



THE UNIVERSITY OF THE WEST INDIES
MONA CAMPUS, JAMAICA, WEST INDIES

FACULTY OF LAW UNDERGRADUATE STUDENT HANDBOOK ACADEMIC YEAR 2021-2022



MONALAW
FACULTY OF LAW · THE UWI MONA



This booklet gives information on courses offered in the Faculty of Law at the Mona campus of The University of the West Indies (Jamaica). For courses offered at the other campuses, please see Faculty booklets for the Cave Hill (Barbados) and St. Augustine (Trinidad & Tobago) campuses.

THE UNIVERSITY RESERVES THE RIGHT TO MAKE SUCH CHANGES TO THE CONTENTS OF THIS PUBLICATION AS MAY BE DEEMED NECESSARY.

Students should consult the Faculty Administrative Office where clarification is required. These regulations govern the programmes of study for all students entering in 2021/22. Students who started programmes in previous years are governed by the regulations in force in their year of entry which can be found online at

<http://www.mona.uwi.edu/law/sites/default/files/law/uploads/Faculty%20Handbook%202012-REGULATIONS%20FOR%20THE%20DEGREE.pdf>

Disclaimer:

- The information in this booklet is accurate at time of publication. Subsequent publications may therefore reflect updated information. Students should consult their Dean where clarification is required.
- The University Regulations take precedence to the information presented in this booklet.

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SECTION I

Introduction to the Faculty

MISSION AND VISION

MESSAGE FROM THE DEAN

INTRODUCTION

STAFF LIST 2021-2022

CALENDAR FOR ACADEMIC YEAR 2021-2022

MISSION

“Our mission is to provide a high quality and transformative educational experience that embraces excellence in scholarship and a practical outlook rooted in the imperatives of the Caribbean and global legal system.”

VISION

“We aim to produce research which informs policy making and development, as well as, ready and able graduates capable of leveraging the value of their degree for personal career opportunities in a complex and changing world while contributing to strengthening the role of law as the guardian of an inclusive democratic process of development.”

MESSAGE FROM THE DEAN



“A journey of a thousand miles begins with a single step,” (Laozi). This famous Chinese proverb highlights that even the longest and most difficult venture has a starting point.

This marks the first step for you in your quest to become a valued member of the legal profession. The road may be long, even winding, and, at times, paved with obstacles. However, MonaLaw is committed to providing you with the guidance and support you need to reach your goal.

The study of law is an intellectually stimulating and academically rewarding experience. In this regard, MonaLaw continues to strive to fulfill these expectations.

On behalf of the Academic and Administrative staff, I wish to extend a warm welcome to our first year students. Welcome back to our returning second and final year students.

Have a great year!

Dr Shazeeda A. Ali
LLB (UWI), LLM (Cantab), PhD (Lond),
Attorney-at-Law
Dean, Faculty of Law, Mona

INTRODUCTION

The Faculty of Law was established at The University of the West Indies in 1970 with headquarters at the Cave Hill campus. Two other locations were established at the St. Augustine and Mona campuses. This is the premier legal educational institution in the Commonwealth Caribbean. This is a significant time in our history, as we celebrate MonaLaw as a fully-fledged Faculty, teaching Law for over 40 years. We are committed to excellence in legal education and as such, have expanded the faculty and facilities to ensure that our students have an exciting and rewarding intellectual experience.

STAFF LIST 2021-2022

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CALENDAR FOR ACADEMIC YEAR 2021 – 2022

DATE	EVENT
AUGUST	
August 29, 2021	Semester 1 Begins
August 30-31, 2021	Faculty Orientation
SEPTEMBER	
September 6, 2021	Teaching Begins
OCTOBER	
October 18 – 29, 2021*	Mid-Semester Examinations
NOVEMBER	
November 26, 2021	Teaching Ends
November 28 – December 4, 2021	Review/Study Week
DECEMBER	
December 6 - 22, 2021	Semester I Examinations Period
JANUARY	
January 17, 2022	Semester II Teaching Begins
January 17 - 28, 2022*	Application period for Remarks /Go Through / Consultation/Discussion re Semester I Examinations begins
FEBRUARY	
MARCH	
March 03, 2022	Sports Day
February 28 – March 11, 2022*	Mid-Semester Examinations
APRIL	
April 8, 2022	Semester II Teaching Ends
April 10 – 15, 2022	Review/Study Week
April 19 - 25, 2022	Semester Break
April 19 - May 13, 2022	Semester II Examinations Period
JUNE	
June 13 - 24, 2022*	Application period for Remarks /Go Through / Consultation/Discussion re Semester II Examinations
June 1, 2022*	Summer School Teaching begins (<i>N.B. MonaLaw does not offer summer courses</i>)
JULY	
July 8, 2022*	Summer School Teaching Ends

July 11 - 22, 2022*	Summer School/Supplemental/Re-sit Examinations. <i>(N.B. MonaLaw Faculty regulations permit Supplementals)</i>
AUGUST	
August 15 - 19, 2022*	Application period for Remarks/Go through/Consultation/Discussion – Summer/Summer School
August 29 - 30, 2022	Faculty Orientation for the 2021-2022 academic year

**Tentative dates*

SECTION II

Faculty Degree Regulations

-  PROGRAMME REGULATIONS
-  MINOR IN LAW
-  TEACHING AND EXAMINATION REGULATIONS
-  ADMISSIONS
-  PART-TIME PROGRAMME
-  GENERAL CODE OF CONDUCT
-  REGULATIONS ON PLAGIARISM
-  GPA REGULATIONS

Key Terms

PART I: This refers to level 1 or first year of the LLB programme.

PART II: This refers to level 2 or second year of the LLB programme.

PART III: This refers to level 3 or third year of the LLB programme.

REGULATIONS FOR THE DEGREE OF BACHELOR OF LAWS (LLB)

ENTRY REQUIREMENTS

1. The normal entrance qualification for the Faculty of Law (Mona) is five (5) CSEC subjects (General Proficiency Grades I-III) and/or GCE O 'Level /BGCSE subjects (Grades A-C) which must include English Language **AND** two (2) double Units CAPE subjects or 2 GCE A Level (passes with highly competitive grades) **OR** An Associate Degree from an approved tertiary level institution with a GPA of 2.5 [3.5 for St. Augustine] and above **OR** a Bachelors or Master's degree from an approved university.
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 LLB degree. Such students may in certain circumstances be admitted to read for the LLM 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 LLB

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 LLB 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 (LLB) for Direct Entry.

REGULATIONS FOR THE DEGREE OF BACHELOR OF LAWS (LLB)

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) A first year student must maintain his/her registration status for the entire academic year.
 - (b) A candidate for the LL.B. degree shall normally be registered as a full-time student.
11. The LLB programme is run over a 3 year period for full-time students.
12. 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

13. Subject to Regulations 21 and 22, candidates for the LLB 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.
14. Subject to Regulations 21 and 22, the course of study for the LLB 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 . The courses offered in Part I for examination shall be:
 - FOUN1002 Language Argument
 - FOUN1101 Caribbean Civilization
 - FOUN1201 Science, Medicine and Technology in Society
 - LAW1010 Law and Legal Systems
 - LAW1020 Constitutional Law
 - LAW1110 Criminal Law I
 - LAW1120 Criminal Law II

- LAW1230 Legal Methods, Research and Writing (a 6 credit course taught over 2 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
- LAW2320 Public International Law II
- LAW2510 Jurisprudence
- LAW2710 Administrative Law
- LAW2810 Equitable Remedies
- LAW2910 Commonwealth Caribbean Human Rights Law

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). A course taken in a Faculty other than the Faculty of Law (Mona) must be an approved Level III course. Students interested in pursuing such a Level III course from a Faculty other than the Faculty of Law (Mona) must receive approval from the Dean, Faculty of Law (Mona) before registering for the course.

List of Optional Courses:

- LAW3010 Industrial Relations Law
- LAW3020 Employment Law
- LAW3050 The Law of the Sea
- 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)
- LAW3230 Family Law III (De Facto Families)
- LAW3260 Gender & the Law in the Commonwealth Caribbean
- LAW3280 International Mooting
- LAW3290 Independent Research Paper

- LAW3330 Law of International Trade
- LAW3340 European Union Law
- LAW3350 Oil & Gas Law (Online)
- LAW3400 Insurance Law
- LAW3450 Caribbean Environmental Law
- LAW3460 International Environmental Law
- LAW3550 General Principles of Private International Law
- LAW3620 Law of International Organizations
- LAW3630 Caribbean Integration Law
- LAW3640 Introduction to Offshore Law
- LAW3645 Commonwealth Caribbean Sports Law
- LAW3660 Caribbean Securities Regulation
- LAW3720 International Law of Human Rights
- LAW3740 Comparative Law
- LAW3760 Intellectual Property
- LAW3765 Law, Technology and Internet
- LAW3770 Advanced Legal Writing
- LAW3840 Alternative Dispute Resolution
- LAW3865 Introduction to International Investment Law
- LAW3930 The Law of International Courts and Tribunals
- LAW3940 Entertainment Law

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 recognized 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 LLB 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 LLB 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 LLB 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
- LAW1230 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
- LAW1230 Legal Methods, Research and Writing (continued)
- LAW1310 Law of Torts I
- LAW1410 Law of Contract I
- LAW2320 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 16 (c) above.

Semester II

- LAW2710 Administrative Law
- LAW2810 Equitable Remedies
- LAW2220 Real Property II
- LAW2910 Commonwealth Caribbean Human Rights Law

Three courses chosen from the List of Optional Courses stated in Regulation 16 (c) above.

Students Who Read Law Courses While Not LLB 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 LLB 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 LLB 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 LLB 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 LLB 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, recognize for the purposes of this Regulation;
- (b) Part II LLB qualification means a pass in all prescribed Part II courses of the LLB 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 25 (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 LLB degree.

(c) Where a candidate is eligible to enter for the examinations for Part III by virtue only of Regulation 25 (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 LLB 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) The Examination for each Part I course shall be taken at the end of the semester in which the course is registered for.
- (b) A student may not sit a supplementary examination unless that student:
 - i. had been registered for the course; and
 - ii. has applied to sit the supplementary examination in that course, in that same academic year.
- (c) 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 25 (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.

- (a) Supplemental Examinations shall be available for all law courses in the Part II examinations.
- (b) A student may not sit a supplementary examination unless that student:
 - i. had been registered for the course; and
 - ii. has applied to sit the supplementary examination in that course, in that same academic year.

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 25 (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.
- (d) 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) Supplemental Examinations shall be available for all law courses in the Part III examinations.
 - (b) A student may not sit a supplementary examination unless that student:
 - i. had been registered for the course; and
 - ii. has applied to sit the supplementary examination,in that same academic year.
 - (c) 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 LLB degree.

Regulations to Enable the Holding of Supplemental Examinations in Part III of the LLB Degree Programme

38. Notwithstanding any other regulation, rule or practice to the contrary, a Supplemental Examination to the Part III Examinations for the LLB 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 LLB 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 ½ x 11 paper or A4 paper.
- (b) A candidate may register for the Supervised Independent Research Paper Course in any Semester of Year Three and shall submit the paper no 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 LLB 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 LLB 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 both 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 LLB 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 LLB programme.
- (b) Registration for any course of the LLB 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 LLB 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.

53. The class of the degree shall be determined on the basis of the 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.
- (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 2.50 – 2.99
- (d) Pass – Weighted GPA of 2.00 – 2.49
- (e) The minimum Weighted GPA required for the award of the LLB degree shall be 2.00

56. The GPA Marking Scheme for Examinations applicable at The University of the West Indies, Mona Campus 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:

<u>GRADE</u>	<u>GPA</u>	<u>MARKS</u>
A+	4.3	90-100
A	4.0	80-89
A-	3.7	75-79
B+	3.3	70-74
B	3.0	65-69
B-	2.7	60-64
C+	2.3	55-59
C	2.0	50-54
F1	1.7	40-49
F2	1.3	30-39
F3	0.0	00-29

57.

- (a) A candidate who voluntarily withdraws from the University and who applies for readmission 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 2.00 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 2.0 at the end of the academic year.
 - (b) A candidate who fails to achieve a cumulative GPA of 2.0 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 2.0, 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 LLB 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 LLB 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 LLB 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 LLB degree after the Honours eligibility date under this Regulation shall not be eligible for the award of the LLB 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 LLB 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 LLB 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 LLB 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 Supervised 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) in 2020-2021 as First Year candidates, as well as to those students admitted on transfer or otherwise.
- (b) Students admitted to the Faculty prior to 2020-2021 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 LLB 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.

- (a) A first year student must maintain his/her registration status for the entire academic year.
- (b) Except for candidates to whom Regulations 21 and 22 apply, candidates for the LLB degree (Part-time) shall pursue a course of study extending over not less than four (4) academic years and normally not more than six (6) 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. Subject to the approval of the Dean, Part-time candidates must register for at least six credits/ 2 courses per semester and not exceed 9 credits/ 3 courses in any one semester. The total credits for semesters 1 & 2 for the same academic year must not exceed 18 credits.

71. Subject to Regulations 21 and 22, the course of study for the LLB 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 Level III, three credit 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 LLB 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 LLB 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 2.0 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 2.0 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.

MINOR IN LAW

The Minor in Law allows all candidates reading majors in other disciplines to augment their studies with law, contributing more rounded graduates. In addition, courses in law will be especially useful to candidates contemplating a career in government or commerce. Candidates who have acquired the Minor in Law, and who later contemplate a career in law, will be able to complete the LL.B. degree in a shorter time, having already acquired a number of the required LLB credits in the mix-degree. The Minor in Law programme requires that candidates complete **nine (9) credits** in introductory law and legal methods, **six (6) credits** from a restricted list of PART 2 LLB courses, and **six (6) additional credits** from courses not already read from the lists of PART 2 and PART 3 LLB courses. The final selection of courses from PART 2 and PART 3 requires consultation and approval by the Faculty of Law.

Minimum Number of Credits for Minor in Law:

PART 1 - 9 credits (from 2 Level I courses)

PART 2 - 6 credits (from 2 of 4 Level II courses)

PART 3 - 9 credits (any 3 Level II or III courses)

Admission Requirements

The Faculty of Law has no special subject requirement to read for the Minor in Law. Candidates must satisfy the matriculation requirements of their Faculty.

