

REGULATIONS FOR THE DEGREE OF MASTER OF COMMON LAW [MCL]

These regulations apply to candidates admitted to the MCL curriculum in the academic year 2026-2027 and thereafter.

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

MCL1. Admission Requirements

To be eligible for admission to the courses leading to the Master of Common Law, a candidate:

- (a) shall comply with the General Regulations and the Regulations for Taught Postgraduate Curricula;
 - (b) shall hold the degree of Bachelor of Laws with at least second class honours or an equivalent qualification in a non-common law jurisdiction; 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).
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MCL2. 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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MCL3. Period of Study

- (a) The curriculum for the Master of Common Law shall normally extend over one academic year of full-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 study beyond the maximum period of registration of two academic years, unless otherwise permitted or required by the Board of the Faculty of Law.
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MCL4. Completion of Curriculum

To complete the curriculum for the degree of Master of Common Law, a candidate shall:

- (a) satisfy the requirements prescribed under TPG 6 of the Regulations for Taught Postgraduate Curricula; and
 - (b) satisfactorily complete a non-credit bearing compulsory course and no fewer than 72 credits as prescribed in these regulations and the syllabus, including a capstone experience.
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MCL5. 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).
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MCL6. Dissertation

- (a) Candidates must successfully complete LLAW6022 Advanced Research Methodology in order to be eligible to submit a dissertation.
- (b) Candidates who elect to submit a dissertation shall propose a title for the dissertation, secure a supervisor, and secure the approval of the Programme Director by November 30 of the academic year in which they intend to submit a dissertation. Candidates shall submit the dissertation no later than May 1 of that academic year.
- (c) 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 submitted. Such application must be made at least one month 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.

- (d) 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.

MCL7. Progression in Curriculum

- (a) Candidates shall normally be required to undertake a combination of courses and study requirements 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 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) 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 as specified in MCL4(b).
 - (iii) In the case under (i) above, the total number of credits taken shall not be fewer than 72 credits nor more than 78 credits for the normative period of study specified in MCL3(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 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 MCL3(b).

MCL8. Exemption

Candidates may be exempted, with or without special conditions attached, up to 9 credits (one course) of the requirements 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.

MCL9. 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/ re-submission/ 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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MCL10. 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.

MCL11. Requirements for Graduation

To be eligible for the award of the degree of Master of Common 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 the compulsory non-credit bearing course and courses 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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MCL12. 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.

MCL13. 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 COMMON LAW (MCL)

COURSEWORK

The Board of Examiners shall decide what proportion of the final assessment for each course shall be determined by written or other 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 Common Law is specifically designed for graduates in law from non-Common law jurisdictions (notably Mainland China) who wish to acquire an expertise in Common Law as it is practised in Hong Kong and in other common law jurisdictions. Candidates will commence the curriculum with a course, Understanding Common Law, in transition into the methodology of common law. They then take 6-7 elective courses in common law as suit their interests and expertise. Finally they take one or two of the capstone course(s) in Public Law in Common Law Jurisdiction or/and Private Law in Common Law Jurisdiction respectively to allow greater synergy between students background expertise in civil law and the new training in common law that they have obtained from the Curriculum.

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 Programme Director.

A 9-credit dissertation shall comprise a paper with required length ranging from 8,000 to 10,000 words on a legal topic approved by the Programme Director.

The dissertation must provide evidence of original research work and a capacity for critical legal analysis and argument.

STRUCTURE

Candidates are required to complete the compulsory non-credit bearing course and no fewer than 72 credits nor more than 78 credits, including a capstone experience in accordance with the regulations for this degree and the syllabus as set out below. Candidates must choose at least seven courses from the Course List below, including the compulsory course, one capstone course and at least five designated electives. Candidates may choose up to two other electives from courses not listed on the Course List below, but listed as Electives on the Course List for the General LLM programme, but excluding those under the Chinese Law cluster.

COURSE LIST

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

Compulsory Course (0 credit)

(Candidates must complete the following course)

LLAW6259 Understanding common law¹ (0 credit)

Capstone Courses (9 credits)

(Candidates must complete one of the following courses)

LLAW6258 Private law in common law jurisdictions

LLAW6204 Public law in common law jurisdictions

Designated Electives

(Candidates must complete at least five of the following courses)

Taught postgraduate courses

LLAW6054 9-credit Dissertation#

LLAW6014 18-credit Dissertation (18 credits)#

LLAW6243 Advanced intellectual property law

LLAW6022 Advanced research methodology

LLAW6304 AI and competition law

LLAW6283 Aircraft and international asset finance law

LLAW6183 Animal law

LLAW6138 Arbitration law

LLAW6024 Banking law

LLAW6271 Bioethics foundations

LLAW6153 Business and human rights

LLAW6172 Carriage of goods by sea

LLAW6124 Communications law

LLAW6238 Comparative arbitration in Asia

LLAW6156 Comparative constitutional law

LLAW6248 Comparative contract law

LLAW6209 Comparative family law

LLAW6150 Comparative law

LLAW6251 Comparative property and trust law

LLAW6154 Competition law I

LLAW6155 Competition law II

LLAW6187 Competition law and intellectual property

LLAW6345 Competition law and labour

LLAW6194 Competition law in the digital economy

LLAW6101 Competition, mergers and acquisitions

LLAW6141 Contemporary issues of comparative platform governance

LLAW6158 Contract law[^]

LLAW6223 Copyright and creativity

LLAW6082 Corporate governance and shareholder remedies

LLAW6002 Credit and security law

¹ The course will be taught immediately after the term starts and lasts for only a month.

LLAW6346	Cross-border business law: EU, ASEAN, and GBA
LLAW6084	Cross-border insolvency law
LLAW6114	Cross-border legal relations between the Mainland and Hong Kong (in Putonghua)
LLAW6127	Current issues in financial law
LLAW6060	Current issues in human rights
LLAW6087	Current issues in insolvency law
LLAW6117	Data protection, cyber security and crime
LLAW6088	Derivatives: law and regulation
LLAW6325	Digital transformation of legal service
LLAW6300	Digitalisation: health, law and policy
LLAW6090	Economic foundations of competition law
LLAW6062	Economic, social and cultural rights
LLAW6126	e-Finance: law, compliance and technology challenges
LLAW6347	Emerging issues in compliance in a global context
LLAW6210	Energy law
LLAW6249	Entertainment law
LLAW6063	Equality and non-discrimination
LLAW6174	Family mediation
LLAW6222	Financial dispute resolution: Hong Kong and international perspectives
LLAW6181	Global intellectual property transactions
LLAW6149	Healthcare law
LLAW6005	Hong Kong intellectual property law
LLAW6307	Hong Kong National Security Law in comparative perspective
LLAW6034	Human rights in Hong Kong
LLAW6107	Insurance law
LLAW6195	Intellectual property and competition in the digital economy
LLAW6120	Intellectual property and information technology
LLAW6140	Intellectual property, innovation and development
LLAW6132	International and comparative intellectual property law
LLAW6099	International commercial arbitration
LLAW6321	International commercial litigation
LLAW6206	International corporate finance
LLAW6036	International criminal law
LLAW6007	International dispute settlement
LLAW6133	International economic law
LLAW6038	International humanitarian law
LLAW6294	International investment: structuring, protecting, and resolving related disputes
LLAW6182	International organizations
LLAW6073	International protection of refugees and displaced persons
LLAW6057	International securities law
LLAW6170	Internet and social media law and policy
LLAW6280	Introduction to artificial intelligence and law
LLAW6288	Introduction to European Union law
LLAW6295	Issues in consumer law: theory and policy
LLAW6231	Justice
LLAW6230	Law and practice of investment treaty arbitration

LLAW6239	Law and regulation of private banking and wealth management
LLAW6197	Law and social theory
LLAW6299	Law and wealth management
LLAW6313	Law as data
LLAW6055	Law of international finance
LLAW6260	Law of state immunity and sovereign debt
LLAW6342	Law of the sea
LLAW6178	Law, economics, regulation and development
LLAW6301	Law, innovation, technology and entrepreneurship (LITE) – postgraduate internship
LLAW6265	Law, regulation and compliance for insurance industry in Hong Kong
LLAW6323	Legal concepts and practical application in financial transactions
LLAW6285	Legal data science
LLAW6340	Legal pluralism in Hong Kong
LLAW6302	LITE lab: emerging technology and business models (postgraduate)
LLAW6131	Media law
LLAW6324	Mediation advocacy
LLAW6247	Medico-legal issues
LLAW6224	Mergers and acquisitions
LLAW6179	Multiculturalism and the law
LLAW6075	National protection of human rights
LLAW6163	Negotiation: settlement and advocacy
LLAW6219	Patent law
LLAW6196	Preventative law: approaches to conflict prevention and resolution
LLAW6164	Principles of family law
LLAW6046	Privacy and data protection
LLAW6298	Private equity and venture capital: law and practice
LLAW6227	Private international law (the conflict of laws)
LLAW6098	Project finance
LLAW6109	Public international law
LLAW6093	Regulation of financial markets
LLAW6250	Regulation of pharmaceutical products and medical devices
LLAW6144	Rights and remedies in the criminal process
LLAW6305	Sanctions: law and practice
LLAW6049	Securities regulation
LLAW6353	Selected topics in commercial law
LLAW6354	Selected topics in corporate and financial law
LLAW6357	Selected topics in international and comparative law
LLAW6351	Selected topics in private law
LLAW6352	Selected topics in public law
LLAW6356	Selected topics in regulatory law
LLAW6355	Selected topics in technology law
LLAW6076	Seminar in human rights research
LLAW6215	Seminar on human rights and constitutionalism in Asia
LLAW6341	Sports law
LLAW6311	Sustainability and competition law
LLAW6306	The economic analysis of law
LLAW6315	Theories and methods on law and society

LLAW6096	Topical issues in international tax and tax planning
LLAW6326	Topics in technology law
LLAW6200	Trademark law
LLAW6316	Transnational criminal law
LLAW6102	White collar crime: law and practice
LLAW6211	World trade law, policy and business

Candidates can only enroll in either LLAW6014 or LLAW6054. Enrollment in these two courses requires prior approval by the Programme Director. Candidates must successfully complete LLAW6022 Advanced Research Methodology in order to be eligible to submit a dissertation.

^ LLAW1001 and LLAW1002 are mutually exclusive with LLAW6158. Candidates who have enrolled in LLAW1001 and LLAW1002 are not allowed to take LLAW6158 and vice versa.

Undergraduate courses

*(Candidates may complete up to two 6-credit courses from the following cross-listed undergraduate courses)***

LLAW3093	Administrative law (6 credits)
LLAW3015	Advanced company law (6 credits)
LLAW3010	Business associations (6 credits)
LLAW3097	Civil Procedure (6 credits)
LLAW2012	Commercial law (6 credits)
LLAW2001	Constitutional law (6 credits)
LLAW1014	Criminal law I (6 credits)*
LLAW1015	Criminal law II (6 credits)*
LLAW3099	Criminal procedure (6 credits)
LLAW3102	Evidence I (6 credits)
LLAW3103	Evidence II (6 credits)
LLAW2013	Land law I (6 credits)*
LLAW2014	Land law II (6 credits)*
LLAW1001	Law of contract I (6 credits)*^
LLAW1002	Law of contract II (6 credits)*^
LLAW1005	Law of tort I (6 credits)*
LLAW1006	Law of tort II (6 credits)*
LLAW1008	Legal system of the Hong Kong SAR (6 credits)

** Courses marked as I and II are full-year courses and must be taken together as a sequence. Candidates are not allowed to take either one of them without the other, except for LLAW3102 Evidence I which may be taken without also taking LLAW3103 Evidence II.*

*** Candidates who choose one 6-credit course from the list of approved UG courses offered by the Faculty of Law are required to complete 78 credits for satisfying the curriculum requirements.*

Candidates who choose two 6-credit courses from the list of approved UG courses offered by the Faculty of Law are required to complete 75 credits for satisfying the curriculum requirements.

Other Electives (0-18 credits) (or 0-9 credits if LLAW6014 18-credit Dissertation is selected as a designated elective)

Candidates should refer to the Electives listed under the Course List for the syllabus for the general degree of Master of Laws. They are allowed to choose any course on the Course List, but excluding those under the Chinese Law cluster. No more than two courses may be taken from any single Cluster in the Electives.

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 COMMON LAW [MCL]

Compulsory course

LLAW6259 Understanding common law (0 credit)

This course aims to help the students to quickly get adapted to the common law studies in the English environment. For students with educational background in civil law jurisdictions, it is important for them to familiarize themselves with the fundamental principles of structure and operation of both systems. The objective of this course is thus to acquaint the students with fundamental legal concepts, structures and functions of the common law system on the one hand, to familiarize the students with the distinctive language of law used in a variety of legal texts through a focus on legal reading and writing skills, vocabulary knowledge of legal concepts, reasoning and language of problem-question-answers and judgments on the other.

