese language, legal Chinese has its own distinctive characteristics, which are explored in this course. A special topic in this course is "Characteristics of Chinese Legal Language". The students are trained to express their ideas and views lucidly in Chinese in a legal context. Drilling practices are provided to familiarise them with the simplified forms of frequently used legal terms.

Assessment: 50% written assignments, 50% written examination

Capstone courses (listed in alphabetical order)

(Choose at least one of the following courses)

LLAW3148 Clinical legal education (6 credits)

In this course the students will through interviewing real clients and handling real cases under the supervision of the course coordinator and voluntary duty lawyers in the private sector develop lawyering skills such as interviewing, negotiation, communication, facts investigation, legal research and analysis, applying the legal theories and principles to the real client's case or situation, legal writing and drafting, as well as professional ethics and responsibilities. The "course" will consist of the following elements – training sessions and legal clinic work (including attending interview and advice sessions and preparing case summary, legal research memos and summary of advice). The applicants for this course are required to submit an application in prescribed form to the course coordinator for consideration and approval.

Assessment: Students will be assessed on a pass / fail basis by reference to the contents of the portfolio and the course coordinator and the supervising lawyers' feedback on their professional attitudes and competence when they handle clients' cases.

LLAW3198 Clinical legal education (China) (6 credits)

This is a programme offered to law and mixed degrees students in the Summer Semester. As part of the experiential learning in the Faculty of Law, this course offers an opportunity for Hong Kong students 1) to observe the operation of the Chinese legal system from a close distance; 2) to participate in activities

of provision of legal aid to the poor in the Mainland; and 3) to critically reflect the political and legal development in the Mainland.

The summer Internship is placed under the existing Clinical legal education course and offers a scheme of clinical legal education in Mainland China. Each student enrolled in this programme will be placed in one of the hosting Non-Governmental Organizations (NGOs) in Mainland China between June and August for a period between six and eight weeks. During the placement, the students will work as Interns for the NGOs at the instructions and supervision of the relevant staff of the NGOs.

Hosting NGOs may be located in different parts of China. They include China-based international NGOs such as the American Bar Association's Beijing Office; domestic NGOs such as Yirenping Centre; or University-based legal aid centre such as the Wuhan University Legal Aid Centre. The Faculty will contact and enter into agreements with the NGOs and match NGOs with the student interest subject to availability.

Students will be assessed on a pass/fail basis.

Assessment: 100% continuous assessment

LLAW3256 Clinical legal education (special needs financial planning) (6 credits)

This course will begin with seminars on affordable planning instruments for individuals with cognitive impairment in Hong Kong, such as will, statutory guardianship, enduring (or continuing) power of attorney and special needs trusts. Selected topics in succession and estate planning; personal care and welfare system for people with disability; probate and intestacy; and family and matrimonial assets distribution will also be covered.

Students will then have an opportunity to apply their knowledge in a real practice setting. Students will provide legal advice and individual assistance to eligible families and individuals (ie families with modest wealth that have individuals with intellectual disability, autism, and mental disorder; and elderly people) seeking to execute the above planning instruments where appropriate. Students will through interviewing real clients and handling real cases under the supervision of the Course Coordinators, Director of the Legal Clinic and pro bono lawyers in the private sector develop lawyering skills such as interviewing, communication, fact investigation, legal research and analysis, legal writing and drafting, as well as professional ethics and responsibilities.

Pre-requisite: Undergraduate LLB and double degree students must have completed at least 2 years of their degree programme.

Assessment: Students will be assessed on a pass/fail basis by reference to the contents of the portfolio and feedback by the Course Coordinators / Director on their professional attitudes and competence when they handle the clients' case.

LLAW3280 Clinical legal education – refugee and human trafficking stream (6 credits)

The CLE – refugee and human trafficking stream (“the Clinic”) is offered to undergraduate and post-graduate students in the Faculty of Law at the University of Hong Kong (HKU) in partnership with the Centre for Comparative and Public Law (CCPL) and Justice Centre Hong Kong. Justice Centre provides information and individual assistance to claimants seeking non-refoulement protection in Hong Kong (known as “protection claimants”) and advocates for their rights in policy spheres and through campaigns to raise public awareness and change perceptions. The Clinic allows students to learn both the theory and practice of non-refoulement law in Hong Kong. Students will learn the legal Hong Kong for assessing

protection needs and develop their legal skills in a real practice setting. Specific skills include: interviewing protection claimants, working with an interpreter, fact investigation, legal research and analysis, and legal writing and drafting. Students will also have opportunities to develop professional judgment through encounters with real legal and ethical dilemmas. Students will learn to take a human rights-based approach to legal work, to recognise challenges, to creatively identify options, and to diligently and ethically assist protection claimants. Students work under the direct supervision of Justice Centre's Legal Officer and/or other Justice Centre staff.

Students will be assessed on a pass/fail basis.

Assessment: 100% clinical work: Pass/Fail in two components, namely 1) preparation and participation in group seminars and clinical sessions; 2) written work

LLAW3246 Disability rights clinic (6 credits)

This course will provide an opportunity for HKU students to gain knowledge and practical experience in the rapidly developing area of disability rights law. Both for students who will work outside the corporate sector and also within the corporate sector, a working knowledge of disability law is imperative. In recent years, disability law has gained attention and prominence. As a result, there is demand for lawyers with knowledge and experience in this area. This is an area of law that touches all others; for example, from employment law, to education, medical, criminal and tort law. As such, it is desirable even for graduates who will work in private practice to have a working knowledge of disability law.

Through partnerships with innovative and progressive disability rights groups (both domestically and internationally), students will acquire substantive knowledge in international human rights law and disability rights law while actively applying the knowledge to practice through providing service to the community.

The Disability Rights Clinic will challenge students to identify, research, analyse and report on rights violations experienced by people with disabilities. Weekly seminars will incorporate both substantive knowledge and practical skills training.

No prerequisite but a prior or concurrent course in international human rights law is recommended.

Students will be assessed on a pass/fail basis.

Assessment: 20% project plan; 20% weekly team/partner meetings; 20% mid-term draft work product; 40% final work product

LLAW3281 Human rights in practice clinic (6 credits)

The Human Rights in Practice course provides students with the opportunity to explore and engage with both domestic and international human rights issues through experiential learning. By working with clients facing infringements to their fundamental human rights, students will gain substantive knowledge in different areas of international law and experience first-hand the relationship between international human rights laws and the Hong Kong legal system.

This course seeks to equip students with the skills and knowledge necessary to excel in the changing global legal environment by providing opportunities to work on public interest legal matters while serving the community. The course aims to expose students to the challenges and skills of acting in the role of a lawyer within the unstructured situations that public interest lawyers confront in practice. Through collaborative work on real cases, students will learn the theory and practice of domestic and international

human rights law, as well as comparative legal analysis.

The course encourages critical analysis of the law, the relationship between international and domestic legal systems, and the different roles within Hong Kong's legal regime. It also aims to give students an opportunity to practice their professional skills and ethics, identify and provide service for unmet legal needs, and evaluate the real-life application and effects of international human rights instruments on an individual level. Students will also be given opportunities to work with practising lawyers, counsellors, and social workers, enabling students to recognize challenges and gain valuable skills.

Specific skills taught in this course include litigation skills, designing community legal education materials, collaborative and community-based lawyering, domestic and international legal research and analysis, including comparative legal research, human rights research, and legal writing. By providing students with practical experiences and critical analysis, this course prepares them to become lawyers who are mindful of the holistic needs of clients in their future legal careers.

Students will be assessed on a pass/fail basis.

Assessment: 15% In-class presentation; 20% weekly written reports; 65% ongoing clinic assignments

LLAW3187 Mooting and dispute resolution (6 credits)

Mooting and Dispute Resolution is a 6-credit course. The course takes place in both Semester 1 and Semester 2. Course credits are awarded at the completion of the course in Semester 2.

The course is designed to introduce you to the following:

1. Appellate Advocacy

- You will participate in a moot.
- You will be in teams of two, acting as Counsel for one of the parties in an appeal from a (fictional) trial decision. You will be required to prepare and submit to the court a skeleton argument of the legal arguments you intend to advance along with a list of authorities. You will also be required to argue the case before the court.
- This course builds upon the writing and oral presentation skills you have developed in Legal Research and Writing.

2. Dispute Resolution Methods (such as litigation, arbitration and mediation).

Pre-requisite: Have taken and passed Legal research and writing

Assessment:

This is a pass/fail course.

In order to pass the course, students must complete all of the following **three** elements:

- (i) Attend one mooting coaching session;
- (ii) Attend at least 80% of the lectures; and
- (iii) Participate in one mandatory moot in the competition, including:
 - prepare and submit a skeleton argument at the mooting competition to a satisfactory level; and
 - prepare and present an oral argument to at the mooting competition to a satisfactory level.

Please note that for the mandatory moot, **both** your oral presentation and skeleton argument must be of satisfactory standard.

In order to select the semi-finalists and the finalists of the moot competition, and to provide feedback to students on their performance, the moot (written and oral presentations) will be graded. However, the grades will have no impact on the students' GPA.

LLAW3230 Public interest clinic (6 credits)

The Public Interest Clinic is a clinical legal education subject which combines practical experience and academic learning.

Under the supervision of the course instructors and in collaboration with legal practitioners, students will provide legal assistance to non-governmental and non-profit organizations in addition to engaging directly with clients from underserved communities, including 1) individuals seeking asylum 2) those affected by human trafficking 3) mental health patients 4) persons facing discrimination, ensuring these clients receive critical legal support tailored to their unique circumstances.

Students will work with lawyers and other professionals to provide a diverse range of services. Working in small groups on allocated projects, students will gain practical legal skills by providing assistance and information to clients.

The precise nature of the practical experience will vary depending on the needs of the relevant organisations and clients requiring assistance during the academic semester.

During the course, students will conduct in-depth interviews with clients from underserved populations to establish the scope and goals of each case, identifying key deliverables that address their specific needs. While assisting these clients, students will leverage their foundational knowledge of doctrinal law and enhance their competencies through targeted legal research, particularly in areas less familiar to them. They will be encouraged to understand the broader context of their clients' legal situations, striving to provide comprehensive support that encompasses the full spectrum of their needs.

In addition to their direct client engagements, students will actively participate in a variety of research activities that support the broader work of the clinic. These efforts will include analyzing legal trends, evaluating procedural effectiveness, and developing educational materials that serve to inform both clients and the broader community. These projects, guided by experienced legal practitioners and utilizing advanced research tools, will enhance students' understanding of law in practice. Such activities not only complement the practical legal experience gained but also contribute to academic growth and professional readiness in addressing complex legal challenges.

Students will be assessed on a pass/fail basis.

Assessment: 10% class participation, 20% weekly reports, 20% class presentations and written reviews, 50% ongoing clinic

LLAW3252 The global migration legal clinic (6 credits)

The Global Migration Legal Clinic aims to empower and equip HKU students with the skills and knowledge necessary to excel in a changing global legal environment by providing students with the opportunity to learn by doing and by providing service to the community.

This experiential course will focus on the growing number of people across Asia who migrate from their home each year in search of better work opportunities. In Hong Kong alone, 10% of the working

population are foreign domestic workers. And the HK government recently announced that the number of said workers will grow from approximately 370,000 to over 600,000 in a matter of decades. Moreover, because of ageing populations and diminishing growth, unskilled migrant workers are increasingly important to economies across Asia, with nations such as China, Japan, and South Korea recently enacting laws allowing unskilled migrants to work in-country.

Conversely, as the amount of labor migration increases, the instances of abuse also increase. There are more slaves and bonded workers in the world today than at any time prior, and the vast majority of these workers are found in Asia. Recent studies have shown that a majority of foreign domestic workers in HK have been abused or deceived in some fashion, and the US government has categorized HK as a Tier-2 Watch country on its Trafficking in Persons Report for multiple years running.

Students in this Clinic will be tasked with focusing on specific legal cases and problems, and devising holistic solutions to said problems. While their solutions will obviously involve legal recourse or research of some kind, students will be required to also consider broader solutions, including: media and social media exposure, lobbying, commercial solutions, etc.

The aims of the Clinic are:

1. to expose students to the challenges and skills of affecting real change in real-life situations;
2. to expand opportunities for collaborative experiential learning;
3. to instruct students in the theory and practice of various legal disciplines;
4. to give students an opportunity to practice their professional skills and ethics;
5. to encourage students to identify and provide service for unmet legal needs; and
6. to encourage critical analysis of the law, the relationship between international and domestic legal systems, and the clients' place and the lawyer's role within the international legal system.

Specific skills taught include interviewing, working with an interpreter, oral advocacy, negotiation, fact investigation, legal research and analysis, legal writing and drafting, collaborative problem solving, and lobbying.

Students will be assessed on a pass/fail basis.

Assessment: 20% weekly seminar, team meetings, written weekly report, 20% project plan, 20% mid-term product, 40% final work product

Designated disciplinary electives (listed in alphabetical order)
(Choose one of the following courses)

LLAW3205 Advanced legal theory (6 credits)

This course provides an in-depth analysis of a number of key themes and texts in legal theory. Each year a core theme is introduced to provide a coherence to the study of several perennial problems in legal theory.

The course will work in a sustained way through a range of questions and perspectives so that students gain a deeper knowledge of legal theoretical issues and how they bear on contemporary problems of law in society. These will be explored through a series of engagements with texts, contexts, representations and contestations.

The course is seminar-based and will be taught through a range of materials and disciplinary approaches. These will include conventional scholarly texts in law, politics and philosophy, but may also draw on non-standard resources. The classes will be discussion-based.

Students are expected to pursue their own interests and insights on the issues raised in the course in a 5,000-word research essay. The subject of the essay will be devised by each student individually in consultation with the course convenor. An oral presentation will allow students to articulate their understanding of the ideas being analysed, as well as to answer questions on it.

As this is an advanced level course it is expected that students will normally have already studied some aspect of legal theory or a cognate subject. However, this is not a prerequisite.

Assessment: 80% research essay, 20% oral presentation

LLAW3016 Comparative law (6 credits)

This course introduces basic methodologies and theories of comparative law and studies different legal systems. The primary idea of this course is to investigate how different societies and cultures understand justice and order in their own contexts. In addition to centering on two salient legal systems: the common law system and the civil law system, this course will also pay special attention to comparative studies of Chinese law, with a focus on its interaction with the Hong Kong legal system.

The course will start with discussing general topics in the comparative law discipline, and then delve into significant differences in constitutional law, procedure, criminal law, property, contract, tort and family law around the world. In the end, this course will explore some potential usages of comparative law in legal debates.

Assessment: 20% class participation, 40% mid-term essay, 40% take home examination

LLAW3220 Gender, sexuality and the law (6 credits)

This course explores the ways in which law regulates sexual behavior, and considers the roles it plays in constructing sexual identities. It examines issues recurrent in discussions of gender and sexuality, including the oppositions between normalcy and deviancy, the public and the private, and autonomy and community. Comparative perspectives will be considered where appropriate. While the course focuses on case law and doctrine, it also has a strong jurisprudential dimension, and includes extensive readings in legal and cultural theory.

Assessment: 45% final essay, 25% mid-term essay, 15% class presentation, 15% class participation

LLAW3216 Justice (6 credits)

This course is about justice. It begins with a treatment of John Rawls' justice as fairness and the related debates. Implications of justice as fairness to constitutional regimes will be analyzed. The course also involves a discussion of distributive justice and corrective justice and their implications to selected branches of law such as tax law, tort law, contract law, and property law.

Assessment: 70% research paper, 20% presentation, 10% class participation

LLAW3285 Law and colonialism (6 credits)

The course critically examines the relationships between law and colonialism, drawing on disciplinary knowledge and methods in law, anthropology, history, cultural studies, and political and social theory. The focus is on modern European colonisation, particularly the British Empire in the nineteenth century and its continuations into the twentieth and twenty-first centuries. Topics will include how law has been

used as an instrument of colonial and anti-colonial processes; how law has been the product of colonisation, as well as productive of colonial forms of authority and subjectivity; how law has been a site of colonial struggles, transformations and movements; how law has been part of a social imaginary implicated in ‘Orientalisms’ old and new; and how law has been treated as a gift of colonisation as well as a measure of its ‘achievements’.

Assessment: 20% class participation, 20% research paper proposal, 60% research paper

LLAW3295 Law and government (6 credits)

In Law and Government, we embark on a journey through cutting-edge debates that lie at the nexus of law and political science. We delve into a wide spectrum of topics, including the political conception of law in ancient and modern philosophical traditions, tensions between judicialisation and the popular democratic process, the politics of constitutional review, constitutional design and change, legality under authoritarian governance, legal, attitudinal and strategic models of judicial decision-making, administrative law and bureaucratic politics, the logic of ‘fourth-branch’ institutions such as the Ombudsman, the politics of the legal process and legal profession, the interdependence between international politics and international law, and algorithmic law and governance. Synthesising theoretical, empirical, and doctrinal materials across various disciplines and jurisdictions, this course critically confronts conventional notions that law is a self-contained system insulated from the currents of politics, or is reducible to a crude instrument of political power. Ultimately, we are invited to rethink how law and politics are constitutive of each other in multi-faceted ways at both the domestic and international levels.

Pre-requisite: Having taken LLAW2001 Constitutional law and LLAW3093 Administrative law (or their equivalents)

Assessment: 15% participation, 35% mid-term assessment, 50% research paper

LLAW3128 Law and literature (6 credits)

This course explores the complex interactions between literature and the law. Even though the two disciplines may seem distinct, both law and literature are products of language and have overlapped in significant and interesting ways in history. Why do legal themes recur in fiction, and what kinds of literary structures underpin legal argumentation? How do novelists and playwrights imagine the law, and how do lawyers and judges interpret literary works? Could literature have legal subtexts, and could legal documents be re-interpreted as literary texts? We will think through these questions by juxtaposing novels, plays, court cases, and critical theory.

Pre-requisite: Haven taken and passed a previous course in legal and/or literary subject.

Assessment: 45% final essay, 25% mid-term essay, 15% presentation, 15% class participation

LLAW3239 Law and social justice (6 credits)

One of the continuing challenges undermining the law’s effectiveness is its inability to capture within its frame the most marginalized and vulnerable communities. This exclusion or marginalization of particular stakeholders from the legal process has received considerably less attention. Although the theme of access to justice conceptualizes this accessibility gap in some respects, it fails to capture stakeholders who never engage with the legal framework at any stage despite violations or gaps in the realization or implementation of their rights.

This course examines the limits of the law and its reach and assesses the structural and substantive

‘justice gap’ and its implications for particular groups. The course challenges law’s framing and structuring of social, legal and political relationships given its mono-dimensional framing of legal issues which fails to capture the complex realities and diversities of life, communities and experiences governed by law. It deconstructs the single factor / frame / category of analysis such as gender, disability, race or sexual orientation to examine how the interpretive framework of the law fails to respond to multiple sites of oppression experienced by a particular individual / group and systemically disadvantages particular categories of persons. The legal system’s failure to capture within its frame the lived realities of complex lives and relationships today results in the law’s complicity in systemic and structural oppression. This paradigmatic non-recognition or the forceful fragmentation of particular identities is closely bounded up with identity politics and the historical exclusion of the voices of particular groups from legal and political frameworks. Given law’s power to give meaning to actions, to determine legal truth and given its promise of equality and justice for all, the course places a magnifying lens on law’s processes and substance to identify those at the margins of law and to reorient attention to marginalized voices to consider new ways of conceptualizing their authentic realities to achieve inclusive justice in a diverse and complex world.

