



THE UNIVERSITY OF THE WEST INDIES  
ST. AUGUSTINE CAMPUS  
TRINIDAD AND TOBAGO

**THE FACULTY OF**

**Law**

REGULATIONS &  
SYLLABUSES

**2014-2015**

# INFORMATION GUIDE





**THE UNIVERSITY OF THE WEST INDIES**  
**ST. AUGUSTINE CAMPUS**

**FACULTY OF LAW**  
**UNDERGRADUATE HANDBOOK**  
**2014 – 2015**

This booklet gives information on Courses offered in the Faculty of Law at the St. Augustine Campus of The University of the West Indies (Trinidad and Tobago). For courses offered at the other Campuses, please see Faculty booklets for the Cave Hill (Barbados) and Mona (Jamaica) 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 Dean's office where clarification is required.**

**These regulations govern the programmes of study for all students entering in 2014/15. 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 [www.cavehill.uwi.edu/law](http://www.cavehill.uwi.edu/law)**

Disclaimer:

The information in this booklet is accurate at time of printing. Subsequent publications may therefore reflect updated information. Students should consult their Dean where clarification is required.

## **CONTENTS**

MISSION STATEMENT.....	4
INTRODUCTION.....	5
DEAN'S MESSAGE.....	6
ACADEMIC CALENDAR: 2014-2015.....	7
THE FACULTY OF LAW STAFF LIST 2014-2015.....	8
OFFICERS OF THE UNIVERSITY OF THE WEST INDIES.....	11
STUDENT AFFAIRS.....	14
ADMISSIONS.....	15
TEACHING AND EXAMINATIONS.....	16
PROFESSIONAL TRAINING.....	17
REGULATIONS.....	18
GRADE POINT AVERAGE.....	34
UNIVERSITY REGULATIONS ON PLAGIARISM..... (First Degrees, Diplomas and Certificates)	35
LIBRARY.....	39
COURSES AND SYLLABUSES.....	41

## **THE MISSION OF THE FACULTY OF LAW**

The Faculty of Law is an integral part of the regional development strategy. Its principal mission is to provide prospective West Indian lawyers with a rich, intellectually-based and humanistically-motivated, academic foundation in law, that teaches the skills of good writing and critical reason, and that prepares the law graduate to pursue professional training for the successful practice of law, or the pursuit of a career outside of the professional field of law. Put differently, the central purpose of legal education at The University of the West Indies is to cultivate in the prospective lawyer or law graduate the arts of critical thought and reasoned exposition as they apply to the growth and functioning of our legal systems in the Commonwealth Caribbean and to the advancement of a more just and humane West Indian society. In support of this objective, the Faculty of Law is committed to:

- deepening the intellectual and humanistic content of the law curriculum to ensure that the student derives a critical understanding of legal concepts, and a solid academic foundation for the practice of law or for the pursuit of a career in any other field;
- the undertaking of fundamental enquiries in collaboration with relevant disciplines into the adequacy of existing laws to meet the developmental needs of our societies;
- the organization and pursuit of research through the publication of books, monographs, internationally recognized journals, reviews and bulletins to meet the need for critical appraisals of current legal developments in both case and statute law;
- the thorough examination and scholarly exposition of current West Indian Law and West Indian Legal history;
- the provision of services to regional Governments pursuing legal and constitutional reform;
- the provision of intellectual support through research and training essential for the successful operation of the Caribbean Single Market and Economy (CSME) and the Caribbean Court of Justice;
- the provision of courses in law for students reading for degrees in the humanities and the social sciences;
- the provision of continuing legal education programmes for practising attorneys, civil servants, social workers, police officers, teachers and the general public;
- the provision of advanced training in law through the development of postgraduate programmes in such critically needed areas as Legislative Drafting, Corporate and Commercial Law and Public Law;
- the enhancement of the Faculty's ability to serve as an intermediary in the delivery of special programmes, workshops or projects that are funded through international agencies.

## INTRODUCTION

The Faculty of Law was established at The University of the West Indies in 1970 with headquarters at the Cave Hill Campus. Its primary objective is to provide for an academic qualification which is a compulsory prerequisite to professional legal training for lawyers in the Commonwealth Caribbean. However, the traditional basic legal skills of concise and pertinent oral argument, systematic and relevant presentation of essential issues, clarity and precision of written opinions and detached and balanced judgment are also useful and reliable skills for other professions such as the Civil and Police Service, Accountancy, Banking and Commerce.

The Faculty of Law offers both undergraduate and postgraduate programmes. The undergraduate programme is offered only to students from territories which contribute to the Faculty. The programme is divided into 3 parts - Part I -III are offered at the St. Augustine, Cave Hill and Mona Campuses and also at the College of the Bahamas. Part I is offered at the Turkeyen Campus of the University of Guyana.

A student is generally required to complete each Part successfully before being allowed to enroll for the part following. However, very limited trailing is permitted into Parts II and III of the programme.

The degree offered by the Faculty of Law is the LL.B. which may be awarded in the following categories:

- First Class Honours
- Upper Second Class Honours
- Lower Second Class Honours
- Pass

Graduate studies in the Faculty lead to the Graduate Diploma, the LL.M., M.Phil and Ph.D. The LL.M. is awarded on the basis of coursework and an optional research paper. It is offered in the areas of Corporate and Commercial Law; Legislative Drafting; and Public Law. The Legislative Drafting option is open only to members of the legal profession who are specifically nominated by their Governments.

The M.Phil and Ph.D. by research are available to suitably qualified candidates.

Full details on these programmes are contained in the Cave Hill Faculty's Graduate Information Guide, the Faculty Office or the website of the School for Graduate Studies and Research [www.cavehill.uwi.edu/gradstudies](http://www.cavehill.uwi.edu/gradstudies).

## **DEAN'S MESSAGE**

Dear Student,

This student handbook contains the core principles that will guide you along your journey whilst you are within the hallowed halls of the Faculty of Law, St. Augustine. Our excellent team of committed and highly qualified educators and professionals have put faith in a syllabus and work materials that, with their expert guidance, will steer you toward a full appreciation of the law.

However, law is not only about learning facts and principles. Law is a discipline that trains the mind to view the world in unique ways. Some will say that there is 'never a right answer in the law'. Thus, the study of law invites you to analyse, to reflect, to challenge, and often to create or change, all in the quest to find a just, if not the only, solution. We believe that this prepares you too for the university of life. Our mission here at the Faculty of Law, St. Augustine is not only to create excellent legal practitioners out of you, but more importantly, wonderful citizens who will use their skills, expertise and talents to the betterment of their societies. Your task as students, as you give of your best in engaging our curriculum, therefore, is a noble one.

Rest assured that all of us at the faculty will also be working hard to do our part to help shape your life's mission.

Best Wishes

**Professor Rose-Marie Belle Antoine**

**July 2014**

## Calendar: 2014-2015

### Semester 1

Semester BEGINS	24 August, 2014
Registration BEGINS	18 August, 2014
Registration ENDS	12 September, 2014
Change in Registration (Add/Drop)	by 12 September, 2014
Application to Carry forward Coursework	by 12 September, 2014
Application for Credits and Exemptions	by 12 September, 2014
Application for Leave of Absence	by 12 September, 2014
Faculty Overrides – Submission of Overrides Period	18 August – 9 September 2014
Teaching BEGINS	2 September, 2014
Teaching ENDS	28 November, 2014
Late registration/late payment fee of TT\$200.00 applies	8 September, 2014
Examinations BEGIN	3 December, 2014
Examinations END	19 December, 2014
Semester ENDS	19 December, 2014

### Semester 2

Semester BEGINS	18 January, 2015
Registration BEGINS	12 January, 2015
Registration ENDS	6 February, 2015
Change in Registration (Add/Drop)	by 6 February, 2015
Application to Carry forward Coursework	by 6 February, 2015
Application for Credits and Exemptions	by 6 February, 2015
Application for Leave of Absence	by 6 February, 2015
Faculty Overrides – Submission of Overrides Period	12 January – 3 February 2015
Teaching BEGINS	19 January, 2015
Teaching ENDS	17 April, 2015
Semester Break	19 – 26 April 2015
Late registration/late payment fee of TT\$200.00 applies	2 February, 2015
Examinations BEGIN	27 April, 2015
Examinations END	15 May, 2015
Semester ENDS	15 May, 2015

### Annual Business Meeting of Council

**25 April, 2015**

### CROSS CAMPUS MEETINGS

St. Augustine	30 September – 3 October 2014
Mona, Regional Headquarters	2 – 6 February, 2015
Cave Hill	25 – 29 May, 2015

### Graduation

Cave Hill	18 October, 2014
St. Augustine	22 and 24 – 25 October, 2014
Mona	31 October – 1 November, 2014
Open Campus	11 October, 2014

