



2012

# FACULTY OF LAW (MONA) REGULATIONS



THE UNIVERSITY OF THE WEST INDIES

FACULTY OF LAW (MONA)

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# FACULTY OF LAW (MONA) REGULATIONS

## ENTRY REQUIREMENTS

1. The normal entrance qualification for the Faculty of Law (Mona) is the normal level Matriculation standard of FIVE subjects, at least TWO of which must be at CAPE (Units 1 and 2) or equivalent level, the remainder at CSEC general or equivalent level. There are no special subject requirements in addition to those necessary for Matriculation.
2. Subject to The University's Regulations Governing Matriculation, the Faculty may consider applications from persons who do not strictly satisfy Matriculation standards but who have equivalent academic qualifications. In particular, mature applicants over 21 who have shown evidence of academic and professional achievement may be considered.

## DIRECT ENTRY TO PART II

3. Exemption from all the non-law subjects in Part I is a concession granted by the Board of the Faculty of Law (Mona). Students who qualify under Faculty Regulations for such exemption may be considered for direct entry to the Part II course of studies. A limit of numbers may be imposed on the grant of this direct entry.

## COURSE EXEMPTIONS

4.
  - (a) Graduates holding degrees from the University of the West Indies or from the University of Guyana may already have studied certain subjects specified for The University of the West Indies law degree. Any student fulfilling the required conditions of the Faculty Regulations may apply for appropriate exemption.
  - (b) Students who hold Commonwealth common law type law degrees from other universities will not as a rule be accepted for the LL.B. degree. Such students may in certain circumstances be admitted to read for the LL.M. degree. These graduates will, in any case, be able to apply for entry to the Professional Law Schools for the practical training.
  - (c) Students who have already studied a single subject in the course of studies and who are granted exemption without credit may be required to study a different subject in its stead.

## **LEAVE OF ABSENCE**

5.
  - (a) A student, who for good reason wishes to absent himself or herself from the programme, must apply for formal leave of absence to the Faculty Board, through the Dean, stating the reasons for the application.
  - (b) The length of a leave of absence, if granted, will be subject to the approval by Academic Board, but will not normally exceed one year in the first instance, terminating at the end of the academic year for which the application is approved.
  - (c) Save in very exceptional circumstances, leave of absence may not be granted for more than two consecutive years.
  - (d) The deadline for requests for leave of absence for any semester shall be the end of the third week of the semester and the third week of Semester I for leave of absence for the academic year.

## **COURSE REQUIREMENTS FOR THE LL.B.**

6. Every student in his or her first year is required to read Foundation courses unless exempted from so doing under the terms of Faculty Regulations (see Examination and Regulations). Every first year student is required by the University to read such Foundation courses as may be prescribed by the Faculty of Law (Mona).

## **ACADEMIC PROGRAMME**

7. Courses for the LL.B. degree are delivered in three parts, as indicated below.

## **DIRECT ENTRY**

8. Students entering Part II directly are required to pursue the course of studies prescribed in the regulations for the degree of Bachelor of Laws (LL.B.) for Direct Entry.

## **REGULATIONS FOR THE DEGREE OF BACHELOR OF LAWS (LL.B)**

9. All students of the University of the West Indies are subject to the General Regulations for Students approved by the Senate of the University. Where there is a conflict between these Regulations and the University Regulations, the University Regulations shall apply, except where a Regulation of the Faculty is expressly permitted by the Board for Undergraduate Studies.

## **FULL-TIME REGISTRATION**

- 10.** A candidate for the LL.B. degree shall normally be registered as a full-time student.
- 11.** It shall be the responsibility of the candidate to consult the Faculty Regulations to ensure that he or she is properly registered.

## **COURSE OF STUDY**

- 12.** Subject to Regulations **21** and **22**, candidates for the LL.B. degree shall pursue a course of study extending over not less than three academic years and with a minimum value of ninety-three credits, which must include credits for the Law courses listed in Regulations **14** and **16**, before being eligible for the award of the degree.
- 13.** Subject to Regulations **21** and **22**, the course of study for the LL.B. degree shall be in three parts. Unless otherwise permitted by the Board of the Faculty, Part I courses shall be taken in the first year, Part II courses in the second year and Part III courses in the third year
- 14.** The courses offered in Part I for examination shall be:

FOUN1002	Language Argument
FOUN1101	Caribbean Civilization
FOUN1210	Science, Medicine and Technology in the Commonwealth Caribbean
LAW1010	Law and Legal Systems
LAW1020	Constitutional Law
LAW1110	Criminal Law I
LAW1120	Criminal Law II
LAW1230	Legal Methods, Research and Writing (a six credit course taught over two semesters)
LAW1310	Law of Torts I
LAW1410	Law of Contract I