For the clinical component of the course, depending on the posture of ongoing legal cases or issues, students will have an opportunity to work closely with the course lecturer and NGOs involved in serving clients from these communities to develop a rich grassroots-level understanding of the issues. Students will contribute to the development of a resource or toolkit on multiple, intersectional or additive discrimination and the potential strategies to mobilizing change in discourse, legal practice and social justice paradigms.

Assessment: 55% research paper, 15% journal reflections, 15% symposium presentation, 15% class participation

LLAW3172 Law and social theory (6 credits)

Amongst the most powerful of contemporary analyses of law and legal institutions are those which draw on the tradition of social theory. These trends now constitute a discrete area of academic enquiry that is of growing importance and relevance. This course offers a series of readings which draw on that tradition and think them through in relation to contemporary legal problems. This course will develop students’ knowledge of the basic paradigms of social theory as it relates to law and place the development of law in social theoretical and historical context. By developing a critical understanding of the relationship between law and social theory students will assess the differences between diverse theoretical approaches and be able to develop and articulate their own understanding of the appropriate paradigms for analysis in legal and social theory. The aim is therefore to enhance students’ understanding of contemporary law and legal institutions. Topics to be covered may include: competing theories of law and modernity; analyses of alternative approaches to power and security; the role and consequences of processes of juridification; and theories of globalisation.

Assessment: 20% presentation, 80% research essay

LLAW3283 Law and society (6 credits)

The objective of this course is to introduce students to the historical, comparative and critical study of issues relating to “law and society”. We hope to capture the dynamics between law and society, namely, how law is shaped by social changes, perception and thought, and how society is molded by legal rules and norms. We will discuss broad interdisciplinary perspectives and theoretical, empirical and policy considerations relevant to the study of the relationship between law and society.

In this one semester course, we will consider some topical themes, such as the relationship between law and politics, law and philosophy, law and history, law and culture, law and morality, law and gender,

law and family, etc., to illustrate these dynamics. We will be using multi-disciplinary and inter-disciplinary perspectives from anthropology, sociology, political science, history and philosophy. This is a course that is not primarily about law, but about how law-related socio-political and historical issues can be studied by employing these multi-disciplinary perspectives.

Assessment: 5% a written answer to an assigned tutorial question, 10% tutorial participation, 85% examination

LLAW3292 Law and society in China (6 credits)

This course aims to explore the theoretical and practical issues relating to law and society in China, the extent to which law as a tool for politics and development has affected social change and how social forces have influenced the functioning of law and the interaction among legal institutions in China. This course will discuss the operation of China's political-legal system, lawmaking, courts, legal professions, various forms of dispute resolution, legal consciousness and mobilization, criminal and civil justice, and how the Chinese case pushes the boundaries of socio-legal theories. It will also address the impact of law on people's behaviour, how law mediates the interaction between state and society, and the relationship between social change and legal change. The interface between law and economic, political, cultural, and social phenomena will be studied through critical debates, empirical research and from comparative perspectives.

Assessment: 100% coursework

LLAW3233 Law, history and culture (6 credits)

This course will enable students to research and examine the history of law and its connection with social, political and economic development of Hong Kong and China in the 19th and 20th centuries through students' first-hand exploration of archival documents and images stored in libraries and the Public Records Office. Students, through a close reading of archival materials, will be asked to reflect critically on their conventional basic ideas about the legal system, social customs and culture of Hong Kong and China. These ideas include, among others: 'Imperial China lacks the rule of law'; 'Hong Kong's rule of law is a British colonial legacy'; and 'Chinese traditionally preferred settling disputes through mediation than resorting to the law'. Adopting an interdisciplinary approach, this course will explore how the notion of law functions as a site of discourse in the expression of identity as well as the articulation of ethnic, cultural and socio-economic differences.

Assessment: 15% class participation, 20% presentation, 30% book review, 35% research essay

LLAW3039 Legal history (6 credits)

Hong Kong had been a constituent part of both the Chinese and the British Empire and was subjected to the laws and regulations of these two historic domains. This course examines how Western scholarship treats the legal history of both China and Britain to explain the approaches and construction of historical narratives for laws and legal systems. Approaching law through history, this course explains the history of legal ideas that shaped a modern common law legal system in China. The aim is to elucidate the legal nature and temporal position of a modern legal entity such as the 'Hong Kong Special Administrative Region' through the study of the techniques of historical construction.

This course will discuss the following: the Chinese imperial legal system, the paradoxical absence of Chinese civil laws, general Western study of Chinese laws, the works of twentieth century Harvard scholars such as William C. Jones's work on the Great Qing Code, and the Californian sociological challenge to the Harvard school. Discussion on British legal history will include: the works of

Blackstone, Holdsworth, Dicey and Maitland, British imperial expansion and Admiralty law, colonisation and the Unequal Treaties, colonisation and the corporate form: the cases of the Virginia Company, the Massachusetts Company and the East India Company. The course will also discuss the postmodernist philosophical critiques of history.

Assessment: 100% essay

LLAW3146 Multiculturalism and the law (6 credits)

Conquests and colonial projects have long been responsible for the instigation of large-scale ethnic and national mobility in order to further the ends of empire, for example, for the purposes of labour and industrial development or populating land considered to be terra nullius. In the aftermath of the First and Second World Wars, which led to a significant redrawing of national boundaries, people once again moved; some, voluntarily and in pursuit of their dreams whilst numerous others, became victims of exile due to economic, social or political circumstances. This pattern of migration has continued into the 21st Century, particularly in the aftermath of 9/11, the war in Iraq and Afghanistan, and resultant turmoil in neighbouring Middle-Eastern countries, with the immigrant and refugee exodus reaching crisis point in 2016.

This shift in the composition of inhabitants from homogenous populations into multi-ethnic groups within national borders beckons an overhaul of the nation-state framework. The very conception of monolithic nationhood that comprises the experiences of a singular nation, peoples or culture as definitive of their collective identity stands challenged. Governance structures presuming shared political, social and secular ideals have also demonstrably failed in their ability to cope with the increasing diversity represented among 'nationals'.

Despite the increasingly complex regime of international provisions that has emerged to safeguard the fundamental rights and interests of all people, particularly framework conventions that seek to recognise the risks faced by vulnerable minorities to protect them against violations of their religious, cultural, linguistic and political rights, even naturalised citizens often fail to have their voices heard due to discrimination, inequalities, marginalisation or exclusion of their voices. These circumstances have precipitated the most serious crises of identity in an increasingly globalised world, whose borders continue to shrink and shift as citizens become highly hybridized.

The course examines this conflict through comparative and interdisciplinary lenses, drawing on material from law, political theory, philosophy, and postcolonial studies to better understand the nature of identity, rights, citizenship and the discourse of oppression, violence and conflict. It uses a case study approach to examine contemporary global challenges in the management of pluralism and diversity. Students will develop skills to apply an enriched analytic framework through which to conceptualise these challenges and to critically examine governance structures, approaches and arguments to reconcile conflicting rights within the liberal constitutional framework in light of international human rights commitments.

Assessment: 100% coursework

LLAW3235 Punishment and society (6 credits)

This course will explore the institution of punishment from a philosophical perspective.

The first part of the course will focus on the question of justification of punishment (i.e. what provides the positive reason and right for setting up the institution of punishment?) Deterrence, Self-defence, Retribution, Consent, and Forfeiture theories will be covered.

The second part of the course will explore the question of distribution of punishment (i.e. who should be punished and by how much?). Topics that may be covered include the following: Should successful crimes be punished more than failed attempts? Should poverty, youth, or repentance be mitigating factors? Should previous criminal records be taken into account in sentencing? How should we sentence offenders who commit their crimes under civil disobedience?

Assessment: 50% examination, 50% term paper

LLAW3282 The economic analysis of law (6 credits)

Judges make policy through their decisions in individual cases. This observation is especially true of jurisdictions that recognize opinions as authoritative sources of law. To distill precedents and extract from them a rule to govern future cases, skillful lawyers imbue doctrine with spirit and purpose. Are case outcomes best explained by the economic notion of efficiency? How should legal regimes be designed to maximize welfare? Finally, should social efficiency and welfare—as defined by the economist—be the normative goal of law and its institutions? This lecture-based seminar will introduce students to the economic analysis of the common law, including property, contracts, and torts. It will also cover public law themes such as voting and delegation. Finally, challenges to the neo-classical law and economics tradition will be considered. Students should come to each meeting prepared to discuss the assigned readings. This course is self-contained, and no prior knowledge of law or economics is assumed or required.

Assessment: 50% mid-year examination, 50% research paper

LLAW3278 The legal profession (6 credits)

This course introduces the legal profession not from the perspective of law practitioners, but from the social science studies on various aspects of this profession in different jurisdictions and social contexts. The course does not teach students how to think like a lawyer, but it provides social science perspectives for understanding how the legal profession is organized, differentiated, and transformed over time. It also examines the relationship between lawyers and other social entities and processes, such as their clients, market competitors, state regulators, and the processes of globalization and political change.

Assessment: 20% reading responses and participation, 30% midterm exam, 20% law firm report, 30% law paper

Disciplinary electives (listed in alphabetical order)

(† Prescribed PCLL Pre-requisites)

LLAW3015 Advanced company law (6 credits)

The educational aim of this course is to successfully convey a deep knowledge and understanding of the key issues in company law. It will allow you to apply those skills in practice through critical assessment of the literature and the jurisprudence.

We will focus on key company law topics (such as shareholder remedies and directors' duties/liabilities, including remedies) together with the policy objectives underpinning the development of the relevant statutes and the underlying case law. For students aspiring to enter corporate/commercial law practice the course will equip you with critical insights into the subject that are necessary for those expecting to become corporate law specialists in firms with an international dimension. The course will also equip students with the relevant skills for careers in, for example, corporate finance, insolvency practice and relevant civil

service departments, together with providing a substantial foundation for those intending to go on to graduate studies with a corporate law focus.

Pre-requisite: Have taken and passed Business Associations

Assessment: 100% coursework

LLAW3206 Advanced law of obligations (6 credits)

This is an advanced-level course that explores the framework of legal obligations. It seeks to deepen students' appreciation of the nature of and relationship between various branches of the law of obligations, and in doing so equip them with the knowledge and skills to master complex transactions in their future practice, where various branches of the law of obligations often overlap.

The course comprises four parts: (1) overview of the nature and foundation of Torts, Contracts, Unjust Enrichment and Equitable Obligations; (2) selected topics to plug gaps of knowledge in important Commercial areas; (3) comparative overview of remedial principles in various branches of the law of obligation; and (4) case studies of hypothetical scenarios where these branches of law interact with each other. The case studies will be based on the topics learned in Part 2, and seek to apply knowledge of these topics to practical fact scenarios.

Assessment: 70% take home examination, 30% mid-term assessment

LLAW3151 Advanced seminar in law and technology (6 credits)

This course introduces participants to cutting-edge issues at the intersection of law and technology. The seminar is structured around five to six ongoing research projects from around the region and the world. Through preparatory readings, lectures, and discussion, participants will gain a functional understanding of the technology in question and the legal debates surrounding them. Participants will then interact with investigators leading these projects as part of a workshop series sponsored by the Centre for Law and Technology. Topics will vary from year to year and may feature, for example, (1) dark patterns and consumer protection, (2) generative artificial intelligence and copyright, and (3) algorithmic decision-making and procedural justice.

Assessment: 20% class presentation, 20% workshop comment, 60% response papers

LLAW3265 Advanced seminars in trust and equity (6 credits)

The course examines cutting edge problems arising from the modern application of the trust and equitable doctrines in modern family succession planning, commerce, and finance.

The 21st century has presented a series of challenges to trust and equitable doctrines. First, transformation in the form of wealth held by individuals, from real estate to corporate and most recently digital assets, raises interesting issues such as whether data, digital assets and cryptocurrencies may be held upon trust, and how trust law may be used to protect people's rights in these new forms of wealth. Second, the aging of the population and inequality in wealth distribution means that inter-generational transfers of wealth are more complicated than in the past. There is increasing sophistication in the use (or abuse) of trust by high net worth individuals to preserve wealth in the family. This development gives rise to questions such as when is a trust a sham or an illusory trust, how far may settlors protect themselves from creditors, estranged spouses and the tax authorities while maintaining control over the trust property, and what is the minimum core of a trustee's duties. Third, the globalised economy has

provided a strong impetus to civil law countries to adopt the trust to enhance their capabilities in international finance. As civil law trust laws interact with common law jurisdictions, there are theoretical and practical uncertainties as to the nature of the rights and proprietary remedies in trust law. The course will consider these modern challenges to trust law and equitable principles.

Pre-requisite: Have taken and passed Contract Law

Assessment: 20% class participation, 40% essay, 40% presentation

LLAW3214 Advanced topics in constitutional law (6 credits)

This course will examine the study of constitutionalism at a more advanced level, particularly from both theoretical and comparative perspectives. It builds upon the knowledge that students would have gained after completing a basic course on constitutional law.

We will begin this course with an exploration of constitutional theory. We will examine (i) the nature and rationale for constitutional review, and the various judicial review models available in the common law world e.g. Canadian Charter of Human Rights and Freedoms and the United Kingdom Human Rights Act, (ii) the various “modalities” of constitution argumentation, (iii) the relevance of foreign law in constitutional interpretation, and (iv) the legitimacy and role of judicial “balancing” in rights-adjudication.

In the 2nd half of this course, we will also examine the adjudication of specific constitutionally enshrined rights from a comparative perspective. These may include i) due process rights, ii) right to equality, iii) counter-terrorism, and iv) socio-welfare rights. Jurisdictions to be surveyed would include the United States, Canada, South Africa, New Zealand, the United Kingdom, India, Singapore, Malaysia and Hong Kong.

This course will seek to demonstrate how judicial review can and should promote a form of deliberative democracy, a model which eschews the rule of judges as philosopher kings and also one that holds the promise of transformative change beyond the confines of the ballot box. It celebrates a model of judicial ‘penultimacy’ whereby courts are engaging in a continuing constitutional colloquy with the political institutions and the society at large, and participating in a dynamic process in which constitutional meanings have evolved conversationally and are not perfected unilaterally.

Assessment: 50% take home examination, 50% mid-term essay

LLAW3294 AI and private law (6 credits)

This course explores the legal implications of emerging AI technologies within the private law landscape. We will examine how AI capabilities in autonomy, machine learning, and big data analytics challenge existing legal doctrines and rights protections. Students will assess AI impact across core domains of private law including contracts, torts, intellectual property, corporate law, and consumer protection. By evaluating AI's alignment with these principles, we can work to shape policies that foster AI innovation responsibly. Additionally, students will develop the skills needed to be effective modern-day lawyers, understanding how AI transforms legal practice and preparing them to navigate its impact on their future careers.

Assessment: 100% coursework

LLAW3007 Alternative dispute resolution (6 credits)

In traditional legal studies, the judicial process (courtroom litigation) is often assumed to be the best means of resolving disputes. This adversarial approach shapes the views of future lawyers about the nature and pattern of disputes, as well as the preferred method of dispute resolution. This course considers a non-adversarial approach by analyzing the form and nature of disputes and examining the various methods of dispute resolution (such as judicial adjudication in court). The broad range of “alternative” (or “appropriate” or “additional”) dispute resolution (“ADR”) particularly in the context of Hong Kong and the Asia Pacific region. At the conclusion of this course, students should:

- Be familiar with the analysis of the form and nature of disputes and their incidence in society, the pattern of dispute resolution, the traditional methods of resolving disputes and the potential impact of various social, economic, legal, political and cultural factors on dispute resolution;
- Be familiar with the broad range of alternative methods of dispute resolution encountered in legal practice, and their use and application in Hong Kong and in the Asia Pacific region generally, as well as in a comparative international context;
- Be competent in critically analyzing and evaluating the various alternative methods of dispute resolution (e.g. their advantages and problems) by considering such issues as the legitimate expectations of disputants, quality of and access to justice, public and private costs of ADR and the politics of informal justice;
- Be competent in evaluating the application of ADR methods in various substantive areas and be able to advise future clients about the potential suitability of various dispute resolution processes and prepare them for participation in these varied dispute resolution processes; and
- Have participated in some simulated negotiation and mediation role-play simulations and developed some basic competency in effectively participating in negotiations and mediations. The critical, theoretical and evaluative material will be combined with simulated role-playing exercises for a better understanding of the various dispute resolution methods and processes.

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, dispute resolution centres and online web-based ADR schemes.

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 assessment.

Assessment: 70% research assignment, 30% class participation

LLAW3244 Alternative finance (6 credits)

Innovative technology creation and development, including financial technology (FinTech) and regulatory technology (RegTech), are increasingly being used by financial institutions and their

regulators to enhance regulatory compliance in and supervision of a sophisticated and fast-changing financial sector.

The course will critically evaluate the claim that FinTech portmanteau of finance and technology, including blockchain, artificial intelligence, robo adviser solution, big data and automated suspicious transaction monitoring technology systems, has the ability to revolutionise financial inclusion. Furthermore, it examines whether and how RegTech can be used by regulators for tracking and monitoring financial institutions compliance activities. Specifically, RegTech aims to more effectively regulate new commercial transactions facilitated by FinTech, such as payments made through mobile devices and equity crowdfunding through the internet portals which are cornerstones of the course on alternative finance (i.e. internet financing).

The course sheds light on the legal/regulatory requirements and supervisory and policy measures towards FinTech alternative finance at both local and international levels. These requirements and measures will be further compared with standards set by international regulatory bodies such as the Global Partnership for Financial Inclusion, the G20, the OECD, the Financial Stability Board and the Bank for International Settlements. Combining supervisory approaches—for instance, the principle-based approach and the cost-benefit approach—with academic approaches, the course promotes and enables technical, theoretical, comparative, and interdisciplinary studies for students who are interested in or preparing to enter a FinTech-related career. The course is also practical and industry focused as it reflects on and closely follows industry reports such as KPMG's annual banking and anti-money laundering reports, along with Deloitte's RegTech and FinTech survey reports. Designed to enhance creativity, critical thinking and deep learning, the course will foster an intimate understanding of regulations and policies on FinTech, RegTech and SupTech. Topics and issues covered in this course are diverse and wide-ranging such as financial inclusion and digital financial inclusion, the digital banking model (implemented by virtual banks, which are also known as digital banks), FinTech and RegTech (with subordinated themes such as Sandbox, Open Banking, Application Programming Interface, and Wealth Management Technology), P2P Lending, Equity Crowdfunding, Payments and Payment Technology (including Central Bank Digital Currency and Stablecoins).

The course will begin by expounding the role of FinTech in both the shadow banking and traditional banking systems, followed by an exploration of the types of FinTech-enabled products and payment services such as crowdfunding and P2P lending, and ending with a forward-looking approach in tackling some critical and timely issues related to FinTech, including, but not limited to, financial democratisation, improving access to financial systems, the sharing economy and privacy protection for consumers.

The course is distinctively interdisciplinary and methodically strong, designed for students with different academic backgrounds. It is particularly relevant for those with department major(s) in Law (including BBA (Law) & LLB and BSocSc (Govt & Laws) & LLB), Financial Technology, Computer Science, Entrepreneurship, Design and Innovation, Marketing and Wealth Management, to name a few.

Assessment: 5% participation, 30% oral presentation, 15% research topic and preliminary research proposal, 50% research paper

LLAW3140 Animal law (6 credits)

This course examines the law relating to non-human animals. The course will introduce a range of theoretical perspectives on the way in which we think about animals, with a focus on moral/ethical theories of animal interests and animal rights. The welfare model of animal law, as expressed through relevant legislation and case law, will be critically analysed. While much of the consideration of this law will have an Asian orientation, attention will also be given to international developments in animal law. Finally, the course will explore practical ways in which lawyers may advance the interests of animals.

