

香港大學法律學院  
簡介



# C O N T E N T S

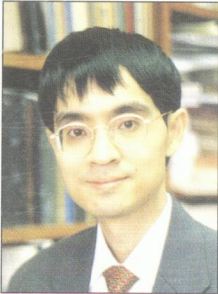


Message from the Dean .....	3
香港大學法律學院簡介 .....	4
A Brief History of the Law School .....	10
Faculty Administrative Staff .....	11
Faculty Academic Staff .....	13
Teachers in the Department of Law .....	15
Teachers in the Department of Professional Legal Education .....	33
A Tradition of Legal Research and Publication .....	40
Hong Kong Law Journal .....	42
Public Lecture Series .....	44
Academic Conferences .....	46
International Links .....	48
University of Hong Kong Law Library .....	50
Centre for Comparative and Public Law .....	51
International Mooting Competitions .....	53
Law Association of the Hong Kong University Students' Union .....	55
Hong Kong Student Law Review .....	58
Friends of the Faculty .....	59
HKU Law Alumni Association .....	61
Summer Sessions .....	62
The Bachelor of Laws Programme .....	64
The Postgraduate Certificate in Laws (PCLL) Programme .....	69
Higher Degree Programmes in Law .....	71
Schedule of Fees .....	84
The Faculty of Law on the World Wide Web .....	86
Academic Calendar 1997-98 .....	88





## MESSAGE FROM THE DEAN



An organisation is a group of people who come together from different directions, and join together to pursue a collective vision, and to realise a common dream.

*What organisation are we, the Faculty of Law at the University of Hong Kong?*

We are a collection of teachers, students and supporting staff, who come together to pursue the cause of legal education for Hong Kong.

*Education* is a multi-dimensional and life-long process. It is not confined to the creation and transmission of knowledge and the development of intellectual skills. It includes also, for example, the cultivation of moral character, of a sense of purpose and vision in life, and of commitment to the spirit of intellectual inquiry and to the duty of serving the community, the nation and the world by dedicating one's best to it.

*Legal education* is also not confined to the training of lawyers. The study of law is not only meaningful and useful as a preparation for a career in the legal profession, but also as a vehicle for cultivating general intellectual and linguistic skills, learning about how society, politics and the economy work, and being nourished by the moral and ethical values that form the foundation of a civilised and humane society. As such, legal education in Hong Kong may be viewed as a preparation for a diversity of careers in this Hong Kong Special Administrative Region, in other parts of China or elsewhere.

*What element of this Faculty of Law am I most proud of as its member?* I am most proud of the high quality of its people—the distinguished scholars who teach here, the competent and dedicated administrative and clerical staff who work here, the outstanding graduates who were educated here, and, above all, the bright, conscientious and earnest students who are currently gathered here to learn about the law, about Hong Kong, China and the world, and about Life itself.

May our awareness be refreshed every day and every academic year of how wonderful it is that the mystery of Life has brought us together in this Faculty. Let us make the best of it; let us do our best in our respective roles. And together we shall make our collective dream come true.

Albert H.Y. Chen  
Dean

1 September 1997

## 香港大學法律學院簡介

香港大學成立於 1911 年。為香港培養法律專業人才並非她當時的直接目標；一直到 1924 年，港大才聘任第一位法學教師（喬治·肯頓先生，George Keeton）；雖然早在 1930 年就開始醞釀開設法學專業，但是一直到 1962 年才正式考慮設立法學學位課程。1964 年，港大當時的校外課程部開始為那些在香港攻讀倫敦大學的校外法學學士學位課程的學生講授法學。同時，任曼·克溫、托尼·高斯特和克力夫·帕納姆等人倡議開辦法律系。1966 年，港大當局任命了一個工作小組，負責研究設立法學教育所需的設施，以期在香港大學培養法律專業人才。在進一步徵詢海外學界的意見後，1969 年香港大學法律系正式成立並開始招生，進入法學學士課程，不久，另外一個負責籌辦開設法律專業教育課程的工作小組也開始運作。1972 年，第一批法學學士課程的學生畢業，並開始攻讀法學專業證書課程。