- 15. (a)** For purposes of these Regulations, a Foundation Course means any course designated a Foundation Course by the University.
- (b)** All questions relating to the permitted number of opportunities to sit a Foundation Course shall be governed by regulations and procedures of the relevant Faculty

**16.** The courses offered in Part II for examination shall be:

LAW2010	Law of Torts II
LAW2110	Law of Contract II
LAW2210	Real Property I
LAW2220	Real Property II
LAW2310	Public International Law I
LAW2420	Public International Law II
LAW2510	Jurisprudence
LAW2710	Administrative Law
LAW2720	Commonwealth Caribbean Human Rights Law. <sup>1</sup>
LAW2810	Equitable Remedies

- 17. (a)** The courses offered in Part III for examination shall be 10 courses chosen from the List of Optional Courses as may be made available in that year.
- (b)** Each candidate is required to take five courses in each Semester.
- (c)** The List of Optional Courses comprises such of the following courses as are offered in the relevant Semester, including not more than six credits offered in a Faculty other than the Faculty of Law (Mona) and approved by the Dean of the Faculty of Law (Mona).

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<sup>1</sup> Note, now wrongly identified as LAW3710.

**List of Optional Courses:**

LAW3500	Criminology
LAW2410	Comparative Law I
LAW2420	Comparative Law II
LAW3010	Industrial Relations Law
LAW3020	Employment Law
LAW3030	Discrimination in Employment
LAW3040	Dismissal Law
LAW3110	Company Law
LAW3120	Law of Corporate Management
LAW3140	Law of Corporate Insolvency
LAW3150	Revenue Law
LAW3170	Law of Trusts
LAW3180	Administration of Trusts and Estates
LAW3210	Family Law I (Relating to Husband & Wife)
LAW3220	Family Law II (Relating to Children)
LAW3260	Gender and the Law in the Commonwealth Caribbean
LAW3280	International Mooting
LAW3290	Independent Research Paper
LAW3330	International Trade

LAW3340	European Union Law
LAW3400	Insurance Law
LAW3450	Caribbean Environmental Law
LAW3460	International Environmental Law
LAW3550	General Principles of Private International Law
LAW3560	Specialized Problems in Private International Law
LAW3620	Law of International Organizations
LAW3630	Caribbean Integration Law
LAW3640	Introduction to Offshore Law
LAW3720	International Law of Human Rights
LAW3760	Intellectual Property
LAW3770	Advanced Legal Writing
LAW3840	Alternative Dispute Resolution
LAW3870	Poverty Law I
LAW3880	Poverty Law II

**18.** Every course has a value of three credits unless otherwise specified.

## **EXEMPTIONS**

### **Foundation English Course**

**19. (a)** The Board of the Faculty may recommend to the Senate of the University that a candidate who is a graduate of another University whose degrees are recognised by the Senate as conferring eligibility for matriculation for entry to degree programmes be exempted from the required Foundation English Course in any part of the LL.B.

programme

- (b)** The Board of the Faculty may recommend to the Senate of the University that a candidate who has a Foundation English course pass be exempted from the required Foundation English Course in any part of the LL.B. programme.

#### **Other Non-Law Courses**

- 20.** The Board of the Faculty may recommend to the Senate of the University that a candidate be granted exemptions from Foundation Courses where the candidate has successfully completed the same or similar courses at the university level.

#### **Course of Studies for Direct Entry**

- 21.** Students who gain Direct Entry into Year Two of the LL.B programme may be exempted from all Foundation Courses, but would be required to take a combination of Part I and Part II Law courses and examinations prescribed for Direct Entry Students in **(a)** below and, in the following year, such combination of Part II and Part III Law courses prescribed for Direct Entry Students in **(b)** below.

- (a)** The courses offered for the examination for Part II for the purposes of this Regulation shall be:

#### **Semester I**

LAW1010	Law and Legal Systems
LAW1110	Criminal Law I
LAW1210	Legal Methods, Research and Writing
LAW2210	Real Property I
LAW2310	Public International Law I
LAW2510	Jurisprudence



## Semester II

LAW1020	Constitutional Law
LAW1120	Criminal Law II
LAW1220	Legal Methods, Research and Writing (continued)
LAW1310	Law of Torts I
LAW1410	Law of Contract I
LAW2420	Public International Law II

- (b)** The courses offered for the examination for Part III for the purposes of this Regulation shall be:

## Semester I

LAW2010	Law of Torts II
LAW2110	Law of Contract II

## AND

Five courses chosen from the List of Optional Courses stated in Regulation **17 (c)** above.

## Semester II

LAW2710	Administrative Law
LAW2810	Equitable Remedies
LAW2220	Real Property II
LAW2720	Commonwealth Caribbean Human Rights Law <sup>2</sup>

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<sup>2</sup> Note: now wrongly identified as LAW3710.