## STAFF LIST 2014/2015

### FACULTY OF LAW - OFFICERS

#### ST. AUGUSTINE

Rose-Marie Belle Antoine, LL.B., UWI; LL.M. (Cantab); D.Phil (Oxon); Leg Ed Cert; Attorney-at-Law	DEAN, Professor of Labour & Off-Shore Law
Christopher Arif Bulkan. LL.B. (UWI); LL.M. (Lond.); Ph.D. (York); Legal Ed. Cert; (HWLS); Attorney-at-Law	Deputy Dean (Academic and Student Affairs)
John Jeremie SC, LL.B. (UWI); LL.M. (Lond.); Leg. Ed. Cert.	Senior Lecturer
Sharon Le Gall, LL.B. (UWI); LL.M. (Osgoode); Ph.D. (Cantab.); Legal Ed. Cert; (HWLS); Attorney-at-Law	Lecturer
Alicia Elias-Roberts, LL.B. (U.G.); BCL (Oxon), LL.M. (Houston); Leg. Ed. Cert; (HWLS); Attorney-at-Law	Lecturer
Timothy Affonso, LL.B. (UWI), LL.M. (UCL); Leg. Ed. Cert. (HWLS)	Lecturer
Afiya France, LL.B. (UWI), LL.M. (Columbia University School of Law) Leg. Ed. Cert.	Lecturer
Chumah Amaefule, LL.B. (Calabar); LL.M., Ph.D. (Birmingham)	Lecturer

#### FACULTY OFFICE

Cassandra Ramdewar	Administrative Assistant	Ext. 84019
Nicolette Noel	Secretary	Ext. 82039
Aleksei Henry	Clerical Assistant	Ext. 83292

FACULTY OF LAW UNDERGRADUATE  
HANDBOOK 2014 - 2015

---

**CAVE HILL**

David S. Berry, B.A. (Toronto); LL.B. (UBC); LL.M. (Queens); Ph.D. (Edin); Leg Ed Cert; Barrister & Attorney-at-Law	DEAN
Jefferson O'B. Cumberbatch, LL.B. (UWI); Leg Ed Cert; Attorney-at-Law	Deputy Dean (Academic and Student Affairs)
Alina Kaczorowska, B.C.L.,(University of Poznan); D.E.A. Ph.D. (University of Nice); Barrister (France)	Professor of European Law
Eddy Ventôse, LL.B. (UWI); LL.M. (Cantab); D. Phil. (Oxon); Attorney-at-Law and Solicitor	Professor
Sampson Owusu, LL.B. (Ghana); LL.M., (Lond); BL (Ghana)	Senior Lecturer
Lesley Walcott, LL.B. (UWI); LL.M. (Lond); Leg Ed Cert; Attorney-at-Law	Senior Lecturer
Karen Nunez-Tesheira, LL.B (UWI); PG Dip. Int'l Relation (UWI); Leg Ed Cert; Attorney-at-Law	Senior Lecturer
Nicole Foster, LL.B. (UWI); LL.M. (W.C.L); Leg Ed Cert; LL.M. (Cantab); Attorney-at-Law	Lecturer
Tom Durbin, LL.B. LL.M (Buckingham); Barrister	Lecturer
Alana Lancaster, BSc. LL.B. PG. Dip. Dev. Studies (UG); M. Nat. Res. Management (UNPHU); LL.M. (Dalhousie)	Lecturer
Westmin James LL.B. (UWI); LL.M (Cantab) Leg. Ed. Cert; Attorney-at-Law	Lecturer
Lana Ashby, LL.B. (UWI); LL.M. (Cantab)	Temporary Assistant Lecturer

FACULTY OF LAW UNDERGRADUATE  
HANDBOOK 2014 - 2015

---

**MONA**

Derrick McKoy JP, LL.B. (UWI); LL.M. (Lond); M.B.A. (Barry); D.B.A. (NSU); PhD (Leic); Leg Ed Cert; Attorney-at-Law	DEAN
Gilbert Kodilinye, B.A. (Oxon); M.A. (Oxon); LL.M. (Lond); Barrister-at-Law	Professor
Celia Brown-Blake, B.A. (UWI); LL.B. (UWI); M.A. (UWI); LL.M. (Lond); PhD (UWI); Leg Ed Cert; Attorney-at-Law	Senior Lecturer
Leighton Jackson, LL.B. (UWI); LL.M. (Sydney); D. Jur. (Osgoode); Leg Ed Cert; Attorney-at-Law	Senior Lecturer
Tracy Robinson, LL.B. (UWI); B.C.L. (Oxon); LL.M. (Yale); Leg Ed Cert; Attorney-at-Law	Senior Lecturer
Natalie Corthésy, LL.B. (UWI); LL.M. (Lond); Leg Ed Cert; Attorney-at-Law	Lecturer
Suzanne Ffolkes-Goldson, B.A. (York); LL.B. (UWI); BCL. (Oxon); Leg Ed Cert; Attorney-at-Law	Lecturer
Christopher Malcolm, LL.B. (UWI); LL.M. (Lond); Ph.D. (Lond); MClArb; Attorney-at-Law	Lecturer
Janeille Matthews, B.A. (Villanova); M.P.A. (Harv); J.D. (Harv); Attorney-at-Law	Lecturer

## **PRINCIPAL OFFICERS OF THE UNIVERSITY**

### **CHANCELLOR**

The Hon Sir George Alleyne, OCC, MD, FRCP, FACP (Hons), Hon. DSc UWI

### **VICE-CHANCELLOR**

Professor E. Nigel Harris,  
BS Howard, MPhil Yale, MD U of Penn, DM UWI

### **CHAIRMEN, CAMPUS COUNCILS**

St. Augustine	Mr Ewart Williams, BSc, MSc UWI
Cave Hill	Mr Paul Altman, GCM, BCH, JP, LLD
Mona	Dr Marshall Hall, CD, BSc Col, PhD Wis
Open Campus	Sir K. Dwight Venner, CBE, KBE, BSc, MSc, LLD, UWI – Open Campus

### **PRO-VICE-CHANCELLORS**

St. Augustine	Professor Clement Sankat, BSc; MSc UWI, Ph.D. Guelph
Cave Hill	Professor Sir Hilary Beckles, BA; Ph.D. Hull
Mona	Professor Archibald McDonald, MBBS; DM (Surg) UWI; FRCS Ed, FACS
Open Campus	Professor Hazel Simmons-McDonald, BA; Dip Ed UWI; MA Ling, Ph.D. Stanford
Undergraduate Studies	Professor Alan Cobley, BA (Manc); MA (York); Ph.D. (SOAS)
Graduate Studies	Professor Yvette Jackson, BSc; Ph.D. UWI; FRSC
Research	Professor Wayne Hunt, BSc; Ph.D. UWI
Planning & Development	Professor Andrew Downes, BSc; MSc UWI; Ph.D. (Manc)

### **CAMPUS PRINCIPALS**

St. Augustine	Professor Clement Sankat, BSc; MSc UWI, Ph.D. Guelph
Cave Hill	Professor Sir Hilary Beckles, BA; Ph.D. Hull
Mona	Professor Archibald McDonald, MBBS; DM (Surg) UWI; FRCS Ed, FACS
Open Campus	Professor Hazel Simmons-McDonald, BA; Dip Ed UWI; MA Ling, Ph.D. Stanford

### **DEPUTY CAMPUS PRINCIPALS**

St. Augustine	Professor Rhoda Reddock, BSc UWI, MSc ISS The Hague, Ph.D. Amst
Cave Hill	Professor V. Eudine Barriteau, BSc UWI, MPA New York, Ph.D. Howard
Mona	Professor Ishenkumba Kahwa, BSc (Ed); MSc Uni of Dar es Salaam; Ph.D. LSU
Open Campus	Professor Vivienne Roberts, BSc, DipEd UWI, MEd Tenn, Ph.D. UWI

### **UNIVERSITY REGISTRAR**

Mr C. William Iton, BSc UWI, LLM Essex

### **UNIVERSITY BURSAR**

Mr Archibald Campbell, BSc, MSc UWI, FAC

### **UNIVERSITY LIBRARIAN**

Ms Jennifer Joseph, BA, Dip LS, Dip HR UWI, MLS Columbia

### **DEPUTY UNIVERSITY REGISTRAR**

Ms Cecile Clayton, BA UWI, Dip (Foreign Service) Oxf, MSc Amer Univ

### **PUBLIC ORATORS**

St Augustine	Professor Surujpal Teelucksingh, MB BS, MBA UWI, FRCP Ed, PhD Edin
Cave Hill	Mr Robert Leyshon, BA. MA, Cert Ed PGCE Lond
Mona	Professor Brian Meeks, BSc, MSc, PhD UWI
Open Campus	Dr Francis Severin, (M) BA, MSc, PhD UWI

**PRINCIPAL OFFICERS OF THE ST. AUGUSTINE CAMPUS**

**CAMPUS PRINCIPAL**

Professor Clement Sankat, BSc UWI, MSc UWI, PhD Guelph, Hon DLitt UNB, FIAGR, CEng, FAPETT

**DEPUTY CAMPUS PRINCIPAL**

Professor Rhoda Reddock, BSc UWI, MSc ISS The Hague, PhD Amst

**CAMPUS REGISTRAR**

Mr Richard Saunders, BSc (UWI), MSc (U. Wales), Dip Public Enterprise Management (IIMA)

**CAMPUS BURSAR**

Ms Patricia Harrison, BSC, MBA (UWI ),FCCA, FCA

**CAMPUS LIBRARIAN**

Ms Jennifer Joseph, BA, Dip Lib & Info Sci UWI, M.Sc Columbia, Dip. (HR) UWI

## STUDENT AFFAIRS

Tel: (868) 662-2002 Ext. 82154 / 82157

Fax: (868) 645-4611

### Admissions Section:

Senior Assistant Registrar

Law Faculty Clerk

Mrs. Patricia Brown

Ms Janelle Rollock

Ext. 82154

Ext. 83010

### Examinations:

Senior Assistant Registrar

Senior Administrative Assistant

Ms. Jessie-Ann George

Mrs. Parbitee Nagir

Ext. 82155

Ext. 83562

### Student Accounts:

Accounting Assistant

Mr. Michael Sampson

Ext. 83379

### School for Graduate Studies and Research:

Senior Assistant Registrar

Mrs. Deborah Charles-Smythe

Ext. 82616

## UNDERGRADUATE STUDIES ADMISSIONS

## APPLICATION PROCEDURE

### Application

We encourage online applications for entry into the Faculty. Where necessary applicants may obtain application forms from the Students Affairs Section on any of the Campuses or from the Resident Tutor in non-campus countries. Completed applications along with original certificates (which will be returned to the applicant), transcripts from Universities attended previously (in the case of non-UWI graduates) and the relevant application fee of TT\$90.00 should be submitted by January 31 of the year in which entry is sought.