LIST OF COURSES PRESCRIBED FOR THE MINOR IN LAW

PART 1 - 9 Credits

LAW1010: Law & Legal Systems (3 credits)

LAW1230: Legal Methods, Research & Writing (6 credits)

PART 2 - 6 Credits

From any two (2) of the following four courses:

LAW2510: Jurisprudence (3 credits)

LAW2310: Public International Law I (3 credits)

LAW2320: Public International Law II (3 credits)

LAW2910: Caribbean International Human Rights Law (3 credits)

PART 3 - 9 Credits

The student must take any three (3) courses from Level II or III, subject to the approval of the Board of the Faculty of Law.

TEACHING AND EXAMINATION

TEACHING ARRANGEMENTS

The course of study provided on all campuses will be designed for full-time and part-time students. Thus, students will be required to attend classes during the day, although some may take place in the evening. Law studies, in addition, require frequent and intensive use of the Law Library for reference to the basic source materials, such as law reports, statutes and texts. The programme of work provided will involve the preparation of written and oral opinions which call for concentrated library work at regular intervals.

LECTURES AND TUTORIALS

Teaching in law subjects will in most of the courses in Part I and Part II take the form of lectures and tutorials. Tutorials are arranged on a small-group basis. In these classes, the student will be expected to develop the techniques of argument and presentation of cases and to produce essays, opinions and small project work under tutorial guidance. The tutorial is a very important aspect of the teaching programme in the Faculty, and attendance at tutorials is compulsory.

CASEBOOK METHOD

The student will be encouraged to learn the art of legal reasoning by use of the case-book method. This involves the preparatory reading of selected materials, followed by class discussion designed to deduce the legal rules inherent in the materials and their use and limits in future situations.

SEMINARS

In the advanced courses, teaching may be conducted by means of seminars. This involves the preparatory reading of selected materials and the use of this to analyse and discuss a presentation based on these materials.

MOOTS

With Faculty encouragement, the students' Law Society has organised a programme of mooting. This involves the preparation and presentation of argument and counter-argument on points of law in a simulated court situation. Success lies not in the winning of the case but in the demonstration of legal skills in making the best argument from the materials available. Opportunities also exist for the participation in International competitions, e.g. the Price Media Law Moot Court Competition and the Caribbean Court of Justice Moot subject to the availability of funds.

BOOK LISTS

Book lists will be issued separately for each course and detailed reading and work sheets will be made available from time to time during the session. Course books may also be prepared and sold to students at cost.

FACULTY ADVISORS

Students are each assigned to a Faculty Advisor for the duration of their undergraduate career in the Faculty. The Advisor will give help and advice on matters of an academic nature if such advice is sought. The Faculty Advisor is to be regarded by students as an important Faculty resource.

EXAMINATIONS

Examinations are normally held at the end of each Semester. In some courses, however, examinations may take the form of essays submitted during the Semester, together with an examination at the end of a Semester, or solely of an extended research paper, submitted during the course of the academic year, as in the Independent Research Paper Course.

ADMISSION

ENTRY REQUIREMENTS

Prospective candidates must possess **five (5) CSEC** subjects (General Proficiency Grades I-III) and/or GCE O'Level/GCSE subjects (Grades A-C) which must include English Language **AND two (2) double Units CAPE** subjects or **2 GCE A Level** (passes with highly competitive grades) **OR** an Associate Degree from an approved tertiary level institution with a GPA of 2.5 [3.5 for St. Augustine] and above **OR** a Bachelors or Master's degree from an approved university. The competition for places in the Faculty is such that very high 'A' level grades and very high averages in undergraduate degrees are required for an applicant to stand a reasonable chance of gaining admission.

The Faculty offers a Full-Fee Paying Programme which affords students the opportunity to spend their first year at the Western Jamaica Campus and the second and third years at the Kingston Campus. Alternatively, students may spend all three years at Mona. The full-time programme attracts a cost of US\$10,000 per Academic Year while part-time students pay US\$1,100 per three-credit course. Applications remain open all year round.

The Faculty is prepared to 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 can be considered. (Reference should be made to the Regulations Governing Matriculation in the University Calendar). This may provide an opportunity to read for a Law degree for those who have already been associated with the practice of law in some way - e.g. clerks of the courts, legal assistants, civil servants, police officers and so on.

APPLICATION PROCEDURE

1. Complete and submit an online application using the website <http://www.mona.uwi.edu/admissions/>
2. Submit to any UWI Centre the original and copy of:
 - Birth certificate, Academic certificates, Professional certificates and/or Diplomas;
 - Marriage certificate/Deed Poll (whichever is applicable) if present name is different from that on documents;
 - Applicants outside of the University's contributing territories should submit certified documents (by education institutions or notary public) and be prepared to submit original documents for verification by or before registration;
 - Additional documents, if required for specific programmes.
3. If you have done post-secondary academic work, you should request a transcript from your college/university to be sent directly to the Admissions Section, The University of the West Indies, Mona, Kingston 7, Jamaica.

ADMISSIONS PROCEDURE

1. Firm offers will be made to the students selected from those who are already qualified for entry.
2. Since the Faculty operates within limits on the total number of places available, the standard which qualified candidates must achieve in order to be offered places will vary according to the number and standard of applications in any given year from any given country. For similar reasons, it may in some circumstances be possible to offer a candidate a place only at a Mona campus other than that of his or her first choice.

3. A waiting list will be drawn up of persons to whom offers can only be made late in the summer when it is known how many places are available following the examination results.
4. All applicants will receive notification of their eligibility and the decision in relation to their case when first offers are made. It is imperative that any deadlines for acceptance set by the University are adhered to. Applicants should therefore read University replies with the utmost care.

MonaLaw Guidelines for Students

Preamble

MonaLaw is an integral part of The UWI whose mission is “To advance learning, create knowledge, foster innovation for the positive transformation of the Caribbean and the wider world”.

Therefore, MonaLaw is committed to being a dynamic and diverse academic community for learning, creativity, sharing, exploring and growing.

We accept these guidelines as a statement of our commitment to the respect for human dignity in a learning community where all are free “to hope, to excel, and to be.”

Guidelines

1. Primacy of The UWI Code of Principles and Responsibilities for Students:

- a. The UWI Code of Principles and Responsibilities for Students applies to every student and sets out the standards of behaviour that students shall meet, which are necessary for the promotion and maintenance of a vibrant, and respectful learning community.
- b. The MonaLaw Guidelines for Students should be read in conjunction with the UWI Code of Principles and Responsibilities for Students.

2. Facilities:

- a. Areas surrounding lecture rooms, offices and the library are designated quiet zones. Students should not engage in conversations and/or activities that disturb the work of the Faculty.
- b. Students should have regard to the needs of other members of the community when using the alcoves and other common areas.
- c. Students’ use of the Faculty spaces, both inside and outside, should not hinder movement by others.
- d. Students are not to remove the Faculty’s property from their prescribed locations. An exception may be approved in the case where the movement of property is necessary to facilitate the instructional programme/process.
- e. Students should take care to remove from rooms and the spaces they’ve used, all their possessions (including waste).
- f. The Faculty of Law is a Green Zone. Students should therefore dispose of their waste and conserve on the use of paper in accordance with good environmental practices. Students are directed to use the green bins provided.
- g. Students should observe the signage throughout the Faculty.
- h. No smoking is allowed in the building or its environs.

3. Mutual Respect for Each Other:

- a. Students are to refrain from the use of violent and offensive language at all times.
- b. There is a zero-tolerance for all forms of harassment and bullying, including ragging and hazing of any student on the campus.
- c. There is a zero-tolerance for all forms of discrimination.

- d. All students should conduct themselves honestly and ethically at all times.
 - e. All students, in the exercise of their freedom of expression, have a responsibility to respect the rights of others in the Faculty of Law.
4. *Conduct for Instructional Sessions:*
- a. All students should refrain from all activities that might disturb any class (lectures or tutorials) and any other meetings being duly held in the Faculty of Law.
 - b. A student may be required to leave the classroom if s/he is involved in disorderly conduct.
 - *Disorderly conduct is explained in the UWI Code of Principles and Responsibilities for Students*
 - c. All electronic and noise-generating devices must be muted during classes.
 - d. Classes will commence five minutes after the hour and end five minutes before the hour to facilitate students' and instructors' attendance at consecutive classes elsewhere.
 - e. Students are to attend and leave classes punctually.
5. *Social Media Policy:*
- a. All social media activities by members of the MonaLaw community should comply with the UWI Social Media Policy.
6. *Amendment to Our Guidelines:*
- a. These guidelines may be amended from time to time after substantive consultation with the Faculty Board and the Executive Body of the Mona Law Society.

THE RIGHTS AND RESPONSIBILITIES OF STUDENTS¹

PREAMBLE

Rights operate within a system of fundamental values. Rights and privileges go hand in hand with their corresponding duties, obligations and responsibilities. Such are the principles that bind student membership in The University of the West Indies community with the fundamental values, rights and responsibilities of the University as a community.

The Code sets out the ground rules, considered consistent with the goals and well-being of the University, for the conduct of all students who belong to the University community. This Code of Students Rights and Responsibilities has been written to define and explain rights, obligations and responsibilities of students while they are members of The University of the West Indies community. It has been written cooperatively by students, faculty and staff.

The Code is subject to and limited by the Laws of the individual Campus Countries and the Charter, Statutes, Ordinances and Regulations of the University. In addition it seeks to set out the procedures in place to review incidents of misconduct.

THE RIGHTS AND RESPONSIBILITIES OF STUDENTS

This Code is applicable to all registered students of The University of the West Indies, including those registered in joint programmes such as the joint UWI/UTech degree programme.

The University accepts you as a responsible individual and accordingly requires that you make responsible decisions regarding your own moral, social and spiritual behaviour and the success of the University as an educational institution. That is the basis of your membership of the University Community. This code is thus intended to help ensure mutual respect for your rights and the rights of others and to support an environment conducive to personal and intellectual growth. In furtherance of those objectives, you are required to accept the responsibilities indicated below:

1. **CIVIL STATUTES** – You retain your RIGHTS as an individual when you become a member of the University, including the right of freedom of conscience and of lawful assembly and association. You have the corresponding RESPONSIBILITY to abide by the laws of the land in addition to the University's own laws and norms. Action by civil authorities with regard to misconduct may not satisfy the University's disciplinary procedures, in which case the University reserves the right to take further action, in the interest of the University community. Disciplinary action on the part of the University does not preclude or supersede criminal or civil action arising from misconduct.
2. **ACADEMIC RESPONSIBILITY** – You have a RIGHT to the resources necessary for the attainment of your learning objectives, including, but not limited to, timely, accurate and reliable information on all academic matters affecting students; to access information on campus services and facilities without undue difficulty; to adequate instruction; to express opinion on the performance of lecturers and the quality of teaching; to receive accurate information about examination procedures; to be fairly examined; to receive timely examination review and results; and to receive as far as is practicable explanations of reasons for failure in order to be able to plan and accomplish your educational and career objectives. You are equally RESPONSIBLE for your own learning throughout your academic career and for adhering to the schedule of dates and academic and non-academic regulations as stated in the Undergraduate and Graduate Calendars.

¹ Retrieved from: <https://www.mona.uwi.edu/sites/default/files/uwi/code-of-principles-responsibilities-students.pdf>

3. **SECURITY** – You have a RIGHT to adequate and reasonable security. You have the corresponding RESPONSIBILITY not to engage in behaviour which will endanger your own safety or that of other persons, nor should you engage in an activity or a behaviour which is likely to disturb other persons in the enjoyment of their rights or in their pursuit of knowledge.
4. **SAFETY** – You have a RIGHT to be informed of the potential dangers of chemicals, equipment and other materials which are in use as part of your course of study, and to be advised of methods to protect yourself from these dangers. You have a RESPONSIBILITY to implement action to protect yourself from these potential dangers.
5. **FACILITIES AND PROPERTY** – You have a RIGHT to the use of University facilities for lawful assembly and association. You have the corresponding RESPONSIBILITY:
 - (a) to respect posted hours and limits on unauthorized entry where such conditions exist;
 - (b) not to destroy, tamper with, deface, monopolize University property or unlawfully gain access to buildings and other facilities of the University, or remove or possess property not your own, including Library materials, equipment, computing facilities, and telephones;
 - (c) not to tamper with fire protection equipment; and
 - (d) to confine smoking only to areas designated for that purpose.
6. **PERMITS AND IDENTIFICATION** – You have a RIGHT, upon payment of the required fees, such as those for caution money and ID photographs, of access to certain special services as a member of the University community. You have the corresponding RESPONSIBILITY not to acquire University identification that is stolen, cancelled, lost, false or altered, or to allow other persons to use your ID cards or permits.
7. **GROUNDS** – You have a RIGHT to the use of the University grounds. You have the corresponding RESPONSIBILITY to observe the following limitations:
 - (a) Motor Vehicles - Motor vehicles are subject to the posted rules on the campuses and other University property. The University reserves the right to impose fines if rules regarding vehicular traffic are not strictly observed.
 - (b) Littering - all garbage must be disposed of in the appropriate receptacles to preserve and maintain a clean environment.
8. **FREEDOM OF CONSCIENCE AND EXPRESSION** – You have a RIGHT of freedom of conscience and of expression. You have the corresponding RESPONSIBILITY not to engage in an activity or a behaviour which shows disrespect for the rights of others or is likely to deprive others of their freedoms.
9. **DISCRIMINATION** – You have a RIGHT to be treated without discrimination on the basis of race, creed, nationality, sex, disability or place of origin. You have the corresponding RESPONSIBILITY to treat all members of the University community with respect.
10. **INTERFERENCE, HARASSMENT, DISRUPTIONS** – You have a RIGHT to an environment that is safe and free from harassment. You have the corresponding RESPONSIBILITY to avoid engaging in any activity, such as fighting, which is likely to cause personal injury, in interference in any class or function, in intimidation and in harassment of any nature including, but not limited to, sexual harassment. The use of University equipment, computing facilities, telephone, mail, poster displays, and other internal communications systems or other facility to convey nuisance, obscene, or otherwise objectionable messages, is prohibited.
11. **ALCOHOL, WEAPONS AND DRUGS** – You have a DUTY to abide by the laws of the land pertaining to the possession and/or use of alcohol, weapons and illegal drugs.

12. **VISITORS** – You have a RIGHT to have visitors on campus in accordance with existing Hall Rules and Regulations. You have the corresponding RESPONSIBILITY to ensure that your guests abide by the University's laws and norms, and in all other respects comply with or obey any request or direction given by a duly authorised officer of the University. You are RESPONSIBLE for any misbehaviour of a guest of yours, and for any damage that a guest of yours causes to University property.