**AND**

Three courses chosen from the List of Optional Courses stated in Regulation **17 (c)** above.

#### **Students Who Read Law Courses While Not LL.B. Students**

- 22.** Subject to the University Regulation regarding the time limits for maintenance of credits, a candidate who has completed any course of study in another Faculty of the University of the West Indies and has passed the examinations in any of the courses (other than in non-law courses) in any part of the LL.B. programme, when not registered as a candidate in the Faculty of Law (Mona), shall be entitled to full exemption and credit for any course or courses he or she has successfully completed, and shall be required to take, in addition to all Part I and Part II courses not yet completed, such number of Part III courses as would be required in order to complete a minimum of two year's work of 60 credits before being awarded the LL.B Degree. (Provided that a minimum of 78 credits are obtained from LAW courses, including any for which exemption and credit were granted).

#### **Students Re-Admitted to the Faculty**

- 23.** Subject to the University Regulations, in the event that the Senate of the University permits a candidate to register afresh notwithstanding any other regulation that would otherwise have barred that candidate from registering for further Parts of the LL.B. degree, the Board of the Faculty may recommend to the Senate that such a candidate who has already successfully completed the courses and examinations prescribed for Part I and Part II of the LL.B. programme be exempted from the courses and examinations for those Parts and be permitted to register for the required number of courses and examinations for Part III.

#### **Definitions for Purposes of Exemptions**

- 24.** For purposes of Regulations **19** to **22** above, the following definitions shall apply:
- (a)** a Foundation English pass means a pass in the examination for, and the completion of, a Foundation English course in the University of the West Indies or the University of Guyana or any other such course which the Board of the Faculty shall, on the advice of the Faculty of Humanities and Education, recognise for the purposes of this Regulation;
  - (b)** Part II LL.B qualification means a pass in all prescribed Part II courses of the LL.B programme.

## SCHEME OF EXAMINATIONS

- 25.** The examinations for each Part may comprise all or any of the following: written papers, oral examination or continuous assessment of semester work as shall be determined in accordance with University Examination Regulations.
- 26.** (a) A candidate must pass the examinations set for each Part.
- (b) A candidate shall, subject to Regulation **14**, not be eligible to enter for the examinations for Part II unless:
- (i) he or she is exempted from Part I under Regulation **21**, Regulation **22**, or Regulation **23**; or
  - (ii) he or she has passed the examinations for Part I; or
  - (iii) he or she would have passed the examinations for Part I on his or her first or second sitting but for a failure in some of the courses in that Part.
- (c) A candidate shall, subject to Regulation **17**, not be eligible to enter for the examinations for Part III unless:
- (i) he or she is exempted from Part I under Regulation **21**, Regulation **22**, or Regulation **23**; or
  - (ii) he or she has passed the examinations for Part II; or
  - (iii) he or she would have passed the examinations for Part II on his or her first or second sitting but for a failure in some of the courses in that Part.
- 27.** (a) Where a candidate is eligible to enter for the examinations for Part II by virtue only of Regulation **26 (b) (iii)**, he or she shall, as a condition of such entry, enter also to sit the examinations in Part I in the courses in which he or she has failed.
- (b) If the candidate, by the end of the year in which he or she enters Part II, has not passed the courses which he or she had failed in Part I, he or she may not, without the permission of the Board of Examiners, be permitted to re-sit the examinations or to sit any further examinations in any Part of the LL.B degree.
- (c) Where a candidate is eligible to enter for the examinations for Part III by virtue only of Regulation **26 (c) (iii)**, he or she shall, as a condition of such entry, enter also to sit the

examinations in Part II in the courses in which he or she has failed.

- (d) If the candidate, by the end of the year in which he or she enters Part III, has not passed the courses which he or she had failed in Part II, he or she may not, without the permission of the Board of Examiners, be permitted to re-sit the examinations or to sit any further examinations in any Part of the LL.B degree.

28. A candidate who fails a course will be required to sit the supplemental examination in that course and shall be automatically registered for the supplemental examination in that course.

### **Part I Examinations**

29. The Examination for each Part I course shall be taken at the end of the semester in which the course is registered for.
30. (a) Supplemental Examinations shall be available for all law courses in Part I examinations.
- (b) Supplemental Examinations for the Foundation Courses offered by other Faculties shall be governed by the Regulations and Procedures of the relevant Faculty.
31. (a) A candidate who has failed in not more than two courses at the end of Part I may, with the permission of the Board of the Faculty, enter for the examinations for Part II, under Regulation **26 (b) (iii)** above, trailing the courses he or she has failed.
- (b) A candidate who has failed in more than two courses at the end of Part I may, with the permission of the Board of the Faculty, be required to repeat the courses he or she has failed while entering for the examinations for only that number of courses from Part II as may be necessary to complete the requisite number of courses for an academic year.
- (c) A candidate who has failed all the courses in Part I shall be required to withdraw.