The course, designed to be introductory in nature, is limited to providing an overview of basic concepts in contract law and tort law. The course will address both theoretical and practical aspects of common law. It will start with identifying the basic differences between the common law and civil law systems and the underlying causes for different internal structures and legal principles. It will continue with discussions on major concepts of law of contracts and torts by examining the controlling precedents and illustrative case law.

Important concepts and principles in contract law and tort law covered in this course include contract formation, interpretation, enforcement, contractual remedies, contract assignment, tortious acts, negligence and damages available. The questions raised in the course include the following: 1) what is the difference between common law and equity? 2) how does the court interpret an ambiguous contractual provision? 3) how can one create an enforceable legal obligation under common law? The students shall be able to learn important concepts and principles through lectures, case studies, simulations and role plays.

The practical English language skills, in particular the case-reading skill, will also be taught in this course. The students will have the chance to read and understand cases in common law. More specifically, the following questions will be dealt with in the practical part of the course: 1) what questions must be answered in order to reach a conclusion in the case? 2) what is the rule to apply to the issue? 3) how does the judges in common law jurisdictions apply the rules to the facts of a particular case? 4) what is the result of the case? The students will also receive intensive instruction and support in both writing and speaking legal English in the common law jurisdictions.

The students are expected to engage in critical discussions based on assigned reading materials distributed in the course. During the course the students will undertake an oral

presentation and at the end of the course the students will be required to undertake a written assignment consisting of problem questions and/or case studies.

This course be assessed on Pass / Fail basis and non-credit bearing.

Assessment: 20% oral presentation, 80% written assignments

Capstone courses

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.

Mutually exclusive: LLAW1008 The legal system of the Hong Kong SAR

Assessment: 20% group assignment, 80% research project

LLAW6258 Private law in common law jurisdictions

This course provides 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, as well as the sources of private law. The bulk of the course then examines particular areas of private law which protect various private interests of persons. The areas of law covered include aspects of contract, unjust enrichment, tort and personal property law. These topics are explored through an examination of legal doctrine as well as through the prism of theory and the jurisprudential foundations of private law.

Assessment: 10% classwork, 40% research assignment, 50% exam

Designated electives

LLAW6002 Credit and security law

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

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

Topics to be studied include:

- the concept of security,
- the role of equity in security transactions, real and personal securities,
- types of business finance,
- insolvency,
- drafting of documentation to achieve particular purposes,
- reviewing new or novel forms of property, e.g. carbon sequestration;
- reviewing overseas developments in codifying commercial law; and
- remedies.

Assessment: 20% class participation, 80% examination

LLAW6005 Hong Kong intellectual property law

A comparative study of the Hong Kong law relating to patents, copyright, registered designs, trade marks, trade secrets, trade descriptions, common law remedies including and akin to passing off and injurious falsehood, and associated rights in information. Previous study or practice in the area of intellectual property would be an advantage but is not essential provided some preliminary private study is undertaken.

Assessment: 0% or 25% optional assignment, 100% or 75% take home examination

LLAW6007 International dispute settlement

Disputes are bound to arise on the international level. UN Charter Articles 2(3) and 33 require states to resolve their disputes through peaceful means, which include

“negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.” Inasmuch as these peaceful means of dispute settlement are governed by a body of rules and principles, lawyers play an important role in making sure that such means are used in a fair and effective manner. After explaining the history and development of international dispute settlement, as well as the general obligation on states to resolve their disputes peacefully, this course will explore each method in light of the relevant law and cases, with particular emphasis being placed on legal resolution through international courts and tribunals, including international arbitration and resolution through the International Court of Justice, the International Tribunal for the Law of the Sea, and the WTO Dispute Settlement Mechanism. The course concludes by looking at the future of international dispute settlement, including the need for conflict prevention and dialogue, the increasing juridification of dispute settlement, and the problems associated with the proliferation of dispute settlement mechanisms.

Assessment: 20% participation, 80% research paper

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.

Prerequisite/co-requisite: LLAW6022

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

LLAW6034 Human rights in Hong Kong

History of enactment, the Bill of Rights Regime, ICCPR, implementation of human rights treaties, Basic Law, interpretation, scope of application, inter-citizen rights, locus standi, permissible limitations, derogation and reservation, enforcement and remedy.

Study of selected rights, including civil and political rights, economic, social & cultural rights and people's rights. Topics covered include impact on civil and criminal process, right to a fair and public trial, arrest, search and seizure, torture and degrading treatment, liberty and security of person, freedom of association and assembly, freedom of expression, right to nationality, right to family, right to political participation, discrimination and equality, right to housing, social security, education and the environment. The exact topics to be covered will be determined at the beginning of the course and may change from year to year.

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

LLAW6036 International criminal law

International criminal law is an extremely topical, relevant and increasingly controversial area of international governance. This course explores the rationale, origins, normative development, institutional mechanisms and role of international criminal law. It analyses the current state of international criminal law and its place in the modern international legal system in light of important recent developments. It discusses why States should reform their national criminal laws to accord with international developments and focuses on both the substantive and procedural law. It examines relevant international legal concepts, general principles of international criminal law, and how international criminal tribunals function. It considers particular international crimes, participation in such crimes, defences, and important recent cases. To do this, we trace the roots of international criminal law in customary laws of war and early attempts to enforce rules prohibiting war crimes, before reviewing the operation of the Nuremberg and Tokyo International Military Tribunals that were established after the Second World War. We then take account of the Geneva Conventions, 1949, and the rise of international human rights law, focusing on the crimes of aggression, genocide, war crimes and crimes against humanity. We then delve into the law and practice of the ad hoc International Criminal Tribunals for the former Yugoslavia and Rwanda and relate their establishment and operation to the emerging system of international criminal law, and the process under way to establish the International Criminal Court.

Assessment: 80% research paper, 10% court or tribunal presentation, 10% class participation

LLAW6038 International humanitarian law

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

Assessment: 20% class participation, 80% 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

LLAW6049 Securities regulation

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.

Prerequisite: LLAW6022

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

Assessment: 50% take home assignment, 50% class participation

LLAW6057 International securities law

International securities law is an advanced course and LLM(CFL) capstone for students

who have successfully completed Law of International Finance 1 and Securities Regulation I or whose professional background is considered appropriate by the instructors.

It deals with two related concerns — the law and regulation of organised markets and exchanges and the law and regulation of cross-border equity new issues. It is taught both from academic and practitioner perspectives.

The course aims to develop a usable understanding of the law, practice and regulation of international IPOs, and those contractual risks and governance issues associated with organised markets or exchanges and central counterparties. This includes considering the motives of users, contract formation, why new issues succeed or fail, the documentation involved in structuring and marketing equity new issues, and how regulation impacts transaction design and entrenched market practices.

Assessment: 25% group project presentation, 75% two take home examinations issued at intervals over the semester

LLAW6060 Current issues in human rights

This course begins with a general presentation of the Council of Europe, the European Court of Human Rights and the European Convention of Human Rights. It gives an overview of the on the values, structure and achievements of the Council of Europe; it presents the organisation, structure and procedure of the European Court of Human Rights; it outlines the rights and freedoms guaranteed by the Convention and key concepts essential to the understanding of the European Convention system.

The course will be then structured on seven topics which represent current issues in human rights:

The right to health, presenting the historical development of the concept of the right to health, its guiding principles and related obligations; these are illustrated through case law concerning the right to medical treatment, medical malpractice and the liability of health professionals and forced medical treatment.

The right to a healthy environment and its' development as a human right; the course presents case law from the European Court of Human Rights, as well as other regional courts such as the Inter-American and African systems.

Reproductive rights, focusing on the principles of reproductive autonomy, respect for private and family life and the prohibition of discrimination; it covers the topics of abortion, contraception, home birth and forced sterilisations.

Bioethical issues, focusing on the European approach on IVF treatment, surrogacy, the protection of genetic data, euthanasia and assisted suicide and organ donation.

Women's rights, course which provides an overview of international human rights law concerning women, and presents case law of the European Court of Human Rights concerning violence against women, human trafficking and other forms of discrimination.

Sexual minorities, a course which presents the rights of sexual minorities in international

law and case law on a variety of issues such as the criminalisation of homosexual relationships in general, ill-treatment by police and state agents, marriage and civil unions, adoption.

Freedom of expression, a course which presents the international guarantees, the key aspects, the scope and the limitations of this freedom, and gives examples of case law concerning press freedom, censorship, whistleblowing, the protection of journalistic sources and more.

Assessment: 50% oral presentation, 50% research paper

LLAW6062 Economic, social and cultural rights

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

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

LLAW6063 Equality and non-discrimination

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

Assessment: 50% essay, 50% final written assignment

LLAW6073 International protection of refugees and displaced persons

Every single minute of 2018 as calculated and reported by UNHCR 25 new people fled their homes to escape persecution, human rights violations, war, or other violence.[1] Every minute of every day, for the entire year. This course will situate that statistic in its

full context: viewing it from historical, legal, and practical perspectives. The course begins with an introduction to forced displacement in the 20th century, and presents refugee law as it relates more broadly to international human rights law and humanitarian law. This course examines in detail the 1951 Convention and 1967 Protocol Relating to the Status of Refugees, the role of UNHCR, and who is included in and excluded from the international definition of “refugee”. It also scrutinizes key legal distinctions, compares and contrasts regional protection instruments, and explores the principle of non-refoulement. It reviews case studies to see how protection principles are applied in a variety of jurisdictions, and it looks at where, how, and why the system breaks down. This course will also delve into the current protection challenges faced by refugees, asylum seekers, internally displaced persons, refugee advocates, NGOs, host countries, and policy-makers. This course goes beyond the numbers and headlines to look at the ongoing global refugee crisis from the perspective of those who experience displacement and those who are striving to find solutions.

Assessment: 15% class participation, 35% writing exercise/presentation, 50% take home examination

LLAW6075 National protection of human rights

The Seminar on National Protection of Human Rights offers an opportunity to explore human rights in its national social and institutional contexts. Students will explore the important themes of national protection of human rights with an emphasis on Asia. Particular attention will be paid to domestic constitutional questions such as democracy, human rights and the rule of law. Asia is a region that houses nearly two-thirds of the world’s population and includes a wide range of cultures and developmental contexts. We confront a common observation that human rights practice is ultimately local. While the human rights movement has made extraordinary efforts in the post-World War II era to develop global standards and institutions it has been plagued by weak implementation at the local level. Significant regional human rights treaties and institutions in Europe, Africa and the Americas have sought to address this deficiency on a regional level with mixed success. As the only region without a regional human rights regime, Asia has relied more completely on domestic constitutionalism and local institutional practices to articulate and implement human rights commitments. This has made the human rights debate more seriously a matter of local politics and legal culture. Asia has had a noteworthy engagement with some of the central themes in the human rights debate, relating human rights to culture, to the political economy of development, democratization, autonomy, and development of civil society. Asian discussions of these concerns have intimately connected issues of human rights and development. The seminar will explore these rich Asian themes and efforts.

Assessment: 20% presentation of research paper; 10% class participation (including two response papers and discussion), 70% research paper

LLAW6076 Seminar in human rights research

The seminar provides students with the opportunity to develop their own critical thinking and legal research and writing skills through an examination of cutting edge scholarship in the field of international human rights, a series of short writing assignments, non-graded research and exercises and research paper.

The course does not aim to teach substantive law but rather to teach the skills of designing a human rights research project, developing research strategies and applying research results. The course seeks to provide an overview of approaches to research in the field of law – and human rights law in particular - and to develop students' skills in combining those approaches. The course will familiarise students with the major sources of international (including regional) human rights law as well as familiarise students with the documentation of the United Nations and regional human rights systems.

The course will provide students with preliminary assistance in writing research papers, in particular by working with students on the formalities of writing and citing sources, avoiding plagiarism, formulating research questions and structuring research papers.

Assessment: 50% research paper, 30% short reaction paper, 10% in-class presentation, 10% class participation

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

LLAW6084 Cross-border insolvency law

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

To keep students abreast with the latest legal and regulatory developments in the areas of insolvency and cross-border insolvency, the course will have two special focuses this year. The first focus concerns Hong Kong-China cross-border insolvencies, which are

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

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

Assessment: 20% oral presentation, 80% research paper

LLAW6087 Current issues in insolvency law

This course covers major current issues in corporate insolvency law in Hong Kong. The introductory part of the course will look at the insolvency regulatory regime in Hong Kong as well as theories and policy objectives of insolvency law. The main part of the course examines major issues, doctrines and principles in insolvency law in Hong Kong under the Companies (Winding Up and Miscellaneous Provisions) Ordinance (Cap 32) and applicable case law, drawing on both local and overseas (mainly English) case authorities. A major focus of the course is on company liquidations (winding up) – both compulsory and voluntary winding up, dealing with topics including the winding-up procedure, avoidance of transactions in insolvency, ranking of claims and the *pari passu* principle. The course also examines receivership, as well as mechanisms for rescuing companies in financial distress. The latter includes informal work-outs, creditors' schemes of arrangement and reform proposals for a new statutory corporate procedure (provisional supervision). Finally, the course examines current issues in cross-border insolvency law in Hong Kong. In recent decades, insolvency law and regulation has been the subject of much reform in Hong Kong, but the reform process is not complete (particular in relation to corporate rescue and cross-border insolvency). Reform possibilities in Hong Kong will be evaluated with reference to developments in some other major common law jurisdictions.

