

REGULATIONS FOR THE DEGREE OF MASTER OF LAWS IN CHINESE LAW [LLM(CHINESE LAW)]

(These regulations apply to candidates admitted to the LLM(Chinese Law) curriculum in the academic year 2024-2025 and thereafter.)

(See also [General Regulations](#) and [Regulations for Taught Postgraduate Curricula](#).)

LLMCL1. Admission requirements

To be eligible for admission to the courses leading to the degree of Master of Laws in Chinese Law, a candidate

- (a) shall comply with the General Regulations and the Regulations for Taught Postgraduate Curricula;
- (b)
 - (i) shall hold the degree of Bachelor of Laws with at least second class honours of this University, or a qualification of equivalent standard from this University or another comparable institution accepted for this purpose; or
 - (ii) shall hold the degree in a discipline other than law with at least second class honours of this University, or a qualification of equivalent standard from this University or another comparable institution accepted for this purpose; and have at least two years of relevant experience and professional qualifications; or
 - (iii) shall have obtained either the Common Professional Examination of England and Wales or the Common Professional Examination Certificate of this University provided that in either case the candidate has also obtained a degree with at least second class honours of this University or a qualification of equivalent standard from this University or another comparable institution accepted for this purpose; and
- (c) for a candidate who is seeking admission on the basis of a qualification from a university or comparable institution outside Hong Kong of which the language of teaching and/or examination is not English, shall satisfy the University English language requirement applicable to higher degrees as prescribed under General Regulation G2(b).

LLMCL2. Advanced Standing

Advanced Standing may be granted to candidates in recognition of studies completed successfully no more than 5 years before admission to the curriculum. Candidates who are awarded Advanced Standing will not be granted any further credit transfer for those studies for which Advanced Standing has been granted. The amount of credits to be

granted for Advanced Standing shall be determined by the Board of the Faculty of Law, in accordance with the following principles:

- (a) a candidate may be granted a total of not more than 9 credits (one course) for Advanced Standing unless otherwise approved by the Senate; and
 - (b) credits granted for Advanced Standing shall not normally be included in the calculation of the GPA unless permitted by the Board of the Faculty of Law but will be recorded on the transcript of the candidate.
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LLMCL3. Period of study

- (a) The curriculum for the degree of Master of Laws in Chinese Law shall normally require one academic year of full-time study or two academic years of part-time study, and shall include any assessment to be held during and/or at the end of each semester including summer semester.
 - (b) Candidates shall not in any case be permitted to extend their studies beyond the maximum period of registration of two academic years in the case of full-time candidates and three academic years in the case of part-time candidates, unless otherwise permitted or required by the Board of the Faculty of Law.
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LLMCL4. Completion of curriculum

To complete the curriculum for the degree of Master of Laws in Chinese Law, a candidate shall

- (a) satisfy the requirements prescribed under TPG 6 of the Regulations for Taught Postgraduate Curricula; and
 - (b) satisfactorily complete 72 credits in the case of a full-time study in one academic year, including a capstone experience, or 36 credits in the case of a part-time study in each of the two academic years of study, including a capstone experience.
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LLMCL5. Selection of courses

- (a) 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.
- (b) Withdrawal from courses beyond the designated add/drop period will not be permitted, except for medical reasons or 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).

LLMCL6. Dissertation

- (a) Candidates, whether full-time or part-time, who elect to submit a dissertation shall submit the title within four weeks of the first day of the semester registered for. The dissertation must be presented not later than December 31 or May 31 of the year for a 9-credit or an 18-credit dissertation enrolled in the first semester respectively. The May 31 deadline shall also be applicable to candidates who enroll in a 9-credit dissertation in the second semester.
 - (b) In exceptional circumstances a candidate may apply to the Board of the Faculty of Law for an extension of the period within which the dissertation must be presented at least three months before the prescribed date of submission. Late applications for extension will not be considered, except for medical reasons or with the approval of the Board of the Faculty of Law.
 - (c) The candidate shall submit a statement that the dissertation represents his or her own work undertaken after registration as a candidate for the degree. The examiners may require an oral examination on the subject of the dissertation.
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LLMCL7. Progression in curriculum

- (a) Candidates shall normally be required to undertake a combination of courses and study requirement as prescribed in these regulations and the syllabus, and in the manner as specified below, unless otherwise permitted or required by the Board of the Faculty of Law.
 - (i) Candidates who are on a one-year full-time mode of study shall normally be required to take not fewer than 27 credits nor more than 36 credits in any one semester (except the summer semester).
 - (ii) Candidates who are on a two-year part-time mode of study shall normally be required to take not fewer than 9 credits nor more than 18 credits in any one semester (except the summer semester).
 - (iii) Where candidates are required to make up for failed credits, the Board of the Faculty of Law may give permission for candidates to exceed the required curriculum study load of 72 credits.
 - (iv) In each case under (i) or (ii) above, the total number of credits taken shall not exceed the required curriculum study load of 72 credits for the normative period of study specified in LLMCL3(a).

- (b) Candidates may, with the approval of the Board of the Faculty of Law, transfer credits for courses completed at other institutions during their candidature. 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 combined total number of credits to be granted for Advanced Standing and credit transfer shall not exceed half of the total credits normally required under the curriculum of the candidates during their candidature at the University.
 - (c) Unless otherwise permitted by the Board of the Faculty of Law, candidates shall be recommended for discontinuation of their studies if they have:
 - (i) failed to complete successfully 45 or more credits (under one-year full-time study) or 18 or more credits (under two-year part-time study) 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) failed to achieve an average semester GPA of 1.5 or higher for two consecutive semesters (not including the summer semester); or
 - (iii) exceeded the maximum period of registration specified in LLMCL3(b).
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LLMCL8. Exemption

Candidates may be exempted, with or without special conditions attached, up to 9 credits (one course) in the requirement prescribed in the regulations and the syllabus governing the curriculum with the approval of the Board of the Faculty of Law, except in the case of a capstone experience. Approval for exemption of a capstone experience may be granted only by the Senate with good reasons. Candidates who are so exempted must replace the number of exempted credits with courses of the same credit value.

LLMCL9. Assessment

- (a) Candidates shall be assessed for each of the courses for which they have registered, and assessment may be conducted in any combination of continuous assessment of coursework, written examinations and/or any other assessable activities. Only 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 shall not be permitted to repeat a course for which they have received a passing grade for the purpose of upgrading.

- (d) Candidates are required to make up for failed courses in the following manner:
 - (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.
 - (e) Where candidates are permitted or required to present themselves for re-assessment/ re-examination/ assessment in an alternative course under (d) above, the new grade obtained together with the previous F grade shall be recorded on the transcript and be included in the calculation of the semester GPA, year GPA and the cumulative GPA. Such candidates shall not be eligible for any mark of distinction.
 - (f) There shall be no appeal against the results of examinations and all other forms of assessment.
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LLMCL10. Absence from an examination

Candidates who are unable through illness to be present at the written examination of any course may apply for permission to present themselves at a supplementary examination of the same course to be held before the beginning of the First Semester of the following academic year. Any such application shall be made on the form prescribed within 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.

LLMCL11. Requirements for graduation

To be eligible for the award of the degree of Master of Laws in Chinese Law, candidates shall:

- (a) comply with the General Regulations and the Regulations for Taught Postgraduate Curricula;
- (b) complete the curriculum requirements prescribed in the regulations and syllabuses within the maximum period of registration and satisfy the examiner in not fewer than 72 credits in accordance with the regulations governing examinations

procedures, which shall include the successful completion of a capstone experience as specified in the syllabus; and

- (c) have achieved a Cumulative GPA of 1.50 or above.
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LLMCL12. Grading system

Individual courses shall be graded in accordance with TPG9 (a) or (c) of the Regulations for Taught Postgraduate Curricula as determined by the Board of Examiners.

LLMCL13. Classification of awards

Upon successful completion of the curriculum, candidates who have shown exceptional merit may be awarded the degree with distinction as determined by the Board of Examiners, and this mark shall be recorded in the candidates' degree diploma.

SYLLABUS FOR THE DEGREE OF MASTER OF LAWS IN CHINESE LAW

COURSEWORK

The Board of Examiners shall decide what proportion of the final assessment for each course shall be determined by written work carried out during the course of study. Candidates will be informed at the beginning of the course of the relative proportions of the final assessment to be derived from coursework and from written examinations which will be held at the end of the teaching programme.