UNIVERSITY REGULATIONS ON PLAGIARISM²

(First Degrees, Diplomas and Certificates)

APPLICATION OF THESE REGULATIONS:

1. These Regulations apply to the presentation of work by a student for evaluation, whether or not for credit, but do not apply to invigilated written examinations.

DEFINITION OF PLAGIARISM

2. In these Regulations, “plagiarism” means the unacknowledged and unjustified use of the words, ideas or creations of another, including unjustified unacknowledged quotation and unjustified unattributed borrowing;
 “**Level 1 plagiarism**” means plagiarism which does not meet the definition of Level 2 plagiarism;
 “**Level 2 plagiarism**” means plagiarism undertaken with the intention of passing off as original work by the plagiarizer work done by another person or persons.
3. What may otherwise meet the definition of plagiarism may be justified for the purposes of Regulation 2 where the particular unacknowledged use of the words, ideas and creations of another is by the standards of the relevant academic discipline a function of part or all of the object of the work for evaluation whether or not for credit, for example:
 - The unacknowledged use is required for conformity with presentation standards;
 - The task set or undertaken is one of translation of the work of another into a different language or format;
 - The task set or undertaken requires producing a result by teamwork for joint credit regardless of the level of individual contribution;
 - The task set or undertaken requires extensive adaptation of models within a time period of such brevity as to exclude extensive attribution;
 - The task set or undertaken requires the use of an artificial language, such as is the case with computer programming, where the use of unoriginal verbal formulae is essential.
4. It is not a justification under Regulations 2 and 3 for the unacknowledged use of the words, ideas and creations of another that the user enjoys the right of use of those words, ideas and creations as a matter of intellectual property.

OTHER DEFINITIONS

5. In these Regulations, “Chairman” means the Chairman of the relevant Campus Committee on Examinations; “Examination Regulations” means the Examination and other forms of Assessment Regulations for First Degrees Associate Degrees Diplomas and Certificates of the University; “Set of facts” means a fact or combination of facts.

EVIDENCE OF PLAGIARISM

6. In order to constitute evidence of plagiarism under these Regulations, there shall be identified as a minimum the passage or passages in the student’s work which are considered to have been plagiarised and the passage or passages from which the passages in the student’s work are considered to have been taken.

² Retrieved from: <https://www.mona.uwi.edu/exams/sites/default/files/exams/PLAGIARISM.pdf>

STUDENT STATEMENT ON PLAGIARISM

7. When a student submits for examination work under Regulation 1, the student shall sign a statement, in such form as the Campus Registrar may prescribe, that as far as possible the work submitted is free of plagiarism including unattributed quotation or paraphrase of the work of another except where justified under Regulation 3.
8. Quotation or paraphrase is attributed for the purpose of Regulation 7 if the writer has indicated using conventions appropriate to the discipline that the work is not the writer's own.
9. The University is not prohibited from proceeding with a charge of plagiarism where there is no statement as prescribed under Regulation 7.

ELECTRONIC VETTING FOR PLAGIARISM

10. The results of any electronic vetting although capable, where the requirements of Regulation 7 are satisfied, of constituting evidence under these Regulations, are not thereby conclusive of any question as to whether or not plagiarism exists.

LEVEL 1 PLAGIARISM

11. In work submitted for examination where the Examiner is satisfied that Level 1 plagiarism has been committed, he/she shall penalise the student by reducing the mark which would have otherwise been awarded taking into account any relevant Faculty regulations.

LEVEL 2 PLAGIARISM

12. Where an examiner has evidence of Level 2 plagiarism in the material being examined, that examiner shall report it to the Head of Department or the Dean and may at any time provide the Registrar with a copy of that report. In cases where the examiner and the Dean are one and the same, the report shall be referred to the Head of the Department and also to the Campus Registrar.
13. Where any other person who in the course of duty sees material being examined which he or she believes is evidence of Level 2 plagiarism that other person may report it to the Head of Department or the Dean and may at any time report it to the Campus Registrar who shall take such action as may be appropriate.
14. Where a Dean or Head of Department receives a report either under Regulation 12 or 13, the Dean or Head of Department, as the case may be, shall
 - (a) where in concurrence with the report's identification of evidence of Level 2 plagiarism, report the matter to the Campus Registrar; or
 - (b) where not concurring in the identification of evidence of plagiarism, reply to the examiner declining to proceed further on the report; or
 - (c) where concluding that there is evidence of Level 1 plagiarism, reply to the examiner indicating that conclusion and the Examiner shall proceed as under Regulation 11.
15. Where a report is made to the Campus Registrar under Regulation 14a or 16, the Campus Registrar shall lay a charge and refer the matter to the Campus Committee on Examinations.
16. Where the Campus Registrar receives a report alleging Level 2 plagiarism from the Examiner or any other person except the Dean or Head of Department, the Campus Registrar shall refer the matter to a senior academic to determine whether there is sufficient evidence to ground

a charge of plagiarism and where such evidence is found, the Campus Registrar shall proceed as under Regulation 15.

17. Where the matter has been referred to the Campus Committee on Examinations pursuant to Regulation 15, the proceedings under these Regulations prevail, over any other disciplinary proceedings within the University initiated against the student based on the same facts and, without prejudice to Regulation 21, any other such disciplinary proceedings shall be stayed, subject to being reopened.
18. If the Campus Committee on Examinations is satisfied, after holding a hearing, that the student has committed Level 2 plagiarism, it shall in making a determination on the severity of the penalty take into consideration:
 - (a) the circumstances of the particular case;
 - (b) the seniority of the student; and
 - (c) whether this is the first or a repeated incidence of Level 2 plagiarism.
19. Where the Campus Committee is of the view that the appropriate penalty for an offence of Level 2 plagiarism is for the student to be:
 - (a) awarded a fail mark;
 - (b) excluded from some or all further examinations of the University for such period as it may determine;
 - (c) be dismissed from the University, it shall make such recommendation to the Academic Board.

CLEARANCE ON A CHARGE OF LEVEL 2 PLAGIARISM

20. A determination of the Campus Committee on Examinations that Level 2 plagiarism has not been found will be reported to the Campus Registrar who shall refer it to the Examiner and notify the student. Where the Committee has not identified Level 2 but has identified Level 1, it shall be reported to the Campus Registrar who shall refer it to the examiner.

LEVEL 2 PLAGIARISM: APPEAL TO THE SENATE

21. A student may appeal to the Senate from any decision against him or her on a charge of plagiarism made by Academic Board

DELEGATION BY DEAN OR HEAD OF DEPARTMENT

22. The Dean or Head of Department, as the case may be, may generally or in a particular instance delegate that officer's functions under these Regulations.

CONFLICT OF INTEREST DISQUALIFICATION

23. Any person who has at any time been an examiner of work or been involved in procedures for laying charges in relation to which an issue of plagiarism is being considered under these Regulations shall withdraw from performing any functions under these Regulations other than those of supervisor and examiner.

GRADE POINT AVERAGE (GPA) REGULATIONS³

REGULATIONS *(Revised August 2014)*

1. These Regulations will apply to all new students entering the system in August 2014 to pursue first degrees, associate degrees, diplomas and certificates. These Regulations will also apply to all other students, who entered the system prior to the 2014/2015 academic year, to pursue first degrees, associate degrees, diplomas and certificates except for those students in the Faculty of Engineering. Students in the Faculty of Engineering who entered a programme prior to academic year 2014/15 will be governed by the GPA regulations dated 2011 until the end of the academic year 2015/16.
2. In order to be eligible for the award of a First Degree, all students shall have a minimum GPA of 2.00.
3. (a) For purposes of these Regulations, the following meanings shall apply, except where the context otherwise requires:
 - i. **CREDIT HOURS EARNED**
'Credit hours earned' means the credits for each course that count toward the degree requirement and for which a passing grade is obtained.
 - ii. **QUALITY HOURS**
'Quality hours' means the credits for each course that is included in the GPA calculation. Quality hours shall be assigned even when a grade of F1, F2 or F3 is obtained in a course. Courses that are not counted in the determination of the GPA shall be assigned zero quality hours.
 - iii. **QUALITY POINTS:**
'Quality points' means the numerical value assigned to the relevant letter grade earned.
- (b) For the purposes of these Regulations:
 - i. **LEVEL I, II AND III COURSES:**
Levels I, II and III courses are courses so designated by the Board for Undergraduate Studies.
 - ii. **GRADE POINTS:**
Grade points are determined by multiplying the quality hours by the quality points for a course.
 - iii. **GRADE POINT AVERAGE (GPA)**
Grade Point Average is the average obtained by dividing the total grade points earned by the total quality hours for which the student has registered for any stated period of time, excluding courses taken on a pass/fail basis, audited courses, preliminary courses, not for credit courses and courses for which the designation I or IP is awarded under Regulation 6 (iv).
 - iv. **WEIGHTED GRADE POINT AVERAGE**
Weighted Grade Point Average is the average determined by applying appropriate weights for Levels I, II, and III courses to the grade points and the quality hours used in determining grade point average as set out at Regulation 3(ii)(c) above.

³ Retrieved from: <http://www.uwi.edu/gradingpolicy/docs/regulations.pdf>

v. CREDIT HOURS

The credit values for courses, as well as for projects, laboratory sessions, foreign language classes or other contact hours, shall be determined by the respective Faculty Board and approved by the Board for Undergraduate Studies or in the case of the Open Campus, recommended by Academic Board and approved by the Board for Undergraduate Studies.

4. (a) The class of degree shall be awarded on the basis of the Weighted GPA as set out in these Regulations.

- i. In determining the Weighted GPA, the weights to be used for each Level I, II and III course shall be as prescribed in Faculty Regulations.
- ii. Except for the purpose of determining the class of degree the term GPA in these Regulations shall mean the GPA as defined at Regulation 3(ii) (c) above.

5. First Degrees awarded by the University except as stated in sub-clauses i and ii are as follows:

First Class Honours (Weighted (GPA 3.60 and Above)
Upper Second Class Honours (Weighted GPA 3.00 – 3.59)
Lower Second Class Honours (Weighted GPA 2.50– 2.99)
Pass (Weighted GPA 2.00-2.49)

(i) The degree of Bachelor of Medical Sciences shall be classified as follows:

Distinction GPA 3.70 AND ABOVE
Honours GPA 3.30 – 3.69
Pass GPA 2.00 – 3.29

(ii) The Degrees of MBBS, DDS and DVM shall be classified as follows:

Distinction
Honours
Pass

6. (i) In the determination of GPA, the defined grades with the corresponding quality points shall be:

A+	4.3
A	4.0
A-	3.7
B+	3.3
B	3.0
B-	2.7
C+	2.3
C	2.0
F1	1.7
F2	1.3
F3	0.0

(ii) The following designations may be assigned, but shall not be used in the calculation of Grade Point Average:

AB: Absent for acceptable reasons other than a medical problem

AM: Absent Medical

CR: Credit

DB: Debarred

DEF: Deferred

EC: Exemption with credit

EQ: Examination Query

EX: Exemption

FM: Failed Medical – where failure in an examination is attributed to medical reasons as supported by a certificate from an authorized medical practitioner

I: Incomplete – indicates that the student has made progress in a course but at the end of the semester has not finished the work required to receive a letter grade. An I designation is not counted in credit hours earned, or quality hours until a letter grade is reported. If neither a letter grade nor notification of an extension of time is received by the Registry from the Office of Dean, the 'I' designation is replaced by an F3 grade at the end of the first six weeks into the next semester. An extension of time may be granted but shall not normally extend beyond the end of the semester in which the extension is granted. Any remaining I symbol at the end of the period of extension will be deemed an F3.

IM: Incomplete Medical

IP: In Progress – when a dissertation, thesis, project, student teaching, practicum, internship, proficiency requirement, or other course intended to last more than one semester is not completed during the semester in which the student is registered. The IP designation must be replaced with an appropriate grade on completion of the course.

LW: Late Withdrawal

NFC: Not for credit

NP: Not Passed – when a student has failed a course taken on a pass/fail basis.

NR: Not Reported – when a lecturer fails to submit grades by the published deadline, through no fault of the student.

NV: When a student has been permitted to audit a course but has not done so satisfactorily.

P: Pass – a pass obtained in a course taken on a Pass/Fail basis.

PC: Preliminary Credits – used for matriculation purposes or the satisfying of prerequisites only.

V: Audited – when the course has been taken in accordance with Regulation 13 (v) The following designations may be assigned and shall count towards the GPA:

DIS: Disqualified

EI: Examination Irregularity – Candidate disqualified from examination on account of breach of the Regulations

FA: When a student is absent from an examination without a valid reason

FC: Failed Coursework – indicates that a candidate has failed to satisfy the Examiner in the coursework component of the course.

FE: Failed Examination – when a candidate has successfully completed the coursework requirement but has failed to satisfy the Examiners in the examination component of the course

FO: Failed Oral – (where an oral examination forms part of the assessment of the course).

FP: Failed Practical

FT: Failed Theory

7. The scheme to be used for conversion of numerical marks to letter grades shall as follows:

GRADE GPA/ MARKS %

A+	90-100
A	80-89
A-	75-79
B+	70-74
B	65-69
B-	60-64
C+	55-59
C	50-54
F1	40-49
F2	30-39
F3	00-29

8. The courses to be used for the purpose of determining the Weighted GPA for the class of degree to be awarded shall be as prescribed in Faculty Regulations.
9. Where a course has been repeated, the penalty to be applied for failure, and the grade to be used in the computation of the student's GPA if the course is subsequently passed, shall be as prescribed in Faculty Regulations.
10. (i) Where credit for a course taken at another institution is requested, it is the student's responsibility to provide all the information needed by the University to enable it to assess the course.
- (ii) Credit hours earned from another institution at the time of admission to the University of the West Indies will not be used in the computation of a grade point average.
11. (i) A UWI student who wishes to take academic courses elsewhere and apply those credits toward the UWI degree must obtain approval in advance from the relevant Academic Board on the recommendation of the Board of the Faculty in which he/she is registered.
- (ii) Only the grade equivalent as determined by the Board for Undergraduate Studies of the results achieved and not the marks or grades so earned at another institution shall be used in the computation of such student's GPA.
12. (i) Except where otherwise prescribed in Faculty Regulations, a student whose GPA for a given semester is less than 2.0 shall be deemed to be performing unsatisfactorily, and shall be placed on warning. A student on warning whose GPA for the succeeding semester is less than or equal to 1.99, will be required to withdraw. However, a student may be reinstated if his/her GPA improves beyond 1.99 in Semester 2 by credits obtained in Summer School.
- (ii) Except for the students in the Faculty of Engineering, students who entered a programme prior to the academic year 2016/2017 and who have a GPA of less than 2.0 may be given leave by their Faculty to continue into the academic year 2016/2017.