## **Part II Examinations**

- 32.** Save as otherwise specified, the Examination for each Part II course shall be taken at the end of the semester in which the course is registered for.
- 33.** Supplemental Examinations shall be available for all law courses in the Part II examinations.
- 34.** (a) A candidate who has failed in not more than two courses at the end of Part II may, with the permission of the Board of the Faculty, enter for the examinations for Part III, under Regulation **26 (c) (ii)** above, trailing the courses he or she has failed.
- (b) A candidate who has failed in more than two courses at the end of Part II may, with the permission of the Board of the Faculty, be required to repeat the courses he or she has failed while entering for the examinations for only that number of courses from Part III as may be necessary to complete the requisite number of courses for an academic year.
- (c) A candidate who has failed all the courses in Part II shall be required to withdraw.

## **Part III Examinations**

- 35.** Save as otherwise specified, the Examination for each Part III course shall be taken at the end of the semester in which the course is registered for.
- 36.** A candidate who has failed all the courses he or she has taken in Part III is entitled to re-sit the whole of the Part III examinations in the year following his or her failure. In exceptional circumstances, and with the permission of Academic Board on the recommendation of the Board of the Faculty, a candidate may repeat the whole of the Part III examinations in a year other than that following his or her failure.
- 37.** A candidate who has failed only some of the courses he or she has taken in Part III may re-sit those courses he or she has failed or may substitute any other courses in Part III he or she has not already passed in order to complete the requisite number of credits for the award of the LL.B. degree.

## **Regulations to Enable the Holding of Supplemental Examinations in Part III of The LL.B. Degree Programme**

- 38.** Notwithstanding any other regulation, rule or practice to the contrary, a Supplemental Examination to the Part III Examinations for the LL.B. degree shall be held in July/August.

- 39.** A candidate who has failed in any of the examinations for the courses in Part III offered in Semester I or Semester II during the current academic year may be required to take all the Part III courses in which he or she has failed in the Supplemental Examinations.
- 40.** A candidate to whom Regulation **39** applies shall, for the purpose of being eligible for the award of the LLB degree, be required to pass all the courses which he or she is required to take in the Supplemental Examinations.
- 41.** A candidate who is allowed to take a Supplemental Examination under Regulation **39** shall be entitled to keep the passing grade he or she has earned on the Supplemental Examination but, in determining the candidate's cumulative GPA, the passing grade earned on the Supplemental Examination shall be computed along with all failing grades that the candidate has received in that course, whether or not in Supplemental Examinations.
- 42.** (a) Subject to (c) below, a candidate who fails in one or more examinations offered at the Supplemental Examinations shall be entitled to repeat in the following academic year, subject to the existing Regulations, all the courses and examinations which he or she has failed in the Supplemental Examinations, provided that the candidate may select another course and examination in place of any course and examination which he or she has failed; but the failing grade received in the course and examination for which another course and examination have been substituted shall be taken into account in computing the candidate's cumulative GPA.
- (b) Subject to (a) above, a candidate may be granted permission by Academic Board on the recommendation of the Board of the Faculty to be registered in the following Academic Year with or without attendance at classes, lectures or tutorials for the purpose of sitting the examinations in the courses he or she has failed, at the time such examinations are offered.
- (c) A candidate who fails four or more courses offered at the Supplemental Examinations may be required to repeat those courses he or she has failed; or, in the alternative, substitute the equivalent number of final-year courses he or she has not yet completed. However, the failing grades received in the courses for which other courses have been substituted shall be taken into account in computing the candidate's cumulative GPA.
- 43.** Notwithstanding any other regulation, rule or practice to the contrary, a candidate who fails in any course after four attempts, including Supplemental Examinations, shall not be eligible to re-sit any examination in any course offered under the Regulations governing the Faculty of Law (Mona) and an attempt in a course shall count as an attempt in any course substituted as provided for in Regulation **42 (a)**.