Assessment: 50% research essay, 50% examination

LLAW6088 Derivatives: law and regulation

Covers the historical and market developments of swaps and derivatives, market innovations as to financial, capital market and commodities based derivatives, use of derivatives in emerging economies, regulatory and supervisory concerns, and selective case studies of regulatory and litigation issues as to derivative arrangements.

Assessment: 100% continuous assessment

LLAW6090 Economic foundations of competition law

Modern competition law is substantially an economic law; it governs economic behavior with a significant purpose of improving economic market outcomes. Economic thinking is a central part of the law: This module aims to provide the foundational knowledge that will help competition lawyers and other practitioners in their work and research.

The first four lectures will focus on the core microeconomic concepts used in modern competition economics. These lectures will cover: (1) the economics of markets, including supply and demand; (2) and (3) the theory of the firm, including perfect competition and monopoly; and (4) basic game theory. The next seven lectures will cover the following topics in applied competition economics: (5) oligopoly and tacit coordination; (6) the economics of cartels and principles of damages assessment; (7) market definition and market power; (8) mergers analysis, including simple empirical measures; (9) the economics of vertical restraints, including exclusive dealing and resale price maintenance; (10) the economics of price-based abuses of dominance; and (11) the intersection of competition and intellectual property. Each applied topic will present both theoretical concepts and applied case examples. The final lecture (12) will consist of discussion of a current topic in competition economics, and opportunity for final pre-examination review.

The module assumes no prior knowledge of economics. Some knowledge of simple algebra may assist but is not required. The module focuses on building economic intuition and application to assist competition lawyers in their legal work and research, rather than on technical economic skills.

Assessment: 20% class participation, 30% short quizzes, 50% final 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

LLAW6096 Topical issues international tax and tax planning

This course is aimed at candidates interested in corporate and commercial law, international trade and commerce, and / or wealth management.

It will highlight and study one or more areas of contemporary international tax issues and developments, examining and contrasts the ways in which selected jurisdictions address the problems and assessing the effect and implications of those measures. The subject matter(s) to be covered in the course is not fixed and may vary from year to year. Students will be apprised in advance of the subject matter(s).

Assessment: 15% class participation, 35% presentation (individual or group), 50% research paper

LLAW6098 Project finance

The course reviews the techniques and contract structures for international project finance including selection of project vehicles, risk assessment and management, concession agreements, project contracts such as purchase, supply and take or pay and forward agreements. The role of the project participants and the creation of legal obligations through performance bonds and guarantees, indemnities, counter-indemnities, and letters of credit as well as their common features and problems encountered in use are discussed. Financial agreements including syndication generally and direct and indirect participation are examined. The place of project security and insurance are introduced as is the topic of subordination. Final topics address current issues in privatisation, the provision of infrastructure in Asia and their relationships to development.

Assessment: 100% coursework

LLAW6099 International commercial arbitration

International commercial arbitration is well established as the preferred binding mechanism for resolving cross-border commercial disputes. It has seen particularly marked growth and acceptance in the last 20-30 years, including in the Asia Pacific region.

The law and practice of international commercial arbitration, while scarcely regulated, has evolved into a highly specialised craft based on international best practices. This course will consider the international and domestic legal framework for international commercial arbitration, as well as the broader regime including international arbitration rules, international arbitration institutions and organizations and international arbitration practices. However, a key focus will be the inside workings of international arbitrations, revealing the sometimes obscure practices of the discipline. The main topics covered include the making and enforcement of arbitration agreements, establishment of and powers of arbitration tribunals, jurisdictional issues, applicable law (both procedural and substantive), arbitration procedure and evidence, interim and final remedies and rendering and enforcement of arbitration awards (including challenges and appeals). The course will be taught with case examples principally from the Asia Pacific region, and extensive examples from the practices of well known arbitral institutions, such as the ICC International Court of Arbitration, and of arbitrators sitting under the auspices of the ICC.

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

Assessment: 100% take home examination

LLAW6101 Competition, mergers and acquisitions

This course covers the merger review aspect of competition law from a global perspective. The course is divided into two sessions. The first session focuses on the merger review practices of the US, with a particular focus on the case law and agency practices regarding the review of mergers. The second session will introduce students to basic principles of merger review under EU law. Emphasis will be placed on both the institutional framework and substantive review of mergers under EU law.

Assessment: 100% two take home examinations

LLAW6102 White collar crime: law and practice

White collar crimes are often defined as non-violent offences that are committed for financial gain. They are characterised by, among other things, deceit, concealment, and violation of trust. Every organisation can be potentially exposed to different types of white collar crimes, though its level of exposure to such issues, be it in scale and complexity, may vary depending on its nature and size. White collar crimes not only reflect a social problem, but they can sometimes create an issue of such magnitude that can ultimately bring an organisation to its knees once they strike its very core.

While the focus of this course will predominantly be on the legal/regulatory aspects of white collar crimes, part of the discussion will include examining the ways to how an

organisation can prevent this types of issues in practice and event of occurrence.

Assessment: 15% research synopsis, 85% research paper

LLAW6107 Insurance law

The course covers the operation and regulation of the insurance market; the definition, importance and reform of the concepts of “Insurable Interest” and “Utmost Good Faith”; the specific terms of insurance contracts; how losses and claims under insurance contracts are dealt with; the rights of insurers, including subrogation and contribution; the rights and duties of insurance intermediaries; and the nature of property insurance, marine insurance, reinsurance and liability insurance.

Assessment: 100% research paper

LLAW6109 Public international law

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

This *postgraduate* course explores the history, ideas and concepts that shape public international law and practice, and on the relationship between public international law and other ideas and phenomena. It aims to (i) provide a critical introduction to the subject matter and in-depth investigations into specific themes (such as war and peace, territorial disputes, state immunities, international dispute resolutions) and (ii) equip students with the skills and ability to advise on the basics of public international law and to analyze contemporary international legal problems.

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

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

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

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

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

Assessment: 100% research paper

LLAW6117 Data protection, cyber security and crime

‘Data protection’, ‘cyber security’ and ‘cybercrimes’ impacts on individuals, communities, organizations, and countries. Data protection is about safeguarding data and restoring information if the data is corrupted, compromised or lost due to cyberattacks, shutdowns, intentional harm or human error. To achieve data protection, it begins complying with privacy and data protection laws. A key failure is when data is leaked or compromised by cyber-attacks. This is where cyber security is essential. 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. Cybercrimes are usually 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. Sitting 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 data protection, cyber security, and cybercrimes in an interconnected data world. In addition, the course will explore the implications artificial intelligence and advanced technologies have upon data protection, cyber security, and cybercrimes. This is an interdisciplinary course combining law, criminology, risk management, and regulatory studies.

Assessment: 50% take home examination, 30% research essay, 20% 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,

LLAW6124 Communications law

This course examines how the telecommunication and broadcasting industries are regulated in Hong Kong, and introduces the main features and problems of the relating legislation and regulation.

Topics may include:

- TV and radio licensing
- Foreign ownership control
- Cross media ownership control
- Content regulation
- Competition regulation in broadcasting sector
- Telecommunications licensing
- Interconnection
- Competition regulation and consumer protection in telecommunications sector
- Convergence
- Interception and surveillance

Assessment: 20% group project, 70% research paper, 10% class participation

LLAW6126 e-Finance: law, compliance and technology challenges

The overall aim of this is to help students understand how regulatory compliance and enforcement processes are being transformed by increased global competition and accelerating technological innovation in financial markets.

Topics covered will include how the role of information technology in the delivery of modern financial services has evolved over time as well as how recent developments in information technology are transforming compliance processes inside firms and enforcement efforts of regulators.

The impact of digital transformation of compliance in financial services on law firms, legal departments in companies, government attorneys, compliance managers, internal and external auditors, and system administrators will be considered.

A case study examining the impact of global competition and technology innovation on data protection/information privacy compliance efforts under Hong Kong, European Union and US law will be used to integrate theoretical and practical perspectives on the delivery of e-finance services.

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

LLAW6127 Current issues in financial law

Current Issues in Financial Law is a reflective and topical course for students nearing the completion of their degree programmes. The course is not intended as an entry point into financial law and regulation: students are highly advised to have completed Regulation of Financial Markets (LLAW6093) or equivalent introductory course, and possibly a specialized course, in the field of financial or banking law and regulation.

The course covers ongoing and contentious topics in financial law through the lens of two recurring forces that shape the field: financial crises, which expose regulatory gaps and drive reform, and technological change, which reshapes instruments, intermediaries, and risk. It will examine these and other issues according to events and developments at the time of the course, both locally and at the international level.

Illustrative themes include: emerging challenges in the regulation of digital assets and decentralised finance; data governance and the role of artificial intelligence in credit and supervisory decision-making; payment transparency and the integrity of cross-border payment systems in digital finance; secured lending and access to credit — including advanced supply-chain finance transactions and the use of intangible assets as collateral to mitigate risks; the post-crisis evolution of prudential architecture, with attention to the impact of the Basel framework on credit provision and on digital-asset exposures; and macro-prudential regulation, encompassing systemic risk, the cyclical and counter-cyclical effects of prudential measures, and stress-testing. The precise selection of issues varies each year to reflect contemporary legal and regulatory developments.

Assessment: 70% take home examination; 30% class participation

LLAW6131 Media law

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

1. Introduction: the role of the press in democratic society, its relation and differences with freedom of expression, the history of, and the justification of the development.
2. Freedom of the press: freedom from what, and freedom to do what? No licensing; control by the Press Council.
3. The Law of Defamation and its defences.
4. News Gathering I: Intrusion into Privacy.
5. News Gathering II: access to information, official meetings and records, places and institutions.
6. Breach of Confidence.
7. Publication of Obscene and Indecent articles

8. Contempt of Court : Disclosure of news sources and prejudicial reporting of trial.
9. Access to the Media and the rights of reply.
10. Broadcasting regulation and the differences between broadcasting and printing media.
11. Regulated Media and Beyond: the Internet.

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

LLAW6133 International economic law

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

Woods international institutions, the World Bank and IMF, as well as the IOSCO will be studied. Efforts to unify or harmonise laws that affect international commercial transactions by international institutions such as the ICC, UNCITRAL, UNIDROIT, Hague Conference in Private International Law and OECD will also be examined.

Assessment: 100% take home examination

LLAW6138 Arbitration law

The aim of the Arbitration Law course is to provide students with sufficient knowledge and understanding of the law of arbitration.

During the course, the students will focus on the dispute resolution process, as set out in more detail in the syllabus, including the following ADR methods:

- Negotiation;
- Mediation;
- Early Neutral Evaluation
- Expert determination;
- Adjudication
- Dispute Boards
- Arbitration
- State Court Litigation

Further in the course, the students will learn about the history of arbitration and about the major international arbitration legal instruments (NY Convention, UNCITRAL Arbitration Rules, UNCITRAL Model Law, the Washington Convention, and others). Further, the students will explore the differing statutory approaches to arbitration in the globalized world (common and civil law), the choices available to the parties in dispute resolution, the concepts of arbitration agreements, the arbitral procedure (commencement, tribunal appointment. Evidence, document production, written submissions, hearings, and others).

The students will learn about the duties and obligations of an arbitral tribunal, the notion of independence and impartiality, jurisdiction and powers, costs, and awards.

At the end of the course, the students will learn about the role of the state courts in arbitration, and about their supervisory powers.

The specific educational learning outcomes of this course are as follows:

A. Knowledge and Understanding

To enhance understanding of arbitration as a private consent-based method of resolving disputes.

To introduce the fundamental principles of arbitration law set out in detail in the syllabus below.

- To introduce the importance of the Hong Kong Arbitration Ordinance when deciding disputes.
- To introduce the essential elements of a binding arbitration agreement and an enforceable arbitration award.
- To introduce the important role of reading and analyzing the sources of arbitration law, including both statutes (particularly domestic arbitration statutes such as the Arbitration Ordinance) and judicial decisions (case law).

B. Intellectual and Practice Skills

This course seeks to help students develop the following intellectual skills:

- Ability to analyse and solve complex factual legal problems by selecting and applying relevant arbitration law principles;
- Ability to apply rules of law to hypothetical factual situations;
- Ability to isolate crucial issues in hypothetical factual scenarios; and
- Ability to support oral and written arguments using relevant judicial decisions and statutory provisions.