OBJECTIVES

The degree of Master of Laws in Chinese Law is offered by the Faculty of Law to address an increasing need in Hong Kong and internationally for a more comprehensive understanding of the laws and regulations of the People's Republic of China. Hong Kong is uniquely placed to provide to students from Hong Kong and elsewhere courses on contemporary Chinese law developments from a comparative perspective which are conducted primarily in English.

DISSERTATION

An 18-credit dissertation shall comprise a paper with required length ranging from 16,000 to 20,000 words on a legal topic approved by the Faculty Higher Degrees Committee. A 9-credit dissertation shall comprise a paper on a legal topic likewise approved with required range from 8,000 to 10,000 words. In both cases the dissertation must provide evidence of original research work and a capacity for critical legal analysis and argument.

STRUCTURE

Candidates are required to complete 72 credits, including a capstone experience in accordance with the regulations for this degree and the syllabus as set out below. Candidates may choose courses from the course outlines of individual areas of law below and courses from any of the specialist programmes, but in any event, no more than two courses from other LLM specialist programmes.

COURSE OUTLINES

(Each of the courses listed below carries 9 credits unless otherwise stated.)

Capstone course

(Candidates must choose at least one course from the list below.)

- LLAW6212 China intellectual property law
- LLAW6185 China investment law
- LLAW6186 China trade law
- LLAW6056 Law and economics of Chinese capitalism

Electives

- LLAW6268 Administrative law and governance in China
- LLAW6022 Advanced research methodology
- LLAW6115 Advanced seminar on Chinese law
- LLAW6304 AI and competition law
- LLAW6261 Asian communications law and policy
- LLAW6024 Banking law
- LLAW6025 China company law and securities regulation
- LLAW6139 China information technology and electronic commerce law
- LLAW6278 Chinese judicial reform in comparative perspective
- LLAW6003 Civil and commercial law in the People's Republic of China
- LLAW6156 Comparative constitutional law
- LLAW6226 Comparative constitutional law theories
- LLAW6292 Comparative constitutional review: theory and practice
- LLAW6248 Comparative contract law
- LLAW6279 Comparative corporate law and theories
- LLAW6251 Comparative property law
- LLAW6154 Competition law I
- LLAW6264 Competition law and policy in China
- LLAW6245 Compliance in the Hong Kong securities industry
- LLAW6082 Corporate governance and shareholder remedies
- LLAW6171 Corruption: China in comparative perspective
- LLAW6286 Cross border corporate insolvency: issues and solutions
- LLAW6114 Cross-border legal relations between the Mainland and Hong Kong (in Putonghua)
- LLAW6117 Cyber security and crime
- LLAW6214 Current issues in Chinese law
- LLAW6054 9-credit Dissertation*
- LLAW6014 18-credit Dissertation*
- LLAW6111 E-business law
- LLAW6307 Hong Kong National Security Law in comparative perspective
- LLAW6070 Human rights in the People's Republic of China
- LLAW6140 Intellectual property, innovation and development
- LLAW6120 Intellectual property and information technology
- LLAW6132 International and comparative intellectual property law
- LLAW6280 Introduction to artificial intelligence and law
- LLAW6008 Introduction to Chinese law and legal system
- LLAW6110 Law and regulation of banking and insurance in the People's Republic of

China

- LLAW6308 Law and society in China
- LLAW6299 Law and wealth management
- LLAW6313 Law as data
- LLAW6178 Law, economics, regulation and development
- LLAW6055 Law of international finance
- LLAW6253 Law of the cities
- LLAW6323 Legal concepts and practical application in financial transactions
- LLAW6302 LITE lab: emerging technology and business models (postgraduate)
- LLAW6297 Macau and Hong Kong comparative constitutional law
- LLAW6029 Managing commercial disputes in China: law, issues and techniques
- LLAW6291 Mental disability and the law
- LLAW6165 PRC economic law
- LLAW6047 PRC property law
- LLAW6225 PRC shipping law (in Putonghua)
- LLAW6048 PRC security and insolvency law
- LLAW6201 PRC taxation law and policy
- LLAW6167 PRC tort law
- LLAW6046 Privacy and data protection
- LLAW6258 Private law in common law jurisdictions
- LLAW6213 Property protection in China: law, politics and culture
- LLAW6242 Public interest clinic
- LLAW6204 Public law in common law jurisdictions
- LLAW6093 Regulation of financial markets
- LLAW6314 Regulatory aspects of ESG and sustainable finance
- LLAW6049 Securities regulation I
- LLAW6311 Sustainability and competition law
- LLAW6277 The theory and history of the PRC constitution
- LLAW6315 Theories and methods on law and society
- LLAW6211 World trade law, policy and business

* LLAW6014 and LLAW6054 are mutually exclusive.

NOTE: Not all courses will be offered in any given year. For actual courses available, please refer to annual course offerings

COURSE DESCRIPTIONS FOR THE DEGREE OF MASTER OF LAWS IN CHINESE LAW [LLM(CHINESE LAW)]

Capstone course

LLAW6212 China intellectual property law

This course provides a thorough introduction to Chinese intellectual property law. It will cover copyright law, patent law, and trademark law. China's modern intellectual property system began to take shape in the 1980s as one of the aspects of reform and opening up and market economy reform. This system has been constantly refined over the last forty years. In the last decade, the Chinese government has expanded the focus of its legislation from providing intellectual property rights to protect intellectual assets to other aspects, including the creation of intellectual assets, the implementation of intellectual assets and intellectual property rights, the management of these assets and rights, and the services associated with them. This course will introduce students to the rules and policies of China's intellectual property system for the protection of copyrights, trademarks, and patents, as well as the rules and policies governing other aspects. The course may also include discussions of the operation of intellectual property rights in some industries, such as pharmaceuticals, cyberculture, animation, fashion, and automobiles.

Assessment: 20% class participation, 80% take home examination

LLAW6185 China investment law

This course provides a comprehensive, informed treatment and analysis of the legal, policy and business aspects of foreign direct investment in China. Areas covered include: current PRC foreign investment policies and priorities, including “encouraged industries”; investment incentives and investment protection; PRC regulatory authorities and government approval process; offshore structures; PRC foreign-related business and investment organizations: representative offices, branch offices, holding companies, foreign investment enterprises (FIEs): Sino-foreign cooperative and equity joint ventures, wholly foreign-owned enterprises (WFOEs), listed and unlisted Sino-foreign joint stock limited companies (JSLCs); practical joint venture contract drafting and operational issues; trading and distribution; technology transfer; conversions; mergers and acquisitions; selected regulatory issues: corporate income taxation, foreign exchange control; FIE debt and equity financing; out-bound China investment.

Assessment: 100% research paper

LLAW6186 China Trade law

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: the legal framework of PRC Foreign Trade Law; PRC customs,

licensing and quotas, inspection/standards systems, and trade remedies (anti-dumping, countervailing and safeguard measures); Trade transactions under the PRC Civil Code and CISG; Trade dispute resolution.

Assessment: 20% course participation, 80% research paper

LLAW6056 Law and economics of Chinese capitalism

This seminar course is designed to examine law and development in China from comparative and interdisciplinary perspectives. It will cover a series of topics including development experience and lessons, informal and formal institutions, property rights protection and contract enforcement, law and financial development, rule of law, democracy and development, open access orders and interconnected institutions, the capability approach, development in East Asia, and geography, culture and development. Readings will be drawn from legal and social science literature, including but not limited to works from law, economics, and political science. The course consists of theories as well as practice and has a significant research component.

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

Elective courses

LLAW6003 Civil and commercial law in the People's Republic of China

This course examines PRC civil and commercial law from a functional perspective. In the course students will be introduced to the fundamental legal concepts relating to civil and commercial relations and transactions in China as well as the principles underlying the areas of law, including contracts, secured transactions, and payment mechanisms. In addition to teaching the formal law in these areas, the course will examine the relationship between contract enforcement and economic development. In the teaching, both a descriptive account of law and interdisciplinary methods of studying some areas of law will be provided. Through the study of the above specific areas of law and their theoretical foundations, students will be provided with the necessary analytical skills and judgmental power essential for their future work.