Assessment: 70% written research assignment, 30% seminar presentation

LLAW3164 Arbitration and conflict of laws in Greater China (6 credits)

This course will introduce students to the arbitration systems in the Mainland, Hong Kong, Macau and Taiwan, covering their major distinctions in the regulations and practices of arbitration. The course will discuss, as such, main statutes governing arbitrations in the respective jurisdiction, relevant arbitration jurisprudences developed by the courts of each place, and arbitral rules and practices by major arbitration institutions (CIETAC, BAC, HKIAC, CAA and MIA) in the region. Cross-border judicial assistance on civil and commercial matters in Greater China will be looked into in the course as well.

Assessment: 50% oral presentation, 50% research paper

LLAW3112 Arbitration law (6 credits)

In the world's globalizing economy there has been a dramatic increase in the size and complexity of international business and commercial transactions. The main focus of this cross-listed course will be on the use of arbitration to resolve disputes arising out of such business and commercial transactions. The course will provide a comprehensive introduction to the arbitration law and practice in Hong Kong and students will consider a range of theoretical issues and substantive topics in this course, including:

- overview of the wide range of dispute resolution methods, including arbitration
- fundamental concepts of arbitration law
- legal framework of arbitration law in Hong Kong
- overview of Hong Kong's Arbitration Ordinance and its objectives and principles
- issues relating to the arbitral process and procedure, such as the:
 - arbitrability of disputes
 - enforceability of arbitration and submission agreements
 - appointment and powers of arbitrators
 - jurisdictional challenges
 - preliminary proceedings
 - form of the arbitration hearing
 - interim and final remedies
 - evidentiary matters (hearings and discovery)
- rendering of arbitral awards (including challenges and appeal)
- recognition and enforcement of arbitral awards
- interests and costs
- role of the courts in the arbitral process

Assessment: 100% continuous assessment or research paper

LLAW3207 Arms control and disarmament law (6 credits)

This course will explore all aspects of arms control and disarmament law, including international law-making, supervision, interpretation, dispute settlement and enforcement efforts. By “arms control law,” it is meant the rules and principles that regulate weapons and weapon-related material, which does not necessarily include the actual reduction or removal of those weapons or materials. By “disarmament,” it is meant the rules and principles for the reduction and eventual removal of weapons and weapon-related material. Particular emphasis will be put on weapons of mass destruction (WMD), which include nuclear, chemical, and biological agents and the means to deliver them, inasmuch as the UN Security

Council repeatedly has noted that WMD proliferation is a serious threat to international peace and security. International and regional efforts to respond to these threats will be evaluated from a critical perspective. This course also will focus on the international law relating to conventional weapons, including arms trade generally, weapons with non-detectable fragments, landmines, incendiary weapons, laser weapons, riot-control agents, cluster munitions, exploding bullets, expanding bullets and other questionable methods and means of warfare, all of which will be evaluated from a critical perspective. The interaction between this branch of public international law and others will be explored, including the interaction with international humanitarian law, international human rights law, international trade law, air and space law, collective security law, the law of international organizations, the law of state responsibility and the law of the sea, among others. All of this and more will be analyzed through various case studies and with a critical eye in assessing whether the current legal regime is adequate in meeting the needs of the international community. Potential reforms to the system will be explored through discussion and debate.

Assessment: 80% research paper, 20% general participation in in-class debate and discussion

LLAW3009 Banking law (6 credits)

This course is intended to provide an introduction to the major issues in banking law in Hong Kong. It is primarily concerned with the law governing the banker-customer relationship: the nature of the relationship, the banker-customer contract and termination of the relationship; legal issues relating to joint accounts, trust accounts, and accounts of infants, professionals and business associations; bankers' duties including confidentiality and the duty of care and fiduciary duties in relation to ordinary banking transactions, lending and investment services; including mis-selling claims against banks; bankers' rights including appropriation of payment, lien and set-off; the customer's duties to the bank; bankers' liability as constructive trustee; issues arising from third party intervention such as various types of court orders relevant to the provision of banking services. The money laundering regime will also be discussed from the perspective of legal issues faced by bankers.

The course will include an in-depth study of the law relating to negotiable instruments, predominantly focusing on cheques. Issues relevant to mistaken payments will also be discussed.

In the financing area, there will be an in-depth study of the law applicable to guarantees. The course will also include an introduction to autonomous payment undertakings such as letters of credit and performance bonds, and the key issues relating to bank loans and bankers' security.

Pre-requisites: This course requires fundamental understanding of the laws of contract, tort, equity and trusts, and business associations.

Assessment: 70% examination, 30% written assignment

LLAW3186 Business and human rights (6 credits)

This course investigates the relationship between business and human rights in the context of globalisation and as a distinct field within the broader corporate social responsibility (CSR) movement. The course will invite students to explore the relevance of human rights standards and norms to business operations and consider the extent to which corporations are or should be bound by human rights law and obligations. The legal, political, economic and social issues arising from the cross-border activities of multinational enterprises (MNEs), particularly in developing countries, will be examined against the backdrop of the growing public demand for greater transparency and accountability. The course will also analyse the role and methodologies of civil society seeking to influence corporate human rights practices, and the ways in which some MNEs have responded to growing pressure to address human rights issues through initiatives that seek to connect CSR, human rights and business strategy by managing reputational risk and promoting human rights as a source of competitive advantage in the

marketplace.

Assessment: 70% research paper, 20% advocacy exercise, 10% class participation

LLAW3138 Carriage of goods by sea (6 credits)

This is a half-semester intensive course, the purpose of which is to introduce students to the basic common law framework of the contract for the carriage of goods by sea, which together with the contract for international sale is the basis of international trade the world over, and to show students how to analyse disputes occurring in this context - of which in seaports such as Hong Kong there are many. It is a course on common law and international conventions, some form of which governs a large proportion of such contracts. If the law of a non-common law country, for example China, Korea or Japan, governs the contract, the reasoning used would be likely to be different; but it would be recognisably similar because the institutions of maritime law contain many common features known to all who transact business or advise in the area.

The following topics will be covered:

1. Types of contract for the carriage of goods by sea.
2. Express and implied terms in contracts of affreightment (concerning seaworthiness, deviation, dangerous cargo, laytime, demurrage etc).
3. Voyage charterparties and time charterparties.
4. Bills of lading and other sea transport documents (e.g. waybills, delivery orders).
5. The Hague and Hague-Visby Rules.
6. Effects of bills lading issued where ship under charter.

Assessment: 10% class participation, 40% essay, 50% take home examination

LLAW3107 China civil law (in Putonghua) (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.

Assessment: 100% examination

LLAW3108 China 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.

Assessment: 30% continuous assessment, 70% research paper

LLAW3109 China economic law (6 credits)

This course examines the general framework of major economic legal institutions in China, broadly defined as the legal and regulatory structures governing business activity in both of the public and private sectors where the role of state oversight is prominent. Three issues will be discussed: (1) the making and implementation of laws and regulations on several critical aspects of doing business in China; (2) the process of institutionalizing legal governance for Chinese commerce as well as paving a level playing field for market participants; (3) the impact of globalization, particularly since China's entry into the World Trade Organization (WTO), on the development of the country's economic legal institutions.

Four areas of law are covered:

- Enterprise law: how to start and operate a business?
- Financial law: how to finance a business?
- Competition law: how to curb anti-competitive business activity?
- Consumer protection law: how to prevent businesses from harming consumers and to hold businesses accountable for product liability?

The primary objective of this course is to help students develop a general understanding of the legal and regulatory framework of major economic institutions in China, particularly those involving a significant role of the Chinese state in the economy. To achieve this objective, the course will examine key laws and regulations on important aspects of the Chinese economy and their reform during China's transition from a command economy to a market economy. Domestic debates over policy orientation and reform strategy will also be reviewed to explain how China's economic legal regime has evolved in the face of changing reform dynamics shaped by both domestic and global conditions.

Assessment: 80% take home examination, 20% group presentation

LLAW3087 China intellectual property law (6 credits)

Intellectual property (IP) protection in China has drawn world-wide attention since China opened its door for economic and social reforms. The rampant piracy and counterfeiting activities have made IP protection a primary concern for many multinational companies in doing business in China. On the other hand, IP is largely seen as crucial to economic, social and cultural development in the knowledge age. Against this backdrop, many IP experts and policymakers have been debating about the ways in which IP can be used as a tool for transforming China into a knowledge-intensive economy.

This course deals primarily with the legal protection of copyrights, patents and trademarks in China. We will focus on the basic legal principles and rules concerning the protection of these three core forms of IP rights. Each area of study will be followed by an examination of the cutting-edge issues at the frontier of IP and technological development. For example, we will study the topics of copyright protection and digital technology, which primarily include the right of making available to the public, digital compilations of data, legal protection of the technological measures used by copyright holders. Moreover, we will closely examine a series of major cases to understand the latest developments in the judicial application of IP laws. Most of these cases involve multinational companies such as Ferrari, Google, Louis Vuitton, Pfizer and Starbucks.

Assessment: 90% coursework, 10% class participation

LLAW3153 China investment law (6 credits)

The course provides a comprehensive analysis of the legal, policy and business aspects of foreign direct investment in China. We will learn the evolution of Chinese foreign investment law since 1970s, from the opening-up policy to the newly enacted Foreign Investment Law, as well as China's outbound investment policies (such as the Belt and Road Initiative) and investment treaties. Areas covered include: policies and priorities underlying China investment law; market access and the national security review; organization, operation and liquidation of foreign-related business entities in China; relevant regulatory issues investment dispute resolution.

Assessment: 20% course participation, 80% research paper

LLAW3152 China property law (6 credits)

It is generally believed that secure property rights are the key to economic growth. Yet it is said that China has been the world's fastest growing major economy for the past 40 years without a well-functioning property law. This seeming contradiction has compelled leading scholars of different disciplines to reflect on the role of property rights in economic, social and political development.

Is the general belief valid? Is China really a counterexample? This course intends to answer both questions by investigating the evolution of the Chinese property system, including evolution of property rights in Chinese constitution; evolution of the Chinese land administration laws; evolution of property rights in Chinese civil laws (i.e., from the 1986 Principles of Civil Law to the new Civil Code), and the relationship between property rights in action and property law on the books.

This course endeavors to deepen students' understanding of the PRC property system, with a focus on how real world developments influence the property law, and vice versa. It will draw on cases and examples from the real world to help students understand the PRC property system.

This course will not only enable students to understand the complex system of the PRC property system, but also the factors that have driven its development.

Assessment: 50% final paper, 30% response paper, 20% class participation

LLAW3181 China security and insolvency law (6 credits)

This course will focus on both security and insolvency issues in the People's Republic of China, with reference to both PRC foreign investment enterprises and state-owned enterprises and companies. The options available to creditors for protecting their interests under Chinese law will be a central feature of both parts of this course.

Aspects of security law to be covered include the five forms of security – guarantee, mortgages, pledges, liens and deposits, with an emphasis on mortgages and guarantees. Topics to be studied include: the concept of security, Chinese attitudes towards security, the selection of security providers and of security vehicles, real and personal security, types of business finance, creating security (investigation, negotiation and documentation), the approval process, the recording system, and remedies.

The insolvency portion of the course will focus on the insolvency of foreign investment enterprises and state-owned enterprises and companies. The PRC Bankruptcy Law and related legislation at both the national and local levels will be considered. Topics to be studied include insolvency principles, the economic and political ramifications resulting from the insolvency of state-owned enterprises and companies, an overview of the insolvency process, commencement of insolvency cases, property available for distribution to creditors, representatives of the estate, and liquidation procedures generally. Cross-border insolvency issues, especially in relation to co-operation with the Hong Kong SAR, will also be considered. A reading knowledge of simplified Chinese characters would be desirable.

Assessment: 70% research paper, 30% assignment

LLAW3129 China tort law (6 credits)

This course introduces the history of PRC tort law, the PRC Tort Law (2010), relevant principles of PRC General Principles of Civil Law on which tort law is based, other tort-related laws and regulations, and judicial interpretations. The course analyzes the tort cases which have been adjudicated by Chinese courts to see how cases are decided under the existing tort laws. The discussion of the laws and cases aims to solve the substantive issues including liabilities based on fault such as personal and property injury, tort injury to personality rights and family/business relations; liabilities without fault such as product liability, environmental pollution, ultrahazardous activities, and injuries caused by domestic animal; fault-presumed liabilities such as medical malpractice, motor-vehicle traffic accident and work-related accidents. These issues and various concepts such as intentional torts, negligence, vicarious liabilities, and joint and several liabilities will be discussed in comparison with the Common Law counterparts.

Assessment: 100% examination

LLAW3154 China trade law (6 credits)

The course introduces China's legal regime on international trade at both the macro- and micro-economic levels. Areas covered include: China's participation in the WTO, and in other multilateral, regional and bilateral trade-related arrangements; Regulation of China's foreign trade: PRC regulatory authorities, PRC Foreign Trade Law, foreign trade operators (FTOs), foreign trade agency; PRC customs, licensing and quotas, inspection/standards systems, and trade remedies (anti-dumping, countervailing and safeguard measures); Trade transactions under the CISG; Trade dispute resolution.

Assessment: 20% class participation, 80% research paper

LLAW3081 Chinese commercial law (in Putonghua) (6 credits)

In this course, students will be introduced to the fundamental legal concepts and principles of commercial laws in Mainland China. The course provides students further with the knowledge of commercial law reforms in Mainland China against its development of a market economy as well as their implications in Hong Kong.

The aim of the course is to enable students to develop their basic understanding of the fundamental principles and rules of contract law, company law, partnership law, and their dispute resolutions. The primary focus of the course is to examine these laws promulgated by the state legislature and pertaining judicial interpretations by the Supreme People's Court. Ancillary state policies and administrative notices will be introduced in class as well.

As a feature of this course, despite that Mainland China follows civil law tradition and mainly use statutes as legal authorities, cases relating to the topic will be discussed to help understand the legal principles. Another feature of the course is that pertaining regulations and practices in Hong Kong will be outlined and compared to for more impressive learning.

Pre-requisite: Have taken and passed Introduction to Chinese law or the equivalent and sufficient Chinese proficiency.

Assessment: 80% take home examination, 20% in-class presentation and participation

LLAW3173 Chinese family law in comparative perspective (6 credits)

This course will study Chinese family law from a comparative and historical perspective. It covers issues such as marriage, divorce, child custody, abuse and neglect, adoption, cross-border marriage and new reproductive technologies.

Assessment: 20% continuous assessment, 80% research paper

LLAW3097 Civil procedure (6 credits)

The conduct of civil litigation in the High Court and District Court:

- considerations prior to commencement of action;
- legal aid;
- jurisdiction of courts;
- parties and joinder;
- commencement of proceedings;
- service and acknowledgment of service;
- pleadings (Statement of Claim, Defences and Counter-Claims; Reply);
- summary disposal of actions (judgment on admissions; default judgment and summary judgment);
- interlocutory application (interlocutory injunctions, Mareva injunctions, Anton Piller Orders, prohibition orders, security for costs, interim payments);
- discovery, further and better particulars, interrogatories;
- compromises and settlements, ADR, sanctioned offer and sanctioned payment;
- case management, sanctions for non-compliance, pre-trial security;
- aspects of the civil trial, preparation for trials and trial procedures, judgment and costs;
- enforcement of judgements; and
- appeals.

Assessment: 30% coursework, 70% examination

LLAW3241 Climate change law and policy (6 credits)

This course will explore legal and policy responses to global climate change, perhaps the most pressing environmental, economic, and social problem facing the world. Special attention will be given to the evolution of the international climate change regime, including the principles, provisions, and key features of the United Nations Framework Convention on Climate Change (1992), and subsequent protocols and agreements adopted thereunder. Although course readings and discussion will focus on existing and proposed responses to climate change, the overarching aim of the course will be to anticipate how the climate change problem will affect our laws and our lives in the long run. Beyond the general significance of climate change to all of us, the course should be of special interest to those who intend to study and practice international law, environmental law, business law, or administrative law.

Assessment: 60% response papers, 20% final project, 20% class participation

LLAW3088 Commercial dispute resolution in China (6 credits)

This course takes students to the areas of significance in the field of dispute resolution in Mainland

China, particularly with respect to resolving business and commercial disputes. All major methods of dispute resolution will be examined, including civil litigation, commercial arbitration, and mediation in Mainland China. Some topical issues such as corporate disputes, securities enforcement, private international law, civil justice reform, and cross-border judicial assistance on commercial matters with Hong Kong, Macau and Taiwan will be looked into as well.

Assessment: 70% research paper, 30% mid-term response report

LLAW3125 Comparative constitutional law (6 credits)

This course provides an introduction to comparative constitutional law with a focus on systems of rights protection. After introducing the basic features of modern constitutions, with their emphasis on rights and judicial review, we will focus on the consolidation of the proportionality framework as the dominant, best-practice standard for rights adjudication. Proportionality analysis is a highly intrusive mode of judicial supervision: it permits government to limit rights, but only when necessary to achieve a sufficiently important public interest. Since the 1950s, virtually every powerful domestic and international court has adopted proportionality analysis as the central method for protecting rights. The result has been a massive – and truly global – transformation of law and politics. While there is variance in the intensity of proportionality-based dialogues, such interactions are today at the very heart of governance in the modern constitutional state and in regional human rights regimes.

Assessment: 30% response papers, 70% take home examination

LLAW3257 Comparative corporate law (6 credits)

The course consists of a comparative study of the major areas of corporate law in the Anglo-American and common law Asian jurisdictions. The course teacher will examine a series of key problems with which any system of corporate law must deal and will analyse the solutions that have been adopted by these systems from a theoretical, doctrinal and empirical perspective. This comparative study aims to equip students to critically evaluate the corporate law system in their own jurisdictions. Students will be exposed to the key debates and cutting-edge literature. A basic understanding of corporate law is presupposed.

Pre-requisite: Have taken and passed Business associations / Company law

Assessment: 20% class participation, 40% class presentation, 40% take home examination

LLAW3144 Comparative environmental law (6 credits)

This course is concerned with how various jurisdictions use law to address environmental problems such as air pollution, land contamination, and deforestation.

What are the factors that influence law-making, enforcement and compliance with environmental law in each jurisdiction? What problems arise from the “transplanting” of environmental laws from the developed world to developing countries? What can Hong Kong and mainland China learn from the experiences of the United States (US) and the European Union (EU) in environmental law and policy? How does federalism within States and regional economic integration amongst States (such as in the EU) influence the application of environmental law within a nation? These are some of the questions that will be explored in this course.

A practical approach will be adopted in this course to highlight the various policy trade-offs inherent in

designing and implementing environmental law and policy. The course will draw upon examples from Hong Kong, mainland China, the US, the EU and other countries in the Asia-Pacific region.

Assessment: 40% continuous assessment, 60% research paper

LLAW3191 Comparative family law (6 credits)

The course focuses on family law issues in a comparative and international context and prior knowledge of family law or comparative law is not required. This course will focus more on the theoretical dimensions of family law. Students who are interested in legal doctrines and technical issues are advised to take Principles of Family Law.

The course will cover a range of topics, including: understanding family through legal, economic, anthropological, and religious lenses; practices such as prenuptial agreements, bridewealth, and dowry that precede family formation; different restrictions on family formation, including marriage/civil union, biology, and adoption; comparative regulations governing ongoing family relationships; grounds for divorce across different legal systems and the dynamics among the state, parents, and children; and the comparative legal history of the relationship between family and the state.

Assessment: 20% class participation, 20% mid-term essay, 60% research paper

LLAW3123 Competition law I (6 credits)

This course introduces students to basic concepts of competition law (known as antitrust law in the US). Despite being relatively new to the region, competition law has become highly pertinent in East Asia in recent years. In Hong Kong, the Legislative Council finally adopted a cross-sector competition law for the city in June 2012. In China, the Anti-Monopoly Law came into effect on August 1, 2008 and has attracted much attention around the world ever since. With its aggressive enforcement stance, South Korea has become a favorite jurisdiction for multinational corporations to lodge complaints against competitors. With increasing cross-border enforcement across the globe, competition law will surely take on yet greater importance in the future.