This course also seeks to help students develop the following practical skills:

- Ability to undertake the reading and research of the sources of arbitration law;
- Ability to express ideas both orally and in writing in a clear and coherent manner; and
- Ability to translate technical legal terms into language appropriate for users of arbitration and dispute resolution generally.

Students will consider a range of theoretical issues and substantive topics in this course, including:

- General Introduction to Arbitration and ADR
- Agreement to Arbitrate
- Appointment of Arbitrator
- Rights, Duties and Powers of an Arbitrator
- Commencement of Arbitration and Interlocutory Proceedings
- Arbitration Hearings
- Evidence in International Arbitration
- Costs & Interest in Awards
- Appeals
- Enforcement and Execution of Awards

Assessment: 30% research paper, 70% written final examination

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

LLAW6141 Contemporary issues of comparative platform governance

This course examines the legal backdrop of digital platforms and the way they are viewed by authorities and courts as distinct new regulatory objects that need to be addressed. The emergence of this new regulatory object is part of a global tendency that reflects a vital reassessment of tech power and state sovereignty. There are, however, considerable differences in the ways digital platforms are dealt with in different jurisdictions. The course compares the evolving legal regimes of the new digital age and covers principles that govern private and public relationships concerning digital platforms, deploying concrete examples – policy documents, technological developments, legal amendments – to make it obvious that this aspect of the economy is an important issue that lawyers need to be able to wrestle with.

The specific topics covered include: the distinctive legal features of digital platforms and their ecosystems; the layers of governance relationships structuring interactions between different parties, such as advertisers, consumers and users in today's platform economy; the goals and enforcement of competition law and its intersection with related areas of consumer, data protection and intellectual property laws; the limits of competition and the rise of new types of regulatory instruments in national and international contexts such as the EU Digital Markets Act/Digital Services Act/Data Act/Data Governance Act/AI Act; the complementarities between economic and political power; and new issues regarding the development of Web3 and artificial intelligence.

The course will enable students to engage critically with key debates in contemporary platform governance and provide relevant background for those interested in cross-border legal work.

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

LLAW6144 Rights and remedies in the criminal process

This course examines how courts in various common law countries have enforced the legal rights of suspects and accused persons at different stages in the criminal process.

The following rights will be studied comparatively: right to be free from arbitrary detention, right to bail, right to legal representation, right of silence, right to trial without undue delay, right against unreasonable search and seizure, and right to a fair trial. The remedies to be examined will include exclusion of evidence at trial, stay of proceedings, declaration, damages, adjournment, and bail.

Assessment: 15% class participation, 85% take home examination

LLAW6149 Healthcare law

Health care structure in Hong Kong: private health care and Hospital Authority; health insurance; complaint and investigation procedures; Hong Kong Medical Council and professional misconduct; other healthcare professionals e.g. psycho-therapist and radiologist.

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

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

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

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

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

Assessment: 100% continuous assessment

LLAW6150 Comparative law

The common law system provides principles and methods for responding to society's needs and values. Some of those principles and methods will be compared with the legal and extra-legal equivalents in non-common law nations. The influence of special social and economic characteristics will be noted. Appropriate jurisprudential theory will be discussed.

Assessment: 10% presentation, 10% class participation, 80% research paper

LLAW6153 Business and human rights

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

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

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

LLAW6155 Competition law II

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

This course takes a comparative look at the connections and differences between Hong Kong and European Union (EU) competition law. Given the Conduct Rules of the Competition Ordinance in Hong Kong are substantially modelled after Articles 101 and

102 of the Treaty on the Functioning of the European Union (TFEU), the EU law (including “soft” law such as guidelines) on Articles 101 and 102 TFEU will provide useful guidance to the interpretation and application of the Hong Kong Conduct Rules. This course will examine in detail the First Conduct Rule and Article 101 TFEU; and the Second Conduct Rule and Article 102 TFEU. We may also consider competition law enforcement, Hong Kong specific issues and past paper questions (to illustrate the workings of competition law). This course excludes merger review, which forms the subject of a separate course.

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

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

LLAW6158 Contract law

This course is designed to provide students enrolled in the LLM in Arbitration and Dispute Resolution, other LLM programmes or the MCL programme to acquire sufficient knowledge and understanding of contract law under common law. Students who thoroughly prepare for and participate in the course will be able to:

understand the theoretical and practical aspects of contract law such as the legal principles of this subject. Both common and civil law approaches will be dealt with.
analyze contract law problems by spotting the legal issues in which contractual obligations arise, identifying the relevant principles of contract law and applying the law to the legal problems in order to reach a solution.
understand the underlying philosophies and public policy considerations behind certain principles of contract law
engage in discussion of a variety of legal issues surrounding contract law
evaluate the functions that contract law plays in our society and the extent to which principles promote these functions.

The following topics will be covered:

Contractual and quasi-contract obligations: Introduction to contract law, approaches to contracts in civil and common law jurisdictions, contract types, formalities, formation of a contract under civil and common law systems, contents of contract, privity and third party rights, offer revocation of offer, invitation to treat and acceptance, intention to create legal relationship, social and commercial agreements, consideration and promissory estoppel under civil and common law, consent and certainty, terms, representations, exclusion and limitation clauses, unfair contract terms, interpretation, effects and liabilities, (civil and common law), misrepresentation in different jurisdictions, its remedies and rescission, mistake, illegal or prohibited contracts performance and discharge, non-performance (breach), rules of remoteness and mitigation, remedies such as contractual damages, illegal contracts, undue influence, duress, good faith and unconscionability, fraud, frustration, agency (principal/agent and effects on third party), unjust enrichment.

Mutually exclusive: LLAW1001 and LLAW1002 Contract law

Assessment: 60% end of term final examination (2.5-hour limited open book), 20% take home mid-term problem, 20% class participation

LLAW6163 Negotiation: settlement and advocacy

This course is designed to give students an intensive opportunity to develop negotiation skills which can be used in the global arena to create and repair relationships and to manage and resolve conflict. Classes will consist primarily of inter-active negotiation role play simulations and inter-personal communication exercises, together with some lectures and class discussions. Initially, we will explore personal characteristics, cultural matters and communication skills. Then, we will focus on the acquisition of negotiation skills through inter-active negotiation problems. Throughout the course, we will emphasise critical reflection on the negotiation process.

This Negotiation module will involve an interactive mix of class discussions, small group sessions, student exercise and negotiation role playing simulations. Each seminar has a specific topic and students are provided with assigned readings. The teaching programme is designed to encourage maximum participation of students in the teaching process.

Students must be aware of the following expectations upon by the teacher in this course – all students in the Negotiation course must:

1. Attend all classes, on time and all the time. Each student depends on full and active participation by every other student. This cannot be over emphasised.
2. Be prepared to participate.
3. Prepare written outlines for all Negotiation Problems.
4. Complete all Negotiation Problems in class.
5. Complete and submit a descriptive, analytical journal of the student's progress in acquiring negotiation skills during the course.

Assessment: 50% research paper, 25% outlines and participation, 25% skills journal

LLAW6164 Principles of family law

Family law is about people in a domestic setting; how domestic relationships are created, dissolved (which involves status alteration), reconstituted (remarriage, adoption), how relationships are regulated and disputes resolved. Hong Kong Family law is both common law and statute-based. However, the rules and principles are not ends in themselves, but they serve certain purposes or goals.

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

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

The objectives of the course is to enable you to learn the basic family law rules, understand how these rules are applied to a particular legal problem (which you need to utilise as a lawyer). As rules are not ends in themselves and they promote certain underlying values – you are required to critically analyses and assess what outcomes/values these rules promote; whether these values are consistent with prevailing societal values along certain theme, such as: (i) effective dispute resolution, (ii) protective (physical/economic) function of family law and (iii) upholding fundamental societal values concerning family, personal relationships and human rights.

Assessment: 45% written examination, 45% assignments and presentation, 10% class participation

LLAW6170 Internet and social media law and policy

Information and communication technologies are part of the very fabric of contemporary societies. Their understanding and mastery are a required form of literacy in the 21st century. Social dynamics everywhere have changed because of these technologies, and in their image a new social paradigm has been formed. As a social science, law is not immune to these transformations but is rather profoundly influenced by them and perhaps no technological development has shaped the face of law more profoundly than the Internet.

This course will empirically assess some core transformations which, in different areas, the Internet has brought to the law. While other courses in our programme (for instance, “Regulation of Cyberspace”) question at a higher level of abstraction the normative foundations of such transformations, in “Law and the Internet and Social Media” our aim is to give you an introductory overview of the concrete, practical shifts that the institutions of law have been experiencing in a number of different areas because of the Internet – the regulatory architecture of cyber space and from Identity and Privacy to Copyright, and from Defamation and Liability in Online Environments like metaverse, online harm, privacy, copyright, defamation, to Cybercrime and Jurisdiction how social media is changing traditional media.

Main topics will vary slightly from year to year. The focus of our course is on major common law jurisdictions, taking the law in the Hong Kong and United Kingdom as a starting point. Nonetheless, occasional – and in some areas extensive – references to the law in the European Union will be made.

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

LLAW6172 Carriage of goods by sea

This course deals with the law and practice that apply to the carriage of goods by sea, as well as the key standard shipping contracts and documents used in carriage transactions. It covers the law and practice of charter parties, which are agreements between shipowners and charterers for the use of vessels to transport goods by sea. It also covers shipping documents, focusing on bills of lading and the international conventions on bills of lading, i.e., the Hague Visby Rules as adopted in Hong Kong law. It considers multimodal carriage and contemporary issues such digital trade, green shipping, sanctions and trade war.

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

LLAW6174 Family mediation

Using a combination of lecture, discussion, demonstration, and simulation, Family Mediation will present students with the theory and practice of family mediation, including: a basic grounding in the practice and theories of mediation, an understanding

of the many variations of how mediation is actually conducted in family law cases, critical judgment as to when family law mediation might or might not be appropriate in individual cases, a familiarity with legislation involving family law mediation and critical inquiry as to the efficacy of different legislative initiatives, special issues facing mediators in family law mediation, and ethical consideration both as a family law mediator and as an attorney in family law mediation.

Assessment: 20% participation, 30% presentation, 50% written assessment

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

LLAW6179 Multiculturalism and the law

Conquests and colonial projects have long been responsible for the instigation of large-scale ethnic and national mobility in order to further the ends of empire, for example, for the purposes of labour and industrial development or populating land considered to be terra nullius. In the aftermath of the First and Second World Wars, which led to a significant redrawing of national boundaries, people once again moved; some, voluntarily and in pursuit of their dreams whilst numerous others, became victims of exile due to economic, social or political circumstances. This pattern of migration has continued into

the 21st Century, particularly in the aftermath of 9/11, the war in Iraq and Afghanistan, and resultant turmoil in neighbouring Middle-Eastern countries, with the immigrant and refugee exodus reaching crisis point in 2016.

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

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

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

Assessment: 55% research paper, 15% reaction papers, 15% symposium participation, 15% class participation and panel presentations

LLAW6181 Global intellectual property transactions

Topics include:

Technology transfer and licensing
Commercialization of innovations
IP portfolio management
IP issues in merger and acquisition
IP issues in franchising and outsourcing
IP and standard setting
IP and competition
IP litigation strategies
IP issues in innovation industries such as ISP's liability and safe harbor, keyword

advertising and digital music licensing.

Assessment: 100% in-hall examination

LLAW6182 International organizations

Using the case method, this course explores the key court decisions that have helped establish the legal principles that empower and regulate international organizations. Analysis of these cases illuminates the relationship and tension between international law and politics in this area, as well as shows how courts help and hinder the development of international organizations, sometimes in the same case. Additional case studies will focus on contemporary problems facing a variety of international organizations. The debates and assessment exercises will strengthen students' critical reasoning skills, in addition to fostering a sophisticated understanding of the law created for and by international organizations.

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

LLAW6183 Animal law

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

Assessment: 70% Written research assignment; 30% seminar presentation

LLAW6187 Competition law and intellectual property

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

This course will focus on the interface between competition law and patent law, which presents the most acute policy conflict with competition law among all the main areas of

competition law, with some attention paid to copyright and trademarks. The course presumes no background on either competition law and patent law. It will begin with a brief overview of these two areas of law so that students will be equipped with the basic knowledge necessary for the course. Topics covered in the course include: price fixing, market allocation, group boycotts, vertical price restraints, royalty issues, fraudulent intellectual property enforcement, tying, unilateral refusal to deal, deceptive conduct in standard-setting organizations, predatory product design, reverse payments, and no challenge clauses, among others.