Assessment: 100% research paper

LLAW6008 Introduction to Chinese law and legal system

The objective of this course is to introduce students to China's developing legal system and selected areas of substantive law. The notion of law as contemporary lawyers understand it has been an important part of China's efforts at "modernization" since the second half of 19th century, even though for a pre-urban and preindustrial society imperial China had a relatively sophisticated legal culture. Since 1978, in order to promote economic reform (among other reasons), the Chinese party-state has refurbished its legal system and created an impressively broad corpus of legal rules. However, from a comparative perspective, the extent to which China has become a "rule of law" society remains unclear and this is one of the main concerns of the course. After examining briefly the system of governance before China embarked on its modernization programme, and bearing in mind the continuing influence of some of the enduring values of Chinese legal culture, this course goes on to explore the wide-ranging processes of legal modernization, the constitutional foundations of the current party-state, key contemporary Chinese legal institutions, access to civil, criminal and administrative justice, administrative and civil law, family and population law (because the family remains central to Chinese society), and social protection law (because this throws light on the relevance of law for social justice). Assessment is primarily by means of a take-home examination, though students should also be prepared to participate in the class fully and, time constraints permitting, to make class presentations.

Assessment: 10% class participation, 90% take home examination

LLAW6014 18-credit Dissertation

An individual research project on an approved topic carried out under the supervision of an assigned teacher, resulting in the submission of a research paper with required length ranging from 16,000 to 20,000 words (excluding tables of cases and statutes, notes, appendices and bibliographies). The dissertation must provide evidence of original research work and a capacity for critical legal analysis and argument.

Mutually exclusive: LLAW6054 9-credit Dissertation

Assessment: 100% Research paper

LLAW6022 Advanced research methodology

The meetings in this introductory course explore the strategies and techniques available for research and writing in doctrinal and empirical legal studies, and the ways in which various research methodologies relate to the different theoretical approaches that inform research. Attention is also given to the manner in which differing research methods are often combined in practice, and to the skills involved in analyzing data and presenting findings. Students are encouraged to see their findings as potentially making contributions to both empirical knowledge and theoretical understanding.

The course teachers consider what research questions can be asked and which research methods might best help to provide answers to such questions. Because law students are generally more familiar with doctrinal research, so the course gives greater attention to empirical research. Course teachers look at the skills of questionnaire design, interviewing, participant observation, case studies, documentary research, surveys, sampling, ethical correctness and so on.

At the end of this course, students should have developed a strong understanding of how to identify and address research problems, a good awareness of the empirical and doctrinal research methodologies that they might use in their investigation and analysis, and an enhanced ability to design and implement a research project in the field of legal studies.

Assessment: 100% research proposal

LLAW6024 Banking law

This course aims to provide students with a general knowledge of banking business, international regulatory frameworks, and the common law and legal issues pertinent to the banking industry in Hong Kong. Students will be introduced to banking law from an historical and international perspective, the evolution of banking business, and the role of the Basel Committee on Banking Supervision and the Financial Stability Board in developing the current international banking standards. The course elucidates why banks are susceptible to failure and how regulators maintain financial stability when a bank is failing. A major emphasis of the course is substantive law – the ordinances, common law and equitable rules applicable to bankers, bank customers, bank accounts, secured lending,

and payment instruments and systems. Contemporary issues will cover how financial and regulatory technologies (FinTech and RegTech) are reshaping banks, banking business, banking laws and regulations. Moreover, the course examines the regulation of sustainable banking in Hong Kong with a focus on financial inclusion and the impact of climate change.

Assessment: 20% class participation, 80% take home examination

LLAW6025 China Company law and securities regulation

This course covers both China company law and securities regulation. The part on company law involves an examination of the legal framework governing the structure and organization of business corporations and the responsibilities of and protection afforded various groups participating in a corporation's affairs, in particular, shareholders, creditors and management. The basic conceptual framework reflected in modern corporate legislation, and especially recent Chinese statutes, regulations, and administrative rules is emphasised, with particular attention to the concept of corporate entity, scope of business activities, shareholders' rights and responsibilities, directors' duties, the governance of joint stock companies, management and control of limited companies. The part on securities regulation involves an analysis of the scheme of securities regulation in China. Topics covered will include efficient capital markets, types of securities and capital structure, agency theory, portfolio theory, regulation of primary market offerings, trading in secondary markets, inside trading, mergers and acquisitions, stock exchanges, securities market professionals, institutional stewardship, and ESG integration.

Assessment: 10% class participation, 90% research paper

LLAW6029 Managing commercial disputes resolution in China: law, issues and techniques

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

LLAW6046 Privacy and data protection

This course will explore privacy and data protection in an increasingly interconnected data economy. The Personal Data (Privacy) Ordinance and the data protection principles

in particular will be studied in depth, making reference to relevant court judgments and Administrative Appeal Board cases. Privacy protection under other ordinances and common law principles (such as breach of confidence, misuse of private information, nuisance, trespass, copyright infringement and defamation) will also be covered. Emphasis will be made to the balance between privacy on the one hand and other rights as well as public and social interests on the other. The challenges posed by technological innovations and applications such as the internet, social media, mobile applications, cloud computing and Big Data will be highlighted. Specific topics to be addressed will include: (a) the concept of privacy and the genesis and development of its political, philosophical and economic underpinnings; (b) global developments and international cooperation; (c) privacy and media intrusion; (d) regulation of direct marketing; (e) Privacy Commissioner for Personal Data: powers, functions and enforcement. The course will focus on the Hong Kong situation but reference will be made to relevant international human rights instruments and the global and regional trends and developments.

Assessment: 40% research assignment, 60% take home examination

LLAW6047 PRC property law

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: 70% written assessment, 30% class participation

LLAW6048 PRC security and insolvency law

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 - guarantees, 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: 30% mid-term assignment, 70% research paper

LLAW6049 Securities regulation I

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: 10% class participation, 25% in-class coursework, 65% take home examination

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

LLAW6054 9-credit Dissertation

An individual research project on an approved topic carried out under the supervision of an assigned teacher, resulting in the submission of a research paper with required range from 8,000 to 10,000 words (excluding tables of cases and statutes, notes, appendices and bibliographies). The dissertation must provide evidence of original research work and a capacity for critical legal analysis and argument.

Mutually exclusive: LLAW6014 18-credit Dissertation

Assessment: 100% research paper

LLAW6055 Law of international finance

Law of international finance examines the fundamentals of financial transaction formation and its connection with national and transnational law, financial innovation and contemporary commercial practices and how law and regulation influence the decisions of banks and other intermediaries operating in organised markets.

The aims of the course cover legal aspects of international syndicate lending, structured finance, project financing, as well as corporate and sovereign bonds. Whilst the substantial law are contractual in nature, it is important to appreciate the finance dimensions of such instruments. Hence this course will explore both financial and legal aspects of international financial law

Prerequisite: Non LLM(CFL) or LLM(CR) students must have an understanding of law of contract (or civilian law of obligations), or a professional background in finance or regulation.

Assessment: 60% take home examination, 30% research essay, 10% participation

LLAW6070 Human rights in the People's Republic of China

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% research paper

LLAW6082 Corporate governance and shareholder remedies

This course aims to investigate competing approaches to the concept of corporate governance explored in comparative literature and to canvass major debates on corporate governance reform among academic, business, and policy circles in Hong Kong and selected jurisdictions, such as the United States, the United Kingdom and Australia. The course will examine important corporate governance norms, mechanisms and institutions, particularly the legal standards and arrangements for directors' duties and shareholder protection and remedies, as well as regulatory initiatives to promote good corporate governance practices and address corporate governance failures.

Assessment: 50% research assignment, 50% examination

LLAW6093 Regulation of financial markets

Designed for students considering or planning to work in the financial sector, this is an overview perspective course, for LLM (and JD) students without financial background. Specifically, the course will examine, from legal and policy perspectives, the fundamentals respecting regulation of the primary financial intermediaries and markets: i.e., money and banking, investment banking, and asset management and insurance. Emphasis will be on the on-going phenomenon of globalisation and interdependence/interconnection of financial markets and intermediaries, and the need for economies to develop viable and robust financial markets, with a particular focus on the current global financial crisis. Use of international, comparative (especially PRC, US and EU) and interdisciplinary materials will be made.