### Applicants from Guyana

Guyanese students are asked to apply to the University of Guyana for admission to the LL.B. programme at that University. Applications are to be made to:

The Registrar  
University of Guyana  
Turkeyen Campus  
P.O. Box 101110  
Georgetown  
GUYANA

### Applicants from the Commonwealth Caribbean (Except Guyana)

Applicants from other parts of the Commonwealth Caribbean must apply to the Senior Assistant Registrar (Student Affairs), St. Augustine, Trinidad and Tobago.

Applicants are reminded that the deadline date for applications must be complied with. **The closing date for applications to the Faculty of Law is January 31. Late applications will not be considered.**

### Students from Non-Contributing Countries

Following a ruling of the University Grants Committee, students from Commonwealth Caribbean Countries which have not yet agreed to contribute to the Faculty of Law will only be admitted when applicants from contributing countries have all been placed.

## International Students

A limited number of international students may be admitted to the Faculty of Law, provided that there is an exchange programme or cooperative agreement in place between their home university and The University of the West Indies. Other international students who do not fall into this category may be accommodated under the University's Study Abroad Programme.

## ADMISSIONS PROCEDURE

- (i) Firm offers will be made to the students selected from those who are already qualified for entry.
- (ii) Since the Faculty operates within limits on the total number of places available, and the number of places available under the agreed country quotas, 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 campus other than that of his or her first choice.
- (iii) 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.
- (iv) Late offers may be made by fax or e-mail in late summer. Again, it may not be possible to offer a candidate admission to the campus of preference.

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.

## TEACHING AND EXAMINATIONS

### TEACHING ARRANGEMENTS

The course of study provided on all campuses will be designed for full 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 Inter-American Human Rights Moot Court Competition, the Philip C. Jessup International 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 ADVISERS

Students are each assigned to a Faculty Adviser for the duration of their undergraduate career in the Faculty. The Adviser will give help and advice on matters both of an academic and non-academic nature if such advice is sought. The Faculty Adviser 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.

## 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 Trinidad, Jamaica 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 practising lawyer.

Entry into a Law School will normally be granted to any applicant holding the U.W.I. LL.B. 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:

Hugh Wooding Law School  
P.O. Bag 323  
Tunapuna Post Office  
TRINIDAD AND TOBAGO

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

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 practise is granted in a particular territory.

## ENTRY REQUIREMENTS

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

## DIRECT ENTRY TO PART II

3. Exemption from all the non-law subjects in Part I is a concession granted by the Board of the Faculty of Law (St. Augustine). 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 degrees from other universities will not as a rule be accepted for the LL.B. degree. Such students may in certain circumstances be admitted to read for the LL.M. degree.

These graduates will, in any case, be able to apply for entry to the Professional Law Schools for the practical training.

- (c) Students who have already studied a single subject in the course of studies and who are granted exemption without credit may be required to study a different subject in its stead.

## LEAVE OF ABSENCE

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

## COURSE REQUIREMENTS FOR THE LL.B.

6. Every student in his or her first year is required to read Foundation courses unless exempted from so doing under the terms of Faculty Regulations (see Examinations 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 (St. Augustine).

### ACADEMIC PROGRAMME

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

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.

### DIRECT ENTRY

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

14. The courses offered in Part I for examination shall be:

#### YEAR I

##### Semester I

LAW1010	Law and Legal Systems
LAW1110	Criminal Law I
LAW1230	* Legal Methods, Research and Writing (continued in second semester)
FOUN1002	Language Argument
FOUN1101	Caribbean Civilization
FOUN1210	Science, Medicine and Technology in the Commonwealth Caribbean

##### Semester II

LAW1020	Constitutional Law
LAW1120	Criminal Law II
LAW1230	* Legal Methods, Research and Writing (continued from first semester)
LAW1310	Law of Torts I
LAW1410	Law of Contract I

\* Students are asked to note that in Semester II they must register for Legal Methods, Research & Writing, a course continued from Semester I.

15. (a) For purposes of these Regulations, a Foundation Course means any course designated a Foundation Course by the University.

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

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

### FULL-TIME REGISTRATION

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

### COURSE OF STUDY

12. Subject to Regulations **21** and **22**, candidates for the LL.B. degree shall pursue a course of study extending over not less than three academic years and with a minimum value of ninety-three credits, which must include credits for the Law courses listed in Regulations **14** and **16**, before being eligible for the award of the degree.
13. Subject to Regulations **21** and **22**, the course of study for the LL.B. degree shall be in three parts.

- (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:

**YEAR II**

**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
LAW2420	Public International Law II
LAW2710	Administrative Law
LAW2810	Equitable Remedies
LAW2910	Commonwealth Caribbean Human Rights Law

17. (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 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 (St. Augustine) and approved by the Dean of the Faculty of Law (St. Augustine).

**YEAR III**

**Semesters I and II**

**List of Optional Courses**

LAW2410	Comparative Law I
LAW2420	Comparative Law II
LAW3010	Industrial Relations Law
LAW3020	Employment Law
LAW3030	Discrimination in Employment
LAW3040	Dismissal Law
LAW3110	Company Law
LAW3120	Law of Corporate Management
LAW3140	Law of Corporate Insolvency
LAW3150	Revenue Law
LAW3170	Law of Trusts
LAW3180	Administration of Trusts and Estates
LAW3210	Family Law I (Relating to Husband and Wife)
LAW3220	Family Law II (Law Relating to Children)
LAW3260	Gender and the Law in the Commonwealth Caribbean
LAW3280	International Mooting
LAW3290	Supervised Independent Research Paper
LAW3330	International Trade Law
LAW3340	European Union Law
LAW3350	Oil and Gas Law
LAW3400	Insurance Law
LAW3450	Caribbean Environmental Law

LAW3460	International Environmental Law
LAW3500	Criminology
LAW3550	General Principles of Private International Law
LAW3560	Specialized Problems in Private International Law Litigation
LAW3620	Law of International Organisations
LAW3630	Caribbean Integration Law
LAW3640	Introduction to Offshore Law
LAW3650	Competition Law in the CSME
LAW3720	International Law of Human Rights
LAW3760	Intellectual Property
LAW3770	Advanced Legal Writing
LAW3840	Alternative Dispute Resolution
LAW3850	Public Law Remedies
LAW3870	Poverty Law I
LAW3880	Poverty Law II
LAW****	Banking Law

18. Every course has a value of three 3 credits unless otherwise specified.

## EXEMPTIONS

### Foundation English Course

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

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

### Other Non-Law Courses

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

### Courses of Studies for Direct Entry

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

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

### Semester I

LAW1010	Law and Legal Systems
LAW1110	Criminal Law I
LAW1230	Legal Methods, Research and Writing
LAW2310	Public International Law I
LAW2210	Real Property 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 **17 (c)** above.

**Semester II**

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

**AND**

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

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

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

**Students Re-Admitted to the Faculty**

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

**Definitions for Purposes of Exemptions**

24. For purposes of Regulations **19** to **22** above, the following definitions shall apply:

- (a) A Foundation English pass means a pass in the examination for, and the completion of, a Foundation English course in The University of the West Indies or the University of Guyana or any other such course which the Board of the Faculty shall, on the advice of the Faculty of Humanities and Education, recognise for the purposes of this Regulation;
- (b) Part II LL.B. qualification means a pass in all prescribed Part II courses of the LL.B. programme.

- (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.

### 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:

27. (a) Where a candidate is eligible to enter for the examinations for Part II by virtue only of Regulation **26 (b) (iii)**, he or she shall, as a condition of such entry, enter also to sit the examinations in Part I in the courses in which he or she has failed.

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

(c) Where a candidate is eligible to enter for the examinations for Part III by virtue only of Regulation **26 (c) (iii)**, he or she shall, as a condition of such entry, enter also to sit the examinations in Part II in the courses in which he or she has failed.

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

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

### **PART I EXAMINATIONS**

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

### **PART II EXAMINATIONS**

32. Save as otherwise specified, the Examination for each Part II course shall be taken at the end of the semester in which the course is registered for.

33. Supplemental Examinations shall be available for all law courses in Part II examinations.

34. (a) A candidate who has failed in not more than two courses at the end of Part II may, with the permission of the Board of the Faculty, enter for the examinations for Part III, under Regulation **26 c (ii)** above, trailing the courses he or she has failed.
- (b) A candidate who has failed in more than two courses at the end of Part II may, with the permission of the Board of the Faculty, be required to repeat the courses he or she has failed while entering for the examinations for only that number of courses from Part III as may be necessary to complete the requisite number of courses for an academic year.
- (c) A candidate who has failed all the courses in Part II shall be required to withdraw.