Assessment: 30% class presentation, 70% research paper

LLAW6194 Competition law in the digital economy

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

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

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

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

LLAW6195 Intellectual property and competition in the digital economy

Technological advances in the online world pose important challenges for legislators, authorities and courts to accomplish the promotion of innovation, efficiency and growth. This course provides an introduction to the most important legal regimes fostering innovation and their relationship to competition. Students will acquire basic knowledge of the evolving EU copyright law rules as well as selected aspects of design and trademark

law in view of new technologies (streaming services, AI and metaverse technologies, digital platforms) and will connect these issues to a range of basic controversies relating to the manner in which markets operate and the implications of these regimes for different notions of innovation.

Some course readings and discussions will compare the way in which different markets (consumer goods markets, art markets, etc.) function and will explore topics such as the ongoing shift from the tangible towards an increasingly intangible economy. The problems discussed will be exemplified by cases from European legal practice. Some comparative analysis of the covered materials with US case law offers an opportunity to explore key dimensions of intellectual property law, its relationship to competition and its potential for re-adjustment of pertinent legal rules and their enforcement in a digitalized economy.

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

LLAW6196 Preventative law: approach to conflict prevention and resolution

Lawyers can play a key role not just in the resolution of disputes, but also in the prevention and management of conflicts within organizations and societies. This course will explore key processes through which a system is consciously created to address conflicts among individual and entities, as well as legally defined disputes. Similar to the public health model, which aims to promote positive individual and collective habits that stem the occurrence of disease, this course seeks to examine those mechanisms, principles and processes oriented toward the prevention of conflict. The approach of the course will be both theoretical and participatory in nature.

Assessment: 75% research paper, 25% class participation

LLAW6197 Law and social theory

Amongst the most powerful of contemporary analyses of law and legal institutions are those which draw on the tradition of social theory. These trends now constitute a discrete area of academic enquiry that is of growing importance and relevance. This course offers a series of readings which draw on that tradition and think them through in relation to contemporary legal problems.

The course will develop students' knowledge of the basic paradigms of social theory as it relates to law and place the development of law in social theoretical and historical context. By developing a critical understanding of the relationship between law and social theory students will assess the differences between diverse theoretical approaches and be able to develop and articulate their own understanding of the appropriate paradigms for analysis in legal and social theory. The aim is therefore to enhance students' understanding of contemporary law and legal institutions.

Topics to be covered may include: competing theories of law and modernity; analyses of alternative approaches to power and security; the role and consequences of processes of juridification; and theories of globalisation.

Assessment: 20% presentation, 80% research essay

LLAW6200 Trademark law

This course provides a comprehensive study of the legal principles governing trademark law as a vital form of intellectual property. Students will explore the nature and scope of trademark rights, delving into how they are acquired, maintained, and enforced. The course will cover the various forms of trademark infringement, such as likelihood of confusion, dilution, and counterfeiting, as well as key defenses, including fair use, nominative fair use, and functionality. Remedies available to trademark owners, such as injunctive relief, monetary damages, and the seizure and destruction of infringing goods, will be examined, along with important procedural issues that arise in trademark litigation. While the course will briefly touch upon the process of prosecuting trademark applications and the benefits of registration, the primary focus will be on substantive trademark law. By the end of the course, students will have a strong foundation in trademark law principles and be well-equipped to analyze and apply them to real-world situations.

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

LLAW6206 International corporate finance

Students of this course will gain knowledge of (a) the underlying concepts and principles that underpin corporate finance law and (b) the transactions, market practice and the latest developments in international corporate finance. The emphasis of this course will be on the intersection of the law and practice of corporate finance. Students will have the opportunity to practice and develop essential skills that are required in international finance and international finance law careers, including issue identification, negotiation, commercial reasoning, the application of relevant laws, risk assessment and risk mitigation.

The course will be led by a partner from a magic circle law firm and feature guest speakers. Seminars to introduce the topics will be augmented by realistic role-playing exercises which are designed to simulate real world transactions.

The course will be useful to those who intend to work in the corporate and corporate finance sectors, in law firms or investment or commercial banks.

Assessment: 30% participation in team exercises, 70% take home assignment

LLAW6209 Comparative family law

The course focuses on family law issues in a comparative and international context and prior knowledge of family law or comparative law is not required.

Topics include: property and maintenance on divorce; the grounds for divorce; the legal status of cohabitants; legal regulation of adult relationships and changing family constructs; marital agreements (i.e. pre-nuptial, post-nuptial and separation agreement), the relevance of gender in family law and changing one's legal gender; parenthood and parental responsibility.

All topics are covered from a comparative perspective.

This course will be of interest to students and practitioners wanting to acquire an up-to-date understanding of current policy and issues in family law around the world and anyone with an interest in family law, comparative law and social policy.

Assessment: 25% class participation, 75% research paper

LLAW6210 Energy law

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

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

Assessment: 100% essay

LLAW6211 World trade law, policy and business

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

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

LLAW6215 Seminar on human rights and constitutionalism in Asia

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

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

Assessment: 25% class presentation, 75% research paper

LLAW6219 Patent law

Intellectual Property Rights (IPRs) are among the most important catalysts for growth and innovation in the modern economy. IPRs – in particular patents - are worth billions if not trillions of dollars. What are patents and why are they so valuable? This course will

look at patents, first in the context of all IPRs, then will examine rights under a patent, criteria for patentability, and the process of getting and challenging a patent. The class will also cover issues related to patent claims and will look at some current patent issues including:

Commercial dealings: ownership, licensing, assignments, employees' inventions

- Protection of discoveries
- The process of getting a patent

Patent infringement: Literal infringement and a comparison of UK and US treatment of non-literal patent infringement

Protection of information technology products and the controversy surrounding software patents

Design patents

The value of patents

Prior technical knowledge of the subject matter is not required.

Assessment: 20% class performance, 20% quiz, 60% take home examination

LLAW6222 Financial dispute resolution: Hong Kong and international perspectives

In the wake of the Global Financial Crisis various dispute resolution responses occurred. In respect of consumer/institution disputes, the course will focus on the new financial dispute resolution regime in Hong Kong and the establishment of the Financial Dispute Resolution Centre (FDRC) and what these developments may signify for the future of resolving financial disputes in Hong Kong. In addition, the course will provide a comparative overview of financial dispute resolution from some selected markets globally. In response to increasing investor participation in financial markets, regulators and governments have sought different ways of responding to investor-broker disputes. This course will analyze these different approaches and discuss the impact of legal systems, markets and cultural preferences. The course will consider what choices have been made by Hong Kong in order to adapt to local circumstances and will challenge students to assess these choices in the light of global experience.

In respect of institutional disputes, the course also considers how institutional clients are beginning to turn to ADR to solve their disputes e.g. PRIME Finance. The design of dispute resolution systems can be key to their success. Students will be expected to understand who the stakeholders are in financial disputes, what their specific needs are and how systems can be designed to address these concerns.

The class will be assigned reading in advance of class. Students will be expected to participate in discussions and role-plays during class. Students will work on a specific case study and work to resolve the dispute through negotiation, mediation and arbitration.

Assessment: 20% class participation, 20% individual presentation, 60% research paper

LLAW6223 Copyright and creativity

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

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

LLAW6224 Mergers and acquisitions

The course will consider the specific circumstances of mergers and acquisitions in Hong Kong. Both private and public/listed M&A situations will be considered.

The course will commence with an examination of the reasons for M&A transactions occurring and a consideration of how M&A transactions are to be assessed, for example, in terms of their value creation. Although the course is focused on practices in the Hong Kong market, the course will also explore M&A transactions internationally, particularly with a view to gaining an understanding of the art and science of conducting an M&A transaction.

The different ways M&A can be conducted will be examined. The process of negotiating and executing transactions will be considered as well as the typical documents involved. This will cover standard terms in contracts, such as purchase price payment mechanisms, warranties and undertakings. Other aspects of the transaction process will be considered, in particular, the role of due diligence will be examined closely including as to how due diligence interacts with contractual documentation and the negotiation process. Problems arising in the cross-border context will also be considered.

A focus of the course will be the application and relevance of the Code on Takeovers and Mergers and the relevant Listing Rules of The Stock Exchange of Hong Kong Limited. These regulations will be considered in the context of both commercial practices as well as regulatory objectives such as investor protection and the promotion of good corporate governance.

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

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

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

LLAW6227 Private international law (conflict of laws)

The field of private international law, also known as 'the conflict of laws', is a body of principles applied by a court to cases that involve foreign elements. It generally considers three major questions. First, the question of jurisdiction: when can parties seise a court in connection with matters involving a foreign element, or conversely, what are the conditions under which a court will accept jurisdiction to deal with such matters? Second, the question of applicable law: what system or systems of law will be applied to resolve such matters? Third, the question of recognition and enforcement of foreign judgments: what are the requirements and circumstances in which they will be recognised and enforced? These questions are particularly important for Hong Kong as an international financial centre and a leading legal and dispute resolution services hub, in which a significant proportion of disputes have a connection outside of Hong Kong either with Mainland China, or with other jurisdictions.

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

Assessment: 35% mid-term assessment, 65% final assessment

LLAW6230 Law and practice of investment treaty arbitration

This course is about a form of arbitration which is specific to disputes arising between international investors and host states – i.e. investor-state disputes – involving public, treaty rights. In contrast, international commercial arbitration typically deals with the resolution of disputes over private law rights between what are usually private parties.

It will be of interest to those interested in arbitration, or the law of foreign investment.

The course will be taught from the viewpoint of a commercial law practitioner, and international lawyer and former treaty negotiator who has drafted such treaties.

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

LLAW6231 Justice

This course is about justice. We will focus on the theme of how people learn to care about justice: why do people come to identify the plight with marginalized and oppressed people and what motivates them to do something about it? The course draws on both Chinese and Western sources. We will begin by discussing Xunzi's view of how we overcome a natural tendency to selfishness by means of rituals that make us care about those with less power. Then we look John Rawls' account of how people come to develop a sense of justice in part III of *A Theory of Justice*. Then we will discuss Anthony's Appiah's book *The Honor Code* and Martha Nussbaum's book *Poetic Justice*, works that shed further light on how people come to care about justice. The class will be seminar based, with student presentations and lots of time for discussion.

Assessment: 80% research paper, 20% class participation

LLAW6238 Comparative arbitration in Asia

The course will survey the arbitration laws in common and civil law jurisdictions in Asia, including but not limited to PRC, Hong Kong SAR, South Korea, Singapore, and Malaysia. For the sake of comparison and analysis, reference will be made to the UNCITRAL Model Law and the laws of major arbitration centers around the world. In addition, the course will compare and contrast the various approaches taken by arbitral institutions in these regions (such as HKIAC, SIAC, CIETAC, KCABC etc.) with respect to procedural and other matters. Again, reference to the UNCITRAL Model Rules and the rules of other major arbitral institutions (such as the ICC and the LCIA) will be useful for comparison and analysis.

Notwithstanding reference to UNCITRAL and other materials, the course will focus on the laws and procedural rules in use in the Asia-Pacific region. In addition, although the course will take a comparative approach to these laws and rules across common and civil law jurisdictions in the region, the interaction of state law and institutional rules within a particular jurisdiction will also be the subject of analysis and discussion. Finally, cultural and other issues which may impact the practice of arbitration in a given jurisdiction will be explored.

Students will be assigned reading in advance of class, and will be expected to participate in discussions during class.

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

LLAW6239 Law and regulation of private banking and wealth management

The eruption of the global financial crisis in 2008 has led various organizations such as the G20, Financial Stability Board, Basel Committee on Banking Supervision and the

IMF, to implement new regulatory and economic policies. This has also been reflected locally through the changes in various regulatory regimes implemented by our local regulators.

A proper risk and crisis management process and procedures meeting regulatory challenges become mandatory for banks and financial intermediaries. Also, the instillation of corporate governance culture and process is important and key to balancing investor protection and market development.

For practitioners (risk and compliance professionals, bankers, financial advisors and lawyers) and those preparing to enter into the private banking and wealth management industry, to stay advanced in the game, a good understanding of the business, compliance, law and regulations would be highly advantageous.

This course is especially designed to introduce to students a tailored understanding of the private banking and wealth management business, compliance, operations, laws and regulations, with a focus on understanding the Code of Conduct for Persons Licensed by or Registered with the Securities and Futures Commission. In addition to the academic requirement, the course emphasizes real-life experience and sharing from practitioners' perspectives. Case laws and SFC Disciplinary Actions on compliance and regulatory areas (i.e. Know Your Client, product due diligence, suitability and selling process, etc) will be discussed.

Assessment: 10% class participation, 20% individual assignment, 20% group presentation, 50% take home examination

LLAW6243 Advanced intellectual property law

This course is a comprehensive examination of the advanced topics and strategies surrounding intellectual property law in diverse industries. Building on foundational knowledge, the course dives into the intricacies of intellectual property (IP) laws, focusing on their creation, protection and advanced application in real-world scenarios. This encompasses, but is not limited to, industries such as information technology, biotechnology, pharmaceuticals, and music.