Assessment: 80% take home examination, 20% group research project and in-class group presentation

LLAW6110 Law and regulation of banking and insurance in the People's Republic of China

This course involves an examination of the legal framework governing banking and insurance. The course begins with a discussion of the central bank, the People's Bank of China, regarding its role, activities, and regulatory power. The course will cover other main financial regulators such as CBRC, CSRC and CIRC. Entry into the business of banking and regulation of the activities of banking business are examined. In addition to the regulatory regime, the law of negotiable instruments and the international transaction aspects of banking business are also treated. The course will discuss such matters as the types of security interests, principal terms of most common forms of loan facilities, basic structure of syndicated loan and international bond issues. The course will also address the causes, systemic risks and potential regulatory instruments in relation to China's booming shadow banking sector.

The course then moves into the regulatory regime governing the insurance industry. Restrictions of entry and activities of insurance companies are examined. Prudential management and investment limitations are also dealt with. Regulatory supervision of insurance companies and regulation of insurance agents and brokers are analysed. Other topics of insurance law include: insurable interest, subrogation, the insurance contract, third party claimants, and bad faith claims.

Prerequisite: Basic knowledge of the Chinese legal system

Assessment: 100% examination

LLAW6111 E-business law

More and more companies and organisations are embracing information technology to add value to their business and to remain competitive. In the e-business environment, on one hand, existing law is being applied in a new setting. On the other hand, development of law is needed in order to address specific issues that online business creates.

The course looks at the main legal issues generated by the developments in e-business, their possible solutions and how to strategize and create value in the e-business context accordingly.

Topics to be covered include the international and national framework for e-business, branding and trade marks, contractual issues of online trading, online security issues, privacy and data protection, liabilities of online service providers, online tort issues and jurisdictional issues.

Prior knowledge of the subject matter is not required.

Assessment: 40% written assignment(s) and/or case preparation note(s), 60% research paper

LLAW6114 Cross-border legal relations between the Mainland and Hong Kong (in Putonghua)

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

LLAW6115 Advanced seminar on Chinese law

This seminar is designed for students who wish to write and to present a research paper written in English to a good standard on a significant topic in the field of Chinese legal studies. Students are encouraged to focus on topics in the current legal system, but may also select their research question from law and legal development issues in imperial and Republican China, and earlier stages of China's socialist legal system (including prior to 1949 in CCP Liberated Areas). Students are also encouraged to draw on the discourses of comparative (and, where relevant, international) law in order to place their understandings and findings in a wider context. This intellectual contextualization is not only valuable in its own right but should serve also, for example, as an encouragement to students to reflect expansively on the broader 'value added' of their research conclusions. Chinese language proficiency is not required, as the course concentrates on western-language discourse, though of course Chinese-language sources may well be very useful for some areas of research.

Assessment: 20% class participation, 80% research essay

LLAW6117 Cyber security and crime

'Cyber security' and 'Cybercrime' are complex issue that impacts on individuals, communities, organizations, and every country on this planet. Cyber security is about protecting the networks of governments, corporations and individual users by making it difficult for hackers to locate and exploit vulnerabilities. At times, cyber threats to critical

infrastructure could even threaten national security. Whereas cybercrime tends to focus on protecting individuals and (private and public) organizations as they navigate through cyberspace. As well 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. Siting between cyber security and cybercrimes is privacy and data protection and it is the first line of defense for both cyber security and cybercriminal threats. This course will also explore and discuss the links between cyber security, cybercrimes and data protection in an interconnected data world.

Assessment: 60% take home examination, 30% research essay, 10% participation

LLAW6120 Intellectual property and information technology

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 course looks 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.

Assessment: 10% presentation and class participation, 10% quiz, 30% examination, 50% research paper

LLAW6132 International and comparative intellectual property law

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.

Assessment: 10% class participation, 90% take-home examination

LLAW6139 China Information technology and electronic commerce law

This course examines the key law and regulations concerning the Internet, information technology and related business in Mainland China. It intends to provide a wide-angle view of the regulatory regime for the Internet and IT industry in Mainland China, in particular as to how such regulatory regime may be helping or damaging the development of the IT industry in Mainland China. The course also intends to compare the regulatory regime in Mainland China with that of other jurisdictions, and examine the impact of the Chinese Internet and IT Regulations on cross-border transactions of IT products and services.

Topics may include:

- Principles of IT and Internet Regulatory System
- Administration and Licensing of Websites
- Electronic Signature
- Online Advertising, Publishing and Media
- Online Intellectual Property Issues
- Big Data and Cloud Computing Issues
- Online Finance, Virtual Monies and Credit Profiling Regulatory Issues
- Domain Name System and Cybersquatting in Mainland China
- Privacy Protection, Real-Name Registration, Encryption and Internet Censorship
- National Security and Anti-Terrorism Measures relating to Online Businesses
- Anti-Monopoly and Anti-Unfair Competition Issues relating to Online Businesses
- Liabilities of Network Service Providers
- Cross-Border Transfer of Electronic Data and Use of Electronic Evidence
- Jurisdiction and Conflict of Law in the Cyberspace
- Online Dispute Resolution

Assessment: 30% presentation and class participation, 70% research paper

LLAW6140 Intellectual property, innovation and development

This course examines the interplay between intellectual property law, innovation social and economic development. While it covers copyright and trademark laws and examines how these two areas are affected by digital and Internet innovations, the focus of this course will be on patent law. Particularly this course will explore how cutting-edge technologies such as information technology, biotechnology and green technology have changed the landscape of patent law on the one hand, and how patent law has affected the development of these technologies on the other hand. It uses judicial cases and empirical examples to illustrate how patents for biotech and pharmaceutical inventions have affected the access to technology and essential medicines, and how patent regime has been employed to protect genetic resources/traditional knowledge and green technologies,

and whether such protection promotes or impedes innovation and technology transfer in these industries, and how IP protection has affected social and economic development of developing countries and least-developed countries. Last but not least, the course investigates IP-related antitrust issues, and discusses how to strike a balance between IP and competition for the benefit of technology innovation and economic development.

Assessment: 80% take home examination, 20% class participation

LLAW6154 Competition law I

This course introduces students to basic concepts of competition law (known as antitrust law in the U.S.). 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 U.S. 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

LLAW6156 Comparative constitutional law

This interdisciplinary course will survey a combination of fundamental questions and cutting-edge scholarly debates concerning both constitutional drafting and constitutional adjudication. Readings will consist primarily of social science scholarship as opposed to judicial decisions and will have a primarily empirical as opposed to normative orientation.

Law school courses in comparative constitutional law have traditionally focused on constitutional adjudication to the exclusion of constitutional drafting. However, questions of constitutional drafting and constitutional design are of considerable and growing importance. Accordingly, this course will address not only how constitutions are interpreted and enforced, but also how they are created in the first place. The course will begin by considering foundational questions, such as: What is a constitution? What purpose(s) do constitutions serve? What practical effect, if any, do constitutions have? What topics should be addressed by a constitution?

Other topics to be addressed include the process by which constitutions are drafted; the extent to which the content of national constitutions has become standardized; the relationship between constitutional law and international law; the extent to which

constitutional courts around the world employ common analytical techniques and the usage of foreign law by constitutional courts. The goal will be to develop an empirically informed understanding of recurring patterns and contemporary standards in constitutional drafting and constitutional adjudication. The course will be conducted in a seminar format, meaning that much of class time will be spent exploring the questions and arguments posed by the material through group discussion rather than through lectures by the instructor.

Assessment: 20% class participation, 80% written assignment

LLAW6165 PRC economic law

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; (b) the process of institutionalizing legal governance for Chinese commerce as well as paving a level playing field for market participants; (c) 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 show students how China's economic legal regime has evolved in the face of changing reform dynamics shaped by both domestic and global conditions.

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

LLAW6167 PRC tort law

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 will aim 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

LLAW6171 Corruption: China in comparative perspective

This course examines the pervasive problem of corruption in the People's Republic of China in comparative perspective. The course aims to combine theoretical understanding of corruption with the best practice in prevention, investigation and punishment of corruption. Subject matters to be covered in the course include perception of corruption, definition of corruption, theoretical observations, case studies on corruption, anti-corruption system, legal framework, education and whistle blowing, and international cooperation.