### **PART III EXAMINATIONS**

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

**REGULATIONS TO ENABLE THE HOLDING OF  
SUPPLEMENTAL EXAMINATIONS IN PART III OF  
THE LL.B. DEGREE PROGRAMME**

38. Notwithstanding any other regulation, rule or practice to the contrary, a Supplemental Examination to the Part III Examinations for the LL.B. degree shall be held in July/August.
39. A candidate who has failed in any of the examinations for the courses in Part III offered in Semester I or Semester II during the current academic year may be required to take all the Part III courses in which he or she has failed in the Supplemental Examinations.
40. A candidate to whom Regulation **39** applies shall, for the purpose of being eligible for the award of the LL.B. 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 examination 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 (St. Augustine) and an attempt in a course shall count as an attempt in any course substituted as provided for in Regulation **42 (a)**.

**REGULATIONS FOR EXAMINATIONS IN THE  
SUPERVISED INDEPENDENT RESEARCH PAPER  
COURSE**

44. (a) A candidate registered in Part III of the LL.B. degree programme may submit an original research paper of between 8,000 to 10,000 words, properly documented with footnotes and bibliography. Two copies of the research paper in typewritten form shall be submitted for examination. The research paper shall be typed on 8½ x 11 paper or A4 paper.
- (b) A candidate may register for the Independent Research Paper Course in any Semester of Year Three and shall submit the paper not later than the last day of classes for the Semester in which he or she is registered for the course.
- (c) The candidate shall choose a topic which is capable of legal analysis in its broader social context. An inter-disciplinary approach may be adopted, and is encouraged, where appropriate to the topic chosen. All topics must be approved by the Board of the Faculty.
- (d) The candidate shall, at the beginning of the academic year, submit an abstract of his or her research topic indicating the coverage, the inter-disciplinary consideration and method of approach. In the preparation of the abstract, the candidate is expected to consult teachers in the appropriate disciplines on the Campus, who are willing to supervise his or her research paper.
- (e) The supervisor shall normally be a member of the Faculty of Law (St. Augustine). Law teachers on other Campuses of The University of the West Indies may be involved in guiding any work conducted at those campuses.
- (f) The candidate is expected to consult at regular intervals with his or her supervisor and, in any case, at least once a fortnight during the semester.
- (g) The research paper shall represent one full three-credit course in the final examination.
- (h) The research paper shall be assessed separately by two examiners, who shall be the assigned supervisors. Where only one supervisor is assigned, a second examiner will be appointed.
- (i) The candidate who for good and sufficient reason fails to submit a research paper may be granted permission by the Board of Examiners to submit the paper as a Supplemental Examination.
- (j) The candidate who receives a failing grade for his or her research paper may, in a borderline case, be given a *viva voce* examination or may be granted permission by the Board of Examiners to re-submit the paper as a Supplemental Examination.
- (k) The candidate who has successfully completed the Independent Research Paper Course, but who is required to repeat Part III of the LL.B. programme, shall be credited with the grade he or she has received in that Course.
- (l) A copy of each research paper shall be retained by the University. The second copy may be returned to the candidate.
- Where an inter-disciplinary approach is taken, an additional supervisor from another Faculty may be selected.

- (m) Copies of selected research papers will be placed permanently in the Law Library and may be consulted in accordance with the rules of the Law Library.

**REGULATIONS FOR SUPPLEMENTAL EXAMINATIONS IN LEGAL METHODS, RESEARCH AND WRITING**

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

**GENERAL**

47. (a) For the purposes of Regulations **25 – 37** above, a candidate shall be regarded as having failed an examination either if he or she sits that examination and has failed to pass it or if he or she is otherwise deemed under the Examination Regulations to have failed that examination.
- (b) Subject to University Examination Regulations, where a candidate's performance in any examination to which these Regulations apply has been affected by illness, the Board of the Faculty of Law (St. Augustine) may, on the recommendation of the Board of Examiners of the Faculty, allow the candidate an opportunity to sit the examination on a future occasion on which another examination would be scheduled in the relevant Part of the LL.B. programme or course or courses or part thereof, as the case may be, in addition to any opportunity which the candidate might otherwise be allowed under Regulations **25 – 37** above, provided that the Board of the Faculty of Law (St. Augustine) 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 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 fails or refuses to submit any assignments or materials for coursework assessment will be assigned no marks for the coursework component of the course.
- (g) A candidate who has failed a course and is allowed under these Regulations to repeat the course and re-sit an examination in the year following his or her failure, may not carry the coursework marks acquired in the previous year but shall redo the coursework component.

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

#### **COURSES EXAMINED ONLY BY COURSEWORK**

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

#### **ENTRY TO EXAMINATIONS**

- 51. (a) Entry for the examinations for any course shall consist of registration for that course of the LL.B. programme.
- (b) Registration for any Part of the LL.B. programme shall take place during the period prescribed for registration by the Campus Registrar, and shall be subject to the conditions laid down in general University Regulations.

#### **AWARD OF DEGREE**

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

FACULTY OF LAW UNDERGRADUATE  
HANDBOOK 2014 - 2015

---

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

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

- (a) First Class Honours – Weighted GPA of 3.60 and above.
- (b) Second Class Honours, Upper Division – Weighted GPA of 3.00 – 3.59.
- (c) Second Class Honours, Lower Division – Weighted GPA of 2.50 – 2.99.
- (d) Pass – Weighted GPA of 2.00 – 2.49.
- (e) The minimum Weighted GPA required for the award of the LL.B degree shall be 2.00.

56. The GPA Marking Scheme for Examinations in the Faculty of Law (St. Augustine) 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:

GRADE	GPA	MARKS
A+	4.30	90 – 100
A	4.00	80 – 89
A-	3.70	75 – 79
B+	3.30	70 – 74
B	3.00	65 – 69
B-	2.70	60 – 64
C+	2.30	55 – 59
C	2.00	50 – 54
F1	1.70	45 – 49
F2	1.30	40 – 44
F3	0.00	0 – 39

57. (a) A candidate who voluntarily withdraws from the University and who applies for re-admission within five (5) years shall be granted exemption and credit for courses previously passed, subject to the time limit for the maintenance of credits stipulated in the Faculty of Law (St. Augustine) Regulations and subject to the stipulation that the courses previously passed are not determined by the Board of the Faculty of Law (St. Augustine) 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 2.00 at the end of the academic year.

- (b) A candidate who fails to achieve a cumulative GPA of 2.00 at the end of his or her first or second year may be required to repeat that year. If upon repeating the year the candidate still has not achieved a cumulative GPA of 2.00, he or she may be required to withdraw for one year.

- (c) The cumulative GPA to be used to determine whether a candidate advances to the final year of the LL.B. programme shall be that candidate's cumulative GPA for the second year only.
59. A candidate who was required to withdraw for reasons of failure to progress as prescribed in Faculty Regulations may be readmitted on the following conditions:
- (a) A minimum of one (1) 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 (St. Augustine), and for which courses the candidate has received exemption and credit, subject to the University Regulation regarding time limits for the maintenance of credits, the grades received in such Part II and Part III courses shall be taken into account in the calculation of the candidate's GPA for class of degree; and the candidate shall be required to take, in addition to all Part II courses not yet completed, such number of Part III courses as would be required in order to complete a minimum of two year's work of 60 credits before being awarded the LL.B. Degree.
- (b) Where, however, depending on the number of Part II and Part III courses a candidate had already completed before enrolling as a full-time candidate in the Faculty of Law (St. Augustine), there is not a sufficient number of Part II and Part III courses from which that candidate may choose twenty (20) for graduation, he/she will consult with the Dean in order that, with the approval of Academic Board on the recommendation of the Board of the Faculty, an appropriate course of study can be determined for completion of the LL.B. degree.
61. Where a candidate fails a course and subsequently repeats the course and passes it, or re-sits the examination at Supplementals and passes the course, the candidate shall be awarded the final grade obtained when he or she has passed the course; but the grade earned on the Supplemental Examination or upon repeat of the course shall be computed along with the failing grade or grades that the candidate has received in that course in determining the candidate's cumulative GPA.
62. (a) A candidate who completes the requirements for the LL.B. degree after the Honours eligibility date under this Regulation shall not be eligible for the award of the LL.B. degree with Honours.
- (b) The Honours eligibility date shall be the date following the publication of results for the last examination held in the relevant calendar year for any course for which the candidate has at any time been registered in any Part of the LL.B. programme.
- (c) In the case of a candidate exempted from the courses and examinations for Part I under Regulation **20**, Regulation **21** or Regulation **22** above, the relevant calendar year shall be the third calendar year after that of his or her date of first registration for Part II.

- (d) In the case of a candidate not falling within **(c)** above, the relevant calendar year shall be the fourth calendar year after that of his or her date of first registration for Part I.
  - (e) Where a candidate is permitted to withdraw from the examinations for any Part of the LL.B. programme, the calendar year in which that examination takes place shall be excluded from the computation of the relevant calendar year.
  - (f) Where a candidate does not sit the examination in any calendar year by virtue of the grant of leave of absence from The University of the West Indies, that calendar year shall be excluded from the computation of the relevant calendar year.
  - (g) The calendar year of the date of first registration for any Part of the LL.B. programme shall be the calendar year in which the first examinations are held for which the candidate was thereby registered.
63. The names of the candidates who have passed the Part I, Part II and Part III examinations, as the case may be, shall be published in separate pass lists in which the names of the successful candidates shall be arranged alphabetically as follows:
- (a) in relation to the Part I examinations, in two divisions;
  - (b) in relation to the Part II examinations, without divisions; and
  - (c) in relation to the award of the degree, in the following classes:
    - (i) First Class Honours;
    - (ii) Second Class Honours;
      - (a) Upper Division
      - (b) Lower Division
    - (iii) Pass.