## **Regulations for Examinations in the Supervised Independent Research Paper Course**

- 44.**
- (a)** A candidate registered in Part III of the LL.B degree programme may submit an original research paper of between 8, 000 to 10,000 words, properly documented with footnotes and bibliography. Two copies of the research paper in typewritten form shall be submitted for examination. The research paper shall be typed on 8 1/2 x 11 paper or A4 paper.
  - (b)** A candidate may register for the Independent Research Paper Course in any Semester of Year Three and shall submit the paper not later than the last day of classes for the Semester in which he or she is registered for the Course.
  - (c)** The candidate shall choose a topic which is capable of legal analysis in its broader social context. An inter-disciplinary approach may be adopted, and is encouraged, where appropriate to the topic chosen. All topics must be approved by the Board of the Faculty.
  - (d)** The candidate shall, at the beginning of the academic year, submit an abstract of his or her research topic indicating the coverage, the inter-disciplinary consideration and method of approach. In the preparation of the abstract, the candidate is expected to consult teachers in the appropriate disciplines on the Campus, who are willing to supervise his or her research paper.
  - (e)** The supervisor shall normally be a member of the Faculty of Law (Mona). Law teachers on other Campuses of The University of the West Indies may be involved in guiding any work conducted at those campuses. Where an inter-disciplinary approach is taken, an additional supervisor from another Faculty may be selected.
  - (f)** The candidate is expected to consult at regular intervals with his or her supervisor and, in any case, at least once a fortnight during the semester.
  - (g)** The research paper shall represent one full three-credit course in the final examination.
  - (h)** The research paper shall be assessed separately by two examiners, who shall be the assigned supervisors. Where only one supervisor is assigned, a second examiner will be appointed.
  - (i)** The candidate who for good and sufficient reason fails to submit a research paper may be granted permission by the Board of Examiners to submit the paper as a Supplemental Examination.

- (j) The candidate who receives a failing grade for his or her research paper may, in a borderline case, be given a *viva voce* examination or may be granted permission by the Board of Examiners to re-submit the paper as a Supplemental Examination.
- (k) The candidate who has successfully completed the Independent Research Paper Course, but who is required to repeat Part III of the LL.B programme, shall be credited with the grade he or she has received in that Course.
- (l) A copy of each research paper shall be retained by the University. The second copy may be returned to the candidate.
- (m) Copies of selected research papers will be placed permanently in the Law Library and may be consulted in accordance with the rules of the Law Library.

#### **Regulations for Supplemental Examinations in Legal Methods, Research And Writing**

- 45. A candidate who has been awarded a pass in Legal Methods, Research and Writing but who nonetheless has failed any or all other courses in Part I of the LL.B and is therefore required to repeat those courses he or she has failed in a subsequent year, shall not be required to repeat Legal Methods, Research and Writing in that subsequent year, but shall be credited with the grade awarded in Legal Methods, Research and Writing in that former year irrespective of the category of registration.
- 46.
  - (a) Any candidate who has not obtained an overall pass mark in Legal Methods, Research and Writing shall be required to re-submit as many assignments as he or she has failed to pass, but shall retain the marks which he or she has obtained in the assignment(s) which he or she has passed.
  - (b) Fresh assignments shall be made available to the candidate who has failed to obtain a pass mark.
  - (c) Where a candidate is required to undertake additional assignments as a result of his or her failure to obtain a pass mark, his or her mark in the new assignment shall be either pass or fail, i.e. he or she shall not be awarded more than the minimum passing mark.
  - (d) The candidate can pursue his or her new assignments at any time before the last date of the Supplemental Examinations.



## General

- 47.** (a) For the purposes of Regulations **25 – 37** above, a candidate shall be regarded as having failed an examination either if he or she sits that examination and has failed to pass it or if he or she is otherwise deemed under the Examination Regulations to have failed that examination.
- (b) Subject to University Examination Regulations, where a candidate's performance in any examination to which these Regulations apply has been affected by illness, the Board of the Faculty of Law (Mona) may, on the recommendation of the Board of Examiners of the Faculty, allow the candidate an opportunity to sit the examination on a future occasion on which another examination would be scheduled in the relevant Part of the LL.B. programme or course or courses or part thereof, as the case may be, in addition to any opportunity which the candidate might otherwise be allowed under Regulations **25 – 37** above, provided that the Board of the Faculty of Law (Mona) may not allow a candidate more than four such additional opportunities.
- (c) For the purposes of (b) above, any additional opportunities in respect of examinations held within any semester shall be counted as a single additional opportunity only.

## Regulations Governing Coursework taken as a Part of a Course

- 48.** (a) For the purposes of Regulation **47** and Regulation **48**, "coursework" shall include "take-home" written assignments and midterm written examinations.
- (b) These Regulations shall operate, subject to any other Regulation to the contrary, where provisions are made for assessment by way of coursework together with a final examination.
- (c) A candidate's coursework marks shall be computed with the candidate's marks in the final examination at the end of the semester or with the marks awarded in a supplemental examination to calculate the final grade for the course.
- (d) A candidate who fails a course on the totality of the marks for both coursework and the written examination at the end of the semester, may be entitled to sit a supplemental examination for the end of semester examination only, and not for the coursework.
- (e) A candidate who fails the coursework component shall not be entitled to re-submit the coursework or take a supplemental examination for coursework.