HOW TO CALCULATE YOUR WEIGHTED GPA

STEP ONE: A 'grade point' is assigned for every course in which you receive a final grade. For example, if you receive an A as a final grade, you will be assigned a grade point of 4.0.

STEP TWO: The grade point assigned for each course completed is multiplied by the 'credit hours' of the course to determine your 'quality points'. For example, if you receive a grade point of 3.7 [equivalent of letter grade A-] for a 3-credit course the quality points would be calculated as follows: $3.7 \times 3 = 11.1$ quality points.

STEP THREE: Your 'Weighted GPA' is the average obtained by dividing the total quality points earned in your programme to date by the total credit hours taken, excluding courses taken on a pass/fail basis, audited courses, courses taken for preliminary credit, incomplete courses and any other courses which do not count towards the class of degree according to Faculty regulations.

For example: 54 quality points earned divided by 15 credit hours [equivalent to 5 3-credit courses] = a Weighted GPA of 3.6.

SECTION III

Course Details and General Information

-  ACADEMIC PROGRAMME
-  COURSES AND SYLLABUSES
-  PROFESSIONAL TRAINING
-  MONA LAW LIBRARY
-  SCHOLARSHIPS AND BURSARIES

ACADEMIC PROGRAMME

Courses may be taught in a semester other than as indicated below.

PART I (YEAR ONE)

Semester I

- LAW1010 Law and Legal Systems
- LAW1110 Criminal Law I
- LAW1230 Legal Methods, Research and Writing (Year long)
- FOUN1101 Caribbean Civilization
- FOUN1201 Science, Medicine & Technology in Society

Semester II

- LAW1020 Constitutional Law
- LAW1120 Criminal Law II
- LAW1230 Legal Methods, Research and Writing (Year long)
- LAW1310 Law of Torts I
- LAW1410 Law of Contract I
- FOUN1002 Language Argument

PART II (YEAR TWO)

Semester I

- LAW2010 Law of Torts II
- LAW2110 Law of Contract II
- LAW2210 Real Property I
- LAW2310 Public International Law I
- LAW2510 Jurisprudence

Semester II

- LAW2220 Real Property II
- LAW2320 Public International Law II
- LAW2710 Administrative Law
- LAW2810 Equitable Remedies
- LAW2910 Commonwealth Caribbean Human Rights Law

PART III (YEAR THREE)

Ten courses chosen from the following list of Optional Courses. It should be noted that not all of the courses may be available in any academic year.

- LAW3010 Industrial Relations Law
- LAW3020 Employment Law
- LAW3050 The Law of the Sea
- 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)
- LAW3230 Family Law III (De Facto Families)

- LAW3260 Gender & the Law in the Commonwealth Caribbean
- LAW3280 International Mooting
- LAW3290 Supervised Independent Research Paper
- LAW3330 Law of International Trade
- LAW3340 European Union Law
- LAW3350 Oil & Gas Law (Online)
- LAW3400 Insurance Law
- LAW3450 Caribbean Environmental Law
- LAW3460 International Environmental Law
- LAW3550 General Principles of Private International Law
- LAW3620 Law of International Organizations
- LAW3630 Caribbean Integration Law
- LAW3640 Introduction to Offshore Law
- LAW3645 Commonwealth Caribbean Sports Law
- LAW3660 Caribbean Securities Regulation
- LAW3720 International Law of Human Rights
- LAW3740 Comparative Law
- LAW3760 Intellectual Property
- LAW3765 Law, Technology and the Internet
- LAW3770 Advanced Legal Writing
- LAW3810 Public Service Law
- LAW3840 Alternative Dispute Resolution
- LAW3860 Introduction to Restitution Law
- LAW3865 Introduction to International Investment Law
- LAW3930 The Law of International Courts and Tribunals
- LAW3940 Entertainment Law

Students in Part III may select up to two Level 3, 3-credit courses offered in a Faculty other than the Faculty of Law. Prior approval by the Dean of the Faculty of Law is required. These courses must be taken either in Semester 1 or Semester 2 of Year III.

COURSE REQUIREMENTS FOR THE LLB

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 Regulations). Every first year student is required by the University to read such Foundation courses as may be prescribed by the Faculty of Law.

COURSES AND SYLLABUSES

(Syllabuses, Teaching and Examination Methods for Law Subject)

A. FIRST YEAR COURSES - COMPULSORY CORE COURSES - LEVEL 1000 COURSES

LAW1010 Law and Legal Systems

General

This course will be taught in the first Semester of Year 1 of the LLB degree programme. It is a compulsory core course.

Course Objective

The fundamental objective of this course is to provide students with knowledge of the historical, institutional and legal context of law in the Commonwealth Caribbean, including the important comparative law dimension. The issues dealt with in the course cover not only institutions within the legal system, but also significant legal functionaries within it.

Course Content

The topics covered in this course are as follows:

- (i) The Nature and Functions of Law
- (ii) Legal Families and Traditions, including Hybrid Legal Systems
- (iii) The Reception of Law in the Commonwealth Caribbean and its historical context
- (iv) Sources of Law
- (v) The Court System and Administration of Justice

Method of Teaching

This course will be taught by way of one lecture and one tutorial per week. Each lecture will be two hours and the tutorial will be one hour.

Method of Assessment

This course will be assessed by way of a two hour final examination at the end of the semester in which it is taught. Students will be required to answer three questions selected from a total of six questions.

LAW1020 Constitutional Law

General

This course will be taught in the second Semester of Year I of the LLB degree programme. It is a compulsory core course.

Course Objective

All of the independent states of the Commonwealth Caribbean have written constitutions which represent their basic law. It is therefore crucial that students be exposed very early in their law course to a study of this basic law. The aim of the Constitutional Law course, then, is to provide such exposure.

Course Content

Because of its importance, the Constitutional Law course coverage aims at both depth and breadth.

The topics covered include:

- (i) The General Characteristics of the Constitution
- (ii) General Constitutional Principles including Judicial Review
- (iii) The Legislature
- (iv) The Executive
- (v) The Judiciary
- (vi) The Machinery for Protection of Fundamental Rights and Freedoms
- (vii) Constitutional Reform

Method of Teaching

This course will be taught by way of two lectures and one tutorial per week. Each lecture will be of one hour's duration and the tutorial will also be of one hour's duration.

Method of Assessment

This course will be assessed by way of a three hour final examination at the end of the semester in which it is taught. Students will be required to answer three questions selected from a total of six questions.

LAW1110 Criminal Law I

General

This course will be taught in the First Semester of Year One of the LLB programme. It is a compulsory core course.

Course Objective

The course is intended to expose students to a critical appreciation of the nature and purpose of the Criminal Law and to the general principles of criminal responsibility which are or may be applicable in the context of specific crimes.

Course Content

The course will include the following topics:-

- (i) Nature and purpose of the Criminal Law
- (ii) Proof
- (iii) Elements of a crime - actus reus and mens rea
- (iv) Strict liability
- (v) Participation in crimes
- (vi) Causation
- (vii) General defenses
- (viii) Inchoate crimes - incitement, conspiracy, attempt

Method of Teaching

The course will be taught through a two hour lecture and one tutorial each week. Each tutorial will last for one hour. Students will be expected to prepare in advance for these classes, which are intended not only to impart knowledge and understanding but also to promote those analytical and critical skills which are essential in legal argument.

Method of Assessment

Students will be assessed through a two-hour written examination at the end of the Semester. Candidates will be required to answer three from a total of six questions.

LAW 1120 Criminal Law II

General

This course will be taught in the Second Semester of Year One of the LLB programme. It is a compulsory core course.

Course Objective

The course is intended to complement Criminal Law I by a close study of specific crimes.

Course Content

The course will include the following topics:-

- (i) Homicide - murder and manslaughter
- (ii) Defenses to murder - provocation and diminished responsibility
- (iii) Non-fatal offences against the person
- (iv) Sexual offences
- (v) Minor crimes
- (vi) Offences against property - theft, deception, criminal damage

Method of Teaching

As for Criminal Law I.

Method of Assessment

As for Criminal Law I. Candidates will not be examined specifically on those areas covered by Criminal Law I but will be expected to retain sufficient knowledge and understanding of that course to be able to recognise and illustrate its relevance.

LAW1230 Legal Methods, Research and Writing

General

This course will be taught in Semesters I and II of the first year of the LLB degree programme. It is a compulsory core course.

Course Objective

The basic objectives of this course are to introduce students to the methodology of legal research and to lay a foundation for the understanding of legal concepts and the effective written presentation of legal argument and analysis.

Course Content

- (i) The basics of legal reasoning
- (ii) The case brief
- (iii) The case note
- (iv) Fundamentals of effective legal writing
- (v) Fundamentals of legal research
- (vi) Forms of citation and elements of style
- (vii) Basics of editing
- (viii) The office memorandum/opinion
- (ix) Writing essays and answering problem questions

Method of Teaching

This course will be taught by lectures, seminars and workshops.

Method of Assessment

This course will be assessed by coursework. There will be no supplemental examination offered in this course.

LAW1310 Law of Torts I

General

This course is taught as a core subject in the first year of the LLB degree programme.

Course Objective

The law of torts is essentially concerned with regulating the means of redressing losses incurred by a person where the person does not rely on a contractual relationship with that person who caused the loss. The issues considered in this course therefore, concern the type of loss for which the law grants compensation. The course analyses the legal concepts which the court uses and the public policy positions implicit in these concepts.

Course Content

Torts I concentrates on the historical development of torts and the nature of the law of torts. The following topics are examined.

- (i) History and the Nature of Law of Torts
- (ii) Trespass to the Person: Assault, Battery & False Imprisonment
- (iii) Malicious Prosecution
- (iv) Negligence
- (v) Occupiers' Liability
- (vi) Nuisance
- (vii) Rylands v. Fletcher

Method of Teaching

This course will be taught by way of one two-hour lecture and one one-hour tutorial per week.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the Semester. Students will be required to answer three questions selected from a total of six questions. The examination paper may be divided into two parts, with students being required to answer at least one question from each part.

LAW1410 Law of Contract I

General

This course will be taught in Year I as a core subject of the LLB degree programme.

Course Objective

The primary objective of this course is to examine the purpose and scope of the legal protection accorded to agreements. To achieve this, the course attempts to deal with the general principles applicable to the types of bargain transactions found in contemporary West Indian society.

Course Content

Contract I focuses on problems of contract formation, the doctrine of consideration, the problem of third party beneficiaries, intention as an element in contractual objections, and the problem of determining the boundaries of obligations created by the contracts, with special reference to exemption clauses. The topics covered are:

- (i) Offer and Acceptance
- (ii) Intention to Create Legal Relations
- (iii) Consideration
- (iv) Privity
- (v) Contractual Terms
- (vi) Exemption Clauses

Method of Teaching

This course will be taught by way of two lectures and one tutorial per week. Each lecture will be of one hour's duration and the tutorial will also be of one hour's duration.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the Semester. Students will be required to answer three questions selected from a total of six questions. The examination question paper may be divided into two parts, with students being required to answer at least one question from each part.

B. SECOND YEAR COURSES – LEVEL 2000 COURSES - COMPULSORY CORE COURSES**LAW2010 Law of Torts II****General**

This course is taught as a core subject in Year II of the LLB degree programme.

Course Objective

This course builds on the knowledge developed in Law of Torts I and introduces the student to other specific torts. It will be assumed in this course that students have sufficient knowledge of the basic principles of Negligence.

Course Content

The topics covered in Torts II are as follows:

- (i) Vicarious Liability
- (ii) Employers' Liability
- (iii) Liability for Animals
- (iv) Defamation
- (v) Damages for Personal Injuries

Method of Teaching

This course will be taught by way of two lectures and one tutorial per week. Each lecture will be of one hour's duration.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the Semester. Students will be required to answer three questions selected from a total of six questions. The examination question paper may be divided into two parts, with students being required to answer at least one question from each part of the paper.

LAW2110 Law of Contract II**General**

This course will be taught as a core subject in Year II of the LLB degree programme.

Course Objective

The primary objective of this course is to examine the legal principles connected with particular areas of the Law of Contract.

Course Content

- (i) Vitiating Factors, including Mistake, Misrepresentation, Undue Influence, Illegality
- (ii) Discharge of Contract
- (iii) Remedies for breach of contract, particularly the common law remedies.

Method of Teaching

This course will be taught by way of two hours of lectures and a one-hour tutorial per week.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the semester. Students will be required to answer three questions selected from a total of six questions. The examination question paper may be divided into two parts, with students being required to answer at least one question from a particular part of the paper.

LAW2210 Real Property I**General**

This course will be taught in Semester I of Year II of the LLB degree programme.

Course Objective

The purpose of this course is to examine the fundamental principles governing the holding, use and disposition of land in the Commonwealth Caribbean.

Course Content

The areas to be covered in Real property I are as follows:

- (i) Historical Introduction, Classification and Meaning of Land
- (ii) Tenures and Estates
- (iii) Nature of Equitable Interests, Priorities and Licences
- (iv) Outline of the Torrens System of Registration
- (v) Possessory Title
- (vi) Settlements and Trusts for Sale
- (vii) Co-ownership

Method of Teaching

This course will be taught by way of two lectures and one tutorial per week. Each lecture will be one hour's duration and the tutorial will also be of one hour's duration.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the Semester. Students will be required to answer three questions selected from a total of six questions. The examination question paper may be divided into two parts, with students being required to answer at least one question from each part of the paper.

LAW 2220 Real Property II**General**

This course is taught in Semester II of Year II of the LLB degree programme.

Course Objective

This course builds on the knowledge conveyed in Real Property I and introduces the student to the five most important areas of modern land law.

Course Content

This course will deal with the following topics:

- (i) Leases and Tenancies
- (ii) Strata and Condominium Law
- (iii) Easements
- (iv) Freehold Covenants
- (v) Mortgages

Method of Teaching

This course will be taught by way of two lectures and one tutorial per week. Each lecture will be of one hour's duration and the tutorial will also be of one hour's duration.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the Semester. Students will be required to answer three questions selected from a total of six questions. The examination question paper may be divided into two parts, with students being required to answer at least one question from each part of the paper.