#### **AEGROTAT DEGREE**

- 64. A candidate who has been absent through illness from one or more of the examinations in the courses for the Second Semester in his or her Part III year may apply for the award of the Aegrotat degree provided that he or she has passed or has been exempted from Part I, has passed Part II and, in the case of a candidate registered for the Independent Research Paper Course, has successfully completed the research paper for the course.
- 65. Applications from or on behalf of candidates must be accompanied by a medical certificate signed by (a) the University Health Officer, or (b) other Medical Personnel approved for this purpose by the University, and shall reach the Registrar not later than thirty days from the date of the last course examination which should have been taken by the candidate.
- 66. The Board of Examiners for the Faculty of Law (St. Augustine) 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 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 (St. Augustine) in 2014-2015 as First Year candidates, as well as to those students admitted on transfer or otherwise.
- (b) Students admitted to the Faculty of Law prior to 2014-2015 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 (St. Augustine) shall be eligible for no more than three (3) 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 (3) years of the LL.B. programme. However, any student wishing to pursue co-curricular activities for credit must first seek the approval of the Dean.

### REGULATIONS FOR PART-TIME REGISTRATION FOR THE LL.B.

70. Subject to Regulations **21** and **22** candidates for the LL.B. degree (Part-Time) shall pursue a course of study extending over not less than four academic years and normally not more than six academic years, and with a minimum value of 93 credits, which must include credits for the Law courses listed in Regulations **14** and **16** for full-time students, before being eligible for the award of the degree. Part-time candidates must register for at least 6 credits per semester and not more than 12 credits in any one semester, but not more than 21 credits in any one academic year.

71. Subject to Regulations **21** and **22**, the course of study for the LL.B. degree shall be in three parts. Unless otherwise permitted by the Board of the Faculty, Part I courses shall be taken first, normally over two years, Part II courses shall be registered for when Part I courses have all been passed or when any outstanding Part I courses are being taken concurrently with Part II registration, and Part III courses shall be registered for after all Part II courses have been passed or any outstanding Part II courses are being taken concurrently with Part III registration.
72. The courses required for each Part of the programme are as set out in the Regulations **14**, **16** and **17** for the full-time programme.
73. (a) The courses offered in Part III for examination shall be ten courses chosen from the List of Optional Courses as may be made available.
- (b) The List of Optional Courses comprises such courses as are offered in the relevant semester, including not more than two one-semester courses offered in a Faculty other than the Faculty of Law (St. Augustine) and approved by the Dean of the Faculty of Law (St. Augustine).
74. (a) Where a candidate is eligible to enter for the examinations for Part II by virtue only of Regulation **26 (b) (iii)**, he or she shall, as a condition of such entry, enter also to sit the examinations in Part I in the courses in which he or she has failed.
- (b) If the candidate, by the end of the second year after he or she enters Part II, has not passed the courses which he or she had failed in Part I, he or she may not, without the permission of the Board of Examiners, be permitted to re-sit the examinations or to sit any further examinations in any Part of the LL.B. degree.

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

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

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

**[58] (a)** *A candidate who fails to achieve a cumulative Semester GPA of 2.00 at the end of the first Semester of any academic year will be warned and will be informed that he or she may be required to repeat that year should he or she fail to achieve a cumulative GPA of 2.00 at the end of the academic year.*

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

#### **PLAGIARISM DECLARATION**

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

## APPENDICES

### GRADE POINT AVERAGE

*A revised grade point average (GPA) scheme will be introduced by The University of the West Indies (UWI) from the beginning of the 2014/2015 academic year. Changes to the GPA were approved by the Board for Undergraduate Studies in 2011 and the UWI had announced in September 2013 that these changes would take effect in the academic year 2014/2015.*

Under the revised GPA scheme, both the overall manner in which assessment of student performance is described and how the grades are represented on the transcripts of undergraduates have been revised. These are changes to the way in which student performance is reported at the University of the West Indies; they are not changes in the standard of the UWI degree. All new and continuing students across the UWI will be assessed and graded in a manner which is more transparent and in line with international GPA standards.

There are three significant changes. First, letter grade bands will be adjusted along with the quality points associated with them. Quality points are used to calculate UWI and, ultimately, the class of the degree awarded. For instance, a passing grade in the current scheme is represented as a **'D'**, with a quality point of **1.00**. In the revised scheme, a passing grade will be represented by a **'C'**, with a quality point of **2.00**.

Second, **'grade descriptors'** will be introduced to explain the level of skills and knowledge represented by each letter grade. This method of assessment will guide percentage scores in an approach that is more transparent and objective, while giving a clearer picture of the level of competencies achieved by each student.

Finally, an adjustment in the percentage bands associated with letter grades will bring the UWI in line with international best practice. This will mean that the former passing mark of **40%** will be re-set at **50%**. The upper and lower bands of each grade will also move, so that, for example, the band from **A-** to **A+** will have a percentage range from **75%** to **100%**. The new scheme includes three failing bands, two of which have assigned quality points: F1 (49-45%), QP of 1.70; F2 (40-44%), QP of 1.30; F3 (0-39%), QP of 0.00. Quality points were assigned to the top two marginal fail bands to ensure that UWI rules on student progression can be applied equitably under the revised scheme.

Consequently, there will be changes to the GPA bands used to determine the class of degree earned (except for the Bachelor of Medical Sciences): a GPA of **3.60** and above will be equivalent to a First Class Honours; **3.00 – 3.59** will be equivalent to an Upper Second Class Honours; **2.50 – 2.99** will be equivalent to a Lower Second Class Honours; and **2.00 – 2.49** will be equivalent to a Pass degree. For the Bachelor of Medical Sciences, the GPA bands to determine the class of degree will remain as currently: 'Distinction' requires a GPA of **3.70 or above**; Honours, a GPA of **3.30 -3.69**; and a Pass degree, a GPA of **2.00- 3.29**.

The transcripts of continuing students will show the grades achieved under the current scheme prior to the August 1, 2014 date when the revised scheme will be implemented. However, the degree GPA carried forward by continuing students will be converted to show the equivalent degree GPA under the revised scheme.

From Semester I 2014/2015 all students will graduate according to the revised scheme except for continuing students in the Faculty of Engineering, who will graduate according to the current GPA regulations until the end of academic year 2015/2016. This exception has been made due to the weighted degree GPA used to determine the class of degree in the Faculty of Engineering.

University administration has given an undertaking that no student will be disadvantaged by the announced changes and measures will be put in place to ensure that commitment is met.

## UNIVERSITY REGULATIONS ON PLAGIARISM

### (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 plagiariser 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:
  - a. The unacknowledged use is required for conformity with presentation standards;
  - b. The task set or undertaken is one of translation of the work of another into a different language or format;
  - c. The task set or undertaken requires producing a result by teamwork for joint credit regardless of the level of individual contribution;

- d. The task set or undertaken requires extensive adaptation of models within a time period of such brevity as to exclude extensive attribution;
  - e. 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.

#### **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:
    - (i) awarded a fail mark;
    - (ii) excluded from some or all further examinations of the University for such period as it may determine;
    - (iii) 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.

Revised December 16, 2011

**THE LIBRARY  
THE UNIVERSITY OF THE WEST INDIES  
ST. AUGUSTINE CAMPUS**

The Alma Jordan Library (AJL) supports the teaching, learning and research activities of The University of the West Indies (UWI), St. Augustine Campus (STA) community.

The AJL has a wide collection of electronic, print and multimedia resources. The Library's website (<http://libraries.sta.uwi.edu/ajl/>) is the gateway that connects users, on and off campus, to hundreds of scholarly databases with the most comprehensive, specialized, and up-to-date information in their fields. The AJL also provides a wide range of client-centered information services and plays an active role in educating faculty and students in how to maximize the use of available information resources to achieve their academic goals.

Users of the Library have access to a facility that offers access to two (2) computer labs, equipped with productivity software and printing capabilities. The AJL also provides seating for over eight hundred (800) persons, reference and research assistance, borrowing / lending, inter-library loan, document delivery and photocopying services and much more. Please refer to the Library's website for further information on those and additional services.

**LIBRARY HOURS**

During the academic year, with the exception of public holidays, the AJL's opening hours are:

**Normal Service Hours**

- Mondays – Fridays: 8:30 a.m. – 10:00 p.m.
- Saturdays: 8:30 a.m. – 5:00 p.m.

**24/7 Service Hours**

- Mondays – Fridays: 10: p.m. – 6:00 a.m.
- Saturdays: 5:00 p.m. – 6:00 a.m.

Please refer to the Library's website for additional information on business hours during the summer and vacation periods, which vary each year.

Members of the UWI community who have been granted access to the AJL should be aware that acceptance of the Library membership constitutes in itself an undertaking to accept the regulations, rules and ordinances of the Library and the University.