Assessment: 100% research paper

LLAW6178 Law, economics, regulation and development

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: 30% class participation, 30% homework, 40% final essay

LLAW6201 PRC taxation law and policy

The course first examines legal, economic and political considerations relevant to the formulation and implementation of tax law and policy in the PRC. It then introduces the legal framework of tax law in the PRC from the legislative, administrative and judiciary perspectives and illustrates how tax law is developed, implemented, interpreted and enforced. The major components of China's tax system will be reviewed, including VAT, business tax, enterprise income tax and individual income tax. Other types of taxes which are experiencing rapid developments in the regulatory framework, e.g., real estate related taxes and environmental related taxes, will be explored and discussed. Given the increasing significance of the PRC in international trade and investment, tax implications arising from cross-border transactions involving PRC parties and the application of tax treaties will be analyzed.

Assessment: 20% participation, 80% research paper

LLAW6204 Public law in common law jurisdiction

Public Law in Common Law Jurisdictions (PLCLJ) is a course which aims to provide a strong grounding in and understanding of the principles governing the development and the operation of the common law, primarily in the context of public law.

PLCLJ consists of a series of taught Seminars and Discussions.

The course first provides students with an introduction as to the history, nature and distinguishing features of common law systems in general.

The course then examines the development of public law in the United Kingdom and other common law jurisdictions, and consider common law influence on the development of public law in China since the late imperial period. It will consider different aspects of the legal system and public law in common law jurisdictions, with particular focus on Hong Kong, and will examine the inter-actions between the common law system of the Hong Kong SAR and the PRC legal system.

Assessment: 20% group assignment, 80% research project

LLAW6211 World trade law, policy and business

This course may only be taken by graduate students. While there are no pre-requisites and no prior knowledge is required, the course is designed to be especially attractive to students who have taken Global Business Law I, or International Economic Law. It is not, however, open to graduate students who have previously taken Global Business Law II.

The course is tailor-made for graduate students who, in past years, would likely have taken Global Business Law II instead. Unlike Global Business Law II, the current course provides students with the opportunities to write a paper of no more than 6,000 words comprising 50% of the examination, and incorporates materials on the policy and business aspects of trade in East Asia (China, Korea and Japan). The course will also address specific policy and business challenges in other Asian countries and sub-regions (e.g. Vietnam, Southeast Asia more generally, and India).

Assessment: 50% take home examination, 50% research paper

LLAW6213 Property protection in China: law, politics and culture

Due to China's unique economic structure and political culture, property protection has loomed large for many multinational companies to operate business in China. The vast growth of their investment in the Chinese property market makes it increasingly important for them to understand and use the complex legal system to protect their property interests. Moreover, a host of problems caused by the rapidly developing economic reform in China have made property protection a core issue at the forefront of human rights debate. Since the passage of the Property Law in 2007, there has been a more heated debate over the ways in which property system should be further reformed to address the problems such as social inequality and political change in China.

Situated in the watershed moment of institutional transition in China, this course aims to examine the legal protection of property rights under the Chinese law and its related economic, cultural and political issues. All the topics of this course will be discussed through case studies. With a focus on the newly adopted Property Law, the first part of the course deals in detail with the basic principles and rules that protect property rights. For example, we will discuss the civil law principles of property protection, acquisition of property, exclusive rights conferred on property owners, and the limitations on exclusive rights. The second part of the course considers the economic, social and political issues of protecting property rights in China. To do so, we will discuss issues such as the development of the real estate market, the protection of cultural property, and takings of property and land reforms.

Assessment: 30% participation, 70% two short essays or a research paper

LLAW6214 Current issues in Chinese law

This course will highlight one or more areas of contemporary Chinese commercial law and practice of importance to foreign trade, investment or finance in the People's Republic of China. The subject matter to be covered in the course is not fixed and will vary from

year to year. Students will be apprised in advance of the subject of the course to be offered. A reading knowledge of simplified Chinese characters would be desirable.

Assessment: 100% research paper

LLAW6225 PRC shipping law (in Putonghua)

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: 80% take home examination, 20% class participation

LLAW6226 Comparative constitutional law theories

This course is designed to examine constitutional law from a comparative and interdisciplinary perspective. It will cover a series of topics arising in the comparative study of constitutional structure and law in countries including the USA, Germany, and China. In addition, the course will deal with questions of constitutional purpose, function, design, and rules. In case studies, the course will examine underlying values, the interpretation of constitutional law as well as the role of the judiciary. Readings will be drawn from legal and social science literature, including works from economics and political science. This course is theory-based and has a significant research component.

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

LLAW6242 Public interest clinic

Public Interest Clinic course 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, 50% ongoing clinic, 20% final work product

LLAW6245 Compliance in the Hong Kong securities industry

The course will provide students with an understanding of the core roles, tasks, challenges and issues that a regulated intermediary must deal with when seeking to comply with applicable laws and regulations. While 'compliance' can readily be understood as an objective, much of the course will be concerned with the hurdles and issues that face compliance as a function when implemented in the complex matrix of regulatory requirements, business needs, management styles, and cultural and behavioural factors.

The course will commence with a brief recap of the regulatory framework for Hong Kong's securities industry, including the overarching objectives of regulation, and an ad hoc review of some important failures that serve to highlight the relationship between compliance, regulations and the proper operation of markets.

With a view to giving a 360-degree review of the compliance function, the course will explore perspectives on topics such as the different roles of compliance in different types of organizations, and the compliance function in the context of an organization's culture, corporate governance practices, and ethics. The role of compliance in the organization's

relationships with third parties (customers, clients, counterparties, and regulators) and its role a risk management function will be considered.

With a view to giving students closer contact with the realities of the compliance task, the course will make extensive use of speakers from the industry and the regulators. The format of each lecture will in general be comprised of two halves, the first being in a lecture format, the second being discussion-based and driven by small group work and question and answer discussions. Accordingly, student participation is expected and required to contribute to the learning context.

Prerequisite: Have taken and passed LLAW6049.

Assessment: 50% take home examination, 35% individual coursework, 10% class participation

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

LLAW6248 Comparative contract law

This course is designed to provide students with an understanding of contract law from a comparative perspective. Regulation of the same contractual issues differs in different legal systems. Through the introduction of basic definitions, concepts and relevant contractual issues, this course shall assess different regulations and discuss the most efficient ways to regulate contractual issues.

The course covers the following issues: the boundaries of contract (contract and tort), contract law theory, formation of contract, pre-contractual duties, incapacity, contents of contracts; interpretation of contracts, and remedies.

Assessment: 90% research paper, 10% class participation

LLAW6251 Comparative Property Law

In 1766, Blackstone wrote that “there is nothing which so generally strikes the imagination, and engages the affections of mankind, as the right of property.” In 1848, Karl Marx and Friedrich Engels wrote that property in land should be abolished in the most advanced countries. Property rights have been at the very heart of human development in the past centuries. On one hand, property has been viewed as the basis for liberty and economic development. On the other hand, as Proudhon said, property is just another word for theft. In China, land-related social conflicts occur every day and everywhere. From ordinary farmers to university scholars, each person has his own idea of property rights. However, in the fierce debates around property rights, there is lack of consensus on such basic questions: What is property? What things should we keep for ourselves? And what should we share with others? Why should a piece of land belong to you rather than me? How is property rights structured and defined? What is the relationship between property and development? On the other hand, property rights are

behind many challenges facing human beings: can a market of pollution permits save us from air pollution? How to govern the common resources in the oceans? Have intellectual property rights deterred or encouraged technological innovation? Are property rights the key to economic prosperity in the U.S.? How about China? Why have land reform programs sponsored by the World Bank failed in many developing countries? Are indigenous residents in the New Territories of Hong Kong entitled to the development value of their land? This seminar will provide students with the theoretical and comparative perspectives to investigate such questions.

This seminar will begin with an inquiry into how members of a society allocate, and should allocate, formal and informal entitlements to scarce resources such as wild animals, labor, water, ideas, and land. It will explore various forms of private property and also alternative regimes such as communal and state property. It will give students an overview of the contemporary debates on property rights, in particular the debate between law and economics and critical legal studies regarding efficiency and fairness of property regimes. It will draw cases from different jurisdictions of the world, in particular the U.S., China, African and South American countries, and different fields of law, including environmental law.