LAW2310 Public International Law I

General

This course will be taught in the first Semester of Year II of the LLB degree programme.

Course Objective

The objective of this course is to provide an introduction to the principles, customs and rules of International Law. Students after completing this course should be able to tackle most advanced International Law topics.

Course Content

The course will deal with the following topics:

- (i) Nature and History of International Law
- (ii) Sources of International Law
- (iii) Law of Treaties
- (iv) Subjects of International Law and Recognition of States and Governments
- (v) International Law and Municipal Law
- (vi) International Dispute Settlement

Method of Teaching

This course will be taught by way of lectures and workshops. There will be two hours of lectures per week and one two-hour workshop per week.

Method of Assessment

This course will be assessed by way of

Method of Assessment:

- (i) A mid-semester quiz (20%)
- (ii) A two hour final examination at the end of the Semester in which it is taught. Students will be required to answer **two** questions from **four** possibilities (80%)

LAW2320 Public International Law II

General

This course will be taught in the second Semester of Year II of the LL.B. degree programme. Public International Law I is a prerequisite for this course.

Course Objective

This course builds on the knowledge acquired in Public International Law I and introduces advanced topics of International Law.

Course Content

- (i) Introduction to International Human Rights and International Refugee Law
- (ii) Title to Territory

- (iii) Law of the Sea
- (iv) Nationality
- (v) State Responsibility
- (vi) Criminal Jurisdiction
- (vii) Immunity

Method of Teaching

This course will be taught by way of lectures and workshops. There will be two hours of lectures per week and one two-hour workshop per week.

Method of Assessment:

- (i) A mid-semester quiz (20%)
- (ii) A two hour final examination at the end of the Semester in which it is taught. Students will be required to answer **two** questions from **four** possibilities (80%)

LAW2510 Jurisprudence

General

This course will be taught in the first Semester of the second year of the LL.B. degree programme.

Course Objective

The general objective of this course is to examine the theories of jurisprudence and provide students with a philosophical approach to understanding the nature of law.

Course Content

The areas to be covered are as follows:

- (i) Natural Law
- (ii) Positivism: Hart & Kelsen
- (iii) Realism & Formalism
- (iv) Dworkin
- (v) A Survey of other Contemporary Schools including Law & Economics
- (vi) Normative Jurisprudence

Method of Teaching

This course will be taught by way of one two-hour lecture per week and one tutorial of one hour's duration per week.

Method of Assessment

This course will be assessed by way of a two hour final examination at the end of the Semester. Students will be required to answer two questions selected from a total of four questions.

LAW2710 Administrative Law

General

This is a core course to be taught in the second Semester of Part II the LLB degree programme. The course surveys the legal principles of governance by administrative agencies. It focuses on judicial control of administrative action.

Course Objective

At the end of this course students should have a better understanding of the legal principles which govern the control of governmental power and should be adept in recognizing situations that may trigger judicial review.

Course Content

The areas to be covered in this course include:

- i. Object and Basis of the Review of Administrative Action
- ii. The Doctrine of Ultra Vires
- iii. Judicial Review
- iv. Natural Justice
- v. Legitimate Expectations
- vi. Remedies

Method of Teaching

This course will be taught by way of one lecture and one tutorial per week. Each lecture will be two hours and the tutorial will be one hour.

Method of Assessment

This course will be assessed by way of a two hour final examination at the end of the semester in which it is taught. Students will be required to answer two questions selected from a total of four questions.

LAW2810 Equitable Remedies

General

This is a core course to be taught in the second Semester of Part II of the LLB degree programme.

Course Objective

The gamut of equitable remedies is very wide and growing. The objective of the course, therefore, is to expose students to the subject by focusing on specific equitable remedies which reflect recent developments in the area, and by analysing the modern approach to their application.

Course Content

- (i) Equity in an historical context
- (ii) The Injunction: with emphasis on the interlocutory injunction, such as the Mareva injunction and the Anton Piller order
- (iii) Specific Performance and Part Performance
- (iv) Damages in Equity
- (v) The Trust as a Remedy and
- (vi) Proprietary Estoppel and Licenses

Method of Teaching

This course will be taught by way of one lecture of two hours' duration and a one hour tutorial per week.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the semester. Students will be required to answer two questions selected from a total of four questions.

LAW2910 Commonwealth Caribbean Human Rights Law

General

This course will be taught in Semester II of the second year of the LLB programme. It is a compulsory core course and the complement to Constitutional Law. It is devoted to exploring the chapters protecting fundamental rights and freedoms in the Constitutions of the Commonwealth Caribbean, also referred to as the "bills of rights".

Course Objective

The aim of this course is to strengthen the student's understanding of constitutional law and of the importance of "bills of rights" as part of the system of democratic governance and constitutionalism in the Caribbean.

Course Content

- (i) Introduction to background and structure of the "bill of rights" and to the concept of fundamental rights.
- (ii) Fundamental principles
 - (a) Opening sections to the bill of rights
 - (b) Savings law clauses
 - (c) State action doctrine
 - (d) Presumption of constitutionality
 - (e) Limitations on rights
 - (f) Periods of emergency
 - (g) Redress and locus standi
 - (h) Bills of rights and international law
- (iii) Some of the following specific rights:
 - (a) Expression
 - (b) Association and assembly
 - (c) Movement
 - (d) Religion
 - (e) Liberty and security of person
 - (f) Privacy
 - (g) Life
 - (h) Property
 - (i) Non-discrimination
 - (j) Fair Trial
 - (k) Cruel and degrading punishment

Method of Teaching

This course will be taught by a combination of lectures and seminars. There will be two lectures, each of one hour's duration, and one seminar each week.

Method of Assessment

This course will be assessed by way of a two hour written final examination at the end of Semester II. Students will be required to answer two questions from a total of four questions.

C. THIRD YEAR COURSES – LEVEL 3000 COURSES - OPTIONAL COURSES

LAW3010 Industrial Relations Law

General

This course will be taught either in the first or in the second semester of the third year of the LLB programme. This is an optional course but it may be slated to be a pre-requisite for other options.

Course Objective

The general objective of this course is to introduce students to the major principles of law which govern industrial relations and trade unions. The course aims at breadth without sacrificing

depth and prepares students interested in Industrial Relations Law for advanced courses in this area.

Course Content

- (i) Trade Unions and their Legal Structure
- (ii) Trade Unions: their Membership and Internal Government
- (iii) Trade Union Disputes
- (iv) The Law on Strikes
- (v) Freedom of Association
- (vi) Picketing
- (vii) Tort Liability of Trade Unions
- (viii) The Collective Bargaining Process and the Collective Agreement

Method of Teaching

This course will be taught in two lectures and one tutorial per week, each lecture and tutorial being of one hour's duration. A seminar approach would be optional, depending on numbers.

Method of Assessment

This course will be assessed by means of a two hour final examination at the end of the semester in which it is taught. Students will be required to answer two questions out of a total of a minimum of four questions, one of which will be a compulsory question.

LAW3020 Employment Law

General

This course will be taught either in the first or in the second semester of the third year of the LLB programme. This is an optional course but it may be slated to be a pre-requisite for other options.

Course Objective

The general objective of this course is to introduce students to the major principles of law that govern the contract of employment and their terms and conditions of work. The course aims at breadth without sacrificing depth and prepares students interested in Employment Law for advanced courses in this area.

Course Content

- (i) Identifying the Contract of Employment
- (ii) Terms and Conditions of the Contract of Employment
- (iii) Termination of the Contract of Employment
- (iv) Occupational Safety and Health Legislation
- (v) Redundancy
- (vi) The Relationship of the Collective Agreement to the Contract of Employment

Method of Teaching

This course will be taught in two lectures and one tutorial per week, each lecture and tutorial being of one hour's duration. A seminar approach would be optional, depending on numbers.

Method of Assessment

The course will be assessed by a two-hour examination that will account for 100% of the final mark. In the two-hour examination students will be required to answer two out of a total of a minimum of four questions, one of which may be a compulsory question.

LAW3050 The Law of the Sea

General

This course will be taught either in the first or in the second semester of the third year of the LLB programme. This is an optional course but it may be slated to be a pre-requisite for other options.

Course Objective

This course is intended to expose students to the rules of public international law concerning the use of the sea. It primarily addresses the rights and duties of States in the main maritime zones including access to natural resources of the sea and navigational rights. It also aims to equip students with an introductory knowledge of the avenues available to resolve disputes regarding the main maritime zones.

Course Content

- i. Internal Waters
- ii. The Territorial Sea
- iii. The Contiguous Zone
- iv. The Exclusive Economic Zone
- v. The High Seas and Deep Seabed (the Area)
- vi. Archipelagos, Islands & Landlocked & Geographically Disadvantaged States
- vii. Maritime Delimitation
- viii. Enforcement at Sea
- ix. Dispute Settlement in the Law of the Sea

Method of Teaching

This course will be conducted on the basis of a two hour weekly seminar and a one hour weekly workshop.

Method of Assessment

This course will be assessed by way of a two-hour final examination that will account for 80% of the final grade. Students will be required to answer two questions selected from a total of four questions. There will also be a mid-semester test which will require students to respond to multiple choice and/or short answer questions relating to worksheets covered up to that point. This is worth 20% of the final grade.

LAW3110 Company Law

General

This course will be taught in the first semester of the third year of the LLB degree programme. This course is optional but it is prerequisite for the courses Law of Corporate Management (LAW31) and the Law of Corporate Finance. This course is also highly recommended for the Law of Corporate Insolvency (LAW3140).

Course Objective

The main objective is to introduce students to the concept of the Company and to equip students for in-depth study in the Law of Corporate Finance and/or the Law of Corporate Management and the Law of Corporate Insolvency.

Course Content

- (i) Corporate Personality and Limited Liability
- (ii) Promotion and Pre-Incorporation Contracts
- (iii) The Relationship between the Company and Corporate Investors
- (iv) Equity and Debt Financing
- (v) Corporate Management
- (vi) Shareholder Protection

Method of Teaching

The course will be taught by way of one two-hour lecture per week and one two-hour seminar per week.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the semester in which it is taught. Students will be required to answer three questions selected from a total of six questions.

LAW3120 Law of Corporate Management**General**

This course will be taught in the second semester of the third year of the LLB degree programme. Company Law (LAW 3110) is a prerequisite for this course.

Course Objective

The main objective of this course is to explore the major legal and related problems of Corporate Management. Particular emphasis will be placed on the competing interests of shareholders, creditors and management in the affairs of the company.

Course Content

- i. The Distribution of Power within a Company and Corporate Decision Making
- ii. The Duties and Responsibilities of Company Officers (in particular the Director and the Company Secretary)
- iii. The Management of Public Listed Companies
- iv. The Management of Small Companies
- v. Corporate Management and Creditors
- vi. Complainants' Actions

Method of Teaching

The course will be conducted on the basis of a two-hour lecture and a two-hour seminar weekly.

Method of Assessment

The course will be assessed by way of one "take-home" written assignment during the Semester, which constitutes 1/3 of the student's overall mark, and one two-hour examination at the end of the Semester in which it is taught. Students will be required to answer two questions in the two-hour examination. N.B. The Regulations governing coursework taken as a part of a course.

LAW3140 Law of Corporate Insolvency**General**

This course will be taught as an option in the second semester of year III of the LLB degree programme. It is recommended that students taking this option should have already studied Company Law (LAW3110) and Law of Trusts (LAW3170) but these subjects are not prerequisites.

Course Objective

Businesses have been assuming more and more importance in the economic life of CARICOM countries. Many of these businesses are incorporated and many of them fail. One result of all this is that corporate lawyers in the Caribbean are having to confront more and more corporate

insolvency legal issues, the rules applicable to the resolution of these issues, and the policies which inform those rules.

Course Content

- (i) Introduction to Corporate Insolvency Law
 - (a) Development and sources of corporate insolvency Law
 - (b) Corporate debt and types of corporate creditors
 - (c) Objectives of modern insolvency law
 - (d) Tests for corporate insolvency
- (ii) The insolvency procedures:
 - (a) Bankruptcy/insolvent winding up
 - (b) Corporate rescue: the proposal
- (iii) Secured Creditors:
 - (a) impact of insolvency procedures on secured creditors
 - (b) secured creditors' remedy – receivership
- (iv) Governance in insolvency – directors in insolvency, regulation of insolvency practitioners; governmental oversight.

Method of Teaching

This course will be conducted on the basis of a two-hour weekly seminar and a one-hour weekly workshop.

Method of Assessment

This course will be assessed by way of one “take home” written assignment during the semester and a two-hour written examination at the end of the second semester. Students will be required to answer two questions from a total of six in the examination which will cover topics taught in the course. The “take-home” assignment will account for 33 1/3% of the final marks.

LAW3150 Revenue Law

General

This course will be taught either in Semester I or in Semester II of the third year of the LLB degree programme. The course is an optional one but it may be slated to be a prerequisite for other options.

Course Objective

The course is based mostly on income taxation of the individual and as such is about technical tax law. The overriding objective of the course, however, is to develop in students skills to deal with tax statutes and tax policy which guide courts in resolving tax problems.

Course Content

Given its fundamental objectives, the topics covered in this course are as follows:

- (i) Constitutional and Fiscal Background to Taxation
- (ii) Lawyer and Taxing Statutes
- (iii) Chargeability: Residence and Source Concepts
- (iv) The Income Concept
- (v) Business Income
- (vi) Employment Income
- (vii) Income from Property
- (viii) Deductibility Concept
- (ix) Computation
- (x) Tax Planning and the Concept of Fiscal Nullity

Method of Teaching

This course will be conducted on the basis of a two hour weekly seminar and a one hour weekly workshop.

Method of Assessment

This course will be assessed by way of one “take home” written assignment during the Semester and one two-hour written examination at the end of the Semester in which it is taught. Students will be required to answer two questions selected from a total of six questions in the two hour examination. The “take-home” assignment will account for 33 1/3 % of the final mark.

LAW3170 Law of Trusts**General**

This course will be taught in either the first or the second Semester in the third year of the LL.B. degree programme. It is an optional one but may be slated to be a prerequisite for other options.

Course Objective

The primary objective of the course is to provide students with an in-depth knowledge of the modern trust. This knowledge is believed to be especially useful in estate planning and tax planning.