This course will focus on two of the three main areas of competition law: cartels and restrictive agreements and monopolization. It will focus on US law with some attention paid at the end of the course to the new Hong Kong Competition Ordinance.

Assessment: 50% take home examination, 30% case commentary, 20% class participation

LLAW3124 Competition law II (HK and EU competition law) (6 credits)

Despite being relatively new to Hong Kong, competition law has become highly pertinent in East Asia in recent years. In Hong Kong, the Legislative Council finally adopted a cross-sector competition law for the city in June 2012, and the Competition Ordinance has been in full operation since December 2015.

This course takes a comparative look at the connections and differences between Hong Kong and European Union (EU) competition law. Given the Conduct Rules of the Competition Ordinance in Hong Kong are substantially modelled after Articles 101 and 102 of the Treaty on the Functioning of the European Union (TFEU), the EU law (including “soft” law such as guidelines) on Articles 101 and 102 TFEU will provide useful guidance to the interpretation and application of the Hong Kong Conduct Rules. This course will examine in detail the First Conduct Rule and Article 101 TFEU; and the Second Conduct Rule and Article 102 TFEU. We may also consider competition law enforcement, Hong Kong

specific issues, and past paper questions (to illustrate the workings of competition law). This course excludes merger review, which forms the subject of a separate course.

Assessment: 50% take home examination, 50% coursework/continuous assessment

LLAW3199 Competition law and intellectual property (6 credits)

This course focuses on the interface between intellectual property laws and competition law in the United States. The interface between these two bodies of law is one of the most complex and controversial, and yet theoretically interesting, areas of competition law. This interface juxtaposes the public policy rationale behind intellectual property laws and competition policy, and requires the enforcement agencies and the courts to strike delicate balances between these two policies. With respect to patent law, for example, the treatment of patent rights under competition law requires the courts to calibrate the provision of innovation incentives without incurring an excessive loss in consumer welfare. Similar tradeoffs are also found in the interface between copyright law and competition law, and to a lesser extent, between trademark law and competition law.

Most of the thorniest issues in the interface between intellectual property laws and competition law arise under patent law. As such, this course will largely focus on the patent competition interface. The course will focus on issues including intellectual property enforcement, tying, unilateral refusal to deal, deceptive conduct in standard-setting organizations, predatory product design, and various kinds of collusive conduct.

Assessment: 30% oral presentation, 70% research paper

LLAW3236 Competition law in the digital economy (6 credits)

With the rise of data-driven markets, competition around privacy has become a main concern for individuals and regulatory organizations. Of similar concern is the ability of dominant actors to favour their own content and to steer and redirect parts of the customer's journey on the internet. Meanwhile, decisions taken by consumers are increasingly made passively through implicit or explicit product matching and personalized recommendations rather than through active choice. New technologies recommend and purchase products based on spoken, written or inferred requests obtained from users of digital platforms or devices such as mobile phones, speakers and smart assistants.

This course focuses on distinct principles and case law (e.g., Facebook, Google, Apple, Amazon) pertaining to competition in data-driven markets. This includes: the elusive problem of how quality, rather than price, competition works; how consumers can navigate data-driven markets when conventional market mechanisms are no longer the main disciplining forces on the behaviour of dominant actors; and the conditions under which different regulatory instruments such as ex ante and/or ex post legal interventions – including market studies and market investigations – can effectively address the predicaments of data-driven markets.

Students will acquire an in-depth understanding of EU competition law relating to digital markets (social media, search, app stores, online marketplaces) and will be able to compare and assess these developments in light of emerging litigation in the US.

Assessment: 20% class participation, 30% case commentary, 50% take home examination

LLAW3301 Computing for lawyers: automation and prediction (6 credits)

This course provides law students with no prior experience a conceptual primer on classical programming

and machine learning through an introduction to the Python language. We drill down on core ideas, focusing not on training software developers, but on equipping future lawyers with the literacy to understand, evaluate, and leverage technology effectively in their own practice.

The course emphasizes hands-on, practical learning through interactive lectures, guided in-class coding exercises, and structured lab sessions. Programming topics to be covered include:

- Variables and Data: Variables are named containers storing data (text, numbers, true/false values, inputs and outputs). Data types define how the computer interprets values.
- Logic and Decisions: Boolean logic is a system of reasoning based on true/false values and operations like AND, OR, NOT. Programs make decisions using if/elif/else blocks based on conditions.
- Loops and Repetitions: Repeating actions with for (iterate over a known set) or while (repeat until a condition changes).
- Data Structures: Organizing data into collections such as lists and dictionaries
- Functions and Reusability: Abstraction hides complex details, exposing only essential features to simplify programming. Encapsulating reusable code into named functions with inputs (parameters) and outputs (return values).
- Machine Learning: Using algorithms to enable computers to learn patterns and make predictions from data. Evaluating the quality of predictions.

Students will be assessed on a distinction/pass/fail basis.

Assessment: 10% class participation, 40% quizzes, 50% final examination

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 system, (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.

Assessment: 15% participation, 35% presentation, 50% essay

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 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

Assessment: 100% continuous assessment

LLAW3200 Copyright and creativity (6 credits)

The course investigates the relationship between copyright protection and creativity by targeting at creative sectors such as film, music, publishing, and software sectors. Through in-depth analysis of the cases and empirical data involving copyright protection or infringement in these industries, the course aims to assess to what extent these sectors have been benefited from or impeded by copyright protection, how “fair use” system can be employed to achieve a better balance between copyright industries and users/consumers of copyrighted works, whether alternative regimes such as public or free licenses including creative commons and open source initiative are helpful in promoting creativity, and finally, how to capitalise or commercialise the copyrights so that the works can generate financial gain for start-up creative companies or individuals. These issues will be discussed in the context of both traditional and internet-related creative sectors and activities such as parody, file-sharing, snippets and thumbnails, streaming, and copying for non-transformative personal use on internet, iPad or iPhone, and online games. The countries or regions that the copyright laws and creative sectors are examined include but not limited to Hong Kong, the mainland China, the United States and European Union.

Assessment: 50% oral presentation, 50% examination

LLAW3184 Credit and security law (6 credits)

The legal aspects of supplying and securing credit in respect of consumers and companies; the legal means of taking security over different types of property.

The forms of credit and security are divided into the “real” securities and the “quasi-securities”. The real securities are: charges, mortgages, pledges and common law liens. The quasi-securities include hire-purchase, bills of sale, assignments of the benefit of a chose in action, sales and re-sales, finance leases, retention of title transactions, and many other forms usually involving indirect money lending. All of these forms of security are available to consumers as well as corporate borrowers. A common corporate loan is a charge over book debts. A common consumer loan transaction is a mortgage over land.

Topics to be studied include:

- the concept of security,
- the role of Equity in security transactions, real and personal securities,

- types of business finance,
- insolvency,
- drafting of documentation to achieve particular purposes, and
- remedies.

Assessment: 20% class participation, 30% mid-term examination, 50% final examination

LLAW3099 Criminal procedure (6 credits)

The goal of this introductory course is to equip undergraduate law students with the basic legal knowledge of criminal procedure in Hong Kong. Topics covered in this course include:

- Introduction to criminal justice system;
- Rights of arrested persons/defendants;
- Selected topics about powers of law enforcement agencies;
- Criminal jurisdiction of courts in Hong Kong;
- Classification of criminal offences;
- Transfers and Committals;
- Commencement of criminal proceedings;
- Selected topics about pre-trial and trial processes;
- Sentencing principles and options;
- Costs in criminal cases; and
- Appeal mechanisms for criminal proceedings.

Pre-requisite / co-requisite: Have taken and passed (or concurrently taking) Criminal Law I & II

Assessment: 20% group presentation, 30% individual weekly self-review/reflection exercise, 50% examination

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.

Assessment: 100% research paper

LLAW3298 Cross-border legal relations between the Mainland and Hong Kong (6 credits)

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

- The status of PRC constitution and the Basic Law and the issue of congressional supremacy,
- Mutual recognition and enforcement of arbitral awards and civil judgments,
- Procedures of cross-border services and evidence taking,
- Cross-border insolvency and family law matters, and
- Opportunities and challenges for legal community and legal education.

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

Assessment: 100% coursework

LLAW3066 Cross-border legal relations between the Mainland and Hong Kong (in Putonghua) (6 credits)

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

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

Assessment: 100% research paper

LLAW 3101 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 responded to cybercrime.

Assessment: 60% research paper, 40% assigned research, review and presentation

LLAW3127 Dealing with legacies of human rights violations (6 credits)

This course will examine the ways that nations around the world have dealt with, and are dealing with, legacies of gross violations of human rights of the past. It will draw from several disciplines but will be dominated by the legal approach which is firmly rooted in the right to an effective remedy for gross violations of human rights and the duty of States to investigate, prosecute and punish such acts. Issues to be examined will include the policy choices that nations emerging from sustained periods of repression or armed conflict have to make, and the types of mechanisms that have been employed by countries that have sought to deal with such situations. The course will, inter alia, examine whether there is a chasm between the striking promises made by the ubiquitous use of terminology such as ‘truth’, ‘justice’, ‘healing’ and ‘reconciliation’ and reality. How does public opinion, most significantly, the views of victims and survivors, fit into international diplomacy and local politics? What role can traditional dispute resolution play? The course will also examine the work and effectiveness of

international criminal tribunals, ‘internationalised domestic courts’, commissions of inquiry, and other methods of reckoning with past wrongs in societies around the world, as well as consideration of new processes that are evolving.

Assessment: 15% class participation, 35% group exercise, 50% research paper

LLAW3179 Digital copyright (6 credits)

The course will examine issues relating to copyrights in digital media.

Assessment: 100% continuous assessment

LLAW3117 Economic, social and cultural rights (6 credits)

This course will begin with a discussion of the theoretical and historical development of economic, social and cultural rights (“ESC rights”) under the international human rights system. It will then examine the sources of ESC rights, the obligations of states and the implementation of ESC rights at both international and domestic levels. Among the substantive contents of ESC rights, the course will study the right to food, the right to water, the right to the highest attainable standard of health, the right to work, the right to social welfare, and the right to housing. The course will also look at approaches to monitoring and advocacy strategies for the realization of ESC rights.

Assessment: 70% research paper, 20% case comment, 10% class participation

LLAW3218 Energy law (6 credits)

Energy law became recognised as a distinct subject following the energy crisis that resulted from the 1973 Arab-Israeli War. This course will introduce Energy law which concerns the laws and regulations that relate to the process and technology of production, distribution, conservation and development of carbon-based energy sources such as coal, oil and natural gas; non-carbon-based sources such as nuclear power; and renewable clean sources such as hydroelectricity, solar and wind power. More specifically, this course will introduce the law concerning the title, usage, development and control of those natural resources and technology which are used to manufacture energy. This specialisation is important because the energy industry remains to be a non-static, technologically developing, but heavily regulated and strategic, sector of the economy.

Areas covered in this course will include: the history of energy law; basic principles of energy law; theoretical perspectives on regulations as part of the modern legal system; regulatory issues for different types of energy; the common law rules of ownership; statutory ownership of sources; the law relating to the development of sources and technology; international energy investment law; soft regulatory laws in developing countries; alternative regulatory instruments; market mechanics; the role of law and the development of renewable energy technologies; national and supranational regulatory changes; regulatory developments in China; environmental regulations of energy and natural resources; territorial disputes over energy sources; nuclear power and the law; regulations of company structures and/or performance; regulating the largest (energy) companies in the world.

Assessment: 30% class participation and presentations, 70% examination

LLAW3071 Equality and non-discrimination (6 credits)

Equality and non-discrimination are universally regarded as fundamental human rights principles that underpin - and are necessary prerequisites to - the enjoyment of all human rights and freedoms. Indeed most of the major international human rights treaties as well as many national constitutions articulate rights to equality and non-discrimination either in general terms or with reference to a range of grounds such as race, gender, disability, religion, etc. Despite its prominent position in human rights law, the precise scope and meaning of equality remain contested and enforcement bodies have sometimes provided contradictory or conflicting interpretations. In other words, equality can mean different things to different people. This course considers how the law reflects, and might support the realization of, particular concepts of equality. It also examines the potential and the limits of the law as a means of achieving social and political change.

Assessment: 100% essay

LLAW3102 Evidence I (6 credits)[†]

The course covers the major topics typically included in an introductory evidence course: relevance, admissibility, residual discretion, burden and standards of proof, proof without evidence (presumptions, judicial notice and formal admissions), competence and compellability, refreshing memory, attacking credibility, prior statements, character evidence, similar fact evidence, opinion and expert evidence, hearsay, confessions, consciousness of guilt, exclusion of evidence for violations of human rights, and legal professional privilege. The emphasis in this course is on rules of admissibility as opposed to trial procedure. However, a full understanding of these rules and their rationale requires a basic appreciation of trial procedures and practices. Consequently, students are advised to gain some knowledge of trial procedures early on in the course.

Pre-requisite / co-requisite: Have taken and passed (or concurrently taking) Criminal Law I & II

Assessment: 50% examination, 30% individual portfolio, 20% tutorial participation

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 Evidence I or an equivalent course.)

Assessment: 25% continuous assessment, 75% examination

LLAW3258 Financial regulations and compliance (6 credits)

This course covers financial regulations and compliance relevant to intermediaries (company and individuals) licensed or registered with the Hong Kong Monetary Authority/the Securities and Futures Commission to engage in regulated activities. This course provides an overview of financial

services and the regulators involved, with a focus on banking, securities and asset management regulatory framework under the Banking Ordinance and Securities and Futures Ordinance. Topics including international best practices, professional standards, code of conducts and best practices, know your clients, sales and suitability, investor protection, anti-money laundering, timely and accurate communications, compliance issues and compliance handling of relevant local rules and regulations, enforcement and investigations. Selected cases will be examined. The course will highlight key developments in the financial services sector such as Family office. Selected cases will be used for discussion in class.

The aim of the course is to develop students' understanding, ability to grasp, articulate and critically review key issues arising from regulatory test or dialogue. Students are expected to acquire knowledge of the relevant regulations and develop the ability to appreciate and/or challenge the current rules and regulations applicable to the industry. Students should be able to comprehend the importance of ethics, risk and compliance culture.

Assessment: 15% class participation, 50% coursework, 35% examination

LLAW3080 Governance and law (6 credits)

This course seeks to understand why the state regulates certain activities and behavior in society, what different forms of regulation exist, when and what kind of legal regulation is deemed necessary, how legal regulation is enforced, and the checks and balances against abuse in enforcement. 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.

Assessment: 50% examination, 25% research paper, 25% group project presentation

LLAW3203 Guided research (6 credits)

This course is about legal scholarship. Students will acquire the skills of effective legal writing and research (including the selection of research topic; different research methodology/techniques; framing of and responding to critical legal argument; how to avoid plagiarism) through producing a research paper under the supervision of a faculty member and participating in a series of seminar sessions. Learning activities during the seminars will consist of discussing the goals and challenges of legal research and scholarship, presenting one's own research topic/idea, and constructive engagement with others about their research.

Given the unique manner in which this course is conducted as compared to other law courses, students should pay particular attention to the following administrative matters when selecting the course.

First, students are responsible for finding a faculty member who is willing to supervise the students on their research projects. Different faculty members have different considerations and requirements on the decision to supervise a student, but it is typically expected that the student when approaching the faculty member should have a reasonably viable research topic/proposal that falls into the research/teaching interest of the proposed supervisor. Students are strongly encouraged to secure the consent of their desired supervisor prior to the end of the add/drop period. Failure to do so run the risk of not being able to find a supervisor and/or complete the required paper within the time constraint of a semester – and the consequential failure of the course. On the flip side, students may, if approved by their respective supervisors, begin their supervised research and writing prior to the formal registration of the course (e.g., in the presiding summer vacation prior to registration in Semester 1, or in Semester 1 prior to registration in Semester 2).

Second, as reflected in the 10% classwork mark, the workshop meeting sessions are integral to the

educational objectives of this course. Failure to regularly attend and participate in the meeting sessions will result in averse deduction in the 10% classwork mark, including a zero score. Conflicting schedule with other classes/tutorials, overseas exchange, internship etc are not acceptable reasons for absence, so please plan accordingly when making your course selection.

Third, the expected word count of the research paper is between 6000 to 8000 words. To qualify for a Designated Research Course credit, the word count of the paper cannot be less than 5000 words.

Assessment: 90% research paper, 10% classwork

LLAW3217 Guided research II (6 credits)

This course is about legal scholarship. Students will acquire the skills of effective legal writing and research (including the choosing of research topic; different research methodology/techniques; framing of and responding to critical legal argument; problem of plagiarism) through producing a research paper under the supervision of a faculty member and participating in a series of workshop meeting sessions. Learning activities during the meeting sessions will primarily consist of presenting one's research topic/idea, engaging in others' research topic/idea, and collective discussions about the characteristics of good legal scholarship.

Given the unique manner in which this course is conducted as compared to other law courses, students should pay particular attention to the following administrative matters when selecting the course.

First, students are responsible for finding a faculty member who is willing to supervise the students on their research projects. Different faculty members have different considerations and requirements on the decision to supervise a student, but it is typically expected that the student when approaching the faculty member should have a reasonably viable research topic/proposal that falls into the research/teaching interest of the proposed supervisor. Students are strongly encouraged to secure the consent of their desired supervisor prior to the end of the add/drop period. Failure to do so run the risk of not being able to find a supervisor and/or complete the required paper within the time constraint of a semester – and the consequential failure of the course. On the flip side, students may, if approved by their respective supervisor, begin their supervised research and writing prior to the formal registration of the course (e.g., in the presiding summer vacation prior to registration in Semester 1, or in Semester 1 prior to registration in Semester 2).

Second, as reflected in the 10% class participation mark, the workshop meeting sessions are integral to the educational objectives of this course. Failure to regularly attend and participate in the meeting sessions will result in averse deduction in the 10% class participation mark, including a zero score. Conflicting schedule with other classes/tutorials, overseas exchange, internship etc are not acceptable reasons for absence, so please plan accordingly when making your course selection.

Third, the expected word count of the research paper is between 6000 to 8000 words, though the supervisor may stipulate otherwise. To qualify for a Designated Research Course credit, the word count of the paper cannot be less than 5000 words.

Pre-requisite / co-requisite: Have taken and passed (or concurrently taking) LLAW3203 Guided research

Assessment: 90% research paper, 10% class participation

LLAW3133 Healthcare law (6 credits)

Health care structure in Hong Kong: private health care and Hospital Authority; health insurance; complaint and investigation procedures; Hong Kong Medical Council and professional misconduct;

other healthcare professionals e.g. psychotherapist and radiologist.

Medical treatment: consent to medical treatment; assessment of competence; role of expert witness; consent by and on behalf of a MIP and MHO; voluntary patients; compulsory detention; mental health review tribunals; medical negligence.

Beginning life: family planning; contraception; sterilization; abortion; child destruction; infanticide, wrongful conception, and wrongful life.

Confidentiality: access to medical records; personal data and privacy; reporting statutes; AIDs; protection of genetic information.

Use of body parts and bodily materials; human experimentation: embryo and fetal research; rules governing clinical trials; liability for injuries; the role of institutional ethics committee.

Complimentary medicine: Chinese medicine; Chinese Medical Council; integrating Chinese medicine

Assessment: 30% continuous assessment, 70% research paper

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.

Assessment: 80% research paper, 20% participation

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 security, education and the environment. The exact topics to be covered may change from years to years.