**LAW AT THE ALMA JORDAN LIBRARY**

Currently, the AJL provides access to millions of electronic law and law-related documents such as journal articles, conference papers, treaties, statutes, regulations, law reports, case transcripts and other materials. The Library's print law and law-related collection encompasses thousands of titles such as books, journals, dissertations and theses and other materials. Overall, the electronic and print collections span materials from selected Caribbean, Commonwealth and non-Commonwealth jurisdictions and offer coverage of domestic, regional and international law, the sociology of law, criminology, justice and more.

The highlight of the collection is the provision of access to several renowned subscribed electronic databases (local, regional and international), that conveniently make thousands of sources of legal information available to faculty and students, on and / or off campus.

The physical law collection is located on the 4<sup>th</sup> Floor of the Library, within the Social Sciences Division.

The Law collection is supported by a dedicated Liaison Librarian who offers reference and research guidance, customized information literacy instruction, database training and technical assistance to faculty and students.

For members of the teaching faculty, the Liaison Librarian also offers assistance with requests for materials, course and syllabus changes, current awareness and much more. Please refer to the Library's website for further information on those and additional services.

**Contacts at the Alma Jordan Library**

For assistance, please refer to the contact information below.

Liaison Librarian (Law) – Ms. Jolie Rajah

Location: Room 403, 4<sup>th</sup> Floor, Social Sciences  
Division, Alma Jordan Library  
Telephone: 868-662-2002, Ext. 83360  
E-mail: [jolie.rajah@sta.uwi.edu](mailto:jolie.rajah@sta.uwi.edu)  
Fax: 868-662-9238

Circulation and Access Services Division – Help  
Desk

Location: Ground Floor, Alma Jordan Library  
E-mail: [refgmail@sta.uwi.edu](mailto:refgmail@sta.uwi.edu)  
Telephone: 868-662-2002, Ext. 82132  
Fax: 868-662-9238

## **COURSES AND SYLLABUSES**

### **SYLLABUSES, TEACHING AND EXAMINATION METHODS FOR LAW SUBJECT**

#### **LAW1010 Law and Legal Systems**

##### **1. General**

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

##### **2. 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.

##### **3. 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.

##### **4. Method of Teaching**

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

##### **5. Method of Assessment**

Assessment is by way of a 100% examination whereby the student is required to answer three questions from a total of not less than six questions.

#### **LAW1020 Constitutional Law**

##### **1. General**

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

##### **2. 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.

##### **3. 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

##### **4. 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.

##### **5. 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**

### **1. General**

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

### **2. 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.

### **3. 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

### **4. Method of Teaching**

The course will be taught through two lectures and one tutorial each week. Each class 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.

### **5. 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**

### **1. General**

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

### **2. Course Objective**

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

### **3. 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

### **4. Method of Teaching**

As for Criminal Law I.

### **5. 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**

### **1. General**

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

## 2. 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.

## 3. 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.

## 4. Method of Teaching

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

## 5. 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**

### 1. General

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

### 2. 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.

## 3. 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 and Malicious Prosecution
- (iii) Negligence
- (iv) Nuisance
- (v) Rylands v. Fletcher
- (vi) Occupiers' Liability

## 4. Method of Teaching

This 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.

## 5. 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**

### 1. General

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

### 2. 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.

### 3. 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

#### **4. 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.

#### **5. 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.

### **SECOND AND THIRD YEAR COURSES**

#### **COMPULSORY CORE COURSES**

#### **LAW2010 Law of Torts II**

##### **1. General**

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

##### **2. 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.

##### **3. 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

#### **4. 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.

#### **5. 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**

##### **1. General**

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

##### **2. Course Objective**

The primary objective of this course is to examine the purpose and scope of particular areas of the Law of Contract.

##### **3. Course Content**

- (i) Mistake
- (ii) Misrepresentation
- (iii) Illegality
- (iv) Breach of Contract
- (v) Frustration of Contract
- (vi) Remedies including quasi contractual remedies

#### **4. 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.

#### **5. 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 one question from each part of the paper.

### **LAW2210 Real Property I**

#### **1. General**

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

#### **2. 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.

#### **3. 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 Registration of Title and Registration of Deeds
- (v) Adverse Possession
- (vi) Settlements and Trusts for Sale
- (vii) Co-ownership.

#### **4. 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.

#### **5. 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**

#### **1. General**

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

#### **2. 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.

#### **3. Course Content**

This course will deal with the following topics:

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

#### **4. 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.

#### **5. 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**

#### **1. General**

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

## 2. 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.

## 3. 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

## 4. 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.

## 5. 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.

## LAW2320 Public International Law II

### 1. 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.

### 2. Course Objective

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

### 3. Course Content

- (i) Title to Territory
- (ii) Law of the Sea
- (iii) Nationality

- (iv) State Responsibility
- (v) Criminal Jurisdiction
- (vi) Immunity

### 4. 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.

### 5. 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.

## LAW2510 Jurisprudence

### 1. General

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

### 2. 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.

### 3. Course Content

The areas to be covered are as follows:

- (i) Natural Law
- (ii) Positivism
- (iii) Realism
- (iv) Dworkin
- (v) Kelsen

### 4. Method of Teaching

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

### 5. 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.

## **LAW2710 Administrative Law**

### **1. General**

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

### **2. Course Objective**

The course surveys the legal principles of governance by administrative agencies. It emphasises judicial control of administrative action but also explores other controls of administrative action.

### **3. Course Content**

The areas to be covered in this course include:

- (i) Constitutional Basis of the Review of Administrative Action
- (ii) Delegated Legislation
- (iii) The Doctrine of Ultra Vires
- (iv) Judicial Review of Administrative Decisions
- (v) Natural Justice
- (vi) Public Law Remedies
- (vii) The Civil Liability of the State
- (viii) The Office of the Ombudsman

### **4. Method of Teaching**

There will be no limitation on numbers in this course. Consequently, the course will be taught by way of two lectures and one tutorial per week. Each lecture will be of one hour duration.

### **5. 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 from a total of four questions.

## **LAW2910 Commonwealth Caribbean Human Rights Law**

### **1. General**

This course will be taught in Semester II of the second year of the LL.B. 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”.

### **2. 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.

### **3. 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

#### **4. 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.

#### **5. 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.

### **LAW2810 Equitable Remedies**

#### **1. General**

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

#### **2. 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.

#### **3. Course Content**

- (i) Equity in an historical context
- (ii) The Injunction: particularly 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

#### **4. 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.

#### **5. 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.

### **OPTIONS**

### **LAW3010 Industrial Relations Law**

#### **1. General**

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

#### **2. 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.

#### **3. 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

#### **4. 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.

## **5. 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**

### **1. General**

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

### **2. 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.

### **3. 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

### **4. 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.

## **5. 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.

## **LAW3030 Discrimination in Employment**

### **1. General**

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

### **2. Course Objective**

This course will examine the several broad areas of discrimination which exist in employment and posit solutions to the problem. It will draw on the increasing legislation on specific areas (such as race, equal pay), the ILO Conventions and case-law on the subject, and the dynamic and contemporary jurisprudence which is emerging from the courts.

The course will also attempt to straddle the public law arena, since underlying notions supporting legal solutions to the problem of discrimination in employment are derived from public law.

### **3. Course Content**

The following topics will be examined:

- (i) Public Law elements involved in Discrimination in Employment Issues - The Constitution Judicial Review and Remedies.
- (ii) Discrimination on Ground of Religion.
- (iii) The role of the ILO in eliminating discrimination in employment - The conventions and ILO case-law.
- (iv) Gender Issues – Philosophical Underpinnings of Gender in Employment.
- (v) Equal Pay and Equal Remuneration for Work of Equal Value.
- (vi) Equal Access to Employment (Gender, Race)
- (vii) Privacy and Discrimination – Pregnancy and Maternity.

- (viii) HIV/AIDS and Employment Law.
- (ix) Issues of Race - New Legislative Initiatives on Relevant Case-law.
- (x) Discrimination against Trade Union members - legislative protection and the use of Judicial Review proceedings.

#### **4. 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. A seminar would be optional, depending on numbers.

#### **5. 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 from a selection of at least four questions. The examination paper may be divided into two parts, with students being required to answer at least one question from each part.

### **LAW3040 Dismissal Law**

#### **1. General**

This course will be taught either in Semester I or in Semester II of Year III of the LL.B. degree programme. Students applying for participation in this course are expected to have at least a rudimentary knowledge of LAW3020 - Employment Law. Application for entry to this course should be made in writing to the Course Director by the last teaching week of the first semester.

#### **2. Course Objective**

This course is designed to explore the law and practice governing the termination of private individual employment at the initiative of the employer in the Commonwealth Caribbean. In particular, it examines the historical evolution of the law governing dismissals and analyses the impact of international conventions, statute and judicial activism on the common law.

#### **3. Course Content**

This course will deal with the following topics:

- (i) Termination of Employment
- (ii) The Nature of Dismissal
- (iii) Wrongful Dismissal
- (iv) Unfair and Other Statutory Dismissals
- (v) Redundancy
- (vi) The Future of Employment

#### **4. Method of Teaching**

The course will be taught by way of two seminars of two hours each per week.

#### **5. Method of Assessment**

This course will be assessed by way of a term paper which will account for 33 1/3% of the final mark and a written two hour examination (66 2/3%) at the end of the semester in which it is taught.

### **LAW3110 Company Law**

#### **1. General**

This course will be taught in the first semester of the third year of the LL.B. degree programme. This course is optional but it is prerequisite for the Law of Corporate Management and the Law of Corporate Finance.