Course Content

Given its basic objectives, the topics which will be covered in the course are as follows:

- (i) Trusts distinguished from other legal relationships
- (ii) Formalities, Certainties and Constitution of Trusts
- (iii) Purpose Trusts – charitable and non-charitable
- (iv) Secret Trusts and Mutual Wills
- (v) Donationes mortis causa
- (vi) Resulting and constructive trusts

Method of Teaching

The course will be taught by way of two hours of lectures and a one-hour tutorial per week.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the semester in which it is taught. Students will be required to answer three questions selected from a total of six questions. The examination paper **may** be divided into two parts, with students being required to answer at least one question from each part of the paper or from a particular part.

LAW3180 Administration of Trusts and Estates**General**

This course will be taught in either the first or the second Semester of the third year of the LLB degree programme. The course is an optional one but may be slated to be a prerequisite for other options.

Course Objective

The primary objective of the course is to provide students with an in-depth knowledge of the administration of trusts, including the duties and powers of trustees, and of the administration of the estates of deceased persons, including the duties and powers of executors and administrators.

Course Content

Given its basic objectives, the topics which will be covered in the course are as follows:

- (i) Categories of Trustee
- (ii) Appointment, Retirement and Removal of Trustees
- (iii) Duties and Powers of Trustees
- (iv) Accountability of Trustees and Other Fiduciaries
- (v) Variation of Trusts
- (vi) Remedies for Breach of Trust
- (vii) Grants of Probate and Letters of Administration
- (viii) Duties and Powers of Personal Representatives

Method of Teaching

This course will be taught by way of three one hour seminars per week.

Method of Assessment

This course will be assessed by way of a two hour written final examination at the end of the Semester in which it is taught, and students will be required to answer three questions selected from a total of six questions. The examination paper may be divided into two parts, with students being required to answer at least one question from each part of the paper.

LAW3210 Family Law I (Relating to Husband and Wife)

General

This course will be taught in the first Semester of the third year of the LLB degree programme. The course is an optional one but it may be slated to be a prerequisite for other options.

Course Objective

This course explains the principles and policies which guide the law relating to domestic relationships in the Commonwealth Caribbean as well as proposals for reform.

Course Content

The topics to be covered in this course include:

- (i) Introduction to the Family Law of the Commonwealth Caribbean.
- (ii) Marriage
 - (a) Engagement Contracts
 - (b) Contracts of Marriage, Capacity, Formalities, etc
 - (c) Annulment of Marriages
- (iii) Husband and Wife
 - (a) Legal Effects of Marriage, e.g. unity of man and wife, contractual capacity of married women, right of consortium, criminal and tort liability, marital communications
 - (b) Separation agreements
 - (c) Maintenance and property adjustment
 - (d) Proceedings for resolving property disputes
 - (e) Ownership and occupation of matrimonial home
 - (f) Devolution of property on death
 - (g) Property rights of de facto spouses
 - (h) Protection against domestic violence
- (iv) Divorce
 - (a) Grounds for divorce
 - (b) Bars (defences) to divorce

Method of Teaching

The course will be taught by way of two lectures and one tutorial per week. Each lecture and tutorial will be of one hour's duration.

Method of Assessment

This course will be assessed by means of a two hour final examination at the end of the semester in which it is taught. Students will be required to answer two questions selected from a total of four questions.

LAW3220 Family Law II (Relating to Children)**General**

Family Law I (Law Relating to Husband and Wife) and Family Law II are separate and distinct courses. Therefore, the completion of Family Law I is not a prerequisite in order to enroll in Family Law II. This course will be taught in the second semester of the third year of the LLB degree programme. The course is an optional one but it may be slated to be a prerequisite for other options.

Course Objective

This course explains the principles and policies which guide the law relating to children in the Commonwealth Caribbean, including proposals for reform.

Course Content

The topics to be covered in this course include:

- (i) Introduction to the law relating to children of the Commonwealth Caribbean
- (ii) Status of Children at Common Law, Presumption of Legitimacy
- (iii) Status of Children's Legislation, Presumption of Paternity, Blood Test Evidence
- (iv) Maintenance
- (v) Property Rights
- (vi) Inheritance, including Inheritance Family Provision Legislation
- (vii) Affiliation Proceedings
- (viii) Adoption
- (ix) Custody Proceedings under Guardianship, Matrimonial Causes, Maintenance and Affiliation Acts
- (x) Wardship Proceedings
- (xi) Child Abduction
- (xii) Miscellaneous Parental Rights and Duties
- (xiii) Child Care Law and Child Protection Legislation

Method of Teaching

The course will be taught by way of one two hour lecture and one two hour workshop per week. Each lecture and tutorial will be of one hour's duration.

Method of Assessment

This course will be assessed by means of a two hour final examination at the end of the semester in which it is taught. Students will be required to answer two questions selected from a total of four questions.

LAW3230 Family Law III (De Facto Families)**General**

This course will be taught in the second semester of the third year of the LLB degree programme. The course is an optional one but it may be slated to be a prerequisite for other options.

Course Objective

The course examines differences in access to family justice for de facto families in a fragmented family justice system. The course also studies the principles that govern which de facto families are recognised in evolving family laws and the factors influencing the recognition of de facto families. The general goals of this course are to deepen knowledge and understanding of the laws that regulate de facto families in the Caribbean, to explore the principles and policies that underpin the development of family laws related to the de facto family and to critically evaluate how family laws related to de facto families operate in Caribbean society. By the end of this course, the student should be able to:

- Describe the structure and features of Caribbean families
- Describe how Caribbean family law regulates de facto families
- Explain how human rights standards have implications for the recognition of de facto families
- Critically assess the extent to which regulation of de facto families in Caribbean family law is responsive to Caribbean societies and human rights norms
- Critically evaluate the different approaches adopted to regulating property distribution in de facto relationships in Caribbean family law
- Critically evaluate legal developments in the Caribbean related to the paternity and parental responsibilities of unmarried parents and social parenthood

Course Content

The topics to be covered in this course include:

- i. Family Forms and Structure in the Caribbean
- ii. The Regulation of Caribbean Families in Law
- iii. De facto families and human rights
- iv. Recognition of de facto relationships in Caribbean family law
- v. Identifying and dividing family property
- vi. Parenthood

Method of Teaching

This course will be taught using a combination of lectures (2 hours per week) and a workshop (2 hour per week). Students will be required to prepare for both seminars and workshops but the latter will integrate more student participation and student presentations. Each student will have at least one opportunity to make a 5 – 7 minute presentation in workshops during the semester.

Method of Assessment

The course will be assessed by two take home papers (total of 85 per cent of the final grade) and class participation (15 per cent of the grade).

The two take home papers will account for 40 per cent and 45 per cent and will be due at approximately the midterm and end of teaching of the semester respectively, with word limits of approximately 2000 - 4000 words and 3000 – 5000 words respectively. Students will be given at least two weeks to complete the paper. The take home papers will require students to review the assigned readings and demonstrate that they have achieved specific learning objectives.

Class participation will be evaluated with reference to the workshop presentation/s made by each student, and their general participation in both seminars and workshops throughout the semester. An assessment rubric and marking criteria will be provided to students at the beginning of the course that indicates the expectations of the assessment in relation to quantity and quality of participation.

LAW3260 Gender and the Law in the Commonwealth Caribbean

General

The course will be taught in the first or second semester of the third year of the LLB degree programme. It is an optional course. Some of the substantive areas covered in Gender and the Law in the Commonwealth Caribbean will be familiar to students who have studied Criminal Law, Family Law and Commonwealth Caribbean Human Rights. However, none of these courses is a prerequisite.

Course Objective

The main objective of this course is to examine issues of gender and the law in the Commonwealth Caribbean. The first part of the course will introduce students to some relevant theoretical issues and themes that will clarify the concepts of gender, sex, discrimination, equality, patriarchy, gender norms and relations as well as gender stereotyping. The first part will also introduce students to feminist critiques, in particular feminist legal theories and will engage them in a critical analysis of the male language of the law. The second part of the course will examine gender in some substantive areas such as the necessity for women's rights, violence, including family violence and violence in conflict periods, sexual offences in Caribbean legislation. This part will also explore the concept of masculinism and the codes of masculinity and fatherhood in the Caribbean, especially the ways in which these codes influence the drafting and the administration of the law in the Commonwealth Caribbean. The course also provides students with tools for conducting the research.

Course Content

Part I - Theories and Themes

- (i) Gender matters: a conceptual framework
- (ii) Gender norms and relations
- (iii) Feminist critiques
- (iv) Writing Research Papers

Part II - Selected Issues

- (i) Gender, Human Rights Law and Violence
- (ii) Family Violence
- (iii) Caribbean law and sexual offences
- (iv) Masculinity in drafting and the administration of the law
- (v) Family, fatherhood and the law

Method of Teaching

The course will be conducted by a three-hour weekly seminar.

Method of Assessment

Students will be assessed by way of two written "take home" research papers during the semester.

LAW3280 International Mooting

General

The completion of Public International Law I is a prerequisite for this course, which is optional and will be taught in the second Semester of year III of the LLB programme. Course enrolment will be restricted, and students will have to compete for class spaces through Moot Selection Rounds.

Course Objective

This course will prepare students for participation in selected international moot court competitions. It will develop skills related to research, writing, and oral and written advocacy.

Course Content

- (i) Introduction to the substantive areas of law related to each moot (public international law and international human rights law).
- (ii) Research techniques
- (iii) Memorial writing techniques
- (iv) Independent research
- (v) Oral skills sessions/practice moots
- (vi) International moot participation

Method of Teaching

This course will be taught in small seminars and workshops. It will involve significant independent research.

Method of Assessment

Students will be assessed on the basis of their participation in seminars and workshops (20%), written memorials (40%), and practice moots (40%).

LAW 3290 Supervised Independent Research Paper

Course Requirements

The course allows students to undertake independent study in the area that they are interested in, leading to a substantial research paper under the supervision of one or more faculty members. The topic students choose must be capable of legal analysis in its broader social context. An interdisciplinary approach may be adopted, and is encouraged, where appropriate to the topic chosen.

A student's online registration for this course may not be completed without the approval of the Course Coordinator. The approval is obtained upon submission of the Supervised Independent Research Paper form signed by both the student and the Supervisor. This entails that the student is first required to discuss the topic of his/her choice with and receive the agreement for supervision from the faculty member who has the expertise on that topic. The Coordinator of the course may also assist the student in identifying the faculty member with relevant expertise in the area chosen for research.

Students are expected to consult at regular intervals with their supervisors, at least once a fortnight during the semester, and submit periodic drafts of their paper to the supervisor over the course of the semester. Students must attend a number of workshops organized to enhance their skills in conducting research and writing, in referencing according to the OSCOLA style, as well as to equip them with knowledge on plagiarism and the rules to follow to avoid it.

The completed research paper must be submitted in 2 hard copies together with the signed Honour Code Declaration and the full Turnitin report to the Faculty Office on a determined due date (before the start of the examinations period). See Regulation 44 for further details regarding the research paper.

LAW 3330 International Trade Law

General

This course will be taught in the first or second semester of the third year of the LLB degree programme. It is an optional course. The completion of Public International Law I is a

prerequisite for this course. The completion of Public International Law II is recommended.

Course objective

The aim of this course is to introduce students to the basic concepts and principles underlying the WTO multilateral trading system and WTO dispute settlement. It also sensitizes students to CARICOM's experiences with and perspectives on the WTO.

Course content

The areas to be covered:

- i. Historical background to the International Trading System/GATT 1947
- ii. The World Trade Organisation
- iii. Schedules of Concessions and Border measures
- iv. Most-Favoured Nation Obligation
- v. National Treatment Obligation
- vi. General Exceptions
- ii. Regional Trade Agreements/Free Trade Areas
- iii. Dispute Settlement

Method of Teaching

This course will be taught by way of two lectures and one tutorial per week, each lecture and tutorial being of one hour's duration.

Method of Assessment

The course will be assessed by way of a two-hour examination at the end of the semester in which it is taught. Students will be required to answer two out of a total of four questions. The examination paper will be divided into two parts with students being required to answer at least one question from each part of the paper.

LAW 3340 European Union Law

General

This course is an optional one taught in either Semester I or Semester II of the third year of the LLB degree programme.

Course Objective

The primary objective of this course is to provide students with a clear understanding of the history, structure and operation of European Union Law while focusing on the substantive law relating to and surrounding the Internal Market of the EU.

Course Content

The topics to be examined are the following:

- i. The history and sources of law in the EU, including the Treaty regimes and general principles.
- ii. The fundamental EU principles of direct effect and supremacy.
- iii. The free movement of goods between Member States of the EU; the prohibition of customs duties and quantitative restrictions as well as measures having equivalent effect to either; the prohibition of discriminatory internal taxation; exceptions to that prohibition. Intellectual property rights.
- iv. The free movement of persons, citizenship of the EU, derogation based on public policy, public security and public health. The freedom of establishment and freedom to provide and receive services.
- v. Fundamental rights in the EU and sex discrimination.

Method of Teaching

This course will be delivered by means of a weekly two-hour lecture and one two-hour workshop. Lectures will be used to provide a conceptual framework and perspectives on the internal market. The main objective of a workshop will be to analyse and evaluate the particular area of law under consideration and to provide students with the opportunity of discussing controversial and difficult topics in light of the relevant case law.

Method of Assessment

The Assessment will be twofold: by one assignment of no more than 1500 words in the form of a case study. The assignment will be handed out to the students in the third week of the semester for the completion by week 8. This work will account for 40% of the total mark. Students will be required to sit an end of semester formal examination, which will account for 60% of the total mark. The examination paper will contain four questions. Students will be asked to answer only two of these.

LAW3350 Oil & Gas Law (Online)

General

This course is offered as a second semester of Year III of the LLB Degree Programme. It is optional. There is no prerequisite for this course, but knowledge of Contract Law, Real Property, Environmental Law and Public International Law would be an asset.

Course Objective

This course is designed to give students an understanding of the fundamental legal issues associated with the oil and gas industry. It will include a study of the legal rights attached to the petroleum sector, an analysis of the nature and protection of interests and legal arrangements found in the oil and gas industry including applicable Licences, Production Sharing Contracts and Joint Operating Agreements in Trinidad and Tobago

Course Content

The topics to be covered in the course may include all or any of the following:-

- (i) The Fundamentals of Oil and Gas Law – Domestic and International Framework
- (ii) Nature and Protection of Oil and Gas Legal Rights
- (iii) The Rule of Capture
- (iv) Unitization Agreements and Offshore Energy development in Disputed Waters
- (v) Production Sharing Contracts
- (vi) Joint Operating Agreements.
- (vii) Environmental Issues

Method of Teaching

This course is offered by the Faculty of Law, St Augustine Campus and streamed to the Mona Campus. There will be one lecture of 2 hours duration and 1 seminar per week. Each seminar will last one hour. The lectures will consist of discussions on the topics outlined in the course calendar.