Assessment: 5% class participation, 25% short paper, 70% research paper

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.

Assessment: 100% continuous assessment

LLAW3023 Insolvency law (6 credits)

The course is designed to provide students with a clear and basic understanding of the issues confronting financially distressed companies. To that end, the options available to insolvent companies, the intricacies of corporate restructuring and insolvency, and the various elemental aspects of the reorganisation and insolvency procedures will be explored and examined. Relevant and highly practical issues such as forensic accounting, cross-border and transnational insolvencies will also be introduced to students who are interested in choosing a professional career as private insolvency practitioners.

To keep students abreast with the latest legal and regulatory developments in the areas of insolvency and cross-border insolvency, the course will have two special focuses this year. The first focus concerns Hong Kong-China cross-border insolvencies, which are theoretically characterised as matters of regional conflicts of law. Hong Kong and China differ in both their legal systems and insolvency laws. On 14 May 2021, the Supreme People's Court (SPC) introduced "The Supreme People's Court's Opinion on Taking Forward a Pilot Measure in Relation to the Recognition and Assistance to Insolvency Proceedings in the Hong Kong Special Administrative Region" (hereinafter the "SPC Opinion"), in which three pilot areas—Shanghai, Xiamen and Shenzhen—were designated for the pilot measure. One of the key purposes of the SPC Opinion is to thoroughly implement Article 95 of the Hong Kong Basic Law, the legal basis for cross-border cooperation between Hong Kong and the Chinese courts.

The second focus is COVID-related insolvency issues. From a health emergency to an economic disaster, the impact of COVID-19 on the global economy is being closely monitored, given that the pandemic is likely to cause another financial crisis. The pandemic has also greatly impacted local small and medium-sized companies (SMEs), with many of them having become insolvent. Since the government's lending support is by no means nor by design a long-term resolution for SMEs bearing the brunt of dwindling cash flow amid the COVID-19 crisis, new opportunity is emerging to learn about Hong Kong's insolvency law and practice. In this regard, the course will examine the proposed corporate rescue regime in Hong Kong. Taking a comparative law approach, the course will further delve into COVID-related insolvency issues in comparable jurisdictions such as the US, the UK and Singapore. Doing so will adequately equip students with the knowledge and skills required for careers in these specialised areas (i.e. insolvency and cross-border insolvency), as there are few talents and ample opportunity in the job market. Feedback from students in previous years suggests that successful completion of this course has put them in a strong position to acquire trainee contracts, as this course is deemed highly relevant by their employers and has proven invaluable.

Co-requisite: Having taken and passed (or concurrently taking) Business associations

Assessment: 100% coursework

LLAW3024 Insurance law (6 credits)

While insurance law is significant in its own right it also plays a critical role in the development of other branches of the law. Insurance contracts obviously underpin commercial transactions, particularly contracts for goods and services (including consumer contracts) and international trade. Insurance law also pervades the policy issues not always openly avowed in the reasoning of the courts when deciding negligence cases and claims for breach of statutory duty. At its root, insurance is the means by which a party, the insured, shifts the *risk* of suffering a loss (for example, property, life, credit or product liability) to another party, the insurer. As a specialist area of the law of contract, there is a rich body of case law together with a range of statutory interventions. There is a rejuvenated movement pressing for reform and the English and Scottish Law Commissions in an ongoing project which began in 2006 have revisited insurance law after a gap of some 25 years. As a result, two significant UK statutes on insurance contract law were passed in 2012 and 2015. Hong Kong is likely to follow suit.

The course covers the history and operation of the insurance market; regulation of insurance; the definition of insurance contracts; risk spreading; the importance and reform of the concepts of “Insurable Interest” and “Utmost Good Faith”; the role of intermediaries; the specific terms of insurance contracts; how losses and claims under insurance contracts are dealt with; and the rights of insurers.

Pre-requisites: Have taken and passed Law of contract I and II

Assessment: 50% research paper, 50% active participation

LLAW3084 Intellectual property and information technology (6 credits)

Given the ubiquity of information technology (IT) today, intellectual property (IP) issues related to IT have never been more challenging. With the predominance of frequent headlines about IT-related IP matters, IP and IT is, indisputably, one of the topics that has aroused great interest and attention today.

The class will look at the main IP issues related to IT, how IP can be used to protect, manage and create value from IT innovations, products and creations, and how the dynamic nature of IT would never leave IP law remain static.

Prior IP or IT knowledge is not required.

Assessment: 40% in-class assessment, 60% research paper

LLAW3085 International and comparative intellectual property law (6 credits)

This course introduces the international framework within which intellectual property law operates, including copyright, patents, trademarks, industrial designs, unfair competition, trade secrets, geographic indications, and other forms of intellectual property (IP). The course examines how multilateral conventions and agreements such as Berne Convention, Paris Convention and TRIPS Agreement shape national IP laws, the role of international bodies such as WIPO and WTO, the effect of bilateral agreements, and other international influences on the development of IP law. The course also introduces the enforcement provisions and WTO dispute settlement mechanism concerning international IP disputes. While devoting special attention to IPRs protection for cutting edge technologies such as biotechnology and information technology, the course also discusses the protection

for traditional knowledge and folklore, and the overall implications of international IP protection for global competition between developed and developing countries in an integrated world market.

Pre-requisite: Have taken and passed (or concurrently taking) other IP laws

Assessment: 80% take home examination, 20% participation

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 Asian regional or sub-regional human rights machinery for the protection of human rights will also be examined.

Assessment: 100% coursework

LLAW3072 International business taxation (6 credits)

This course aims to provide students considering pursuing a career in corporate or commercial law, accounting or wealth management with the theoretical and practical skills to identify and analyse domestic and cross-border tax issues and to advise effectively both corporate and individual clients. Taxation plays a critical role in commercial transactions and corporate structuring in Hong Kong and throughout the world. This course will focus on a close examination of the Inland Revenue Ordinance and of the extensive case law on point. On a practical level, we will also consider relevant guidance and practice notes of the Inland Revenue Department, with a view to enabling students to understand how Hong Kong and international taxation operate in practice and to develop strategic and commercial awareness. Having acquired a sound theoretical basis in revenue law, students will be expected to apply that knowledge to tax structures and issues commonly encountered by corporations and high net worth individuals in Hong Kong and around the world. We will further cover tax policy issues, including an analysis of Hong Kong's territorial taxing jurisdiction, international taxation, broadly-based indirect taxation and taxation compliance, with a view to providing an understanding of Hong Kong tax in the broader social, political, and international contexts. The course will introduce students to international taxation and tax planning and provide a firm grounding in Double Taxation Treaties.

Assessment: 10% class participation, 40% take home mid-term assessment, 50% take home final assessment

LLAW3111 International commercial arbitration (6 credits)

International commercial arbitration is well established as the preferred binding mechanism for resolving cross-border commercial disputes. It has seen particularly marked growth and acceptance in the last 20-30 years, including in the Asia Pacific region. The law and practice of international commercial arbitration, while scarcely regulated, has evolved into a highly specialised craft based on international best practices. This course will consider the international and domestic legal framework for international commercial arbitration, as well as the broader regime including international arbitration

rules, international arbitration institutions and organizations and international arbitration practices. However, a key focus will be the inside workings of international arbitrations, revealing the sometimes obscure practices of the discipline. The main topics covered include the making and enforcement of arbitration agreements, establishment of and powers of arbitration tribunals, jurisdictional issues, applicable law (both procedural and substantive), arbitration procedure and evidence, interim and final remedies and rendering and enforcement of arbitration awards (including challenges and appeals). The course will be taught with case examples principally from the Asia Pacific region, and extensive examples from the practices of well-known arbitral institutions, such as the ICC International Court of Arbitration, and of arbitrators sitting under the auspices of the ICC.

Students will be expected to have grasped an understanding of the core features of international commercial arbitration as a distinct discipline and to have developed a sense for how to approach technical legal problems that can arise in this field. They should also know their way around the UNCITRAL Model Law and 1958 New York Convention, and be able to apply that knowledge to relevant factual scenarios.

Assessment: 100% take home examination

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, extended jurisdiction under HCR, 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 US and Mainland 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.

Assessment: 100% continuous assessment

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 harmonise 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 sales agreements, shipping contracts, insurance and financing arrangements, and customs documentation. 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.

Assessment: 100% continuous assessment

LLAW3078 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 harmonise 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.

Assessment: 100% take home examination

LLAW3134 International environmental law (6 credits)

Air pollution, deforestation, climate change, biodiversity loss and the extinction, or near extinction, of some wildlife species are just some of the many environmental problems that the world faces today. Environmentalists, governments, courts, NGOs, and a variety of other interested parties or stakeholders, both at the international and domestic levels, have contributed to solving environmental problems by the use of law. To what extent has it been successful, or unsuccessful? How do states solve environmental problems collectively, that is, by way of treaties and conventions, and individually, that is, by way of domestic law? How do some states balance economic development and resource exploitation against environmental protection?

This course aims to provide students with a contextual and elementary understanding of the key global and domestic environmental issues and the purported legal solutions. After a broad survey of the major international environmental laws, this course will look at some selected jurisdictions and see the way in which China, the UK and Hong Kong, as well as some major regional organizations such as the EU and ASEAN. Moreover, this course will delve into specific areas of environmental concerns such as the marine environment, climate change and the protection of wildlife. There are no prerequisites for this course.

Assessment: 100% research paper

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.

Assessment: 100% research paper

LLAW3058 International mooting competition (6 credits)

Students who have been selected as members of the team to represent the University of Hong Kong in one of the designated competitions in the International Mooting Programme of the Faculty of Law are eligible to enroll in this course.

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

Assessment for the course may include components for written work, oral advocacy, and a brief individual research paper.

Students will be assessed on a pass/fail basis.

Assessment: 100% continuous assessment

LLAW3027 International organisations (6 credits)

The first international organizations, created in the 19th Century, were of limited scope and membership. It was not until after the First World War that international organizations took on a more universal nature in tackling common problems for states. Since then, hundreds of international organizations have sprung up to handle many issues that affect, or are seen as affecting, our daily lives. The body of rules that govern the functioning of these international organizations, as well as the rules that they create, are referred to as the law of international organizations -the subject of this course.

This course has two aims. First, it will provide an in-depth look at this area of law from a traditional perspective. Starting with a general history of international organizations and overview of current international organizations, the course will develop a definition of international organizations, which focuses on international legal personality, and then will develop a framework for classifying international organizations. This course next will explore the sources of power for international organizations, which involves the law of treaties and the doctrines of attributed powers, implied powers, and inherent powers, among other important principles. This course then will compare their structures, decision-making processes (including the settlement of disputes), membership and financing, privileges and immunities,

sanctioning abilities, treaty-making powers, and relations with other international organizations, among other aspects. The United Nations, its subsidiary organs and its specialized agencies will be a major focus of the course, though many other international organizations also will be studied.

Relevant ICJ, PCIJ and other case law will be given particular emphasis in understanding these powers and functions of international organizations.

Second, with this basic understanding of the law of international organizations, students will be expected to explore contemporary legal debates surrounding international organizations. The course will discuss the problem of responsibility for international organizations and creating limitations on their powers. Indeed, while international organizations first were seen as helping to bring "salvation to mankind," today they are seen in a less than ideal light, largely due to concerns over their misdeeds and accountability for those misdeeds. The course will explore the problems associated with functionalism -the predominant theory associated with the expansion of international organizations' powers. The discussion will move on to exploring the possibility of creating limitations and accountability for international organizations through such alternative tools as constitutionalism, judicial review, an emphasis on the rule of law, and global administrative law, to name a few. Other debates to be discussed include the legal status of decisions and resolutions of international organizations in light of the sources doctrine of international law, and whether the differences between international organizations that stem from the differences in their constituent instruments make it impossible to talk of a unified body of law that governs these different entities. Students will be expected to develop their own thoughts on these debates, which they will demonstrate through their participation in class, as well as through the writing of at least four short case comments and either a longer paper on a topic to be chosen by the student in consultation with the professor.

Assessment: 100% continuous assessment

LLAW3135 International protection of refugees and displaced persons (6 credits)

Every single minute of 2018 as calculated and reported by UNHCR 25 new people fled their homes to escape persecution, human rights violations, war, or other violence.[1] Every minute of every day, for the entire year. This course will situate that statistic in its full context: viewing it from historical, legal, and practical perspectives. The course begins with an introduction to forced displacement in the 20th century, and presents refugee law as it relates more broadly to international human rights law and humanitarian law. This course examines in detail the 1951 Convention and 1967 Protocol Relating to the Status of Refugees, the role of UNHCR, and who is included in and excluded from the international definition of "refugee". It also scrutinizes key legal distinctions, compares and contrasts regional protection instruments, and explores the principle of non-refoulement. It reviews case studies to see how protection principles are applied in a variety of jurisdictions, and it looks at where, how, and why the system breaks down. This course will also delve into the current protection challenges faced by refugees, asylum seekers, internally displaced persons, refugee advocates, NGOs, host countries, and policy-makers. This course goes beyond the numbers and headlines to look at the ongoing global refugee crisis from the perspective of those who experience displacement and those who are striving to find solutions.

Assessment: 15% class participation, 35% writing exercise/presentation, 50% project

LLAW3136 International securities law (6 credits)

International securities law is a topical course taught from both an academic and practitioner's perspectives, dealing with the law, practice and regulation of organised markets including stock exchanges, and the law and practice of financial derivatives and structured financial instruments.

The course aims to develop a usable understanding of law, practice and regulation of exchanges and

financial derivatives transactions. This will include consideration of the parties involved and their motives, contract formation, the documentation involved in structuring transactions, allocating and mitigating risks, the functioning and legal foundations of organised exchanges, and the impact of established and post-crisis conflicts of law and re-regulation on transaction design and execution.

Pre-requisite: Have taken and passed Business associations

Assessment: 100% three take home examinations spread evenly over the semester

LLAW3160 Interpretation of statutes, contracts and treaties (6 credits)

This course aims to give undergraduate students advanced training in the interpretation of legal instruments. The bulk of the course is on statutory interpretation, aiming to address the criticism that this area is not only fundamental but often inadequately understood by common law graduates. The subject aims, as supplementary measure, to ensure students appreciate the difference in approach to the interpretation of contracts and treaties and how best to tackle these tasks.

Assessment: 50% continuous assessment, 50% examination

LLAW3248 Introduction to class action litigation in the USA (6 credits)

This course will be an overview of class action litigation in the United States. It will focus on cases with worldwide press coverage, such as the Volkswagen Clean Diesel case, the British Petroleum (Deepwater Horizon) oil spill case, and the National Football League (concussion) case. Class actions are becoming more prominent worldwide, including in Hong Kong, and there is a global interest in the subject. The USA has been the model for other countries considering class actions. The basic elements of class actions will be covered, along with the theoretical and strategic concepts. The student will come away with significant knowledge regarding the class action device, and will thus be capable of comparing and contrasting the model in the USA with class actions in other countries.

Assessment: 80% in-class examination, 20% class participation

LLAW3159 Introduction to negotiation theory and practice (6 credits)

The course is designed to give students a thorough introduction to those capabilities, approaches and skills necessary for effective cross-cultural negotiation. The course will cover the theory behind effective negotiation, review important works in the field of cross-cultural negotiation and introduce important skills necessary for effective negotiation. The interactive sessions are conducted in stages where content as well as technique is explained.

Assessment: 50% participation in negotiation simulations and completion of a negotiation skills journal, 50% research paper

LLAW3030 Private international law (the conflict of laws) (6 credits)

The field of private international law, also known as ‘the conflict of laws’, is a body of principles applied by a court to cases that involve foreign elements. It generally considers three major questions. First, the question of jurisdiction: when can parties seise a court in connection with matters involving a foreign element, or conversely, what are the conditions under which a court will accept jurisdiction to deal with such matters? Second, the question of applicable law: what system or systems of law will be applied to resolve such matters? Third, the question of recognition and enforcement of foreign judgments: what are the requirements and circumstances in

which they will be recognised and enforced? These questions are particularly important for Hong Kong as an international financial centre and a leading legal and dispute resolution services hub, in which a significant proportion of disputes have a connection outside of Hong Kong, either with Mainland China, or with other jurisdictions.

This course equips students with a solid working knowledge of private international law. It also examines the connections between private international law and other areas of law, such as family law, international arbitration, and cross-border insolvency. Moreover, this course offers comparative perspectives with other jurisdictions when appropriate, including Mainland China, the United Kingdom, the European Union, Australia, and the United States. It also considers the question of harmonisation of private international law from interregional and international perspectives, and the work of various international organisations in this respect.

Assessment: 25% mid-term case note, 75% examination

LLAW3263 Issues in consumer law: theory and policy (6 credits)

This course involves an in-depth study of consumer law issues, emphasising the theoretical underpinnings and policy implications of significant areas of consumer law, such as the regulation of unfair trade practices, the regulation of standard form contracts, and the regulation of consumer finance. The course will draw on cutting-edge developments in consumer law in different jurisdictions to provide a comparative and global perspective on the subject.

Assessment: 50% response paper, 50% coursework/continuous assessment

LLAW3033 Issues in intellectual property law (6 credits)

This course aims at equipping students for intellectual property (“IP”) practice and takes a practical approach to the study of IP, which is collective term for different areas of law that protect creations of the mind such as copyright, trade marks, patents and trade secrets. We will cover the most important topics with emphasis on copyright and trade marks, including the statutory protection for registered trade marks as well as the law of passing off for the protection of goodwill in registered/unregistered marks. Students will share their knowledge, identify IP issues in everyday life, and solve real-life problems.

Assessment: 50% coursework, 50% final examination

LLAW3059 Jessup international law moot court competition (6 credits)

The Philip C. Jessup International Law Moot Court Competition is an international mooting 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 mooting 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. Assessment for the course may include components for written work, oral advocacy, and a brief individual research paper.

Students will be assessed on a pass/fail basis.

Assessment: 100% continuous assessment

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 employees and employers, employees' 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.

Assessment: 60% research essay, 10% presentation on research in progress, 10% reflective media diary, 10% class participation, 10% Labour Tribunal visit and report

LLAW3190 Language and the law (6 credits)

Language plays an essential role both in creating law (e.g. in how specific laws are drafted) as well as in the implementation of law (e.g. in how language is deployed – but also contested - in court). This course examines how language plays these important social roles, and addresses topics, including: different linguistic registers and genres which shape our concept of what legal language is; communicative strategies adopted in the courtroom by speakers occupying different roles (judge, barrister, defendant, witness, etc.); how language is used and understood in legal drafting and interpretation; submission of language data as evidence in some court cases; and linguistic and legal issues that arise in bilingual and multilingual jurisdictions (i.e. in systems that formulate and apply their law in two or more different languages). Together, such aspects of language use form the subject matter of an increasingly researched and studied interdisciplinary field, known as 'language and law' or 'forensic linguistics', to which this course provides an accessible introduction.

Assessment: 10% class participation, 30% in-class test, 60% problem-based tasks

LLAW3249 Language rights and linguistic justice (6 credits)

This course aims to provide students with a solid foundation to the study of language rights. The first part of the course offers a broad picture of linguistic diversity and cultural preservation, traces the evolution of language rights and explores the historical connections of such evolution with nation states, warfare, and globalization. The second part of the course surveys international and national legal regimes in the protection of language rights, covering both minority language rights and official language rights, and their manifestations as negative and positive rights. We will examine how some of these rights are realized in the domains of education, legal processes and public services across jurisdictions, as well as the limitations of their reach. The third part of the course focuses on the philosophical and moral basis of language rights, addresses sources of contention, and queries the concept of 'linguistic justice'. Such discussions provide a lens through which tensions between liberalism and diversity may be probed.