#### **2. 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.

#### **3. Course Content**

- (i) Corporate Personality and Limited Liability
- (ii) Promotion and Pre-Incorporation Contracts
- (iii) Equity Financing and Debt Contracts
- (iv) The question of Corporate Capacity
- (v) The Relationship between the Company and Corporate Investors (in particular - Shareholders)
- (vi) Company Officers (in particular - Directors and the Corporate Secretary)
- (vii) Shareholder Protection

#### **4. Method of Teaching**

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

#### **5. 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 The Law of Corporate Management**

#### **1. General**

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

#### **2. 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.

#### **3. Course Content**

- (i) The Distribution of Power within a Company
- (ii) Company Officers (in particular the Director and the Company Secretary)
- (iii) Directors' Duties
- (iv) Insider Trading
- (v) Investor Protection (in particular Minority Protection)
- (vi) Remedies

#### **4. Method of Teaching**

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

#### **5. Method of Assessment**

The course will be assessed by way of one "takehome" written assignment during the Semester, 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 six questions in the two-hour examination.

### **LAW3130 Law of Corporate Finance**

#### **1. General**

This course will be taught in Semester II of the third year of the LL.B. degree programme. Company Law (LAW 3110) is a prerequisite for this course.

#### **2. Course Objective**

The main objective of this course is to engender in the student an appreciation of the rules of corporate finance and the various interests which these rules protect or infringe upon.

#### **3. Course Content**

- (i) The concept of Capital and Financing of Companies
- (ii) Raising Share Capital and the Capital Maintenance doctrine
- (iii) Corporate Self Dealings
- (iv) Corporate Distribution
- (v) Classes of Shares (and Class rights)
- (vi) Loan Capital (in particular – Debt Financing)
- (vii) The Taxation of Companies

#### **4. Method of Teaching**

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

#### **5. Method of Assessment**

This course will be assessed by way of one "takehome" written assignment during the semester and a two-hour examination at the end of the semester in which it is taught. Students will be required to answer two questions from a total of four questions.

## **LAW3140 Corporate Insolvency Law**

### **1. General**

This course will be taught as an option in the second semester of year III of the LL.B 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.

### **2. Course Objective**

In the last twenty-five years or so, 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 the 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 legal policies which underline those rules.

### **3. Course Content**

- (i) Framework of Corporate Insolvency Law
  - a. Theory and Sources of Corporate Insolvency Law
  - b. Corporate Debt and Securities
  - c. Creditor Protection and Registration of Company Charges
- (ii) Management of Corporate Solvency
  - a. Directors, General Duties to Creditors
  - b. Compromise and Arrangements
  - c. Amalgamations
  - d. Fraudulent Preferences and Wrongful Trading
  - e. Misfeasance
- (iii) Secured Creditors Remedy - Receiverships
- (iv) Liquidations (Both Solvent and Insolvent)

### **4. Method of Teaching**

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

### **5. Method of Assessment**

This course will be assessed by way of one "takehome" written assignment during the second 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 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**

### **1. General**

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

### **2. 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.

### **3. 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.

#### **4. Method of Teaching**

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

#### **5. Method of Assessment**

This course will be assessed by way of one “takehome” 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 The Law of Trusts**

#### **1. 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.

#### **2. 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.

#### **3. 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 and Constitution of Trusts
- (iii) Charitable Trusts
- (iv) Non-charitable Purpose Trusts
- (v) Secret Trusts and Mutual Wills
- (vi) Donationes mortis causa
- (vii) Resulting Trusts

#### **4. Method of Teaching**

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

#### **5. 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.

### **LAW3180 The Administration of Trusts and Estates**

#### **1. General**

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

#### **2. 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.

#### **3. 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

#### **4. Method of Teaching**

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

## 5. 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 – Law Relating to Husband and Wife**

#### 1. General

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

#### 2. 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.

#### 3. 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.

## 4. 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.

## 5. 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 – Law Relating to Children**

#### 1. 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 LL.B. degree programme. The course is an optional one but it may be slated to be a prerequisite for other options.

#### 2. Course Objective

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

#### 3. 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
- (xiv) Domestic Violence

#### **4. 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.

#### **5. 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. The paper will be divided into two parts - one consisting of essays and the other of scenario questions - requiring the candidate to answer one question from each part.

### **LAW3260 Gender and the Law in the Commonwealth Caribbean**

#### **1. General**

The course will be taught in the first or second semester of the third year of the LL.B. 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 Employment Law or Family Law and Commonwealth Caribbean Human Rights. However, none of these courses is a prerequisite.

#### **2. 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. The second part of the course will examine gender in some substantive areas such as wage work, the family, family violence, reproduction and pornography, focusing on the constitutions, legislation, common law and legal systems of the Commonwealth Caribbean.

#### **3. Course Content**

##### Part I - Theories and Themes

- (i) Introduction to Feminist Theory
- (ii) The "Neutrality" of Law
- (iii) Equality
- (iv) Public/Private Divide

##### Part II - Selected Issues

- (i) Wage work
- (ii) Family
- (iii) Family Violence
- (iv) Reproduction
- (v) Pornography

#### **4. Method of Teaching**

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

#### **5. Method of Assessment**

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

### **LAW3280 International Mooting**

#### **1. 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 LL.B. programme. Course enrolment will be restricted, and students will have to compete for class spaces through Moot Selection Rounds.

## 2. 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.

## 3. 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

## 4. Method of Teaching

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

## 5. 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 Independent Research Paper**

### 1. Course Requirements

Students wishing to register for this course need to submit an abstract of no more than 250 words outlining their proposed research topic/issue to the Course Director for approval. This abstract must be submitted to the Course Director **within the first week of the semester.**

***Students will not be allowed to continue with this course without the Course Director's approval of their abstract. Students registering for this course without an approved abstract will be de-registered.***

Students need to identify a member of staff, with relevant background in the area, who is willing to supervise their independent research paper.

Students must meet regularly with their supervisor and submit periodic drafts of their paper to the supervisor over the course of the semester.

Students are required to submit 2 hard copies of their completed research paper to Mrs. Marcia Bradshaw in the Faculty Office on the last day of the semester. *Late submissions will incur a penalty. See Regulation 36 for further details regarding the research paper*

## **LAW 3330 International Trade Law**

### 1. General

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

### 2. 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.

### 3. 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
- (vii) Regional Trade Agreements/Free Trade Areas
- (viii) Dispute Settlement

### 4. 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.

## 5. 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**

### 1. General

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

### 2. Course Objective

The primary objective of this course is to provide students with a clear understanding of the structure and operation of European Union Law relating to and surrounding the Internal Market of the EU. All matters will be considered both from the perspective of businesses established within Member States and from that of businesses established outside the EU but involved in business activities or investment, or both, within the EU.

### 3. Course Content

Particular attention will be paid to:

- (i) Fundamental principles relating to the free movement of goods between Member States of the EU; the prohibition of discriminatory internal taxation; the prohibition of quantitative restrictions and measures having equivalent effect; exceptions to that prohibition.
- (ii) Intellectual property rights under the EC Treaty, including parallel imports of protected goods from outside the EU.
- (iii) The free movement of persons, citizenship of the EU, derogation based on public policy, public security and public health.
- (iv) The freedom of establishment (Arts. 43-48 TFEU) and freedom to provide and receive services (ART 49-55 TFEU).

- (v) EC Competition Law including the Examination of Arts. 101 and 102 TFEU and Merger Regulation 139/2004, the enforcement of EU Competition Law and its extraterritorial application.

## 4. Method of Teaching

This course will be delivered by means of a weekly two-hour lecture and one-hour seminar. Lectures will be used to provide a conceptual framework and perspectives on the internal market. The main objective of a seminar will be to analyse and evaluate the particular area of law under the consideration and to provide students with the opportunity of discussing controversial and difficult topics in the light of the relevant case law. Students will be invited to develop their own ideas about some of the more problematic aspects of EU law.

## 5. 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. There will be no compulsory questions.

## **LAW 3350 Oil and Gas Law**

### 1. General

This course is offered in the second semester of Year III of the LL.B. degree programme.

### 2. Course Objective

This course is designed to give students an understanding of the fundamental legal issues associated with the oil and gas industry. It includes 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 Licenses, Product Sharing Contracts and Joint Operating Agreements.

Also, the main environmental impacts of the oil and gas cycle, from exploration to abandonment / decommissioning is taught and the key functions of the relevant legislation, regulations as well as international treaties are studied.

### 3. Course Content

- (i) The Fundamentals of Oil and Gas Law – Domestic and International Framework
- (ii) Nature and Protection of Oil and Gas Legal Rights
- (iii) Joint Operating Agreements
- (iv) Production Sharing Contracts
- (v) Unitization Agreements / Treaties
- (vi) Environmental Regulation and Liability

### 4. Method of Teaching

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

### 5. Method of Assessment

This course is assessed by coursework to account for 40% of the final grade, which includes an Independent Research Paper and PowerPoint Presentation and a two hour final examination to account for 60% of the final grade in which student will be required to answer two questions from a total of four.