Method of Assessment

At the end of each lecture students will be asked to comment on areas of the lecture which they would like to get clarified. Feedback will be given to students. Also, some of the lectures will be interactive and students will be placed in small groups to solve problems and discuss legal issues. Also, there will be several small group tutorials throughout the semester in which students will be asked to comment on and answer questions. The small group will work collaboratively to solve problems and answer questions. General feedback will be given to questions attempted and

students will be encouraged to participate in class and tutorial discussions. Students will be encouraged to submit model answers to the instructor for grading via email or hard copy.

LAW3400 Insurance Law

General

Insurance Law is an optional course which relies heavily on Contract Law. Accordingly, the attainment of at least a “B” average in Contract Law I and II might be required as a prerequisite for studying the course. Insurance Law will be taught in either Semester I or Semester II of the third year of the LLB programme.

Course Objective

This course is designed to explore basic principles of modern Insurance Law and to introduce students to specialized problems in particular areas of the subject.

Course Content

The topics to be covered in the course may include all or any of the following:-

- (i) Introductory Principles Nature of Insurance Law - The Contract of Insurance - Regulation.
- (ii) Insurable Interest Insurable Interest - Life and Property Insurances - Assignment.
- (iii) Uberrimae fides Making the contract - Agency – Contract formation - Premiums - Utmost good faith and Non-disclosure - Interim cover.
- (iv) Risk Terms of policy - Construction - Causation.
- (v) Indemnity Claims - Settlement - Subrogation - Contribution - Double Insurance.
- (vi) Specialised Problems Beneficiary designation - Compulsory Motor Vehicle Insurance - Employers’ Liability Insurance - Environmental Insurance.

Method of Teaching

This course will be taught either by way of two one-hour lectures or by way of one two-hour seminar, plus one one-hour enhancement session per week. Students will be notified of the teaching method to be adopted for the Semester in which they register to read the course during the first week of the Semester.

Method of Assessment

This course will be assessed by way of a two-hour final examination at the end of the semester in which it is taught. Students will be required to answer three questions, one of which may be a compulsory question, from a total of six questions.

LAW3450 Caribbean Environmental Law

General

This is an optional course which will be taught in the first or second Semester of the third year of the LLB degree programme.

Course Objective

The course is designed to examine the methods by which the law has sought to place limits on human activity having adverse impacts on the environment. In particular, the course explores the evolution from common law control to regulatory means established primarily by statute, with particular reference to environmental laws in force and decided cases in Commonwealth Caribbean countries.

Course Content

The topics to be covered in the course may include all or any of the following:-

- (i) Introduction to Environmental Law
- (ii) Constitutional Aspects

- (iii) Regulation of Land Development
- (iv) Environmental Impact Assessment
- (v) Conservation of Natural Resources
- (vi) Pollution Control
- (vii) Protection of the Marine and Coastal Environment
- (viii) Compliance, Enforcement and Environment Litigation
- (ix) Alternative Approaches

Method of Teaching

This course will be taught by a combination of lectures and seminars. There will be one two-hour lecture and one-hour seminar each week, unless notified otherwise.

Method of Assessment

This course will be assessed by means of a coursework assignment, accounting for 33 or 1/3% of the final mark, and a two-hour final examination accounting for 66 or 2/3% of the final mark. In the final two-hour examination, students will be required to answer two questions out of a total of four.

LAW3460 International Environmental Law

General

International Environmental Law is an optional course which will be taught in the first or second Semester of the third year of the LLB degree programme.

Course Objective

This course examines the evolution and content of International Law rules which limit human activity having adverse impacts on the global environment. An important objective is to highlight the relevance of international environmental law solutions to general international law problems. International Environmental Law is complementary to LAW3450 Caribbean Environmental Law, but may be studied independently of that other option. The course presumes knowledge of Public International Law; familiarity with International Development and Economic Law and the International Law of Human Rights would be an advantage but is not required.

Course Content

The topics to be covered in the course may include any of the following:-

- (i) The Development of International Environmental Policy and Law
- (ii) State Responsibility for Pollution and Environmental Harm
 - (a) customary international law and the prevention of environmental harm;
 - (b) interstate claims;
 - (c) enforcement through national law.
- (iii) Marine pollution
- (iv) Trans-boundary Movements of Hazardous Wastes
- (v) Air Pollution
- (vi) Protection of Endangered Species
- (vii) Conservation of Marine Mammals
- (viii) International Regulation of the Global Environment

Method of Teaching

This course will be taught by a combination of lectures, seminars and workshops. There will be either (i) a two hour weekly seminar and a one hour weekly or fortnightly lecture or (ii) a two hour weekly seminar and a one hour weekly or fortnightly workshop.

Method of Assessment

This course will be assessed in one of two ways. Either there will be a “take-home” semester assignment to account for 33 or 1/3% of the final mark and a two hour final examination to account for 66 or 2/3% of the final mark in which students will be required to answer two questions from a total of four; or there will be a two hour final examination to account for 100% of the final mark in which students will be required to answer three questions selected from a total of six questions, one of which may be a compulsory question. Students will be advised of the selected method of assessment at the start of the semester in which the course is taught.

LAW3550 General Principles of Private International Law

General

This optional course will be taught in the first or second Semester of the third year of the LLB degree programme.

Course Objective

The fundamental objective of this course is to provide students with an insight into the ways in which Caribbean courts deal with legal problems that are connected with foreign jurisdictions. The problems considered are drawn from those affecting private individuals as well as States acting in their private capacity. The course forms an essential basis for advanced work in all forms of transnational litigation.

Course Content

Part I - Preliminary Topics

- (i) Definition, nature and scope of private international law
- (ii) Historical development and current theories
- (iii) Classification and Renvoi
- (iv) Exclusion of foreign law
- (v) Domicile and residence

Part II - Procedure

- (i) Substance and procedure
- (ii) Proof of foreign law

Part III - Jurisdiction and Foreign Judgments

- (i) Jurisdiction
- (ii) Staying of proceedings and restraining foreign proceedings
- (iii) Recognition and enforcement of foreign judgments
- (iv) Enforcement of foreign arbitral awards

Method of Teaching

This course will be taught by way of one two hour lectures and a one-hour tutorial per week.

Method of Assessment

This course will be assessed by a 2 hour written final examination at the end of the semester in which it is taught.

LAW3620 Law of International Organizations

General

This course will be taught in either Semester I or Semester II of the Third Year of the LLB degree programme. It is an optional course but may be slated to be a prerequisite for other options. The completion of Public International Law I and Public International Law II would be an asset, but they are not prerequisites for this course.

Course Objective

This course presents an overview of the role of international organizations in the maintenance of international peace and security and in the promotion of other world values including those associated with social, economic and political justice. An overriding objective of the course is to evaluate the extent to which such institutions can be seen as alternative to the state system rather than as extensions of it.

Course Content

- (i) Institutionalization of the World Structure - Historical Overview
- (i) Universal International Organizations
- (ii) Regional Organizations
- (iii) International Judicial Institutions
- (iv) Common Features of International Organizations
- (v) The Prospects for the Future: Restructuring the U.N.

Method of Teaching

This course will be taught in two lectures and one tutorial per week, each lecture and tutorial being of one hour's duration.

Method of Assessment

This course will be assessed by way of one essay assignment during the semester which will account for 30% of the final mark and one two-hour examination at the end of the semester accounting for 70% of the final mark. Students will be required to answer two questions selected from a total of four questions in the examination.

LAW3630 Caribbean Integration Law

General

This course is an optional one taught in either Semester I or Semester II of the third year of the LLB programme. Public International Law 1 is a prerequisite for this course.

Course Objective

The general objective is to introduce students to forms of integration structures to enable the development of a jurisprudence which addresses Caribbean Community issues.

Course Content

- (i) Introduction: Broad Issues and Legal Concepts
- (ii) Historical Development of Regional Organisations
- (iii) Caribbean: Community Organs, Rule- Making Processes and Enforcement
- (iv) European: Community Organs, Rule- Making Processes and Enforcement
- (v) Internal Relations
- (vi) External Relations and Policies

Method of Teaching

This course will be taught by way of a combination of lectures and workshops for three hours per week.

Method of Assessment

This course will be assessed by way of one "take home" written assignment during the Semester in which it is taught and one two hour examination at the end of the Semester in which it is taught. Students will be required to answer two questions selected from a total of four questions in the two hour examination. The "take-home" assignment will account for 30% of the final mark and the two hour examination 70% of the final mark.

LAW3640 Introduction to Offshore Law

General

This optional course will be taught in the first and/ or second Semester of the third year of the LLB degree programme.

Course Objective

The course aims to give an appreciation of the legal aspects of new, diverse and contemporary subject areas of offshore investment. It straddles several other legal disciplines such as the law of banking, fiscal law, the law of trusts and the conflict of laws. Still, the study is a unique and holistic subject in itself as several legal concepts are innovative and distinct. Students taking this course should have a background in either revenue law, the law of trusts or the conflict of laws.

Course Content

The areas to be covered are as follows:

- (i) The Anatomy of Offshore Financial Structures, their Development and Rationale
- (ii) The Nature of the Offshore Trust
- (iii) Problems facing the Offshore Trust
- (iv) Confidentiality and Disclosure Initiatives in Offshore Financial Regimes
- (v) Offshore Vehicles for Tax Avoidance
- (vi) Conflicts of Laws and Offshore Investment
- (vii) The Captive Insurance Model
- (viii) Ethical and Constitutional Issues in Offshore Investment
- (ix) Developmental Issues and Offshore Investment

Method of Teaching

The course will be taught by way of a combination of seminars, workshops and lectures for three hours per week.

Method of Assessment

The course will be assessed in one of two ways, either by a 'take home' semester assignment in the form of a research paper or project to account for 25% of the final mark and a two hour final examination to account for 75% of the final mark in which students will be required to answer two questions from a total of four, or by a two hour final examination to account for 100% of the final mark in which students will be required to answer two out of a minimum of four questions, one of which will be a compulsory question.

LAW3645 Commonwealth Caribbean Sports Law

General

This optional course will be taught in the first or second semester of the third year of the LLB degree programme.

Course Objective

This course aims to introduce students to the fundamental legal principles relating to sport in the Commonwealth Caribbean, and to provide students with an understanding of how these principles may impact upon participants, practitioners and administrators at all levels. Through examination and analysis of contemporary statutory, case-law, arbitration and codification framework, students will develop a detailed knowledge of the substantive law, policies and practices, thereby enabling them to critically evaluate the present law, and identify, explain and apply key legal principles to complex real world scenarios and analytical academic questions. By situating the law in the Caribbean's unique social and economic context, this course seeks to highlight key legal and ethical issues which may arise in this area, and allow students to

appreciate the practical impact and growing importance of this area of law in the lives of Caribbean nationals.

Course Content

The areas to be covered include:

- (i) Introduction to Commonwealth Caribbean Sports Law
- (ii) Employment-related Aspects of Commonwealth Caribbean Sports Law
- (iii) Discrimination in Sports
- (iv) The Commercial Exploitation of Sports
- (v) Legal Aspects of Safety in Sports
- (vi) Governance in Sports
- (vii) Regulating Drugs and Match-fixing in Sports
- (viii) The Future of Commonwealth Caribbean Sports Law

Method of Teaching

The course will comprise lectures and discussions, tutorials and cooperative group work and will include guest lecturers from the sports fraternity. The student will attend one lecture of two hours per week where the student will be required to engage in classroom discussion. The student will also attend one tutorial for one hour per week.

Method of Assessment

The course will be assessed by means of an end of term examination (70% of the final grade) whereby students will be required to answer two questions from a total of four. The final exam will consist of essay and problem-type questions. Students will also be assessed through a moot presentation (30% of the final grade) whereby they will be required to research and present in teams on a particular scenario that is particularly provocative and relevant to the Caribbean.

LAW3660 Caribbean Securities Regulation

General

This optional course will be taught in the first or second semester of the third year of the LLB degree programme.

Course Objective

This course is intended to be an introductory course in securities regulation with a focus on the regulation of Caribbean securities markets. The standards promulgated by the International Organization of Securities Commission (IOSCO) will be used as the framework for analyzing the laws and the policy issues which underpin the legislation of the Commonwealth Caribbean.

Course Content

The areas to be covered include:

- (i) Introduction to Securities Regulation in the Caribbean
- (ii) The International Organization of Securities Commissions
- (iii) The Concept of a "Security"
- (iv) Raising Capital/Issues of Securities to "the Public"
- (v) Prospectus Requirements and Exemptions
- (vi) Continuous Disclosure Obligations for Issuers
- (vii) Registration and Supervision of Market Intermediaries
- (viii) Collective Investment Schemes/Mutual Funds - Regulation and Governance
- (ix) Market Misconduct – Insider Dealing and Market Manipulation
- (x) Takeover Bid and Issuer Bid Regulation
- (xi) Enforcement of Securities Laws
- (xii) Regulatory Co-operation in the Context of IOSCO Multilateral Memorandum of Understanding

Method of Teaching

The course will be delivered using a blended format, involving technology-mediated and face-to-face sessions. The course will comprise: lectures and discussions, tutorials and cooperative group work. The student will attend one lecture two hours per week where the student will be required to engage in classroom discussion. The student will also attend one tutorial for one hour per week. One research assignment, consisting of a research project undertaken by cooperative groups of students. Each group will be assigned different topics.

Method of Assessment

The course will be assessed by means of a cooperative group assignment and an end of term examination, as follows:

- i. Students will be required to complete one research assignment, consisting of a cooperative research project undertaken by a group of students for 30% of the course mark. Each group will be assigned different topics.
- ii. Students must take a two hour end of term exam consisting of short answers, essays or problem questions for 70% of the course mark.

LAW 3720 International Human Rights Law

General

This is an optional course which will be taught either in Semester I or in Semester II of the third year of the LLB programme.

Course Objective

This course is designed to provide a comprehensive understanding of international human rights standards and of the international machinery of the United Nations, the Council of Europe, and the OAS for the implementing of these standards. It also examines the evolution of international human rights, the theoretical foundations of the idea of human rights in various civilizations and cultures, and the meaning and relevance of international human rights law in dealing with major issues in the contemporary world.