Assessment: 65% research essay, 35% report

LLAW3065 Law and ethics of artificial intelligence (6 credits)

This course examines the legal and policy issues brought forth by technological advances in modern information technology - that is, artificial intelligence and machine learning. We will study both (a)

how emerging applications of AI/ML in finance, health, and government raise novel legal problems and (b) how certain emerging technologies may transform the practice of law. In particular, we will first study bias and discrimination in algorithmic decision making, from an economics, legal and political perspective. Next, we will look at transparency and the so-called black box problem in machine learning. Then we will study privacy, differential privacy, and k-anonymity. In roughly the second half of the term, we will study patent, copyright and authenticity; deepfakes and misinformation; and the geopolitics of technology.

Assessment: 20% participation and case studies, 25% presentation, 55% paper

LLAW3141 Law and film (6 credits)

Legal actors, institutions and problems have fascinated filmmakers since the early days of cinema. This course examines the ways in which the law and the legal system have been represented in a variety of films, and also considers the ways in which films engage with legal debates and controversies. This course is cross-listed between the Faculty of Law and the Department of Comparative Literature; it aims to encourage reflection on the cultural lives of the law and also on a central theme in film studies. No prior background in film studies or the law will be assumed.

Assessment: 15% class participation, 15% written questions, 10% paper proposal, 60% term paper

LLAW3142 Law and politics of constitutions (6 credits)

Almost every modern state has a written constitution. A constitution is not only a legal document; it is also political instrument. For what purpose was the constitution framed; for what functions it serves; and how it is interpreted by judges would routinely depend on the interaction between law and politics.

This course adopts an interdisciplinary and comparative approach to analyze the interaction between law and politics in Asia. We will examine communist regimes (China); dominant party democracies (HKSAR, Singapore), and liberal democracies (Taiwan, South Korea), and explore how the regime-type of the political system affects judicial behaviour and the jurisdiction's commitment to human rights.

Assessment: 75% research paper, 25% class presentation

LLAW3037 Law of agency (6 credits)

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

Assessment: 100% continuous assessment

LLAW3048 Law of restitution (6 credits)

There is no universal definition as to what restitution (either as a body of law, or as a legal concept) encapsulates. It is often understood as the area of law which provides a remedy to a plaintiff against a defendant who is alleged to have obtained some gain (e.g. money or property) unlawfully. The notion of gain-based remedy is contrasted with that of loss-based remedy, which deals with compensation for loss suffered by a plaintiff as a result of a defendant's action or omission.

Traditionally, the study of restitution has simply referred to unjust enrichment. Unjust enrichment occurs when a plaintiff complains that a defendant obtains a benefit at his expense. But theoretical debates may no longer accept restitution as merely congruent with unjust enrichment. Some academics (eg Graham Virgo at University of Cambridge) argue that restitution covers 3 areas of law: (i) unjust enrichment; (ii) restitution for wrongs; and (iii) vindication of property rights. This categorisation will be further discussed in subsequent seminar(s).

Restitution (broadly defined) is an important component of civil law. Indeed, restitution can be understood as one of the 3 ways of creating legal obligations between (say) two parties, the other ways being contract and tort. In recent years, restitutionary principles have been applied in commercial contexts, testing their boundaries and their adaptability to modern day business.

Assessment: 20% participation, 80% research paper

LLAW3049 Law of the sea (6 credits)

The law of the sea is a cornerstone of public international law that is fraught with complexity from detailed treaties and elaborate custom that has been interpreted by numerous international courts and tribunals over a relatively long period of time. This course explores the key rules and principles of this legal regime primarily through a critical assessment of past efforts at dispute settlement, with the aim of developing sufficient problem-solving skills in this realm to successfully tackle future disputes as they arise. Topics to be addressed include: nationality of vessels and jurisdiction of the flag state; baselines and maritime boundaries; territorial seas, contiguous zones, straits, archipelagic waters, continental shelves and exclusive economic zones; the deep seabed; marine pollution; and living resources of the high seas.

Assessment: 100% continuous assessment

LLAW3145 Law, economics, regulation and development (6 credits)

This course is premised on a conviction that the law does not exist in a vacuum, and the study of the law should therefore not be confined to a narrow focus on legal doctrine and case law. The aim of this course is to provide a broad survey of inter-disciplinary approaches to the law, which will provide students with the basic toolkit to question and analyze legal theories and institutions from alternative perspectives. The belief is that students will gain a richer and more nuanced understanding of the law and legal methods as a result.

The course comprises of three broad components: (1) Law and Regulation, (2) Law and Economics, and (3) Law and Development.

The law and regulation component of the course seeks to examine the role of law as an instrument of regulating economic and social activity. The course will explore theories of regulation, regulatory techniques and instruments, and issues of efficiency, accountability and legitimacy in relation to regulation. It will also explore the application of economic concepts to the law, focusing on areas such as torts, contracts, and property rights. For instance, the course will examine how economic concepts have been applied to provide a benchmark for determining negligence in torts.

Finally, the law and development component will examine the relationship between law and economic, social, and political development. It will survey theories concerning the meaning of development and the potential role of law and legal institutions in the development process.

Assessment: 15% class participation, 10% symposium participation, 75% 3 short research papers

LLAW3254 Law, innovation, technology, entrepreneurship: tech startup law (6 credits)

This course focuses on the legal environment impacting entrepreneurs, startups and new innovative businesses and ideas. It addresses the core aspects of setting up a new business, including legal structures, hiring staff, protecting intellectual property, raising finance, licensing considerations, data protection and usage, and cross-border operations. It is designed for upper year students in any discipline who are considering a new venture or already involved in a startup or innovative project.

Students will be provided with a substantive overview of the areas of transactional and legal structures, documentation and issues most frequently encountered by startups, including entity choice, formation documents, shareholder and founder agreements, intellectual property protection, financing, operating contracts such as employment contracts and leases, website terms of service, and data protection/privacy issues. Cross-border aspects will be considered too.

Assessment: 5% class participation, 5% presentation, 10% peer assessment, 30% project, 50% final deliverable

LLAW3273 Law, innovation, technology and entrepreneurship (LITE) lab - social impact entrepreneurship (6 credits)

The Law, Innovation, Technology and Entrepreneurship (LITE) programme is an interdisciplinary and experiential programme for students of all backgrounds. In LITE Lab – Social Impact Entrepreneurship, undergraduate students will work on projects relating to the legal and operational issues faced by social enterprises, NGOs, and civil society organizations in Hong Kong.

Paired with an Hong Kong-based organization, students will brainstorm ways to respond to and to raise awareness of and potentially address significant community, social, environmental, or humanitarian issues. Students will interview service providers and founders, conduct research, and gather relevant data in order to understand the context in which the social enterprise or NGO is operating, and to understand its current methods, target population/beneficiaries/positive social change desired, as well as the challenges it faces. In this context, each student will scope, design, and complete an appropriate term paper, explainer, project, video, or other deliverable in the substantive area identified. Students are encouraged to utilize entrepreneurial methods and creative approaches to their projects, as long as novel ideas demonstrate an understanding of the existing landscape and needs of stakeholders.

Student-organization pairings will be made based on each student's previous work experience, academic focus, areas of particular interest, and relevant skillsets. Expected time commitment will be 12-15 hours per week devoted to the project, comprised of time spent on-site with the host organization, conducting research or other project-related tasks remotely, class discussions, and communicating with the LITE instructor about progress.

For this project-based experiential course, students will regularly interact with their host organizations at LITE Lab@HKU on campus, at HKU-Cyberport Fintech Nucleus, at the host organization's premises and/or electronically under the supervision of instructors.

Final projects will be showcased for the HKU community and the general public as part of LITE's online tools and resources, with a view toward enhancing wider availability of information relevant to social enterprises, local charities, and those who want to know more about the issues facing Hong Kong society.

Other LITE courses recommended but not required.

Students will be assessed on a pass/fail basis.

Assessment: 10% class contribution, 45% project service/project delivery, 45% research/case study

LLAW3161 Law, meaning and interpretation (6 credits)

This course offers a multidisciplinary introduction to key debates on language and interpretation within legal theory, and to the interface between the study of language and the discipline of law. This course begins with an introduction to interpretation as reflecting a set of pervasive intellectual problems in the study of literature, religion, language and culture. It then moves on to the study of legal interpretation, focusing on word meaning in law. The course stresses the sociopolitical dimension to interpretative questions confronted by judges. The presentation of theories of language and law is complemented by exercises drawn from decided cases or which reflect real-life legal dilemmas. Law is seen in the context of issues such as authority and power; doubt and certainty; meaning and indeterminacy. No technical knowledge of law, linguistics, or literary theory is assumed.

Assessment: 30% mid-term essay, 70% final essay

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.

Assessment: 30% continuous assessment, 70% research paper

LLAW3234 Legal and legislative drafting (6 credits)

In this course students will master the skills required to draft complex legal documents, and will improve their skills at analyzing legislative and contractual provisions. The course teaches students how to compose coherent and unambiguous legal text, and how to structure legal documents to ensure maximum comprehensibility.

The course includes an examination of the principles of statutory interpretation that influence the judicial interpretation of legal documents, and shows how to use those principles to ensure that legal documents will be given their intended meaning if challenged before the courts.

Legislative and contractual provisions are analyzed in class, as a way of identifying and correcting typical drafting errors. Students are required to draft or redraft legal provisions and short legal documents as a way to master different aspects of drafting.

Assessment: 100% assignments

LLAW3226 Legal fictions: United States citizenship and the right to vote in America (6 credits)

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.

Assessment: 15% presentation, 15% discussion, 20% class participation, 50% essay

LLAW3269 Legal foundations for global health and development (6 credits)

This course introduces students to the legal foundations of global health and development. It examines the legal architecture of global health governance, the interplay between global health and international human rights law, international economic law, and international environmental law, and the analysis of several core global health legal instruments such as Constitution of the World Health Organization, the International Health Regulations (2005), the Framework Convention on Tobacco Control, and the Convention on the Rights of Persons with Disabilities in the context of global mental health. Real-life examples, including those that arose from the COVID-19 pandemic and the climate crisis, are used to illuminate the many dilemmas that confront the law as it regulates global health and development, like the perceived tensions between international health and individual liberties, human and planetary interests, and physical and mental for health.

Assessment: 50% coursework, 50% examination

LLAW3275 Legal language in Hong Kong: issues and directions (6 credits)

This course aims to introduce law students to language issues arising out of the legal context in Hong Kong, as a unique jurisdiction which practises the common law and uses both Chinese and English as official languages. The course looks at how law affects the use and development of legal language in Hong Kong, and vice versa. The seminars will discuss various themes, and will introduce students to the legal and linguistic theories pertinent to a thorough analysis of the underlying issues. Typical topics include bilingual legislation and legal drafting, legal translation, court advocacy, and court interpretation in Hong Kong. Guest lecturers are invited to provide practical perspectives. Throughout the course, students are encouraged to apply newly acquired knowledge and multidisciplinary perspectives, in order to critically analyse and propose the way forward on the use of language in the Hong Kong legal context.

Students taking the course will be assumed to be reasonably proficient in traditional Chinese (written) and Cantonese (oral).

Assessment: 15% class participation, 35% group presentation, 50% final assessment

LLAW3162 Legal translation (6 credits)

This course is designed to give practical training in legal translation. It aims to produce qualified legal translators for both the legal and translation professions. It will be taught in Chinese (Cantonese). Except for students who have already completed Use of Chinese in Law I, applicants for enrolment in this course are required to complete a pre-class aptitude test and a preparatory course.

There will be two modules, one on legal translation from English into Chinese and the other, from Chinese into English. The two modules will each cover three streams of legal translation, namely, contracts, court judgments and legislation. Professional legal translators from these individual streams will be teachers in the respective streams of the course. Samples of legal translation will be analysed in lectures or workshops. At one-to-one or small group tutorials, the tutors will help the students to identify their own strengths and weaknesses as revealed in their marked translation exercises, and to enhance their legal translation skills accordingly. There will be no examination for this course. Students' performance will be assessed continuously by written assignments.

Assessment: 100% continuous assessment

LLAW3255 LITE lab: emerging technology and business models (undergraduate) (6 credits)

Law, Innovation, Technology and Entrepreneurship (LITE) Lab@HKU is an interdisciplinary and experiential programme designed to be an immersive experience for students from any and all backgrounds.

Students will gain practical and transactional experience in technology entrepreneurship by learning about and providing research and assistance relating to the real-world issues and problems of Hong Kong technology entrepreneurs and innovators, small business owners, social entrepreneurs, NGOs and HKU students and faculty.

Students will have the opportunity to meet and interview entrepreneurs and innovators, and will be expected to spend much of their time at LITE Lab@HKU offices in the HKU Fintech Nucleus at the Cyberport Smart-space Fintech. Students may also have the opportunity to spend time at the premises within such companies (akin to an internship).

Projects will include consultations with and research to benefit emerging technologies and business models (such as the digital asset and circular economies), disruptive initiatives by established players, as well as contributing to LITE Lab@HKU's online resources and tools to enable access to justice, democratization of information and financial inclusion to empower entrepreneurship and self-sufficiency for citizens and social entrepreneurs.

Students will also have hands-on learning with the ABCD of technology (namely AI, blockchain, cloud and data) and engage in computational law to create legaltech and regtech products such as document automation and chatbots. Programming experience is welcome but not required.

Students will be assessed on a pass/fail basis.

Assessment: 15% class contribution, 45% project service/product delivery, 40% research/case study

LLAW3272 LITE lab: AI and legal technology and the future of the profession sandbox (6 credits)

Technology is changing the way legal and regulatory services are being provided to corporate law departments, small businesses, ordinary citizens and access to justice. COVID-19 has provided a trigger for mindset, policy and industry changes, with significant future impact on the practice of law, dispute

resolution and the delivery of legal services. Where lawtech and regtech were initially seen as “good to have”, they are increasingly seen as “must haves”.

To better prepare the next generation of legal service professionals, LITE Lab: Lawtech & Regtech Sandbox students will initially be introduced to the historical evolution of lawtech and regtech, together with design and computational thinking and data analytics. Within a “sandbox” environment, students will engage in interdisciplinary and team project-based experiential learning and product development and management to develop prototype lawtech and regtech tools and solutions that address real-world needs in conjunction with project partners from the corporate, law firm, government and social sector which may be featured on the LITE Lab@HKU website.

Programming experience is welcome but not required. Students will learn and develop prototypes using a variety of no- and low-code solutions, and depending on the background and interests of students, may also use more sophisticated and open source tools.

Other LITE courses recommended but not required.

Students will be assessed on a pass/fail basis.

Assessment: 10% class participation, 10% learning reflections, 40% project service/product delivery, 40% final project deliverable

LLAW3073 Media law (6 credits)

In this course, we study the law, principles and legal debate on media regulation, with a particular focus on freedom of expression. A familiarity with principal areas, such as defamation, privacy, and regulation of obscenity in both the printed media and online world will be examined. Thus, a central theme to explore is - how the balance between media freedom and accountability should be struck. Throughout the course, we will question and critically examine the meaning of freedom of the press/media, the responsibility of the media as a watchdog, and the balance between the two. Cases from Hong Kong, Canada, the UK, the US and the European Court of Human Rights will be included in your reading materials. 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?
3. Defamation: the Law of Defamation and its defences; the challenge of the Internet and Internet service providers' liability
4. Privacy: reporting privacy and the right to be forgotten
5. Publication of Obscene and Indecent articles
6. Protection of News Source
7. Freedom of Information
8. State Secrets and National Security: Article 23 Debate; Wikileaks; Snowden saga
9. Broadcasting regulation and the differences between broadcasting and printed media
10. Regulated Media and Beyond: the Internet

Assessment: 60% research paper, 10% submission of outline/abstract, 10% expressing the view to media, 10% class participation, 10% presentation

LLAW3192 Mediation (6 credits)

This course covers the principles, process, practice and legal issues of mediation. It examines the underlying values, models and stages of mediation. It will analyse the legal and regulatory aspects of

mediation, areas of application and developments of medication practice with a focus on Hong Kong from a comparative perspectives. It will also include skill building through drafting and role playing exercises.

Assessment: 50% research paper, 20% drafting exercises, 20% video-taped simulated mediation, 10% participation

LLAW3040 Medico-legal issues (6 credits)

This course explores the legal and ethical issues arising from modern medical practice. The content of the course may vary from year to year, but example topics could include: clinical negligence; consent to medical treatment; mental capacity law and the best interests of patients unable to make treatment decisions for themselves; mental health law; reproductive rights, including the law on abortion, surrogacy and medical technologies; the medical treatment of children; organ transplantation; mental health law; and public health law.

Students cannot take this course if they have taken LLAW3297 Medical malpractice.

Assessment: 5% class participation, 25% coursework, 70% examination

LLAW3303 Murder: law and policy

This is an advanced criminal law course focused on the law of murder in Hong Kong in its historical, social, cultural, and institutional contexts. Students will gain an in-depth understanding of the relevant substantive, evidential and procedural law, from theoretical, comparative, policy, and practical perspectives, and be asked to reflect on questions of legal reform. Some classes will feature guest speakers who will enrich the course with their knowledge and expertise in history, forensic science, psychiatry, legal practice, and so on. The topics to be covered include perspectives on murder and death in Hong Kong, history of the law of homicide, the present law of homicide (including sentencing) and its reform, secondary liability for murder, defences to murder and their reform, murder and the mentally ill, murder cases in the courtroom, and administrative release of long-term prisoners. Students are assessed entirely by coursework including class participation including the submission of a reflection note, preparing a proposal and presentation slides on a research project, and oral examination on the research project.

Assessment: 100% coursework

LLAW3178 Online dispute resolution (6 credits)

This course will introduce to the students how to use information technology to facilitate the resolution of disputes between parties. Despite the prevalent impression that online dispute resolution (ODR) is simply the online equivalent of alternative dispute resolution (ADR), the course will demonstrate to the students that ODR can augment the traditional means of resolving disputes by applying innovative techniques and online technologies to the process. Although the course will focus on the technological application in those out-of-court alternative dispute resolutions, it by no means ignores the potential that all these technologies may be applied directly in the litigation system. The course will examine online negotiation, mediation, arbitration, their combinations or other alternatives. The course has both theoretical and practical value to practitioners and academics.

Assessment: 50% in-class moot court practice, 50% research paper

LLAW3302 Patent law (6 credits)

Intellectual Property Rights (IPRs) are among the most important catalysts for growth and innovation in the modern economy. IPRs – in particular patents - are worth billions if not trillions of dollars. What are patents and why are they so valuable? This course will look at patents, first in the context of all IPRs, then will examine rights under a patent, criteria for patentability, and the process of getting and challenging a patent. The class will also cover issues related to patent claims and will explore contemporary patent policy issues.

No prior technical knowledge is required for this class.

Assessment: 50% coursework, 50% examination

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.

Assessment: 100% continuous assessment

LLAW3043 Principles of family law (6 credits)

Family law is about people in a domestic and private setting; how domestic relationships are created, dissolved (which involves status alteration), reconstituted (remarriage, adoption), how relationships are regulated and disputes resolved. Hong Kong Family law is both common law and statute-based.

This course examines the basic principles governing the creation of family relationship, termination and its consequences, how does the law deal with the evolving notion of domestic relationships, abuse occurring within such relationships, the protection it offers to the weaker party and the reconstitution of family relationships.

Families are undergoing changes constantly, as is society. Debates on transsexual marriage, same-sex marriage reflect this. Families are the microcosm of society bearing all the pressure which society exerts on its members. The challenge of the course is to understand the problems facing families today, to what extent the law is in tune with these problems, how best these problems could be alleviated, minimised or resolved by law reform or other means.