## **LAW3400 Insurance Law**

### 1. 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 LL.B. programme.

### 2. 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.

### 3. 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.

### 4. 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.

### 5. 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**

### **1. General**

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

### **2. 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.

### **3. 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

### **4. 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.

### **5. Method of Assessment**

This course will be assessed by means of a coursework assignment, accounting for 33 1/3% of the final mark, and a two-hour final examination accounting for 66 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**

### **1. General**

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

### **2. 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.

### **3. 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
  - customary international law and the prevention of environmental harm;
  - interstate claims;
  - 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

#### **4. 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.

#### **5. 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 1/3% of the final mark and a two hour final examination to account for 66 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**

#### **1. General**

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

#### **2. 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.

#### **3. 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

#### **4. Method of Teaching**

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

#### **5. Method of Assessment**

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

### **LAW3560 Specialized Problems in Private International Law Litigation**

#### **1. General**

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

#### **2. Course Objective**

This course builds upon the understanding of the General Principles of Private International Law. It examines the ways in which Caribbean courts deal with specific types of contractual and noncontractual litigation as well as family law disputes that are connected with foreign jurisdictions. An overriding objective is to facilitate understanding of the implications of transnational litigation and globalization trends for the Caribbean society.

### 3. Course Content

- (i) Nature of Private International Law Litigation
- (ii) Transnational Contracts
- (iii) Multi-jurisdictional torts
- (iv) Offshore investments
- (v) Transnational Marriages and Matrimonial Causes
- (vi) Polygamous Unions
- (vii) Children

### 4. Method of Teaching

This is a one-semester optional course. It will be taught by a combination of lectures, seminars and workshops.

### 5. Method of Assessment

This course will be assessed by way of a written final examination at the end of the semester in which it is taught. Students will be required to answer three out of six questions. Students have the option of writing a term paper accounting for 33.3% of the final mark. In the event that the mark on the term paper is higher than the lowest mark obtained in the final examination, the mark for the term paper will be substituted for the examination mark.

## **LAW3620 Law of International Organizations**

### 1. General

This course will be taught in either Semester I or Semester II of the Third Year of the LL.B. 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.

### 2. 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.

### 3. Course Content

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

### 4. 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.

### 5. 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**

### 1. General

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

### 2. 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.

### 3. 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

### 4. Method of Teaching

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

### 5. Method of Assessment

This course will be assessed by way of one “takehome” 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**

### 1. General

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

### 2. 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.

### 3. 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

### 4. Method of Teaching

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

### 5. 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 out of a minimum of four questions; 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.

## **LAW3650 Competition Law in the CARICOM Single Market and Economy**

### 1. General

This an optional course will be taught either in Semester I or Semester II of the third year of the LL.B. programme.

## 2. Course Objective

The principal aim of the course is to introduce students to competition law and policy in the Caribbean region bearing in mind that it has either already influenced the CARICOM Single Market and Economy competition law or is likely to influence it, to provide students with a comparative perspective on the application and enforcement of competition law from a different jurisdiction.

## 3. Course Content

- (i) Introduction:  
The Development of Competition Law in the Caribbean Region: The Concept of Sustainable Competition Law; Competition Law in Small Market Economies; Challenges for Competition Authorities in Small Economies.
- (ii) The Main Features of CSME Competition Law.
- (iii) Comparing and contrasting Article 30(i) of Chapter 8 of the Revised Treaty of Chaguaramas with Article 81 EC.
- (iv) Comparing and contrasting Article 30 (j) (k) of Chapter 8 of the Revised Treaty of Chaguaramas with Article 82 EC.
- (v) Merger Control and the CSME.
- (vi) Enforcement of the CSME and EC Competition Law.
- (vii) The CSME Competition Law in the Context of World Trade.

## 4. Method of Teaching

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

## 5. 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 two questions from a total of four questions.

## **LAW 3720 International Human Rights Law**

### 1. General

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

### 2. 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.

### 3. 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

**4. 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.

**5. 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.

**LAW3760 Intellectual Property**

**1. General**

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

**2. Course Objective**

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

**3. 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

**4. 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.

**5. 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.

**LAW3840 Alternative Disputes Resolution**

**1. General**

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

**2. 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.

**3. Course Content**

- (i) ADR in Public Law, nature of court based dispute resolution, identification of ADR techniques, application of ADR techniques to public law issues
- (ii) Dispute resolution: Tribunals, Ombudsman
- (iii) Dispute avoidance: Circulars, Guidance and Extra Statutory Concessions
- (iv) Combined techniques: Self-regulation and adjudication
- (v) Assessment of the role of ADR in Public Law

**4. 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.

## 5. Method of Assessment

This course will be assessed by way of a two hour written final examination accounting for 70% of the final mark and a draft of an ADR clause accounting for the other 30%, at the end of the semester in which it is taught. In the two hour examination students will be required to answer three questions selected from a total of six questions.

## **LAW3850 Public Law Remedies**

### 1. General

This course is an optional course taught in the first or second semester of the third year of the LL.B. degree programme. The prerequisite courses for this option are Constitutional Law and Administrative Law.

### 2. Course Objective

The course is intended to expose the student to an area of law which has become increasingly important in recent years. In this regard the course will focus on specific Public Law Remedies as well as the recent development of the law and the need for reform in this area.

### 3. Course Content

The areas to be covered in this course are:

- (i) The historical context of Public Law Remedies
- (ii) The Prerogative Remedies
- (iii) The Civil Liability of the State
- (iv) Public Law Remedies under Statute
- (v) Public Law Remedies under Caribbean Constitutions
- (vi) Procedures for Redress
- (vii) The need for Reform

### 4. Method of Teaching

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

### 5. 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.

Students will be required to answer three questions selected from a total of six questions.

## **LAW3870 Poverty Law I and LAW3880 Poverty Law II**

### 1. General

The Poverty Law Programme will take place over the two Semesters of the academic year as LAW3870 and LAW3880. This is an optional programme in Part III of the LL.B. programme.

### 2. Course Objective

The programme is designed to promote an understanding of varied experiences and perspectives in the inter-relationship of law and social deprivation and of legal, ethical and social dilemmas in the context of poverty. It seeks to promote fundamental inquiries into the nature, function and suitability of laws in the context of poverty within the developing societies of the Commonwealth Caribbean.

### 3. Course Content

#### **Semester One - LAW3870 Poverty Law I**

The teaching component of the Programme will include the following:-

- (i) nature and causes of poverty
- (ii) access to justice - legal aid
- (iii) perspective on poverty - lawyer and client, policeman and citizen, literacy in the courts
- (iv) perspective on poverty - child care, mental health, drugs, rastafarians as targets
- (v) women in crisis
- (vi) minor offences - vagrancy-type provision and prostitution

At the commencement of the Programme, students will be assigned to a professional mentor (a practising lawyer) or to Community Legal Services. The assignment may include court visits. Weekly clinics will be held in which students (under supervision) will interview and assist underprivileged members of the public who have legal problems. Students will prepare reports following the interviews and offer recommendations for further action.

During the Programme students will keep a journal of their experiences in class and clinics and of their own 'interior journey' of sensitisation to issues of deprivation and poverty

### **Semester Two - LAW3880 Poverty Law II**

The teaching component of the Programme will include the following:-

- (i) consumer protection
- (ii) welfare
- (iii) divorce and maintenance
- (iv) taxation and National Insurance
- (v) redundancy and wrongful dismissal
- (vi) ADR - the role of the Ombudsman and mediation

The clinics will continue. The journal will be kept. Students will produce a research paper of upwards of 3 000 words which relates to some aspect of the Programme.

### **4. Method of Teaching**

The academic component of the Programme will be taught through a two hour lecture/seminar each week. Further instruction will be given through the work of the clinics.

### **5. Method of Assessment**

#### Poverty Law I

Students will be assessed through a two-hour written examination in which candidates will answer two from a total of six questions. This examination will carry 60% of the total marks awarded. The remaining 40% may be awarded after assessment of the journal (30%) and by continuous assessment of input to the Programme by the student (10%).

#### Poverty Law II

Students will be assessed through a two-hour written examination in which candidates will answer two from a total of six questions. This examination will carry 40% of the total marks awarded. A maximum of 30% of the total marks will be awarded after assessment of the research paper and 20% after assessment of the journal.

The remaining 10% may be awarded by continuous assessment of input to the Programme by the student.

### **6. Prerequisites**

Because of its complex administrative nature, admission to the Programme will normally be limited to 20 students. These students are required to register for both Poverty Law I and Poverty Law II (the entire Programme). Students may not register for Poverty Law II unless they have completed Poverty Law I. Early registration is advised.

## **LAW\*\*\*\* BANKING LAW**

### **1. General**

This course will be taught in the second semester of the third year of the LL.B. degree programme. It is an optional course with no pre-requisites but good knowledge of Contracts and Torts will be found to be of particular relevance.

### **2. Course Objective**

The course aims to acquaint students with the rationale for banking law, give them an understanding of key statutory regulations in banking law and develop in them practical understanding of banking law principles and policies. It also aims to apply the principles and policies underpinning banking law statutory provisions and case law to broader legal and regulatory issues.

### **3. Course Content**

The course is a blend of domestic and international banking law. The following areas will be covered in the course:

- Introduction to Banking Law
- Banker-Customer Relationships
- Money-Laundering and Financing of Terrorism
- Loan Sales and Securitization
- Trade Finance – Bills of Exchange, Bank Guarantees and Letters of Credit
- International Banking – Cross Border Banking

#### **4. Method of Teaching**

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

#### **5. Method of Assessment**

The students' progress on this course will be assessed by means of a take home written assignment which will account for 30% of the final mark and a written two hour closed book examination (70%). In the closed book examination, students will be required to answer two 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.



THE UNIVERSITY OF THE WEST INDIES  
ST. AUGUSTINE CAMPUS  
TRINIDAD AND TOBAGO