Course Content

Part I of course deals with the system of the United Nations for the protection and promotion of international human rights law. Part II of the course focuses on the rules, institutional structures and processes of regional systems for the protection and promotional of human rights, in particular in the European and Inter-American systems.

The following topics will be examined:

Part I

- (i) The UN Charter and the International Protection of Human Rights;
- (ii) Implementation and Standard Setting in Conventions sponsored by the United Nations
 - (a) The International Covenant on Civil and Political of Human Rights;
 - (b) The International Covenant on Economic, Social and Cultural Rights;
 - (c) The UN Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment;
 - (d) The UN Convention Relating to the Status of Refugees

Part II

- (i) The Inter-American Rights System
- (ii) The European System of Human Rights

Method of Teaching

The course will be taught by way of two lectures and one tutorial per week throughout the semester. Each lecture will be of one-hour duration and the tutorial will also be of one-hour duration.

Method of Assessment

This course is assessed by one “take home” assignment, which contributes 30% of the overall mark, and one two-hour examination at the end of the course, which contributes 70% of the overall mark. The “take home” assignment shall be submitted on or before noon on the Monday which falls three weeks before the end of semester in which the course is taught.

LAW3740 Comparative Law

General

This optional course will be taught in the first or second semester of the third year of the LL.B. degree programme.

Course Objective

This course studies major legal traditions of the modern world (Civil Law, Common Law, non-Western traditions) in their historical, political and cultural context. It examines the specifics of using the comparative method in law and practical relevance of the use of such method for lawyers. This discipline also surveys three to four fields of law in comparative perspective (e.g., constitutional review, torts, property law). This course is designed to teach the students the skill of using the comparative method in studying and practicing law

Course Content

The areas to be covered are as follows:

PART ONE – Theoretical Basis, Purpose and Methodology of Comparative Law

- i. Theoretical Basis and Purposes of Comparative Law
- ii. Comparative Law Methodology

PART TWO – Legal Traditions & Characteristic Features of Particular Traditions

- iii. Western Legal Traditions – Continental (Civil) Law and Common Law
 - a. The Role of statutory law/codes
 - b. The Role of Case Law
 - c. The Role of Judges and Academics
- iv. Non-Western Legal Traditions

PART THREE – Survey of Selected Legal Fields for Comparative Analysis

- v. Enforcement of the Constitution: Constitutional Judiciaries and Constitutional Review
- vi. Civil Procedure
- vii. Issues of Tort Law
- viii. Issues of Property Law

Method of Teaching

The course will be delivered utilizing two (2) hours of lectures and one (1) hour of tutorials per week. The tutorials will involve a series of exercises that develop an ability to identify universal trends in development of legal systems and their particularities related to their geography, history and politics. The major methods used in teaching will be comparative, historical and hermeneutical. Teaching will include critical reading of classical texts of comparative law; use of the “case method” to study legal rules and principles in different contexts; use of “functionalism” as the central idea of comparative law methodology. This is expected to enhance the students’

ability to think critically and creatively about law and legal systems as well as to become globally aware and regionally committed legal professionals.

Method of Assessment

The course would be assessed by way of a single paper of from 4000-6000 words, to be submitted at the end of the semester, in which the student employs the comparative method to examine a concrete and significant legal issue in two or three separate legal systems.

LAW3760 Intellectual Property

General

This optional course will be taught in the first or second semester of the third year of the LLB degree programme.

Course Objective

The main objective of this course is to introduce students to the general principles of intellectual property law.

Course Content

The areas to be covered include:

- (i) The nature and objectives of intellectual property
- (ii) Copyright
- (iii) Trade Marks
- (iv) Patents
- (v) Confidential Information
- (vi) Designs

Method of Teaching

This course will be taught by way of two lectures and one tutorial per week, each lecture and tutorial being of one hour's duration.

Method of Assessment

The course will be assessed by way of a two-hour written final examination at the end of the semester in which it is taught. Students will be required to answer three out of a total of six questions. The examination paper may be divided into two parts, with students being required to answer at least one question from each part of the paper.

LAW3765 Law, Technology and the Internet

General

This optional course will be taught in the first or second semester of the third year of the LLB degree programme.

Course Objective

The main objective of this course is to introduce students to the general principles of intellectual property law.

Course Content

The areas to be covered include:

- (i) IT Law theory, L Lessig et al;
- (ii) The evolution of internet regulation;
- (iii) Caribbean technology regulation;
- (iv) Specific computer crime;

- (v) Computer related crime;
- (vi) Electronic evidence and jurisdictional issues;
- (vii) eCommerce and jurisdiction;
- (viii) Data protection regulation;
- (ix) Copyright on the internet
- (x) IP rights in software.

Method of Teaching

The course will be taught one two hour lectures and a one hour workshop each week. Students may be exposed to a combination of:

- Case studies;
- Problem questions on fictional scenarios;
- Essay question assessing the course content;
- Student-led presentations on any area of the course

The structure of the seminar workshops and lectures will improve a student's public speaking skills and interaction in a team environment. Various pedagogical methods are applied from one-line dissemination of information to structured lectures. Students will be expected to prepare in advance for these classes, which are intended not only to impart knowledge and understanding but also to promote those analytical and critical skills which are essential in legal argument.

Method of Assessment

Students will be assessed through a combination of formats:

- A two hour written exam at the end of the course. The exam may combine short answer, essay or problem questions. Students must answer 2 out of the 5 questions [75% of final mark];
- A group presentation on a particular topic or case [25% of final mark].

LAW3770 Advanced Legal Writing

General

This optional course will be taught in the first or second semester of the third year of the LLB degree programme.

Course Objective

The objectives of the course are to expose students to writing objectively, persuasively and in an advisory capacity and help them to develop proficiency in the organization and composition of documents which employ the writing styles.

Course Content

The areas to be covered include:

- (i) Objective writing
- (ii) Advisory writing
- (iii) Persuasive writing

Method of Teaching

The course will be taught in Semester I of the 2017/2018 Academic Year and administered through a two (2) hour weekly workshop.

Method of Assessment

- Two (2) written assignments: 50% each.
- Assignment #1: **Memorandum of Law & Advice Letter**
- Assignment #2: **Written Submissions**

LAW3840 Alternative Dispute Resolution

General

This optional course will be taught in either the first or the second semester of Year III of the LLB degree programme.

Course Objective

The course aims to enable students to appreciate the nature of Alternative Dispute Resolution (ADR) and how ADR functions; to examine particular applications of ADR mechanisms and how they apply to, in particular, the management of commercial arrangements and their consequential disputes; to examine how ADR can be leveraged in support of sustainable economic development; and to provide students with a comparison with court based dispute resolution of commercial disputes.

Course Content

- (i) The nature and function of ADR, identification of ADR mechanisms, including, in particular, negotiation, mediation, ombudsman, adjudication and arbitration. This examination includes by reference to their special features and application to the resolution of commercial and other disputes
- (ii) Regional initiatives in ADR, including caseload management, court-connected mediation, restorative justice, community policing and court-connected arbitration
- (iii) Ethics and confidentiality in ADR Policy and future direction

Method of Teaching

The course will be taught by way of a two (2) hour lecture and a one (1) tutorial per week or a three (3) hour seminar per week.

Method of Assessment

This course will be assessed by way of a two (2) hour written final examination accounting for 70% of the final mark and a take home assignment accounting for the other 30%, at the end of the semester in which it is taught. In the two (2) hour examination students will be required to answer three (3) questions selected from a total of six (6) questions.

LAW3865 Introduction to International Investment Law

General

This optional course will be taught in either the first or the second semester of Year III of the LLB degree programme.

Course Objective

The course aims to enable students to appreciate the nature of Alternative Disputes Resolution (ADR); to examine particular applications of ADR techniques to public law issues; and to provide students with a comparison with court based dispute resolution to public law issues.

Course Content

- (i) Introduction
- (ii) Definition of investment/investor and issues of pre- and post-establishment
- (iii) Investment treaties and investment contracts: Brief overview of key elements
- (iv) Investor protection standards – Fair and equitable treatment and full protection and security
- (v) Investor protection standards – Most-Favoured-Nation Standard (Mfn) And National Treatment
- (vi) Expropriation, compensation and remedies for breach of investor standards

- (vii) Issues of corporate responsibility, state responsibility and regulatory re-balancing
- (viii) Institutionalized (ICSID, NAFTA) and AD, HOC investment Arbitration

Method of Teaching

This course will be taught using a combination of lectures (2 hours per week) and tutorials (2 hours per week).

It will involve student preparation of the course materials which will be distributed in advance, class room discussions, and short presentations.

Method of Assessment

The course will be assessed by means of a group presentation accounting for 30% of the final mark and an end of term examination accounting for the other 70%. Students will be required to answer two questions from a total of four. The final exam will consist of essay and problem-type questions.

LAW3930 The Law of International Courts and Tribunals

General

This optional course will be taught in either the first or the second semester of Year III of the LLB degree programme.

Course Objective

This course is intended to fill a gap in the course offerings on Public International Law at the University of the West Indies. Currently, it is expected that students will be exposed to the workings of the International Court of Justice in the course on Public International Law 1. This course, however, covers substantive rules of law, rather than institutional arrangements for the Court. There is therefore scope for a course which emphasizes the way the International Court of Justice and other courts and tribunals are organized and structured, and how they address institutional issues that arise on a regular basis. Secondly, there is at present no course which concerns itself with the International Criminal Court, although 12 of the 14 CARICOM States are parties to this Court's activities.

Course Content

The main courts and tribunals within the scope of this course will be:

- (i) The International Court of Justice
- (ii) The International Criminal Court
- (iii) The Caribbean Court of Justice (in its Original Jurisdiction)
- (iv) The Inter-American Commission on Human Rights (and the Inter-American Court of Human Rights)
- (v) The International Tribunal for the Law of the Sea
- (vi) The Dispute Settlement Procedures of the World Trade Organization
- (vii) The International Centre for the Settlement of Investment Disputes and other investment law tribunals
- (viii) International Tribunals on Humanitarian Law
- (ix) The United Nations Human Rights Committee

Method of Teaching

Mainly through the delivery of lectures and tutorial sessions. Both lectures and tutorials will be interactive. Students will also be encouraged to make presentation to particular courts and tribunals in mock sessions using standard mootng formats.

Method of Assessment

By examination. The final examination will require students to answer three questions, and will carry 75% of the marks. There will also be a mid-semester test which will require students to present short answers to specific questions relating to the various courts and tribunals covered up to that point: 25% of the marks.

LAW3940 Entertainment Law

General

This optional course will be taught in either the first or the second semester of Year III of the LL.B. degree programme.

Course Objective

The course is an introduction to the legal issues that arise in media and entertainment industries. It provides an overview of certain key areas, including artist rights, trademarks in entertainment, publicity rights, defamation, entertainment contracts, gambling and emerging entertainment law issues in the digital age.

Course Content

- (i) Introduction
- (ii) Intellectual Property & Related Rights
- (iii) Entertainment Contracts
- (iv) Defamation
- (v) Gambling
- (vi) Trade Issues

Method of Assessment

The course will be assessed by means of a written paper (70%) and a drafting exercise (30%). The written paper shall be between 3,500 – 4,500 words, in an area of entertainment law to be approved by the instructor. The paper is intended to be an in-depth and critical examination of an aspect of entertainment law covered during the course. Students will also draft a contract specific to the area of entertainment law (whether in film, music, television or otherwise). The drafting of that contract will emphasize the experiential components of the course.

PROFESSIONAL TRAINING

Entry into the legal profession of all of the Commonwealth Caribbean territories is regulated by the law of the particular territory, but as a result of a regional agreement the basic requirements tend to follow a common pattern. Since 1975, a Legal Education Certificate is normally required by a prospective lawyer. This is granted by the (West Indian) Council of Legal Education which was established in April 1971. The Certificate will be granted to a student who successfully completes a two year course of full time training at one of the Council's three Law Schools in Jamaica, Trinidad or The Bahamas. The students will be taught by a system of practical instruction designed to give training in the basic and essential skills of the practicing lawyer. Entry into a Law School will normally be granted to any applicant holding The U.W.I. LLB degree. Students who hold law degrees from other universities are required to sit an entrance examination which is held in July of each year. The

deadline for applications to the Law Schools is January 31 of the proposed year of study. Application forms are obtainable from the Faculty of Law or from either of the three Law Schools at the addresses below:

Norman Manley Law School
P.O. Box 231
Mona Campus
Kingston 7
JAMAICA

The Eugene Dupuch Law School
P.O. Box SS-6394
Nassau
THE BAHAMAS

Hugh Wooding Law School
P.O. Box 323
Tunapuna Post Office
TRINIDAD & TOBAGO

Holders of a Certificate of Legal Education will be regarded by all Governments in the West Indies as having satisfied institutional and educational requirements for practice, but local legislation may add further requirements such as the requirement of nationality, which must be satisfied before the right to **practice** is granted in a particular territory.

MONA LAW LIBRARY

The Law Library provides reference services to students, faculty and staff in the law Faculty. This includes providing computer access, electronic reference assistance, access to print and electronic information resources. Electronic reference services are provided through UWILinC accessed through the campus Library's website at <http://uwin-primohosted.exlibrisgroup.com/>. Access to a whole range of electronic legal information resources are provided through databases like LexisNexis.

Contact Librarian:

Mrs. Myrna Douglas
✉ myrna.douglas@uwimona.edu.jm

SCHOLARSHIPS AND BURSARIES

Scholarships and bursaries may be available for the upcoming Academic Year to students who maintain a Grade Point Average (GPA) of at least 3.0, as well as actively participate in co-curricular activities, and/or other criteria prescribed by donors. Present scholarships currently available to students are:

- UWI Open Scholarship
- Jamaica Flour Mills Scholarship
- Sydney A Phillips Scholarship
- Grace Kennedy Scholarships
- UWI Township Scholarship

From time to time there are awards which are specifically offered for Law students and are advertised when available. Such scholarships and awards include:

- Duane Henry Memorial Bursary (The)
- Dr. Keith Peart Memorial Bursary For Students With Special Needs
- Enid Jones-Forrester Memorial Student Grant
- Frank L. Myers Scholarship
- Jamaica Government Exhibition
- Mill Reef Fund Education Grant
- UWI Visa Card Scholarship
- UWIDEF Bursary for the Performing Arts
- UWIDEF Undergraduate Scholarships

For information on the scholarships and bursaries application processes, criteria, terms and conditions please visit the Office of Student Financing website at: <https://www.mona.uwi.edu/osf/>.



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