The course will scrutinize the technicalities of technology transfer and licensing, delving deeper into the legal constructs that regulate the exchange of technology and knowledge among different parties. It pays specific attention to the role of collaboration in not only the development but also the enhancement of IP utilization. Moreover, the course investigates how organizations can consolidate market dominance via proficient IP enforcement, discussing not only management but also advanced commercialization of IP. The course adopts an interactive approach through the case study method, encouraging students to analyze intricate situations, contemplate varying strategic alternatives, and comprehend the ramifications of assorted decisions.

Upon conclusion of the course, students will have a deepened understanding of the intricate aspects of intellectual property laws. They will be adept at applying their

advanced knowledge to a variety of industrial contexts and prepared to influence effectively the strategic decisions of organizations with regards to IP. This course is designed to elevate students' intellectual property understanding to a level that will enhance their competitive standing in the marketplace.

Assessment: 20% class participation. 80% case study essay

LLAW6247 Medico-legal issues

Advances in medical knowledge and technologies have transformed the modern world, altering the very fabric of societies by greatly improving the quality of life and extending life expectancies in the developed world. But increasingly, advances in medical knowledge and technologies is seen as delivering ever-marginal returns, and as merely postponing inevitable mortality at considerable cost to the quality of life in many circumstances.

Life and Death. This course begins with an examination of some of the most fundamental human concepts: the meaning and definition of life, and of death. We start first with an inquiry into the meaning of life, and when it begins. This inquiry has profound consequences not only for the criminal law ('can one murder an unborn child? Is an unborn child alive and distinct from its mother to begin with?'), but also for modern clinical technologies such as artificial reproductive techniques such as *in vitro* fertilization, and also for cutting-edge research involving human stem cells derived from the destruction of human embryos. The definition of life, too, is central to the shape of the law in relation to issues such as abortion. The definition of life in the body of the law and of ethics is inextricably bound up with the definition of death: in this second line of inquiry, we explore the consequence of modern technologies that extend biological function in ways not historically within the experience of humankind. Is a person dead when the heart stops? When it does, is it ethical and legal to remove the heart for transplant into another person, with the intent of restarting it in the recipient? What is the social, ethical and legal approach to the status of patients who are not wholly brain-dead, but are in irreversible states of unconsciousness such as PVS (Persistent Vegetative State)? Is it ethical and lawful to let such people die by removing them from life support? What is the meaning of 'brain dead'?

The next inquiry is a logical extension of the inquiry into death: people don't have any choice about being born, or of the circumstances of their birth, but do or should people have a choice about how they die? Do patients have a right to refuse treatment? Do patients have a right to die? Do patients have a right to be helped to die if they cannot achieve this themselves (for example, if they are paralysed)? What kind of advance decisions may a dying person make regarding his treatment and care at the end of life? Are living wills or advance directives lawful in Hong Kong? Do they bind doctors and families? Who is entitled to make decisions for a patient at the end of life when the patient is no longer competent or conscious? We examine in this context the notion of medical futility and its place in the law.

The Human Body and the Law. In this section, we explore a series of related inquiries,

beginning first with the question of what kind of property rights may be asserted in the human body and its parts. Is a human body (or any part thereof) property which a testator may lawfully devise and make a binding gift of in his will? Is a corpse, or a preserved organ or tissue samples capable of being 'owned' in the sense of personal property in the law? The legal answer to this question may be surprising to most people, and it has profound implications for current developments such as intellectual property claims to or derived from human tissue or genes or proteins, as well as to the rapidly developing field of human tissue banking, biobanking and genetic or genomic banking.

Closely tied to the question of property in the body is the concept of human organ transplantation. Is transplantation legal, and what are the ethical and legal rules governing it? Do rules differ for *inter vivos* transplants (where the donated organ is taken from a living person) and cadaveric transplants (where the donated organ is taken from a dead person – but when is a person 'dead' for the purposes of transplantation?). We examine in particular the ethical and legal difficulties involved when organs are harvested from donors declared dead on cardiovascular death criteria instead of whole-brain death criteria. How should scarce resources such as human organs be allocated? To the sickest? To the best immunologically-compatible match? Should trade in organs be allowed, and if not, why?

The Physician-Patient Relationship. In this third part of the course we examine the standard duties imposed on physicians by the law, and consider especially the standard of care to be applied in the global duties of diagnosis, disclosure and treatment. Starting from the standard background of the *Bolam* rule, we consider the implications of the recent (March 2015) change in the common law relating to the standard of care for disclosure directed by the UK Supreme Court. Who decides how much information a patient should be given? Are there any circumstances in which a doctor may deliberately withhold information from the patient? What kinds of risks may a doctor take on behalf of the patient?

In this part, we also examine the obligation of confidence, starting first with an inquiry into the operation of the duty of confidence in the 'traditional' context or 'traditional' situations. But increasingly, the advent of modern technology and new applications for medical information is straining the traditional justifications for the confidence rule. We examine the modern formulation of the confidence rule in the context of new technologies such as genetic testing, genetic screening – and genetic research.

Human Biomedical Research. In this final part, we survey key developments in a rapidly-developing field which is becoming an increasingly important part of the work (and ambitions) of every healthcare institution in the developed world – biomedical research. The student is introduced to basic concepts in the field of human experimentation, research involving human subjects, clinical trials (drug or pharmaceutical trials), institutional ethical governance for biomedical research, human tissue banking, the use of medical information and biobanking.

Assessment: 30% class participation; 70% take home exam

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

LLAW6249 Entertainment law

This course provides practical knowledge about the legal, regulatory and business aspects of the entertainment industry in Hong Kong. The lecture room will turn into the legal office of a mass media and entertainment conglomerate. Students, positioned as recruits of the legal office, will learn how to deal with the common legal issues in the daily operations of the conglomerate. The conglomerate has broad-based business ranging from production, acquisition and distribution of TV programmes of different genres (drama, non-drama, news etc.), production and distribution of theatrical films, music publishing and recording to artiste management. Thus, the legal issues to be dealt with may include:-

- Copyright in entertainment industry
- Passing off
- Defamation
- Contempt of Court
- Privacy issues of celebrities
- Recruitment and management of artistes
- Advertising regulation
- Legal/ regulatory traps in producing a TV programme/ theatrical film or organizing a public entertainment event

Assessment: 50% research paper, 50% group project

LLAW6250 Regulation of pharmaceutical products and medical devices

The course is aimed at students seeking an understanding the legal and regulatory requirements that must be met before new drugs, vaccines, biologics or medical devices (generally referred to as therapeutic goods) may become accessible to the public. The global therapeutic goods market, heavily dominated by the pharmaceutical industry, is experiencing significant growth, with total global pharmaceutical revenue estimated at approximately USD 1.7 trillion to USD 1.99 trillion in 2024–2025 (not

counting medical devices with artificial intelligence (AI) capability). The market is highly concentrated, with the United States (US) holding a commanding share of over 50% of the global pharmaceutical market, followed by China and Germany. For this reason, the course will focus on the regulatory requirements of key regulators like the US Food & Drug Administration, the National Medical Products Administration of the People's Republic of China, and the European Medicines Agency. Additionally, the course will consider the important role that Hong Kong (specifically the Department of Health of the Government of Hong Kong SAR) has to play as a technological intermediary among these major markets.

Topics that will be covered in the course include international standards for clinical trials involving pharmaceutical and biopharmaceutical product, and medical devices (with focus on devices based on artificial intelligence or machine learning); direct human experimental and biomedical research involving human participants; 'non-invasive' epidemiological and other studies involving only the use of data; human tissue banking and biobanking; cohort studies; genomic research; the research use of 'legacy' diagnostic tissue or data collections; the sharing of personal, medical and genomic information (e.g. in electronic medical records), and through remote healthcare systems and applications in the Internet of Medical Things; public 'diseases registries' and the use of medical information for public health research purposes; the legal and ethical regulation of multi-centre and multi-jurisdictional collaborative biomedical research; data-mining and the implications of migration to large-scale national health records systems; human embryonic stem cell and induced pluripotent stem cell research; genome editing and gene therapy; and ethical and regulatory standards for governance of biomedical research at the institutional level (through Institutional Review Boards, or Human Research Ethics Committees).

Fundamental concepts such as the informed consent of subjects (at common law and under international clinical trial good practices) with particular emphasis on the consent given by or on behalf of minors, incompetent subjects and vulnerable populations, social value of the research, right to science, return of benefits to research subjects or affected populations, risk-benefit assessment, clinical trial designs and clinical equipoise will be considered, as along with the impact and requirements of national laws and regulations international guidelines. Certain aspects of property law (e.g. ownership of biological materials) and intellectual property law (scope of monopolistic rights over medicines) will also be considered.

The course seeks to help students understand and keep abreast of biotechnological developments and to enable them to identify ethical, regulatory and legal issues that are relevant to the pharmaceutical, biotechnology and medical device sectors, and to equip them with the basic language and vocabulary necessary to address these issues. To this end, students will be introduced to basic technical (i.e. medical or scientific) information that relates to the technology (e.g. AI-based medical software or gene therapy) considered in this course.

Assessment: 70% take home examination, 30% class participation

LLAW6251 Comparative property and trust 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

LLAW6260 Law of state immunity and sovereign debt

SISD is a highly topical course intended principally for full-time LLM(CFL) candidates, and deals with conflicts arising between public international and private international law in cases of distressed foreign currency sovereign debt. The course will also be of interest

to JD, MCL and LLM(CR) candidates with appropriate interests in private and public international law.

The course will address the results of two contemporary developments, the widespread adoption of the doctrine of restricted sovereign immunity in the engagement of states with commercial actors; second, a long-term transition in foreign currency borrowing by central governments from being evidenced by inter-state treaties to private law contracts.

These changes have contributed to increasing conflicts between official interests and diffuse creditor groups in cases involving delinquent or distressed debt; by protracted creditor litigation, for example involving Argentina, Greece, Ukraine and Venezuela; an erosion of engagement among previously-cooperative commercial creditors; and a lack of international consensus in dealing with the odious debts of impoverished states in political flux.

The course will examine all aspects of these issues, in a seminar setting with a high-degree of class participation through weekly discussions of specific course topics, supported by guided readings and issues introduced each week by class members.

Assessment: 40% coursework and class participation, 60% take home examination

LLAW6265 Law, regulation and compliance for insurance industry in Hong Kong

Insurance is playing a more prominent role in the business portfolio of many financial institutions. Since the financial crisis in 2008, consumers have become more risk-averse in choosing financial solutions, those relatively complex investments like derivative products are less receptive by the market. People are looking for other long-term financial planning solutions to give themselves a better protection and security for future, while getting a decent return. Insurance becomes an obvious choice among various financial products. Further, some banks are offering lending facilities for insurance products, with the low-interest environment, this further boosts up the attractiveness.

Insurance is historically a less regulated industry when compared to the banking world. Laws and regulations in the whole financial industry is generally getting more stringent, there is quite a significant change in the regulatory landscape in the insurance industry. This course will cover the essential laws, regulations and compliance requirements for the insurance business in Hong Kong from a practical perspective.

This course is suitable for students who would like to understand the latest laws, regulations and compliance requirements for the insurance industry in Hong Kong and how they apply in the industry from a practical perspective.

Assessment: 80% research paper, 20% presentation

LLAW6271 Bioethics foundations

This is a course in bioethics offering an introduction to the fundamentals of bioethics.

The course provides a firm grounding in traditional approaches to bioethics and relevant basics of legal and philosophical theory, while also introducing students to non-Western perspectives. By making connections to moral and legal philosophy as well as to bioethics, students will be able to locate current questions of policy and law within a broader academic context. The course will emphasize building student understanding of philosophical fundamentals, which are involved in and may provide a different perspective to more specific topics in bioethics such as the end of life and the physician-patient relationship.

The syllabus covers significant schools of thought essential to an understanding of bioethics and medical law, such as consequentialism, virtue ethics, and deontology. Students will also be introduced to non-Western perspectives, such as concepts in Confucian ethics. Throughout the class, students will examine legal, ethical, and economic and policy dimensions of questions in bioethics using the philosophical tools they develop. This will generally take the form of case studies, which students will be given to analyze and debate in class. Such case studies will cover topics such as rationing in modern health care systems, organ transplantation, the use of reproductive technology and human enhancement. Through the in-class debates, students will develop the ability to identify the key issues of bioethics that arise in the case studies, as well as construct well-formed arguments in support of or against a position in these debates.