- (f) Where provisions exist for coursework assessment, a candidate who refuses or fails to submit any assignments or materials for coursework assessment will be assigned no marks for the coursework component of the course.
- (g) A candidate who has failed a course and is allowed under these Regulations to repeat the course and re-sit an examination in the year following his or her failure, may not carry the coursework marks acquired in the previous year but shall redo the coursework component.

49. Where provisions exist for assessment by coursework, the examiner shall return the coursework scripts to the student as soon as practicable after the examination process is completed.

#### **Courses Examined only by Coursework**

50. The candidate who receives a failing grade for the course, subject to any other regulation to the contrary, where a course is examined by 100% coursework, a candidate may re-submit as a supplemental examination those coursework components that had been failed.

#### **Entry to Examinations**

- 51. (a) Entry for the examinations for any course shall consist of registration for that course of the LL.B. programme.
- (b) Registration for any course of the LL.B. programme shall take place during the first week of the First Semester.
- (c) Registration later than the first week of the Semester shall be subject to the conditions laid down in general University Regulations.

#### **AWARD OF DEGREE**

- 52. The LL.B. degree may be awarded with First Class Honours, with Second Class Honours, Upper and Lower Division, or as a Pass Degree, on the basis of a Weighted Grade Point Average (GPA) for Parts II and III Courses only, save and except where Part I courses may be taken into account in determining the class of degree for Direct Entrants.
- 53. The class of the degree shall be determined on the basis of a candidate's performance in the Part II and Part III examinations.

54. (a) In the calculation of the Weighted GPA, no weight shall be given to any Part I courses, except where Part I courses may be taken into account in determining the class of degree for Direct Entrants.
- (b) Parts II and III courses shall have equal weight in the determination of the Weighted GPA.
- (c) Non-Law Foundation Courses, whether taken in Year II or III, shall not count in the determination of the Weighted GPA.

55. The GPA Scheme for the Award of Class of Degree shall be as follows:

- (a) First Class Honours – Weighted GPA of 3 .60 and above.
- (b) Second Class Honours, Upper Division – Weighted GPA of 3.00 – 3.59.
- (c) Second Class Honours, Lower Division – Weighted GPA of 2.00 – 2.99
- (d) Pass – Weighted GPA of 1.00 – 1.99.
- (e) The minimum Weighted GPA required for the award of the LL.B degree shall be 1.00.

56. The GPA Marking Scheme for Examinations in the Faculty of Law (Mona) shall be as follows:

- (a) In the determination of the GPA, the grades with corresponding quality points shall be defined in the University Regulations governing the GPA.
- (b) The authorized marking scheme is as follows:

<b>GRADE</b>	<b>GPA</b>	<b>MARKS</b>
A+	4.3	86 and above
A	4.0	70 – 85
A-	3 .7	67 – 69
B+	3 .3	63 – 66
B	3 .0	60 – 62

B-	2.7	57 – 59
C+	2.3	53 – 56
C	2.0	50 – 52
C-	1.7	47 – 49
D+	1.3	43 – 46
D	1.0	40 – 42
F	0.0	0 – 39

- 57. (a)** A candidate who voluntarily withdraws from the University and who applies for re-admission within five (5) years shall be granted exemption and credit for courses previously passed, subject to the time limit for the maintenance of credits stipulated in the Faculty of Law (Mona) Regulations and subject to the stipulation that the courses previously passed are not determined by the Board of the Faculty of Law (Mona) to be obsolete.
- (b)** Where exemption and credit are granted in accordance with **(a)**, the grades obtained at previous attempts in such courses shall be used in the determination of the candidate's GPA.
- 58. (a)** A candidate who fails to achieve a cumulative Semester GPA of 1.00 at the end of the first Semester of his or her first or second year will be warned and will be informed that he or she may be required to repeat that year should he or she fail to achieve a cumulative GPA of 1.00 at the end of the academic year.
- (b)** A candidate who fails to achieve a cumulative GPA of 1.00 at the end of his or her first or second year may be required to repeat that year. If upon repeating the year the candidate still has not achieved a cumulative GPA of 1.00, he or she may be required to withdraw for one year.
- (c)** The cumulative GPA to be used to determine whether a candidate advances to the final year of the LL.B programme shall be that candidate's cumulative GPA for the second year only.
- 59.** A candidate who was required to withdraw for reasons of failure to progress as prescribed in

Faculty Regulations may be readmitted on the following conditions:

- (a)** A minimum of one year must have passed since the date of withdrawal;
  - (b)** All grades previously obtained shall continue to apply for the purpose of determining the candidate's GPA;
  - (c)** Work done at an institution other than The University of the West Indies during the period that the candidate was required to withdraw from the University may be eligible for credit under these Regulations, by a decision of Academic Board on the recommendation of the Board of the Faculty.
- 60.**
- (a)** For the purposes of these Regulations, where a candidate has completed a course of study in another Faculty of The University of the West Indies and has passed the examinations in any of the Part II and Part III courses, when not registered as a candidate in the Faculty of Law (Mona), and for which courses the candidate has received exemption and credit, subject to the University Regulation regarding time limits for the maintenance of credits, the grades received in such Part II and Part III courses shall be taken into account in the calculation of the candidate's GPA for class of degree; and the candidate shall be required to take, in addition to all Part II courses not yet completed, such number of Part III courses as would be required in order to complete a minimum of two year's work of 60 credits before being awarded the LL.B. Degree.
  - (b)** Where, however, depending on the number of Part II and Part III courses a candidate had already completed before enrolling as a full-time candidate in the Faculty of Law (Mona), there is not a sufficient number of Part II and Part III courses from which that candidate may choose 20 for graduation, he/she will consult with the Dean in order that, with the approval of Academic Board on the recommendation of the Board of the Faculty, an appropriate course of study can be determined for completion of the LL.B. degree.
- 61.** Where a candidate fails a course and subsequently repeats the course and passes it, or re-sits the examination at Supplementals and passes the course, the candidate shall be awarded the final grade obtained when he or she has passed the course; but the grade earned on the Supplemental Examination or upon repeat of the course shall be computed along with the failing grade or grades that the candidate has received in that course in determining the candidate's cumulative GPA.
- 62.**
- (a)** A candidate who completes the requirements for the LL.B. degree after the Honours eligibility date under this Regulation shall not be eligible for the award of the LL.B.

degree with Honours.

- (b)** The Honours eligibility date shall be the date of the publication of results for the last examination held in the relevant calendar year for any course for which the candidate has at any time been registered in any Part of the LL.B programme.
  - (c)** In the case of a candidate exempted from the courses and examinations for Part I under Regulation **20**, Regulation **21** or Regulation **22** above, the relevant calendar year shall be the third calendar year after that of his or her date of first registration for Part II.
  - (d)** In the case of a candidate not falling within **(c)** above, the relevant calendar year shall be the fourth calendar year after that of his or her date of first registration for Part I.
  - (e)** Where a candidate is permitted to withdraw from the examinations for any Part of the LL.B programme, the calendar year in which that examination takes place shall be excluded from the computation of the relevant calendar year.
  - (f)** Where a candidate does not sit the examination in any calendar year by virtue of the grant of leave of absence from the University of the West Indies, that calendar year shall be excluded from the computation of the relevant calendar year.
  - (g)** The calendar year of the date of first registration for any Part of the LL.B programme shall be the calendar year in which the first examinations are held for which the candidate was thereby registered.
- 63.** The names of the candidates who have passed the Part I, Part II and Part III examinations, as the case may be, shall be published in separate pass lists in which the names of the successful candidates shall be arranged alphabetically as follows:
- (a)** in relation to the Part I examinations, in two divisions;
  - (b)** in relation to the Part II examinations, without divisions; and
  - (c)** in relation to the award of the degree, in the following classes:

    - (i)** First Class Honours;
    - (ii)** Second Class Honours;

      - (A)** Upper Division

(B) Lower Division

(iii) Pass.

#### **AEGROTAT DEGREE**

- 64.** A candidate who has been absent through illness from one or more of the examinations in the courses for the Second Semester in his or her Part III year may apply for the award of the Aegrotat degree provided that he or she has passed or has been exempted from Part I, has passed Part II and, in the case of a candidate registered for the Independent Research Paper Course, has successfully completed the research paper for the course.
- 65.** Applications from or on behalf of candidates must be accompanied by a medical certificate signed by (a) the University Health Officer, or (b) other Medical Personnel approved for this purpose by the University, and shall reach the Registrar not later than thirty days from the date of the last course examination which should have been taken by the candidate.
- 66.** The Board of Examiners for the Faculty of Law (Mona) shall not recommend the award of an Aegrotat Degree to a candidate applying under Regulation **64** above, unless in the view of the tutors, the candidate has achieved a satisfactory standard in all the coursework for those courses from the examinations of which the candidate has been absent through illness.
- 67.** The Chairman of the Board of Examiners and Examination Co-ordinators for Part III may designate all or any of the examiners for any course from the examination of which a candidate applying under Regulation **64** has been absent through illness, to hold an oral examination in that course, where, in the opinion of the Chairman of the Board of Examiners and the Examination Coordinators for Part III, such oral examination would be appropriate in the circumstances of the case and might further assist the Board of Examiners in determining, pursuant to Regulation **66** above, whether or not the candidate has achieved a satisfactory standard in all the coursework for that course.