Assessment: 60% continuous assessment, 40% examination

LLAW3075 Privacy and data protection (6 credits)

This course will explore privacy and data protection in today's surveillance-driven and increasingly interconnected global society. We will consider a variety of topics including: the concept of 'privacy',

its origins, its development of political, philosophical and economic underpinnings and its conflict with free speech; constitutional, common law and statutory means of privacy protection; privacy electronic surveillance and the interception of communications, including the Interception of Communications and Surveillance Ordinance (ICSO); data protection under the Personal Data (Privacy) Ordinances, including the six data protection principles, (DPPs) access and correction rights, trans-border data flow, the role and powers of the Privacy Commissioner, enforcement and exemptions from DPPs; privacy and social media; and the regional and international dimension, including data protection under APEC, Council of Europe , OECD, and EU instruments.

Assessment: 60% essay, 25% presentation, 15% class participation

LLAW3044 Public international law (6 credits)

Public international law governs inter-state relationships and entities such as individuals, international organizations and so on. The scope and importance of public international law has expanded dramatically in the last century due to increased awareness and studies towards globalisation, escalation of conflicts, environmental issues and human rights violations.

This *undergraduate* course aims to introduce the basics of the core aspects of public international law, including the law of obligations, law of peace, law of war and human rights against contemporary contested scenarios at the time of the course. With a view to give the students a practical perspective there will also be a short introduction to the use of public international law in the domestic law context.

Mutually exclusive: LLAW3157 Foundations of international law

Assessment: 50% mid-term examination, 50% research paper

LLAW3069 Regulation of financial markets (6 credits)

Students will learn about Hong Kong's legal and regulatory framework for financial markets and gain an excellent overview of critical regulatory concerns and industry issues in the fast-developing regulatory landscape, especially in the age of evolving AI and tech developments. Students will analyse the critical history of financial services regulatory reforms since the 2008 financial crisis and familiarise themselves with the consequential reforms in order to develop a framework of understanding for future analysis. Students will equip themselves on knowledge of current issues on cybersecurity, digital assets, and operational resilience which are critically relevant hot topics for financial institutions. Participation in active organised discussions in class is crucial. Advanced topics including developments on financial markets infrastructure, legal technology and Family Office will be introduced.

By the end of this course, students will have developed an overview of the critical current issues financial markets professionals face and will become knowledgeable on adopting a framework of understanding and applying the key legal and regulatory principles. In addition, they will also acquire practical skills in analysing regulatory consultations and developments. These analytical and practical skills are highly relevant and valued for legal, compliance and control functions in the financial markets industry.

Assessment: 70% continuous assessment, 30% examination

LLAW3045 Remedies (6 credits)

The law of remedies is one of the most important areas of study in private and commercial law. When a client comes to a lawyer with a problem, their usual question is not what is the cause of action, but what is the remedy. But remedies, despite being at the core of many important legal issues, are often neglected

in undergraduate courses, being relegated to the back-end of courses on contract, tort, or trusts. There is a further issue: because the law on remedies straddles different areas of law, even when they are studied in these subjects it is difficult to grasp the overall picture and to draw meaningful comparisons between the different cases in which remedies are awarded.

This course aims to fill that gap and will be an indispensable part of your undergraduate legal education. We ask questions such as ‘What is a remedy?’, ‘How do the remedies granted differ at common law and in equity—and should they differ?’, ‘To what extent can damages ever be awarded to disgorge gains made by or benefits conferred on a wrongdoer?’, ‘Are damages ever awarded for things other than consequential loss?’, ‘Does private law concern itself with punishment?’, ‘What are the limits on specific enforcement of primary obligations?’, ‘When can a court grant “proprietary” remedies?’, and many more.

This course is a doctrinal (or ‘black-letter’) law course, focusing on the positive law in Hong Kong and (where appropriate) other jurisdictions, such as England and Wales and Australia. But we will also engage with theory insofar as that theory is grounded in the cases and seeks to rationalise what can often appear as disparate results. The aim is that students who take this course come out of it with a deep understanding of the law of remedies and the skills to make them better common-law lawyers.

Assessment: 50% examination; 30% presentation; 20% class participation

LLAW3068 Rights of the child in international and domestic law (6 credits)

Children as a group have long been in a precarious position given their particular vulnerabilities due to their age and development. Although the United Nations Convention on the Rights of the Child (UNCRC) remains one of the most widely ratified international human rights instruments, state parties have taken diverse approaches to the protection and implementation of children’s rights in the domestic context. A number of factors impact the uptake and implementation of the principles of the UNCRC into domestic law. In many parts of the world children continue to face circumstances where they are at risk of violence and exploitation. The sale of children for the purposes of commercial sexual exploitation and labour or their subjection to practices such as infanticide, female genital cutting, forced or child marriage remain pervasive although numerous treaties and conventions prohibit these practices. Intersectionality theory demonstrates how multiple vectors of disadvantage coalesce to create distinctly vulnerable population groups who face heightened risks. In particular, those living in poverty, individuals belonging to minority groups, women and girls, children, persons with disabilities or an unstable immigration status, are all groups subjected to intersectional disadvantage and discrimination. However, such individuals and groups routinely fall through gaps in legal systems at both the domestic and international levels.

State efforts to combat the systemic causes which enable or exacerbate such exploitation, violence and threats to children’s physical and psychological safety and bodily integrity, continue to fall short. This course examines the origins of children’s rights and adopts a critical approach to examining the UNCRC framework and its implementation in diverse contexts. It adopts a comparative approach to examine best practices and to better understand the reasons for the gaps which persist in different jurisdictions in the implementation of the UNCRC as part of domestic law. The course does so by drawing on select issues and case studies in Hong Kong and more broadly, in Asia. It also draws parallels with comparable jurisdictions to examine prospects for reform and the applicability of comparative jurisprudence and approaches here in Hong Kong. It examines violence against children, especially against girls but increasingly, against young boys, bullying and other forms of abuse and neglect, peace and conflict in societies, forced marriage, juvenile justice, children’s freedom of expression, religion and identity rights

and discrimination against children belonging to minority groups. Drawing on the core pillars of the UNCRC such as protection, the best interests of the child and the participatory rights of the child, the course examines and critically evaluates strategies, policies, international legal measures and resources required to render effective child protection for all.

Assessment: 85% coursework, 15% class participation

LLAW3290 Seminar on human rights and constitutionalism in Asia (6 credits)

The Seminar on Constitutionalism and Human Rights in Asia offers an opportunity to explore human rights in its social and institutional contexts. Students will explore the important themes of constitutionalism and human rights in Asia, a region that houses nearly two-thirds of the world's population and includes a wide range of cultures and developmental contexts.

This course adopts an interdisciplinary and comparative approach to analyze the interaction between constitutional law and politics in Asia. We will examine communist regimes (China, Vietnam), dominant party democracies (HKSAR, Singapore), and liberal democracies (Taiwan, South Korea), and explore how the regime-type of the constitutional system impacts human rights enforcement by the courts.

Assessment: 25% class presentation, 75% research paper

LLAW3277 Seminars in private law (6 credits)

The course examines cutting edge and fundamental issues in private law (including Contracts, Torts, Unjust Enrichment, Property, Trusts, and Companies) and aims to deepen student knowledge in these areas and plug gaps of knowledge. Through doing so, this course hopes to provide a foundation for postgraduate studies and legal practice. It also hopes to equip students with useful skills for application to postgraduate programmes.

While the course develops the knowledge students have acquired in core courses such as Contracts and Torts, it is intended to be free-standing. The course begins with a discussion of the basic values and principles of the main branches of private law, followed by paper presentations by the course teachers and outsiders speakers (scholars and/or practitioners who are experts in the relevant issues). Students will be well prepared for each presentation by a guided study of the topic concerned in advance, to ensure that they benefit from the presentations.

Pre-requisite: Contract law

Assessment: 20% class participation, 40% presentation, 40% response essay

LLAW3274 Shakespeare and the law (6 credits)

Shakespeare made extensive use of legal terms, ideas, and procedures in his drama. In this course, we will examine the connections between Shakespeare and the law in two broad ways. First, we will look at how law, and legal reasoning, contributed to Shakespeare's construction of drama, including his famed creation of vivid, life-like characters. We will explore how legal notions of intention, suspicion, and inference informed the "inwardness" or "interiority" of Shakespeare's characters. Students will be asked to bring early modern legal cases (such as *Hales v Petit*) and land law (Domesday Book) to bear on their analysis of Hamlet's much discussed "delay". We will consider both how early modern legal training – including forensic rhetoric and evidentiary reasoning – informed Shakespeare's dramatic technique, and how literary, narratological, and affective strategies informed the development of English law.

Second, the course will explore the interrelationships between language, law, and power. The relationship between the crown and the law (*rex v lex*) was much debated in early modern England and was a central focus of Shakespeare's history plays. We will examine the intersection of law and power politics in *2 Henry VI*, a play famous for the rebel cry: "The first thing we do, let's kill all the lawyers". The line speaks to deep social grievances concerning the role and nature of law, the place of the commons, and the nature of authority. Students will examine important texts in the early modern understanding of kingship and authority, including case law (*Calvin's Case*, *Case of the Duchy of Lancaster*, *Willion v Berkley*), legal theory (Edward Coke's foundational writings on the common law and Ernst Kantorowicz's *The King's Two Bodies*), and Elizabethan political theology (*Homily on Obedience*, *Homily Against Disobedience*). *2 Henry VI* also offers an opportunity to examine Shakespeare's treatment of the legal trial, the criteria for interpretation and judgement, and the connection between trial jury and theatre audience.

Assessment: 10% class participation, 15% oral presentation, 25% mid-term essay, 50% final essay

LLAW3147 Space law and policy (6 credits)

This course introduces students to the study of space law. It will enable them to understand the socio-economic environment of Space law from the legal standpoint and will provide them with a detailed overview of the substantive rules of law relating to peaceful use of outer space, liability, registration, space commercialization, launching activities, remote sensing and environmental issues. It will teach them how to develop an understanding of the theoretical nature and practical aspects of the function of telecommunications services in mainland China and Hong Kong. Students will critically analyze the relevance and substance of Space law and related problems, such as space launching activities, remote sensing and space debris, and gain an understanding of the process of telecommunications liberalization within the World Trade Organizations (WTO).

Assessment: 100% research paper

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.

Assessment: 100% continuous assessment

LLAW2011 Summer Internship (6 credits)

This programme is offered only to law students. Students will undertake an internship with a non-governmental organisation or public authority in Hong Kong, Mainland China or other regional Community Partner Organisation (CPO). The internship will last for ONE MONTH and will take place in two separate internship sessions in June and July. Students may choose EITHER the June internship period organisation or the July internship period, but may not participate in both.

Application for this course is competitive and students will be SELECTED by CPOs based on their profile, specific skill-set, background knowledge, and interest or experience in particular areas of law. The CPOs taking part in the SJSI course work on a wide range of human rights and social justice issues, including migrant domestic workers, human trafficking, animal rights, labour rights, rights of ethnic minorities, women, the elderly, and children, among others. When applying, students may indicate which CPOs they are interested in working with.

The course will be assessed on the basis of a 5-point scale ranging from Poor to Excellent. These points will not be counted towards the calculation of the CGPA/WGPA or honours classification. However, these will be recorded on an official transcript. In addition, students who are selected to participate in the program and who successfully complete all requirements will be presented with a certificate officially recognising their contribution to and successful completion of the Programme.

Assessment: 100% completion of one-month internship with the CPO (clocking a minimum of 120 hours to qualify as satisfactory completion of the internship component); maintenance of work report documenting daily objectives, work output and achievement of goals; submission of reflective journal and a research paper

LLAW3251 The beginnings of English law and literature (6 credits)

In England's medieval period, it has been said, 'law and literature grew up together'. In this course, we will examine the early history of English law: from the blunt legal codes of the earliest medieval English kings, through the rise of the common law after 1066, to the rapid growth of a complex and professionalised legal system in the early renaissance. Our survey of the foundational laws of England will be informed and enriched by a close examination of major literary works – such as the Old English epic *Beowulf*, the legends of King Arthur, Geoffrey Chaucer's *Canterbury Tales*, and early renaissance drama. The focus will be how English law and literature before the year 1600 influenced each other, and how both discourses tackled questions of authority, sovereignty and the rule of law – questions that both law and literature still grapple with today.

In addition to offering a window into a number of medieval worlds – early royal courts, the first universities, the scriptorium, the early Inns of Court, the guildhalls of London – this course traces the history of the English book itself. The legal and literary texts we study survive in medieval documents, rolls, manuscripts and early printed books; as we learn how these artefacts were composed and produced, we will discover the profound influence that legal writing had on the way that books were created, organised, reproduced and read in the medieval period and for centuries to come.

Students completing the course will have a strong sense of the history and development of English statute and common law, familiarity with many of the canonical literary texts and authors of the medieval and renaissance periods, and a critical understanding of the interactions of pre-modern law and literature, as well as the ability to undertake legal and literary research using primary texts and documentary artefacts from manuscript libraries and archives.

Assessment: 50% final essay, 30% mid-term essay, 20% oral presentation

LLAW3264 The law of signs: interpretative controversies in legal semiotics (6 credits)

This course investigates the way that law treats verbal and visual signs. The study of signs is termed *semiotics*. By *sign* is meant here the visual and verbal bearer of contentious meanings and/or of disputed cultural significance. Through the study of decided cases, the course analyzes how verbal and visual signs encounter law's definitions, registration regimes, prohibition, censorship, or protection. Among the legal domains involved are: trademark and copyright law; employment and discrimination law; censorship, free speech and obscenity law; blasphemy; public order law; human rights law. The course will be divided into sections by topic (not all of which will be taught for each iteration): (i) names and marks (legal limits on the right to choose, registration regimes in relation to personal and corporate names, marks, titles, licence plates, domain names); (ii) art (art works and customs regulations, legal definitions of *art*; art works and forgery, e.g. artistic images of currency; art works and parody; art and taboo; song lyrics and taboo meanings); (iii) flags, insignia and symbols (laws against flag desecration; banned political symbols; triad society symbols; gang insignia); (iv) speech versus conduct (gestures;

public order offences involving swearing, insulting language or behaviour; contempt of court; the definition of speech under the First Amendment); (v) clothing and hair-styles (e.g. employment law; sumptuary laws; contempt of court); (vi) cultural appropriation and identity (the commercial use of indigenous linguistic materials and cultural symbols); (vii) language in public spaces (regulations on signage; noise and nuisance; the definition of *public*). The course focuses on the underlying legal, socio-political, and semiotic doctrines that are at play, but also the implicit or explicit theory of the sign, the understanding of how signs communicate, how the ownership of signs and images is understood, and how law assigns authorial and interpretative responsibility for meanings.

Assessment: 40% mid-term essay, 60% final essay/project

LLAW3212 The law on financial derivatives and structured products (6 credits)

This course is a pioneering derivatives course, taught by leading practitioners in the field. The course aims to give undergraduate students a working knowledge of derivatives and structured products as used in the financial markets in Hong Kong and of the key legal and regulatory concepts and documentation involved, which will be useful to them in their future professional life as commercial or finance lawyers. While looking at the evolving legal and regulatory issues arising from the derivatives market, the course will primarily focus on the private law aspects of cross-border derivative transactions.

The course will be liberally illustrated with real life case studies of the uses (and abuses) of derivatives, drawn primarily from the practice experience of the presenters.

Topics to be covered include:

Infrastructure

- what are derivatives; introduction to key concepts; introduction to common structures (swaps, options and forwards); introduction to common derivative product terminology
- introduction to the derivatives market: key market players; regulators; important products; milestones; current issues
- main uses of derivatives e.g. hedging, investment, speculation, financing, market access
- lifecycle of a derivative transaction
- Stock Connect, Bond Connect, offshore RMB (CNH) and derivatives

Key legal concepts

- capacity of counterparties to enter into derivative transactions
- close-out of derivative transactions, close-out netting, the distinction between netting and set-off
- collateral: distinction between taking collateral by way of title transfer and security interest; purposes of taking collateral; key Hong Kong legal issues in relation to security interests
- lessons learned from the insolvency of Lehman Brothers
- market standard documentation for derivatives

Regulatory framework

- an overview of the licensing regime for derivatives
- an overview of what marketing and product approval restrictions apply to the distribution of derivative products
- suitability, mis-selling and product governance, including an examination of the minibonds crisis, 10 years on
- reform of the Hong Kong derivatives market in the wake of the financial crisis: mandatory clearing and reporting of OTC derivatives and mandatory margining
- ethical considerations in the use of derivatives

Products and key features

- FX and interest rate derivatives (including the novel features of CNH)
- equity derivatives

- credit derivatives
- retail structured products (Minibonds, equity-linked notes, accumulators)
- stock repurchase arrangements (repos) and stock loans
- clearing of OTC derivatives including client clearing

Pre-requisite: Have taken and passed Commercial Law

Co-requisite: Having taken and passed (or concurrently taking) Business associations

Assessment: 60% take home examination at the end of the semester; 30% written assignment; 10% class participation - preparation and participation in class discussions

LLAW3260 The Mainland China legal internship programme (6 credits)

The course comprises a one-month internship in PRC and pre-tour and post-tour fringe activities.

For the one-month internship in PRC, enrolled students will be assigned to either one of major domestic law firms, arbitration institutions, legal / compliance departments of central state-owned enterprises, or financial institutions or banks in Beijing or Shanghai under the framework of “Mainland China Legal Internship Programme for Hong Kong Youths” administered by International Youth Legal Exchange Federation (“IYLEF”). Partners or senior managers of partnership institutions will be assigned to students as their mentors who will supervise the students’ work and performance on a daily basis.

During the internship, students will be offered opportunities to participate in the daily legal businesses and operations assigned by their mentors and they will be expected to acquire hands-on experience and knowledge on Chinese law, in particular commercial law, contract law, shipping law, intellectual property law and private International law. Intensive training will be offered to students at the first week of internship to familiar themselves with practice of Chinese Law.

Students will be assessed on a Pass/Fail basis.

Assessment: 50% internship performance, 50% essay

LLAW3143 Topics in law and literature: Flaubert and Eliot (6 credits)

This elective course is designed to introduce students to the major debates in ‘law and literature’ studies through the works of two writers who helped to define literary realism, Gustave Flaubert and George Eliot. We will pay special attention to the law’s reaction to the publication of literary works, and to the writers’ response to changes in the law. Texts include Flaubert’s *Madame Bovary*, and Eliot’s *Adam Bede* and *Felix Holt*.

Assessment: 40% continuous assessment, 60% research paper

LLAW3171 Topics in English and European legal history (6 credits)

This course is open to LLB students in the second semester of 2009-2010. It proposes to introduce students to the development of Western private law institutions through an exploration of discrete topics of English and European Legal History between 1150 and 1850.

Topics are selected to enable students to acquire basic knowledge about the legal systems practised in England (the common law system) and continental Europe (the civil law system). The course aims to help students gain a better understanding of modern private law through the study of themes in the historical development of different legal systems. Students will be encouraged to draw comparative

insights between common and civil law traditions. There are no pre-requisites to this course.

Assessment: 100% continuous assessment

LLAW3113 Topics in technology law (6 credits)

This course examines the cutting-edge technology law issues in the age of social media and artificial intelligence. It focuses on following three areas of technology law:

Legal protection of personal data;

Legal regulation of algorithms; and

Intellectual property and artificial intelligence systems

Each area of study will deal with the relevant legal and policy considerations. For example, we will discuss the extent to which personal data and intellectual property rights could impact the development of artificial intelligence systems, and will also explore whether and why intellectual property law should protect the creations generated by artificial intelligence systems.