Assessment: 30% class participation, 70% take home examination

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

LLAW6283 Aircraft and international asset finance law

This course fuses the practical and transactional aspects of aircraft finance the legal theory underpinning international secured transactions law. Beginning with an introduction to the history of international cross-border finance, this course will introduce participants to the work of the “three sisters of private international law” (UNIDROIT, UNCITRAL and the HCCH) and their role in establishing a harmonised global legal framework for secured transactions. The course will then delve into the development, key legal features and innovative aspects of the Cape Town Convention.

Once participants have developed a core understanding of the treaty system, its operational aspects will be explored through an in-depth examination of aircraft finance practice and how it is facilitated globally by the Aircraft Protocol. The course will cover typical aircraft finance structures, undertake case studies and practical examples of issues that can arise and discuss how aviation finance has been affected by broader macroeconomic conditions, such as the economic challenges caused by the COVID19 pandemic. Finally, the course will then broaden participants understanding of international asset-based finance through the consideration of the additional Protocols to the Cape Town Convention, in order to provide a grounding in relation to the finance of railway rolling stock, space assets and mining, agriculture and construction equipment. The course will also briefly touch upon possible future developments in harmonising cross-border asset-based finance in relation to ships and renewable energy generation assets.

By the end of the course, participants will not only understand the key elements of aircraft finance and cross-border asset finance, they will also have a strong grounding in the development of international standards for asset-based finance and the role of key international institutions. This fusion of practical and theoretical learning will be valuable for students looking to undertake careers in international finance, commercial dispute resolution, and more broadly international private law and transnational commercial law.

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

LLAW6285 Legal data science

This course offers a hands-on introduction to legal data science and aims to improve students’ understanding of:

- 1) legal issues that involve technology;
- 2) the technologies that underlie many legal–tech products; and
- 3) how technology can be used in empirical legal research.

This class also provides practice in the logical reasoning skills important to many areas of legal practice and improves students' abilities to communicate with clients in high-tech industries.

No computer programming experience is required. Class operates in a “flipped” manner with weekly homework and readings, and intensive classroom activities that are designed to help students overcome obstacles.

Assessment: 10% participation, 20% weekly homework assignments, 10% quiz, 60% final project

LLAW6288 Introduction to European Union law

This course is intended to introduce students to law and institutions of the European Union. The EU law constitutes an autonomous and developed legal system which is directly binding on all member states. It is based on international treaties (TEU, TFEU, CFR), but it is also composed of thousands of regulations and directives enacted by the EU bodies, as well as of the case law of the EU Court of Justice. An important portion of both legal regulations and judicial case-law addresses matters of fundamental rights.

The course is structured as a general introduction and, by definition, must be very selective. It is focused on EU “constitutional law” and does not enter into any of the specialized branches of EU law.

It explores, first, historical development of the European integration (topic 1) and the institutional scheme of the EU (the Union: competences, accession and withdrawal – topics 2-3; the three branches of government – topic 4).

Secondly, the course moves to matters of the EU legal order: system of sources (topic 5), primacy and direct effect of EU law (topics 6-7), liability and enforcement (topic 8).

Finally, the remaining three topics deal with EU fundamental rights: their development and present scope (9), prohibition of discrimination and relation to the ECHR (10), protection of personal liberty (European Arrest Warrant and blacklisting – topic 11).

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

LLAW6294 International investment: structuring, protecting, and resolving related disputes

Since the early days of the colony, when Hong Kong's first trading houses were established with Jardine & Matheson leading the way, and until contemporary Hong Kong

with major listed Chinese conglomerates such as China Merchants investing in major infrastructure projects around the world, Hong Kong has been known for its market-oriented approach and for its outlook to international investment and trade.

The course is a unique offering at a post-graduate level that is tailor-made for Hong Kong's international investment and trade community, whether in-house counsel, practising lawyers, managing directors, or project managers in charge of international transactions. The course is thus designed for students with a legal background (preferably a law degree) and for those students who have a background in international business transactions, international project management, and in transboundary infrastructure and banking projects.

The course is an interdisciplinary programme that unites several key legal disciplines under the general dispute resolution umbrella: public international law, investment and trade, investment structuring, investment protection, political risk insurance, WTO dispute resolution mechanism, and resolution of investment disputes.

Assessment: 10% class participation, 30% mid-term examination, 60% final examination

LLAW6295 Issues in consumer law: theory and policy

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

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

LLAW6298 Private equity and venture capital: law and practice

This course is designed to provide students with an understanding of the legal issues that arise in private equity and venture capital from both theoretical and practical perspectives. The topics that will be covered explore the laws and practices relating to the whole cycle of the venture capital and private equity, including fundraising, investments, exits, foreign investments and regulation.

The course will also discuss emerging methods of SME financing including crowdfunding and ICOs. Certain topics of this course will provide relevant comparisons with private equity and venture capital in the US, the UK, EU, China and Singapore. It will be of interest to legal professionals in the private equity and venture capital sectors.

A basic knowledge of company law but it is not a prerequisite for the course.

Assessment: 20% class participation, 80% research essay

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.

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

LLAW6300 Digitalisation: health, law and policy

This course has three key objectives:

1. Introduce students to the ethical and legal implications of digitalisation of health and related aspects of law, primarily from a policy and regulatory standpoint. **Health** is referred to generally as the module for the study of digitalisation in a variety of health-related contexts, including healthcare (e.g. electronic health records and use of sensors to monitor medical adherence), biomedical research (e.g. use of artificial intelligence (AI) in drug development and medical research), health funding and insurance (e.g. use of Big Data analytics in claim and loss predictions) and public / global health (e.g. use of digital technologies to support realisation of the Sustainable Development Goals);
2. Introduce students to Computational **Law** as applicable to digitalisation of health (as outlined in Objective (1) above). The module will focus on a number of computational models of legal reasoning (and related legal application that have been developed), and will examine how modern legal expert systems are likely to change in response to the digitalisation of healthcare; and
3. Introduce students to data visualisation (in both health and law) and means of thinking critically about an increasingly data-driven world (with focus on potential sources of misinformation and disinformation).

Digitalisation refers to the added value of applying digital technologies (such as Big Data

analytics, AI and robotics) to interventions directed at meeting needs or goals that relate to health, administration of justice and regulatory compliance. The course adopts a **Policy** approach in that different epistemic systems of ethical, legal/regulatory and governance principles (e.g. human-centricity) that guide decisions to achieve health and legal outcomes will be examined. The ethical and legal implications of digitalisation policies in both subjective and objective decision-making will be considered.

The jurisprudential basis of right to information, freedom of expression (as pertinent to health), privacy, as well as concerns with misinformation and disinformation will be studied. The course will also cover the role of national laws, international law, and instruments touching on digitalisation concerns in health and related aspects of legal practice and regulation. Of these laws and normative instruments, this course will focus on those that pertain to data security, collection, sharing and use, control (e.g. through intellectual property) as well as those that apply to data custodians and intermediaries (including cloud platforms). Additionally, the normative impact of social organisations (including business entities) on digitalisation and regulatory trends will be considered.

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

LLAW6301 Law, innovation, technology and entrepreneurship (LITE) - postgraduate internship

The Law, Innovation, Technology and Entrepreneurship (LITE) programme is an interdisciplinary and experiential programme for students of all backgrounds. In LITE – Postgraduate Internship, postgraduate students will have the opportunity and commit to be onsite to work with Hong Kong tech companies at least the equivalence of one day in the week during the semester (“host companies”).

Host companies are initially expected to come from Cyberport, Hong Kong Science and Technology Park (HKSTP), and the FinTech Association of Hong Kong (FTAHK). Sectors and business areas may include fintech, digital entertainment, artificial intelligence, big data, blockchain, and cybersecurity, among others.

As compared to the structured project-based LITE Lab - Tech Startup Law (LLAW3255), LITE - Undergraduate Internship is more fluid to reflect the operations of innovation firms, startups, and social entrepreneurs, with tasks assigned supervised by relevant officers of such fast-moving and evolving companies. Supervision is primarily by the host company and may include multiple shorter-term projects and deliverables that evolve during the term of the internship. Priority will be provided to tasks and officers which are legally-related, and accordingly, host companies will tend to be later stage as compared to the companies involved in LITE Lab - Tech Startup Law (LLAW3255).

Student-company pairings will be made based on each student’s previous work experience, academic focus, areas of particular interest, and relevant skillsets. In addition to class time, expected time commitment will be 9-10 hours per week devoted to the internship, comprised primarily of time committed to be spent on-site with the host company, reporting and communicating with the LITE instructors about progress.

Students will be assessed on a pass/fail basis.

Assessment: 10% learning reflections, 10% class contribution, 40% internship final project/tool/explainer, 40% internship participation and delivery

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

LLAW6305 Sanctions: law and practice

This course will provide students with a comprehensive introduction to the concept and practice of sanctions from the corporate perspective. It will be divided into two main parts. The first part will consider sanctions regimes on both international and domestic levels. The interactions between the different regimes will be discussed, together with highlighting areas of potential inconsistencies and evaluating their implications to sanctions compliance in practice. The second part will focus on managing sanctions issues in practice. This will include the key components of the sanctions compliance governance framework as well as decision making amidst competing legal, commercial, and policy demands relevant to corporate actors. Throughout this course, various legal and practical issues will be presented for analysis and discussion.

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

LLAW6306 The economic analysis of law

Judges make policy through their decisions in individual cases. This observation is especially true of jurisdictions that recognize opinions as authoritative sources of law. To distill precedents and extract from them a rule to govern future cases, skillful lawyers imbue doctrine with spirit and purpose. Are case outcomes best explained by the economic notion of efficiency? How should legal regimes be designed to maximize welfare? Finally, should social efficiency and welfare—as defined by the economist—be

the normative goal of law and its institutions?

This lecture-based seminar will introduce students to the economic analysis of the common law, including property, contracts, and torts. It will also cover public law themes such as voting and delegation. Finally, challenges to the neo-classical law and economics tradition will be considered. Students should come to each meeting prepared to discuss the assigned readings.

This course is self-contained, and no prior knowledge of law or economics is assumed or required.

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

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

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

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

LLAW6316 Transnational criminal law

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

Students in this course will study these various aspects of transnational criminal law from reading both primary and secondary sources. The course approaches these topics from both theoretical and practical perspectives and with reference to the international and domestic laws/practices relevant to Hong Kong.

Some issues that may be discussed in the course include the tension between sovereignty interests and the domestic exercise of extraterritorial jurisdiction, the elements of transnational criminal offences, the implementation of treaty crimes into domestic law, reconciling cross-border criminal procedures with protections for human rights and the rule of law, practical difficulties in criminal cooperation between states and within the People's Republic of China, latest developments in cross-border digital data/evidence requests, and the role of international organizations such as the United Nations, INTERPOL, Financial Action Task Force, etc in addressing transnational criminal activity.

Assessment: 30% group presentation, 70% take home examination

LLAW6321 International commercial litigation

International commercial disputes dealt with by national courts involve various substantive, procedural and conflict-of-laws issues. This course aims to present a full picture of how international commercial disputes are resolved in the path of the courts' decision-making. The court seized with a commercial dispute will first decide whether the court has jurisdiction to hear the case. In cases where there is a parallel proceeding in a foreign country, the court may consider whether to issue an anti-suit injunction or stay the proceedings. Once the jurisdictional issues are cleared, the court will proceed to the merit of the case. The court will assess the parties' contractual claims and defences under the applicable law to the contract.

This course will tackle these issues arising from different and distinct types of international commercial contracts.

This course consists of two parts.

Part one covers common issues to different types of contractual disputes such as:

- Principle of party autonomy
- How to deal with jurisdictional conflicts: anti-suit injunctions and stay of the proceedings (including recent anti-anti-suit injunctions regarding patent infringement)
- General clauses in international commercial contracts (boilerplates)

Part two tackles more contract-specific issues in international sales contracts, shipping and insurance contracts, licence agreements, EPC contracts, shipbuilding contracts, franchise agreements, commercial agency contracts, financial contracts and shareholders agreements such as:

- Grounds to establish/contest the court's jurisdiction
- Principles to determine the applicable law of the contract
- Typical claims and defences under specific contracts

In Part Two, the above-mentioned issues will be addressed under specific contractual contexts. For example, in the lecture covering international sales of goods will cover which court (habitual residence of the seller or buyer, or place of performance) shall have jurisdiction; how to determine applicable law in a sales contract; typical claims and defences under the CISG.

The topics will be taught with an extensive case law of the UK, Europe and the courts in the Asia Pacific region.

Assessment: 10% class participation, 30% team/self presentation, 60% research essay

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.

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

LLAW6324 Mediation advocacy

This course is designed to give students an opportunity to understand the mediation process, the impact of the process on the parties and an understanding of the skills needed to be an effective advocate in mediation. Classes will focus on ensuring that students have a strong grasp of the principles and theoretical basis for mediation. The class will explore the negotiation principles which underly mediation and how this informs mediation advocacy.