Through this course, I hope to improve students' understanding of property rights from both theoretical and comparative perspectives. It is more suitable to students who are interested in exploration and proactive learning rather than passive learning of black-letter laws.

Assessment: 30% response papers, 30% class participation and presentations, 40% final essay

LLAW6253 Law of the cities

This course explores legal institutions of cities in the world, including two parts: the political law of cities and the economic law of cities. The first part explores the constitution of city governments (e.g., whether it is authoritative or democratic, and in the latter situation whether it is dominated by the legislative council or the executive branch; its relationship with upper level governments; etc.) and its influence on city development. The second part focuses on laws and regulations that govern various economic issues, in particular land use regulations, immigration policies, affordable housing, environmental and other social issues. We will investigate cases from different cities around the world, including but not limited to Chinese cities such as Beijing and Shanghai, and American cities such as New York and Los Angeles. Chinese and American cities are facing similar problems today, such as the ongoing pandemic, conflicts in land use, sky-rocketing housing prices, and tension between property protection and economic development. This course endeavors to provide a universal framework for students to understand urban governance in different contexts. We hope students in this course will learn how to address various challenges to urban governance. This course takes an interdisciplinary approach by building on frontier research in law, politics, sociology and economics. Through this course, we endeavor to answer the question why cities fail or

succeed, and hope to improve students' understanding of city governance from both theoretical and comparative perspectives.

Assessment: 30% class participation, 70% final essay

LLAW6258 Private law in common law jurisdictions

This course will provide an introduction to basic concepts and principles of private law under the common law. The first part of the course looks at the meaning of private law, the different areas of private law and how they relate to each other, the sources of private law, as well as the theoretical and jurisprudential foundations of private law. There is also a focus on common law reasoning and the common law method in the context of private law. The bulk of the course provides an introduction to main areas of private law, namely contract, restitution, tort and property law. In analyzing these various topics, there will be emphasis on both oral and written presentation to develop student's capacity to situate case analysis within multiple sources of legal authority and facilitate their ability to communicate arguments using precedential reasoning.

Assessment: 20% classwork, 30% research assignment, 50% exam

LLAW6261 Asian communications law and policy

This course aims to compare and evaluate the communications law and policy developments in the Greater China and Asian Regions in the age of convergence, focusing on China, Taiwan, Hong Kong, Singapore and Malaysia. In the past, there were three major sectors in the communications industries, i.e. broadcasting, telecommunications, and information technology, with different sectors having their own different legal and policy frameworks. However, the convergence of these three sectors has led to technological and content integration, as well as organizational and 'cross-sectoral' convergence. Such integration and convergence has posed legal and policy challenges to the regulatory paradigms of all countries around the world. With the onset of the convergence phenomenon, regulation of the communications sectors with old regulatory frameworks has become difficult for all jurisdictions in the Greater China and Asian Regions.

This course will cover the global development of the convergence phenomenon in the past two decades and its impact on the local developments of communications law and policies in selected jurisdictions in the Greater China and Asian Regions. It will explore the legal, political and business environments that shape the development of communications law and policy in the convergence era both at international and local levels. It will consider the important legal and policy issues arising from the convergence phenomenon. In particular, the course will evaluate the legal and policy challenges faced by countries and jurisdictions in the Greater China and Asian Regions. It will study how the governments in these Asian jurisdictions respond to the convergence phenomenon and provide a comparative analysis of the similarities and differences in communications law and policy adopted in these Asian jurisdictions.

In addition, the course will consider the development of communications technologies giving rise to technological convergence and the global challenges to the national regulatory paradigm for the communications sector. It will also discuss the relationship between communications technologies and communications law and policy, as well as technological innovations and changes in communications policy.

The course will also examine the international development of communications law and policy in the age of convergence, focusing on the developments in the United States, European Union, the United Kingdom and Australia. These international developments have impacted on the local developments of communications law and policies in the Greater China and Asian Regions, as the latter monitor the development at the international level closely in reforming their communications laws and policies.

Finally, the course will examine and compare the local development of communications law and policy in the Greater China and Asian Regions. In particular, the course will examine the evolution of the origin and progress of the Three Network Convergence policy in Mainland China, and the divergence in national and local developments of the policy in the country. It will also examine the legal and regulatory framework, as well as the implementation experience and problems of selected Asian jurisdictions, including Taiwan, Hong Kong, Singapore and Malaysia.

Assessment: 20% group project and presentation, 80% research paper

LLAW6264 Competition law and policy in China

The unveiling of the Anti-Monopoly Law (the “AML”) on August 30, 2007 marked a symbolic commencement of a new era of competition for China. Long heralded as the economic constitution, the AML is the first modern competition law adopted in China. Although China only began to enforce the law in 2008, Chinese administrative antitrust agencies have not shied away from bringing high-profile cases with lasting impact on both the domestic and global markets. For instance, in 2015, China’s National Development and Reform Commission (NDRC) imposed a record-high fine against Qualcomm for charging excessive licensing fees in China, fueling speculation that China is using its competition policy to protect domestic industries from foreign competition. However, the AML has not only been applied to foreign firms. Chinese domestic firms, including state-owned firms, are also frequent targets under the law.

This course aims to provide students with a comprehensive and in-depth understanding of the AML and its enforcement practice by situating the discussion in the broader institutional context of the Chinese political economy. It covers all the substantive aspects of the AML, including horizontal agreements, vertical agreements, abuse of dominance, concentrations, and abuse of administrative monopoly. It also covers the procedural aspects of the AML, including the enforcement structure, the administrative agencies, the courts, the merger review process, remedies, leniency and fines, and the newly introduced fair competition review system. More specifically, this course will introduce students to the major investigations brought by the administrative agencies

and the leading cases decided by the Chinese courts in civil litigations. It will conduct a critical evaluation of the enforcement record by Chinese administrative agencies and will compare enforcement practices in China and those in other major jurisdictions, such as the EU and the United States. To help students understand the pattern of enforcement, this course will also examine the forces that have propelled the active enforcement of the AML in recent years.

This course encourages active class participation. When appropriate, experienced practitioners and enforcers will be invited to share with students their experience and insights with Chinese antitrust practice. The course aims to develop skills that will be of benefit to those students who seek to enter professional practice after their degree, and those who would prefer a career in business. A range of practical skills will be developed including the ability to think broadly beyond just solving legal problems to considering how global businesses can adapt to the new regulatory environment in China.

Assessment: 10% class participation, 90% take home examination

LLAW6268 Administrative law and governance in China

This course introduces the administrative law in China and discusses its role in enhancing the governance. It provides perspectives of both comparative law and legal realism on the scope and growth of PRC administrative law, analysing this law's doctrinal foundations and exploring its interaction with China's political and societal transformation during the past three decades. The course focuses on legal control of the public authorities' decision-making process, and highlights the dynamic domains where legal transplantation interacts with indigenous system-building. Specifically, topics that are covered include:

- 1) Historical background (both political and intellectual) for the institutional development of administrative law in contemporary China;
- 2) Governance structure in China, and its impacts on the scope of the PRC administrative law (particularly in relation to the nature of administrative power and the basis for judicial intervention);
- 3) Fundamental concepts, principles and general doctrines of PRC administrative law, and their inspirations from and comparison with administrative law in western countries;
- 4) Grounds of judicial review of administrative decisions (excess of competence, legal errors, insufficient evidence, procedural impropriety, and abuse of (discretionary) power);
- 5) Judicial control of the rule-making power of public authorities, and sources of administrative law;
- 6) Scope of judicial review and conditions for the access to court;
- 7) Non-curial scrutiny of public authorities' decision-making (administrative review, letters and visits, administrative supervision);
- 8) Procedural control of decision-making (hearing, freedom of information);
- 9) Theories for assessing PRC administrative law, and salient factors that influence its function related to individual rights protection and governance accountability.

Pre-requisites: Subject to special approval by the course coordinator, students taking this course must demonstrate that he or she has basic knowledge on PRC law. Have taken and passed one course on PRC law (e.g. LLAW6008 Introduction to Chinese law and legal system, or its equivalent).