#### **APPLICATION OF REGULATIONS**

- 68.** (a) These Regulations shall apply in their entirety to students entering the Faculty of Law (Mona) (Mona) in 2012-2013 as First Year candidates, as well as to those students admitted on transfer or otherwise.
- (b) Students admitted to the Faculty prior to 2012-2013 will continue to be governed by the Regulations in force at the time of their admission.

## STUDENTS PURSUING CO-CURRICULAR COURSES FOR CREDIT

- 69.**     **(a)**     Students registered as full-time candidates in the Faculty of Law (Mona) shall be eligible for no more than three credits for their involvement in co-curricular courses for which the University has determined that credits may be awarded.
- (b)**     Co-curricular activities may be pursued in any of the three years of the LL.B. programme. However, any student wishing to pursue co-curricular activities for credit must first seek the approval of the Dean.

## REGULATIONS FOR PART-TIME REGISTRATION FOR THE LLB

- 70.**     Subject to Regulations **21** and **22** candidates for the LL.B. degree (Part-time) shall pursue a course of study extending over not less than four academic years and normally not more than six academic years, and with a minimum value of 93 credits, which must include credits for the Law courses listed in Regulations **14** and **16** for full-time students, before being eligible for the award of the degree. Part-time candidates must register for at least six credits per semester and not more than 12 credits in any one semester, but not more than 21 credits in any one academic year.
- 71.**     Subject to Regulations **21** and **22**, the course of study for the LL.B. degree shall be in three parts. Unless otherwise permitted by the Board of the Faculty, Part I courses shall be taken first, normally over two years, Part II courses shall be registered for when Part I courses have all been passed or when any outstanding Part I courses are being taken concurrently with Part II registration, and Part III courses shall be registered for after all Part II courses have been passed or any outstanding Part II courses are being taken concurrently with Part III registration.
- 72.**     The courses required for each Part of the programme are as set out in the Regulations **14, 16 and 17** for the full-time programme.
- 73.**     **(a)**     The courses offered in Part III for examination shall be ten courses chosen from the List of Optional Courses as may be made available.
- (b)**     The List of Optional Courses comprises such courses as are offered in the relevant Semester, including not more than two One-Semester courses offered in a Faculty other than the Faculty of Law (Mona) and approved by the Dean of the Faculty of Law (Mona).
- 74.**     **(a)**     Where a candidate is eligible to enter for the examinations for Part II by virtue only of Regulation **26 (b) (iii)**, he or she shall, as a condition of such entry, enter also to sit the examinations in Part I in the courses in which he or she has failed.



- (b) If the candidate, by the end of the second year after he or she enters Part II, has not passed the courses which he or she had failed in Part I, he or she may not, without the permission of the Board of Examiners, be permitted to re-sit the examinations or to sit any further examinations in any Part of the LL.B degree.
- (c) Where a candidate is eligible to enter for the examinations for Part III by virtue only of Regulation **26 (c) (iii)**, he or she shall, as a condition of such entry, enter also to sit the examinations in Part II in the courses in which he or she has failed.
- (d) If the candidate, by the end of the second year in which he or she enters Part III, has not passed the courses which he or she had failed in Part II, he or she may not, without the permission of the Board of Examiners, be permitted to re-sit the examinations or to sit any further examinations in any Part of the LL.B. degree.

**75.** The provisions of all Regulations for full-time registration shall apply to part-time registration, except for Regulations **36, 58 and 64**, which shall apply subject to the following adjustments for part-time registration:

**[36]** *A candidate who has failed all the courses he or she has taken in Part III is entitled to re-sit the whole of the Part III examinations over the two years following his or her failure.*

**[58]** (a) *A candidate who fails to achieve a cumulative Semester GPA of 1.00 at the end of the first Semester of any academic year will be warned and will be informed that he or she may be required to repeat that year should he or she fail to achieve a cumulative GPA of 1.00 at the end of the academic year.*

**[64]** *A candidate who has been absent through illness from one or more of the examinations in the courses for the final Semester in his or her Part III programme may apply for the award of the Aegrotat degree provided that he or she has passed or has been exempted from Part I, has passed Part II and, in the case of a candidate registered for the Independent Research Paper Course, has successfully completed the research paper for the course.*

## **PLAGIARISM DECLARATION**

**76.** A declaration must be made in accordance with the **University Regulations on Plagiarism (First Degrees, Diplomas and Certificates)** and should be attached to all work submitted by a student to be assessed as part of, or as the entire requirement of the course, other than work submitted in an invigilated examination. By signing the declaration, a student declares that the work submitted is original and does not contain any plagiarised material.