The active participation of students is necessary and will involve preparing for class through assigned reading or through reflection on how to incorporate skills into their own personal toolkit. In particular, the students will participate in inter-active mediation and negotiation role-plays. This provides an experiential learning as students can acquire skills and a deeper understanding of theories through practical application.

The roleplays will enable the students to appreciate the communication, cultural and emotional challenges experienced by clients and advocates. Building on this with an understanding of negotiation skills, the students will be able to consider the modes of advocacy which are available to advocates and how advocates in mediation can provide the most effective support to their clients. The professional and ethical responsibilities of an advocate within mediation to support without prejudice negotiations within the context of potential litigation will be considered.

Assessment: 25% participation and skills journal, 75% research paper

LLAW6325 Digital transformation of legal services

The legal profession and services are at a crossroad prompted by advances in technology and digital transformation. Historically the profession of lawyers were people with privileges and influence. Then industrialization propelled the profession to greater heights. Now digital transformation creates new opportunities as well as transforming the profession from the ground up. This course explores all these themes as well as innovative developments of the profession and services including the deployment of artificial intelligence. Furthermore, consider how different business models, change management, leadership and beyond is going to transform legal services. Therefore, the aim of this course is to explore and discuss the impact of digital transformation on the profession and the future of lawyering. To achieve this, the course takes an interdisciplinary approach combining business studies, digital transformation, and the development of legal services.

Assessment: 20% class participation, 30% research essay, 50% take home examination

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

LLAW6326 Topics in technology law

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

1. Legal protection of personal data;
2. Legal regulation of algorithms; and
3. Intellectual property and artificial intelligence systems

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

Assessment: 20% class participation, 80% research essay

LLAW6340 Legal pluralism in Hong Kong

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

Classical Chinese Thought and Institutions: Continuity and Change

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

Customary Law within a Common Law System

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

Law, Society and Customary Norms

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

institutions; commercial bodies; customary landholding; small houses and the customary right to build.

Assessment: 10% class participation, 10% research essay proposal, 80% research essay

LLAW6341 Sports law

The course offers an exploration of the legal principles and issues that govern the sports industry, both locally and internationally. This course is designed to equip students with an understanding of the legal framework surrounding professional, amateur, and recreational sports, emphasizing the intersection of law, business, and governance in the sports context. It helps students understand how law works in sports, covering professional, amateur, and recreational activities.

The course covers topics such as the role of law in sports, governance of sports organizations (e.g. Sports Federation & Olympic Committee of Hong Kong and its Code of Governance, Governance Matters for National Sport Organizations in Hong Kong and elsewhere), and key legal areas like contracts, torts, employment, anti-bribery, intellectual property, and competition law as they apply to sports. Students will learn about the business side of sports, including how sports tournaments and properties are managed and regulated under local and international laws.

Students will explore special sports law concepts, including international sports law, the Olympic Charter, and important court cases that have shaped sports law. The course also teaches practical skills like contract drafting, managing risks, following governance rules, and solving sports-related legal disputes.

Through lectures, case studies, and group work, students will develop skills to analyze legal problems in sports and suggest solutions. By the end of the course, students will understand how sports organizations are governed and how to apply legal thinking to real sports situations.

This course is ideal for students interested in sports law, sports management, or related careers. It will be taught in English, with assessments including written assignments to help students apply what they learn.

Assessment: 30% class participation, 70% final examination

LLAW6342 Law of the sea

The Law of the Sea is a foundational and fast-evolving branch of public international law that governs how states use, protect, and manage the world's oceans. Covering roughly 70% of the Earth's surface, the oceans serve as vital conduits for communication and transportation, as well as critical sources of food, energy, and mineral resources. With these vast advantages, regulating the use of the seas has become a central legal concern for the global community.

This course offers a comprehensive introduction to the public law of the sea—distinct from maritime law, which governs commercial and private matters at sea. Instead, our focus will be on the rules and principles that apply to states and intergovernmental actors.

Beginning with key historical milestones—such as the 1930 Hague Codification Conference and the landmark Third United Nations Conference on the Law of the Sea—the course traces the evolution of legal efforts to regulate ocean use. These developments culminated in the adoption of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), often regarded as the “Constitution for the Oceans.”

Using UNCLOS as a central reference point, students will explore the legal framework that defines maritime zones (territorial seas, exclusive economic zones, continental shelves, and the high seas) and regulates state activities within those zones. Topics will include navigation and shipping, fisheries management, marine scientific research, islands and maritime jurisdiction, and the governance of deep seabed mining beyond national jurisdictions.

Special attention will be given to maritime boundary delimitation and dispute settlement mechanisms available under UNCLOS and customary international law. Students will engage with landmark decisions from international tribunals such as the International Tribunal for the Law of the Sea (ITLOS), the International Court of Justice (ICJ), and arbitral bodies established under Annex VII of UNCLOS.

Finally, this course will critically examine how major powers—particularly China—engage with and sometimes challenge the existing law of the sea regime. The lectures limit its focus to the law of the sea applicable during peacetime. It does not cover naval warfare or the law of armed conflict at sea.

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

LLAW6345 Competition law and labour

This course explores the interactions between competition and labour laws in the European Union and United States. Although they are often considered opposed regulatory mechanisms - the former enabling combinations, the latter combating them - they have both sought to govern labour markets. Consequently, they have influenced, supported, and clashed with one another in pursuit of distinct visions of labour market governance. This interface provides the subject matter of this course.

The course first situates students in the economics of labour markets and how workers and employers interact legally. Going beyond neoclassical theories of labour market competition, this first part of the course provides an overview of how workers and employers cooperate and struggle to regulate both labour and product markets. Moreover, it elaborates on the distinct regulatory mechanisms of labour and competition law, as well as their visions for labour markets.

Subsequently, the second part of the course explores the history of labour antitrust in the United States to highlight how labour and competition laws can both clash and coexist. Specifically, it traces the evolution of American labour antitrust from a union-busting tool of employers in the 20th century to a pro-labour regulatory mechanism in the 21st. To that end, it elaborates on the foundations and development of US antitrust and labour law. The focus will be on the comparative weakness of American labour laws - a weakness that first allowed union-busting and then called for antitrust interventions to protect workers.

The third part of the course focuses on European experiences of competition law enforcement in labour markets. It contrasts the comparative restraint of competition law enforcers in the 20th century with the widespread and divergent enforcement in the 21st. Moreover, it compares the institutional design of American and European competition and labour laws to explain their distinctly different enforcement experiences. Accordingly, this part also provides an overview of the foundations and evolution of European competition and labour laws.

By studying these American and European case studies, the course highlights the contentious regulations of labour markets and competition law's interactions with other fields of law. After completing this course, students will gain a clearer understanding of competition law's malleability and reach beyond product markets. Additionally, students will have delved into case studies illustrating one of the core skills of lawyers and regulators: leveraging the inconsistencies within and between different fields of law to advance specific agendas.

Assessment: 20% participation, 30% in-class midterm examination, 50% final take home examination

LLAW6346 Cross-border business law: EU, ASEAN, GBA

This course examines the legal and institutional foundations of cross-border business within three major regional frameworks: the European Union (EU), the Association of Southeast Asian Nations (ASEAN), and the Guangdong–Hong Kong–Macao Greater Bay Area (GBA). Through a comparative and doctrinal lens, the course explores how regional integration projects construct markets, allocate regulatory authority and shape the conditions under which firms operate across borders.

Assessment: 10% class participation, 20% group presentation, 30% midterm examination, 40% take home examination

LLAW6347 Emerging issues in compliance in a global context

This course examines emerging compliance issues in a global context. Regulatory developments in financial crime prevention, digital assets, and cross-border coordination are evolving rapidly across jurisdictions.

Topics include the role of international standard-setting bodies (FSB, BCBS, IOSCO, FATF), global regulatory developments for emerging issues such as digital assets, frauds and sanctions.

The course combines policy and regulatory analysis with practical considerations for compliance professionals. It comprises 11 three-hour seminars covering international standard-setting, local implementation, and practical issues for compliance professionals. There will be guest sharing sessions with incumbent regulators, policymakers and relevant international and domestic stakeholders. The final session is dedicated to group project presentations.

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

LLAW6351 Selected topics in private law

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

Assessment: 100% coursework

LLAW6352 Selected topics in public law

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

Assessment: 100% coursework

LLAW6353 Selected topics in commercial law

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

Assessment: 100% coursework

LLAW6354 Selected topics in corporate and financial law

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

Assessment: 100% coursework

LLAW6355 Selected topics in technology law

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

Assessment: 100% coursework

LLAW6356 Selected topics in regulatory law

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

Assessment: 100% coursework

LLAW6357 Selected topics in international and comparative law

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

Assessment: 100% coursework

Undergraduate courses

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

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

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

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

Tort is one of the first subjects undertaken in the LLB degree. Along with contract and unjust enrichment (also sometimes referred to as restitution), it forms part of the law of obligations, which covers the situations in which one person may be liable to another person in private law. In tort, that liability is, generally, to pay damages as compensation for a wrong. The law of torts covers a vast array of circumstances in which an individual incurs responsibility for conduct that the law classifies as wrongful.

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

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

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

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

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

Assessment: 10% tutorial participation, 90% examination

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

Criminal law I introduces students to the principles of Hong Kong criminal law and liability. Topics include the nature and classification of crime, elements of criminal procedure in Hong Kong, the burden of proof and the impact of constitutional human rights, and the general principles of criminal responsibility. Offences considered will include homicide, non-fatal offences against the person, criminal damage and theft.

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

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

*[Students who fail this assessment will not be allowed to take the final exam. The assessment is assessed to Pass/Fail.]

LLAW2001 Constitutional law (6 credits)

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

In Hong Kong, constitutional law also performs the important function of regulating the relationship between Hong Kong as a Special Administrative Region of the People's

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

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

Assessment: 30% take home assignment, 70% examination

LLAW2012 Commercial law (6 credits)

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

A: Personal Property

- Types of Personal Property
 - Chose in Possession
 - Chose in Action
- Types of Rights and Interests
 - Possession
 - Ownership
- Legal and Equitable Assignment

B: Sale of Goods

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

C: Agency

- Creation of Agency
- Types of Authority
- Undisclosed Agency

- Effects of Agency
- Duties of an Agent
- Termination of Agency

D: Credit and Security

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

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

LLAW2013 and LLAW2014 Land law I and II (12 credits)

Introduction to property and land law.

Acquisition of interests in land: legal and equitable methods.

Concurrent interests under ownership.

Acquisition of possessory title by adverse possession.

Priority: enforceability of interests against third parties.

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

Leasehold covenants: nature; enforceability; remedies.

Licences: nature; revocability; enforceability.

Easements: nature; creation; determination.

Security interests: mortgages; charges.

Assessment: 15% group presentation, 35% mid-term examination, 50% final examination

LLAW3010 Business associations (6 credits)

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

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

Pre-requisite: Have taken and passed Commercial Law

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

LLAW3015 Advanced company law (6 credits)

This course builds on what the students have learnt about companies from the Business Associations course (LLAW3010) and covers the topics covered in that course more in-depth to prepare students for further study in corporate and corporate finance law and practice and in particular, the Corporate and Commercial Transaction course to be taught in the Postgraduate Certificate in Laws programme.

Note: In the dealing with the said topics, there will be a particular emphasis on Hong Kong case law and the Companies Ordinance (Cap.622) and the Companies (Winding-up and Miscellaneous Provisions) Ordinance (Cap.32).

Pre-requisite: Have taken and passed Business Associations

Assessment: 100% coursework

LLAW3093 Administrative law (6 credits)

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

Pre-requisite: Have taken and passed LLAW 2001 Constitutional law (or its equivalent).

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

LLAW3097 Civil procedure (6 credits)

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

- considerations prior to commencement of action;
- legal aid;

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

Assessment: 30% coursework, 70% examination

LLAW3099 Criminal procedure (6 credits)

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

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

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

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

LLAW3102 Evidence I (6 credits)

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

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

Assessment: 20% tutorial participation, 80% examination

LLAW3103 Evidence II (6 credits)

The course is intended to provide an opportunity for (a) in depth study of specialist areas of the law relating to evidence and procedure and (b) introducing students to different approaches towards problems of proof suggested by scholars in other disciplines.

Topics for study will be selected on a yearly basis from the following list: expert evidence; similar facts evidence; police practices and a fair trial; public interest immunity; interrogatories and other forms of admission; the use of forensic science; probability theory and proof; comparative evidence and procedure; admissibility/relevance of the confessions of third persons; evasions of the hearsay rule; features and problems of identification testimony; pre-trial and trial experiments; reforms; codification, together with any current controversies or developments in the general area of evidence and procedure the teachers or students find appropriate or interesting.

(Note: Students enrolling for this course must have completed Evidence I or an equivalent course.)

Assessment: 25% continuous assessment, 75% examination

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 paper² (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.

² 297 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.