Assessment: 70% research paper, 30% group project presentation

LLAW6277 The theory and history of the PRC constitution

This course takes a historico-theoretical approach to explain the nature and purpose of the PRC Constitution and introduces the complex constitutional context in which the Basic Law of the Hong Kong SAR is grounded. The origin of the present-day Constitution of the People's Republic of China is neither "Western", nor "Far Eastern" or "East Asian". It is entirely based on the "Eastern" or essentially Russian 1936 Constitution of the Soviet Union. This course will illuminate these conceptions and clarify common misconceptions by discussing the history and theories since the 19th century which forms the often neglected bedrock of the present day Chinese Constitution.

Rationale: Legal minds in the English-speaking Common Law world routinely attempt to understand the Chinese Constitution by employing a Western Anglo-American intellectual framework. This is uncritical. In the West, it is far too convenient to attempt an understanding of the Chinese Constitution by simple application of British and American constitutional concepts. Their comparatively minor difference in approach is not useful to fully comprehend the Chinese Constitution because its textual structure is based on a traditional Russian/Continental European model. It is also common for students of constitutional law to casually apply the textbook Western concept of "separation of powers" in such analyses. Hence, common law students taking this course will acquire a fresh approach to the law and constitution of China.

Assessment: 40% two short essays, 60% research essay

LLAW6278 Chinese judicial reform in comparative perspective

This course examines the current judicial reforms in the People's Republic of China in comparative perspective. This course will consider Chinese judicial reforms in the wider context of the judiciary and judicial reforms in advanced and developing economies (considering practice as well as theory) as well as the context of China's history, political system, and society. It will give students an overview of the issues involved a chance to learn more about the judicial reforms from a variety of viewpoints, including if possible, from participants themselves. Some of the topics to be covered include the judicial profession, role of the judiciary, judicial autonomy/independence, relationship among the judicial organs, role of the circuit courts, and splitting jurisdiction from administrative areas. Why has the Communist Party decided that judicial reform is necessary? What are the goals? To what extent are issues unique to China or found/controversial in other jurisdictions?

Assessment: 10% class participation, 30% oral presentation, 60% coursework

LLAW6279 Comparative corporate law and theories

This course examines corporate law from comparative and interdisciplinary perspectives. In the course students will be introduced to the fundamental legal principles concerning limited liability, corporate contract, voluntary and/or mandatory nature of corporate law, directors' duties, shareholder protection and external finance, disclosure, insider trading, takeover, shareholder value maximization or stakeholder theories, convergence and divergence of corporate law, and corporate social responsibility.

Through the examination of the above convent/topics, several fundamental issues will be dealt with. They include freedom of contract and its limits, externalities and collective action, transaction costs, goals of corporate law, legal rules and finance, methods of enforcement, interaction of corporate law and market means, and globalization.

The comparative aspects will deal with materials from the US, UK, Germany, Japan and China. Teaching is interdisciplinary. Readings will be drawn from legal and social science literature, including works from economics and finance. This course is theory-based and has a significant research component.

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

LLAW6280 Introduction to artificial intelligence and law

Big data and artificial intelligence are poised to become the fourth industrial revolution, fundamentally changing the way we live, work, and learn. This course introduces how data analytics and artificial intelligence are currently applied into legal studies, legal practice, and policy making.

To get a flavor of this course, consider the following questions that we will cover: 1. Recent machine learning algorithms outperform judges in making parole decisions in the United States, that is, algorithms are now better at predicting risks associated with the release of criminal suspects. How do the algorithms accomplish this? 2. Data analysis enables scholars and policy makers to precisely calculate incarceration's influence on criminals' income after release, for example, X years of incarceration will decrease income by \$Y. How do they accomplish this? 3. Data analytics help scholar and business to study when and why individuals obey contracts. What are the exact methods that they use?

This course can be seen as an introduction to data-driven and empirical methods in legal studies. The focus is to use real world examples to give students a basic idea of the underlying logics of applying different methods. Students are expected to achieve critical appreciation for empirical methods and data analytics thinking in law, but are not required to implement empirical research by themselves. In other words, the content covered in this course will be introductory in nature. No computer programming or statistical

analysis experience is required. Students who have programming or statistical analysis experience and want to study how to implement an empirical project in law should register LLAW6285 / JDOC6285 Legal Data Science. And you should not register LLAW6285 / JDOC6285 and this course simultaneously.

Assessment: 20% designing an empirical research, 40% reading reports, 40% essay

LLAW6286 Cross border corporate insolvency: issues and solutions

Today many corporations operate and have assets and creditors beyond their domestic borders. When these corporations collapse the legal uncertainties that follow their insolvency are a major obstacle to the advancement of international trade and finance.

The course covers:

- The issues that arise in transnational corporate collapses, with particular focus on the conflicts issues of jurisdiction, applicable law, recognition and enforcement; and
- The various approaches that have been suggested or implemented for their resolution

As the title suggests, this is a course about cross border issues in corporate insolvency and their resolution. It is NOT a course on the domestic insolvency laws of any particular jurisdiction.

The conflicts consideration of cross border corporate insolvencies has become critical with globalisation and the increasing transnational nature of corporate insolvencies today. The course seeks to provide students with an awareness and understanding of the issues that may arise so that they will be able to identify them, and deal with them sensibly and appropriately in practice.

Attempts at regional and international harmonisation have not to-date found completely viable solutions. Each of the approaches for the treatment of the issues has its shortcomings. Students will be encouraged to consider these approaches critically, and to formulate their own views as to how the issues ought to be dealt with.

The conflicts considerations and treatment are as necessary before as upon a transnational corporate collapse. Lawyers and investment bankers advising on financing transactions should anticipate and address these issues in the terms of the contracts or in the structuring the financing so that their financier clients are protected in the insolvency of the borrower. The course should be useful to those who intend to have an international practice, or to work in the corporate, insolvency or financial sectors.

Prerequisite: Have taken and passed JDOC3015/ JDOC6048/ JDOC6084/ JDOC6087/ JDOC6206/ JDOC6207/ JDOC6227; or significant practical experience in insolvency or conflict of laws.

Assessment: 70% research paper, 30% oral presentation and defence

LLAW6291 Mental disability and the law

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% take home examination

LLAW6292 Comparative constitutional review: theory and practice

This course introduces students to the major features of constitutional review (or judicial review of constitutionality) as an institution, and its decisions from a comparative law perspective, while focusing on the practice of the Constitutional Court in Taiwan. The experience of constitutional adjudication in Taiwan provides fertile soil for comparative constitutional law: Taiwan's constitutional court (established in Mainland China in September 1948) is the oldest constitutional court in East Asia; it has rendered over 700 decisions, officially known as constitutional "interpretations"; and its jurisprudence has been primarily influenced by German and American jurisprudence.

Assessment: 20% class participation, 80% research paper

LLAW6297 Macau and Hong Kong comparative constitutional law

This comparative constitutional law course provides a panoramic and in-depth overview of key features of the legal system of the Macau Special Administrative Region of the People's Republic of China and of the Hong Kong Special Administrative Region of the People's Republic of China, most especially at the constitutional order level and with an emphasis on a comparative law methodology approach.

Macau and Hong Kong both enjoy a similar constitutional order but also similar problems worthy of further discussion, academic and research cooperation, efforts on identifying commonalities and understanding differences.

The course covers aspects of political-legal history, fundamental rights, autonomy and subnational constitutionalism, juridical nature of the Basic Law, the 'One Country, Two Systems' framework, the multi-composed constitutional order, and specific aspects of international law particularly relevant to Macau and Hong Kong. Again, with a particular attention paid to the comparison of the systems.

Assessment: 50% paper presentation and class participation, 50% research paper

LLAW6299 Law and wealth management

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.

Prerequisite: Contract law

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

LLAW6302 LITE lab: emerging technology and business models (postgraduate)

Law, Innovation, Technology and Entrepreneurship (LITE) Lab@HKU is an interdisciplinary and experiential programme for students from all backgrounds.

Postgraduate students gain practical experience working with Hong Kong tech startup entrepreneurs through curated legal-related research projects determined between the startup and students that relate to real-world needs of such tech startups that are often at the cutting-edge of legal and technological innovation. For this project-based experiential course, students will regularly interact with tech startups at LITE Lab@HKU on campus, at HKU-Cyberport Fintech Nucleus, at the startup's premises and/or electronically under the supervision of instructors.