Assessment: 10% class participation, 90% research essay

LLAW3176 Trademarks and unfair competition (6 credits)

Trademark law and the law of unfair competition play a crucial role in the commercialization of all varieties of good, ranging from high-end fashion products to daily routine products. The course aims to explore the cutting-edge issues and fundamental theories and policies in the rapidly developing trademark law and the law of unfair competition. With a focus on the law in Hong Kong and Mainland China, the course also broadly examines the relevant doctrinal developments in the United States and European Union, and discusses the impacts of digital technology on international and domestic trademark protection. The course will cover the following topics.

1. Subject matter of trademark protection
2. Distinctiveness
3. Registration
4. Genericity
5. Exclusive rights
6. Limitations on exclusive rights/trademark fair use
7. Infringement
8. Trademark dilution

Assessment: 100% continuous assessment

LLAW3221 Trusts in practice (6 credits)

Using precedents and transactional documents adopted by leading London law firms in structuring trusts for clients and generously supplied by them, the course will examine in much greater depth various representative uses of trusts in the modern world, both to make family provision and in commerce. These include, for example, onshore and offshore family trusts, and the use of trusts in international finance such as bond issues, securitizations and debt subordinations. The course will examine how these trusts are handled by practising lawyers working within, and developing, legal doctrine. Finally it will explore the broad theoretical implications of this work.

As well as offering the opportunity to learn much more about how trusts are used in real life, the course provides clear links to legal practice in commerce, finance and wealth management, both in Hong Kong

and abroad. Just as importantly, the course will provide some useful theoretical overviews of trusts. It also has generic value as a good introduction to how lawyers in practice use, adapt and modify the legal institutions they inherit and so create new structures for future use. This is a vitally important process that occurs in many areas, not just the law of trusts.

Assessment: 100% take home assignment

LLAW3055 Use of Chinese in law I (6 credits)

The course aims to introduce students to some of the areas of legal practice in which written Chinese is used. Conducted mainly in traditional Chinese and Cantonese, the course starts with an overview of the history of the use of Chinese in the Hong Kong legal system and legal field, and then moves on to an introduction (or revision for students who studied Chinese in secondary school) of the essential Chinese skills as applied in the legal context. A series of guest lectures will be delivered in which participants of the local legal field – past guests have included judges, law draftsmen, practising solicitors, practising barristers and mediators – share their experience in using Chinese in specific areas of legal practice such as drafting legal documents, rendering advice to clients, presenting submissions in the court, and writing judgments. At the same time, small-group tutorials are conducted with a view to introducing skills and points of note in using Chinese, including Chinese legal terms and basic skills in drafting and translating documents.

As explained above, this course focuses on written Chinese, and another course, namely Use of Chinese in law II (LLAW3004), focuses on verbal Chinese. Neither course is a prerequisite or co-requisite for the other, and students are free to take either or both courses.

Assessment: 100% coursework

LLAW3004 Use of Chinese in law II (6 credits)

This course aims at developing the Chinese verbal (and, to the extent required, written) communication skills required for legal practice. Conducted in traditional Chinese (written) and Cantonese (oral), this course provides hands-on training in Chinese communication skills in both contentious setting (with a focus on making submissions to the court) and non-contentious settings (with a focus on interviewing clients), including client-management and advocacy techniques, so as to develop the Chinese verbal communication skills for lawyers. Small-group tutorials are conducted for intensive training, advocacy practice and role-play sessions with individualised assessment and feedback from the course convenors and practitioners.

As explained above, this course focuses on verbal Chinese, and another course, namely Use of Chinese in law I (LLAW3055), focuses on written Chinese. Neither course is a prerequisite or co-requisite for the other, and students are free to take either or both courses.

Assessment: 100% coursework

LLAW3070 World Trade Organization: law and policy (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.

Assessment: 30% continuous assessment, 70% research paper

Advanced disciplinary electives (listed in alphabetical order)

LLAW3289 Armed conflicts and international humanitarian law (6 credits)

This course gives an introduction to the regulation of armed conflicts under international law. It begins with an overview of the historical evolution of the law regulating the waging of war (*jus ad bellum*) and conduct of war (*jus in bello*), and the classification of armed conflicts and other situations of violence. The bulk of the course focuses on the legal rules governing the conduct of armed conflicts and explores the relationship among the law regulating the use of force, international humanitarian law, international human rights law and international criminal law as well as the interplay between war, food security and environmental crises, before moving on to explore the significance of transitional justice in healing societies and building resilience to prevent future violence. The course also explores the roles (and limitations) of key international institutions including the UN Security Council and its sanctions regime, the International Criminal Court, the International Committee of the Red Cross and the UNHCR. The course invites participants to reflect critically on the morality and legal and social implications of using force/violence to resolve conflicts and to place the development of IHL and IHRL along the path of human progress.

Assessment: 100% coursework

LLAW3201 China shipping law (in Putonghua) (6 credits)

The course aims at promoting students' understanding of the legal framework governing shipping and maritime trade in mainland China.

Topics include: ships and crew; contracts of sea carriage; bills of lading and charterparties; multimodal transport; sea towage contracts; collision of ships; salvage at sea; general average; marine insurance; limitation of time and liability for maritime claims; maritime dispute resolution. The PRC Maritime Code and relevant legislation will be covered.

The course will be taught in Putonghua and examined in Chinese. The examination answers can be written in either English or Chinese as selected by the student. Problem-solving approach with case studies will be adopted.

Assessment: 100% examination

LLAW3062 Human rights China (in Putonghua) (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.

Assessment: 100% coursework

LLAW3299 Law and regulation of private banking and wealth management (6 credits)

The unique positioning of Hong Kong being the pre-eminent private wealth management hub in Asia due to its strategic location at the heart of Asia having a long tradition of serving as an important gateway for capital flows into and out of the region; its proximity and connections to Mainland China and its robust legal and regulatory framework, low taxes and strong financial infrastructure are all important factors valued by private banking and wealth management sector. This course provides an excellent introduction to gain an understanding of the private banking and wealth management business models, the relevant regulatory framework and key industry issues.

Students will gain a rounded understanding of the private banking and wealth management business and products, licensing, compliance, operations, with a key focus on the applicable laws and regulations. Students will learn the perspectives of financial institutions and individual practitioners. Key concepts in the Banking Ordinance, Securities and Futures Ordinance and the SFC Code of Conduct will be examined. In particular, students will analyse issues concerning client agreements, landmark cases and selling processes. A key aim of the course is to develop students' abilities to critically analyse, conduct research, communicate and articulate regulatory policies and impact on industry participants.

With a solid foundation of knowledge of private banking and wealth management laws and regulations, students will be able to further specialise in the financial services regulatory areas in legal, compliance or other business risk and control areas.

Assessment: 10% class participation, 20% assignment, 20% presentation, 50% examination

LLAW3286 Law and wealth management (6 credits)

Wealth for families is often managed using trusts, and the fiduciary management of those trusts creates interesting—and evolving—legal issues.

This course begins with an introduction to trust law and then examines issues related to wealth management and gratuitous transfer of wealth. The students will read law review articles and other contemporary articles and be asked to explore and reflect on recent developments in a number of areas, including the use of sustainable investing strategies by fiduciaries, the creation and management of charitable foundations, the use of family offices and international trust services, the use of a trust to hold and run a business, strategies to protect family assets from creditors and from disgruntled family members, the use of a trust to limit taxes imposed on family wealth, and the use of trusts as part of incapacity and succession planning. The course provides an overview of such uses with examples from Hong Kong, England, and the United States.

Pre-requisite: Contract law

Assessment: 40% class participation and written comments, 60% response essays

LLAW3287 Legal concepts and practical application in financial transactions (6 credits)

The purpose of this course is to examine significant legal concepts and private law issues encountered in commercial finance and investment banking. A sound knowledge of these areas of law in the transactional context provides a firm foundation for legal practice in international law firms and at the Bar including skills in tackling the latest challenges thrown up by globalization and the digital economy.

This course builds on the knowledge students have acquired in the core courses of Contracts and Torts in the application in the financial markets and will provide a deeper understanding of the part that private law plays in such markets.

The course will begin with an introduction to transactional structures in the financial markets including loans, guarantees, bonds, derivatives and structured finance. The aim is to consider various concepts in contract, property and trusts which are used to allocate, manage and transfer risk in transactions. While the focus will be on English law and Hong Kong law, the course will consider civil law jurisdictions for criticism and comparison (and the practical impact on transactions). For example, taking security for bonds and loans and the enforcement of security would have different impact under different laws. The course will also consider developments in the financial markets including tokenisation of financial instruments.

Pre-requisite: Contract law

Assessment: 100% continuous assessment

LLAW3270 Legal pluralism in Hong Kong (6 credits)

The object of the course is to study the foundations of Chinese Law and Custom as received and developed in the jurisdiction of the HKSAR in the context of legal pluralism. This course explores its nature, features, scope, and to examine its inter-action with the common law system, and to consider its position in modern society. An outline of the course:

Classical Chinese Thought and Institutions: Continuity and Change

Evolution of early Chinese law; jurisprudential debates surrounding these developments; features of Chinese legal system and culture during the Qing dynasty (1644-1911); developments during the late 19th and early 20th centuries; efforts at reform; recognition of Chinese law and custom in common law jurisdictions of east and southeast Asia, especially Hong Kong.

Customary Law within a Common Law System

Reception of customary law into Hong Kong: pre-cessional law, New Territories Ordinance, Marriage Reform Ordinance, and the Basic Law; tensions between Chinese customary law and custom in a common law system: limits upon customary law; living customary law; traditional rights and interests of indigenous inhabitants under BL Art 40.

Law, Society and Customary Norms

Legal pluralism in colonial context, rural community in the New Territories; the family: marriage, concubinage, adoption, protection of minors, wills, inheritance and succession; communal lands; ancestral estates: t'so and family t'ong; gender equality; access to justice; religious, educational and charitable endowments; community institutions; commercial bodies; customary landholding; small

houses and the customary right to build.

Assessment: 10% class participation, 90% coursework

LLAW3297 Medical malpractice (6 credits)

It is an ancient maxim of medical ethics, dating back at least to the Hippocratic Oath, that doctors should ‘first, do no harm.’ Few doctors set out to breach this principle: their aim is to cure patients or improve their health. But how should the law respond when a doctor, unfortunately, fails to comply with this principle? This course examines this question and aims to equip students with a comprehensive understanding of the law of medical malpractice.

This course primarily focuses on the tort of negligence, examining how each element of this legal concept—duty of care, breach, and causation of actionable harm, remoteness—applies in the medical context and the unique challenges that arise in such cases. It will also consider specialised areas of clinical negligence such as the law relating to information non-disclosure (‘informed consent’), harm resulting from negligence that occurs before birth (including claims for pre-natal injuries by children, ‘wrongful life’ actions and parental claims for ‘wrongful pregnancy’) and institutional liability for medical accidents. Alternatives to negligence, such as no fault systems, the criminal law and the use of apologies will also be analysed.

Throughout the course students will be debating the legal, ethical and policy implications of the law of medical malpractice and also consider the options of reform.

Students cannot take this course if they have taken LLAW3040.

Assessment: 30% coursework, 70% examination

LLAW3291 Mental disability and the law (6 credits)

This is a course that explores the relationship between mental disability and the law.

This course deals with the relationship between mental disability and the law, examining various aspects of how the law deals with those with mental disability (which includes individuals with various kinds of mental impairment and mental disorders) in both the civil and criminal context. The course addresses the key ethical principles underlying mental health law, as well as the international human rights instruments (such as the UN Convention on the Rights of Persons with Disabilities) that have had or should have an impact on the development of mental health law. The course will also have a significant focus on the user perspective, which will include interactive sessions with service users in Hong Kong.

The syllabus covers a range of topics in mental health law and ethics. Students will begin by learning about mental disability and legislative frameworks that govern mental health. The course will then cover various topics in criminal mental health law, including police powers and defences. This will then be followed by topics in civil mental health law, including compulsory detention and treatment in hospital and conditional discharge, and mental capacity law, including the assessment of capacity and how best interest determinations on behalf of individuals without capacity are and should be made.

Throughout the classes, students will apply the ethical concepts they have learned to the various areas of criminal and civil law which take a different approach to those with mental disability, and develop the skills to critically examine the strengths and weaknesses in these areas. In particular, students will consider whether the law should have a different approach towards those with mental disability, and why. Students will also consider the extent to which Hong Kong’s mental health law regimes are

compliant with Hong Kong's international commitments, and where they are not, whether reforms are necessary and the direction any such reforms should take. Students will examine ethical, legal and policy dimensions in their exploration of the possibilities for reform.

Assessment: 30% class participation, 70% examination

LLAW3183 Mergers and acquisitions (6 credits)

The course will consider the specific circumstances of takeovers, mergers, acquisitions and disposals. Both private and public/listed M&A situations will be considered.

The commercial underpinnings of M&A will be considered as well as the factors that are critical to the art and science of a successful M&A transaction.

The process of transaction acquirement and execution will be examined as well as the typical documents and other steps involved, for example, due diligence and data rooms, and how this interacts with the contractual documentation and negotiation process. Matters normally of importance to contractual documentation, such as purchase price payment mechanisms, warranties, indemnities and undertakings etc, will be reviewed. The joint venture situation will be considered.

The course will analyze the listed company context and how regulations affect the manner in which an M&A transaction can be undertaken. A focus of the course will therefore be the application and relevance of the Code on Takeovers and Mergers and the relevant Listing Rules of The Stock Exchange of Hong Kong Limited. These regulations will be considered in the context of both commercial practices, such as irrevocable undertakings, the use of voting trusts, and offer structures, as well as regulatory objectives such as investor protection and the promotion of good corporate governance.

There will be an emphasis on coursework comprised of actual and hypothetical M&A transactions that require legal analysis and solution via class presentations and discussion.

Assessment: 15% class participation, 35% coursework, 50% take home examination

[Students are required to pass the exam to be eligible to pass the course.]

LLAW3115 Rights and remedies in the criminal process (6 credits)

This course examines how courts in various common law countries have enforced the legal rights of suspects and accused persons at different stages in the criminal process. The following rights will be studied comparatively: right to be free from arbitrary detention, right to bail, right to legal representation, right of silence, right to trial without undue delay, right against unreasonable search and seizure, and right to a fair trial. The remedies to be examined will include exclusion of evidence at trial, stay of proceedings, declaration, damages, adjournment, and bail.

Assessment: 15% class participation, 85% examination or research paper

LLAW3293 Securities regulation (6 credits)

The overall aim of the course is to develop an understanding of the regulatory framework governing the securities markets in Hong Kong and how regulations affect securities activities and transactions undertaken by issuers, intermediaries and investors. An underlying theme of the course will be to understand why regulations put in place and to critically assess the effectiveness and appropriateness of the regulatory framework and specific regulations.

The course is structured in three conceptual parts. (1) Orientation: the nature of regulation and the products, actors and marketplaces with which the course will be concerned. (2) Framework: the core laws, regulations and regulators comprising the regulatory framework. (3) Application: how regulation interacts with the business of effecting transactions in the marketplace.

The course will examine key securities laws and regulations, in particular: the Securities and Futures Ordinance (SFO), the prospectus provisions of the Companies (Winding-up and Miscellaneous Provision) Ordinance, regulatory codes issued by the Securities and Futures Commission (SFC), and the Listing Rules. The objectives, principles and purposes of regulation will be introduced. The nature and functions of a stock market will be considered.

The function of key bodies undertaking regulatory functions, namely the SFC, the Hong Kong Monetary Authority, The Stock Exchange of Hong Kong Limited, the Market Misconduct Tribunal and the Securities and Futures Appeals Tribunal will be examined. The impact of regulation on corporate transactions and the general practices of the market and its intermediaries will be studied. A portion of the course will be given over to studying the impact of regulatory requirements on the conduct of initial public offerings.

The course will conclude by bringing together the knowledge gained over the duration of the course to consider the benefits and drawbacks of regulation for the market and critically assess the impact and effectiveness of regulation. What are the shortfalls of regulation, and where is regulation heading?

Assessment: 40% continuous assessment, 60% examination

[Students are required to pass the exam to be eligible to pass the course.]

LLAW3311 Selected topics in Chinese law (6 credits)

This course deals with the current issues in Chinese law. The exact topics to be covered vary year by year and will depend on the instructor of the course in a given year.

Assessment: 100% coursework

LLAW3306 Selected topics in commercial law (6 credits)

This course deals with the current issues in commercial law. The exact topics to be covered vary year by year and will depend on the instructor of the course in a given year.

Assessment: 100% coursework

LLAW3307 Selected topics in corporate and financial law (6 credits)

This course deals with the current issues in corporate and financial law. The exact topics to be covered vary year by year and will depend on the instructor of the course in a given year.

Assessment: 100% coursework

LLAW3310 Selected topics in international and comparative law (6 credits)

This course deals with the current issues in international and comparative law. The exact topics to be

covered vary year by year and will depend on the instructor of the course in a given year.

Assessment: 100% coursework

LLAW3304 Selected topics in private law (6 credits)

This course deals with the current issues in private law. The exact topics to be covered vary year by year and will depend on the instructor of the course in a given year.

Assessment: 100% coursework

LLAW3305 Selected topics in public law (6 credits)

This course deals with the current issues in public law. The exact topics to be covered vary year by year and will depend on the instructor of the course in a given year.

Assessment: 100% coursework

LLAW3309 Selected topics in regulatory law (6 credits)

This course deals with the current issues in regulatory law. The exact topics to be covered vary year by year and will depend on the instructor of the course in a given year.

Assessment: 100% coursework

LLAW3308 Selected topics in technology law (6 credits)

This course deals with the current issues in technology law. The exact topics to be covered vary year by year and will depend on the instructor of the course in a given year.

Assessment: 100% coursework

LLAW3300 Sports law (6 credits)

This course offers an introductory exploration of the legal principles and issues governing the sports industry, both locally and internationally. Students will learn how various areas of law—including contract, tort, employment, intellectual property, anti-bribery, and competition law—interact with professional, amateur, and recreational sports. Special emphasis will be placed on sports governance in Hong Kong, including the legal roles of bodies like the Sports Federation & Olympic Committee of Hong Kong (SF&OC) and various national sport associations. Students will acquire practical legal skills including contract drafting, governance compliance, and dispute resolution in the sporting context.

Assessment: 30% coursework, 70% examination

LLAW3288 Transnational criminal law (6 credits)

Transnational criminal law is a broad subject encompassing (i) the international and domestic laws used to suppress transnational crimes, and (ii) the cross-border criminal procedures applied in domestic cases.

Transnational crimes are offences that occur in or affect more than one jurisdiction and include drug trafficking, money laundering, organized crime, human trafficking, people smuggling, terrorism, cybercrimes, bribery, trafficking in endangered species or cultural property, and violation of sanctions. Cross-border criminal procedures may be needed in domestic cases, whether the crime is transnational or local, if an essential aspect of the case (e.g. the defendant, a witness, or material evidence) lies outside the territory of the place handling the case. Such procedures include extradition, mutual legal assistance (e.g. in evidence gathering), asset freezing and recovery, and transfer of sentenced prisoners.

Students in this course will study these various aspects of transnational criminal law from reading both primary and secondary sources. The course approaches these topics from both theoretical and practical perspectives and with reference to the international and domestic laws/practices relevant to Hong Kong. Some issues that may be discussed in the course include the tension between sovereignty interests and the domestic exercise of extraterritorial jurisdiction, the elements of transnational criminal offences, the implementation of treaty crimes into domestic law, reconciling cross-border criminal procedures with protections for human rights and the rule of law, practical difficulties in criminal cooperation between states and within the People's Republic of China, latest developments in cross-border digital data/evidence requests, and the role of international organizations such as the United Nations, INTERPOL, Financial Action Task Force, etc in addressing transnational criminal activity.

Assessment: 15% participation, 85% research paper or examination