Projects will include interviews and consultations with and research to benefit emerging technologies and business models as well as contributing to LITE Lab@HKU's online resource and tools to enable access to justice and democratization of legal information to empower entrepreneurship and self-sufficiency for Hong Kong tech startups. For example, the inaugural undergraduate cohort for LITE Lab - Tech Startup Law (LLAW3255) worked with and conducted legal research for Hong Kong startups on topics including metadata, webscraping, data privacy, online platform liability and blockchain, and created legal primers for licensing agreements and cross-border distribution and sale agreements.

Students will be part of the growing LITE Lab@HKU community and conduct regular peer sharings amongst their cohort, including engaging in case rounds and project management, contributing towards internal knowledge management resources, and using design-thinking principles to create user-friendly deliverables that are comprehensible and helpful to laypersons. These are the skills and professionalism expected for those providing legal services in the future.

To create expand upon the impact, selected student deliverable are expected to be published on the LITE Lab@HKU website to foster the broader Hong Kong tech startup ecosystem.

Students will be assessed on a pass/fail basis.

Assessment: 10% class contribution, 10% learning reflections, 40% project service/product delivery, 40% research/case study

LLAW6304 AI and competition law

Large Language Models, like ChatGPT, are a recent demonstration of the abilities of Artificial Intelligence (AI). AI is a rapidly developing field that challenges many areas of the law. Competition law is no exception.

As more and more firms employ AI to set prices, rebates, and manage sales more generally, new challenges emerge. For instance, AI algorithms might be used to automatically adjust prices in response to competitor actions. The more sophisticated AI becomes, the more complex the challenges for competition law. These challenges can

arise across all traditional areas of competition law, including anticompetitive collusion, unilateral behaviour, and merger control, as AI increasingly influences market dynamics.

The course will be divided into four parts. The first part will explore the current state of AI and its usage and potential usage in markets. The second part will examine the theory and feasibility of AI-facilitated collusion, as explored by scholars like Ezrachi and Stucke, along with potential antitrust responses. The third part will delve into an emerging area of research: how AI pricing and market actions affect the assessment of unilateral conduct, with a focus on AI-based predatory pricing and other exclusionary behaviour. Finally, the fourth part will explore how these insights and broader structural questions can inform competition policy in the area of mergers.

Assessment: 20% class participation, 30% an assigned case/paper presentation, 50% research paper

LLAW6307 Hong Kong National Security Law in comparative perspective

This course offers a comprehensive analysis of the Hong Kong National Security Law (NSL) and relevant cases. It covers a wide range of theoretical and legal issues including the constitutionality of the NSL, national security offences and penalties, police power, protection of ICCPR rights, national security institutions, courts, jurisdiction, cross-regional legal issues, and interpretation. The course introduces the NSL within the Basic Law framework and involves a variety of laws relevant to the implement of the NSL, including the Basic Law, Hong Kong laws, Chinese public law, and international human rights laws. The course explores controversies surrounding the NSL from a comparative perspective by referring to legal practices in other jurisdictions, particularly mainland China, countries such as South Korea and Spain with serious national integrity concerns, and common law jurisdictions such as the United States, the United Kingdom, Australia, Canada, and Singapore. The course also examines broader political and social dimensions implicated in the NSL and national security matters. The course aims to help students objectively appraise the NSL and reflect on legal approaches to balance the tension between national security and human rights.

Assessment: 10% participation in discussion, 90% research essay

LLAW6308 Law and society in China

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: 30% reading responses, 70% research paper

LLAW6311 Sustainability and competition law

This course examines the interaction between sustainability and competition between market actors and its regulation via competition law. The course is not tied to one specific jurisdiction, although it will often reference European competition law and related systems as the debate has matured in that part of the world.

Sustainability goes beyond environmental protection. It marries social development and economic development with environmental protection by ensuring that 'development [...] meets the needs of the present without compromising the ability of future generations to meet their own needs' (Brundtland Commission, 1987). The UN's 2030 Agenda outlines 17 Sustainable Development Goals with 169 associated targets, one of which encourages especially large and transnational companies to integrate sustainability into their operations.

Business action can impact sustainability and competition. However, the interaction between competition and sustainability raises a number of challenging questions, such as whether competition law should take sustainability into account when considering business activities and their effect on competition. Even where this question is answered in the affirmative, numerous more technical questions as to implementation remain.

To address these questions the course is divided into four parts. The first part provides a basic introduction into sustainability and the normative questions of whether competition should take account of sustainability concerns. The second part covers the economics of competition and sustainability. In this part, the course explores in particular how the protection of competition, consumer welfare, and sustainability overlap. In its third part, the course addresses substantive competition law questions with a focus on two sub-questions: How competition authorities can foster sustainability by targeted enforcement (such as against cartels that prevent consumers from buying sustainable products)? How to treat business action that contributes to a more sustainable world, how and under what conditions can competition law allow such activities? The final part of the course explores procedural tools that enforcers have at their disposal in the context of sustainability questions.

Assessment: 20% class participation, 30% an assigned case/paper presentation, 50% research paper

LLAW6313 Law as data

Law is created, transmitted, and performed through speech. By summarizing and extracting information from large amounts of text, we can better understand legal

behaviour and institutions. This course has three objectives. First, to introduce some of the building blocks for treating legal text as data. Second, to gain some hands-on experience in analysing text data using the Python programming language. Third, to explore how quantitative methods for text analysis can yield social scientific insights. Motivated examples are provided throughout. No knowledge of Python is necessary although prior exposure to programming will be very helpful. Knowledge of calculus and linear algebra is highly recommended.

Assessment: 50% problem sets, 50% examination

LLAW6314 Regulatory aspects of ESG and sustainable finance

The course introduces students to the legal and regulatory aspects of ESG and sustainable finance.

The World Economic Forum, securities regulators, central bankers, and insurance regulators have all sounded the alarm of climate change risks. It will change the way we live as well as how we do business including business models. However more fundamentally at the corporate level climate change and beyond begins with Environmental, Social and Governance (ESG) ESG reporting in Hong Kong's listed entities is mandatory. It includes climate change reporting from 2025.

The course will combine the knowledge, understanding and ability for students to apply key principles and core practice of ESG and sustainable finance. It will encompass two aspects: (i) analysis of ESG reporting obligations strategies in Hong Kong and develop compliance strategy; and (ii) green and sustainable finance including concerns of central bankers, securities regulators and insurance regulators. Furthermore cover topics like green and sustainable bonds as well as responsible and sustainable investment.

Assessment: 10% class participation, 30% research essay, 60% take home examination

LLAW6315 Theories and methods on law and society

This course will introduce the major topics in the fields of law & society, including legal pluralism, dispute transformation, judicial decision making, legal profession, legal consciousness, discourse analysis, law and regulation, law and social movements, law and psychology, and law and politics. It will cover how empirical data are used to make a theoretical point.

Assessment: 30% coursework, 70% final paper

LLAW6323 Legal concepts and practical application in financial transactions

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.

Prerequisite: Contract law

Assessment: 40% class participation and written comments in online platforms, 60% essay

REGULATIONS GOVERNING THE FORMAT, BINDING, AND PRESENTATION OF DISSERTATIONS FOR HIGHER DEGREES BY COURSEWORK

1. Each copy of a dissertation shall be typewritten or printed on one side only of International size A4 paper¹ (except for drawings, maps, or tables on which no restriction is placed), with a margin of not less than 38mm on the left-hand edge of each page.
2. The appropriate Board of the Faculty shall decide whether any dissertation submitted successfully in part-fulfilment of a higher degree by coursework shall be an accession to the University Library.
3. If it is to be an accession to the Library the top copy of the dissertation shall be used, and bound in one or more volumes as determined by the Librarian and between boards faced with cloth in black for MA, MPA, MMedSc, in dark blue for MSW, MBA, and in green for all others. The title, name of author, degree, and date shall be lettered in gilt on the front cover and spine in accordance with the standard layout approved by the Librarian. The title of a dissertation written in Chinese shall be lettered on the cover in Chinese and English.

¹ 297 mm x 210 mm

N.B. Candidates for higher degrees are reminded that any dissertation not typed or printed on the correct paper will not be accepted. Any candidate who has difficulty in obtaining the paper should consult his Faculty Office.