這兩個工作小組的報告書於 1974 年由香港大學出版社以《香港的法律教育》為題正式出版。

港大法律系 (Department of Law) 原來隸屬港大社會科學學院 (Faculty of Social Sciences)，到了 1978 年，法律系獨立出來，成為一個獨立的教學部門 (School)，擁有自己的院務委員會 (Board of Studies)。1984 年 7 月 1 日，港大法律學院成立，由法律系 (Department of Law) 和法律專業教育系 (Department of Professional Legal Education) 組成，它們分別承擔三年制法學學士學位和一年制法學專業證書課程的教學工作。

在 1986-87 學年度，法律學院設立法學碩士學位課程。該課程側重於國際貿易法、商法、運輸法、稅法、人權法、國際法和中國法，主要是為從事法律實務工作的畢業生而設。從 1993-94 學年度開始，商業法律研究及中國法

律研究文憑課程也開始招生。而在 1996-97 和 1997-98 學年，學院更分別增設公法研究文憑課程和普通法研究文憑課程（後者主要為持有中國內地的法學學位的人士而設）。

1988 年，法律學院遷入香港大學梁銶琚大樓。本院的辦公室，部份教室和教員辦公室都分佈在三、四和五樓，其中，院長、系主任，院務主任都在四樓辦公，學院辦公室也在四樓。法律圖書館則在梁銶琚大樓的一和二樓。

## 法律系

法律系提供三年制的法學學士學位課程，並與法律專業教育系合作開辦法學碩士學位課程 (Master of Laws)，普通法、商法、中國法或公法研究文憑課程(這些課程都是通過上課和考試完成的)，和法律哲學碩士和博士學位課程 (M. Phil. and Ph.D. in Law) (這些課程是以寫論文來完成的)。

法律系共有三十多位教師。他們來自世界各地，包括香港、中國、英國、北美、馬來西亞、非洲、以色列、澳大利亞和新西蘭。法學學士學位每年招收 150 名學生。一年級新生有五門必修課程，但是第二、第三年的許多課程都為選修課。每門課通常每週有兩小時的課堂講授和一小時的討論輔導(導修)。這些課程有些是一學期的，有些是兩個學期的。每學年由 9 月開始至 6 月結束，考試在 12 月或 5 月舉行。許多課程的考試成績是由平時功課的成績和最後考試的成績來決定。學生也需要參加模擬法庭的練習。

不少本系畢業生得到海外知名法學院—例如牛津大學、劍橋大學、倫敦大學、哈佛大學、耶魯大學等錄取攻讀研究生深造學位。

## 法律專業教育系

本系提供一年制的法學專業證書課程，畢業生可以成為見習大律師或見習律師，然後取得大律師或律師資格，在香港從事法律職業。課程設置側重於向學生提供他們將來在香港從事法律職業所必需的法律和程序知識、以及必要的專業技巧。學習方式以小組研習和起草文件的練習為主，並著重學生在導修課堂的參與。本系的教師包括有豐富實踐經驗的不同領域的專家。本系與香港律師界保持密切的聯繫，他們參與本系學生的培養和評估。

## 修讀法律概況

法律是由很多規則組成的，這些規則規範著現代社會日常生活、政治和經濟運作的各個方面。擁有法律知識可以增加人們對公共事務、政府行為及商務運作的理解，法學訓練能促進語文表達的準確性，提高思考、分析、推理及論辯的技能。目前許多國家已將法律及法律制度的教學視為其整個中等教育課程不可缺少的組成部分。

通過學習和研究具有一定難度的和互相衝突的法律觀點，再加上從聽講中獲得的基本概念以及小組討論和個人鑽研，可以使學生逐漸獲得一種全方位的思辯能力。這種能力對於許多不同類別的職業，無論是在法律專業、還是政府公務員界、商界、政界或學術界，都具有極大的價值。

香港作為國際貿易和金融中心的地位，加上現在回歸祖國的“一國兩制”的安排，使她在中國現代化進程中起著越來越重要的作用。這種情勢為從事法律學習研究及實踐提供了一個極具吸引力的環境。由於源於英國的普通法大部分適用於香港，所以香港大學的法律教學與其他普通法國家的大



學一樣，為學生提供基本的普通法訓練。除了這些基本訓練，香港大學法律學院還就其他香港法的部門、中國內地的法律及國際法為學生提供課程。雖然英語是主要的教學媒介，但也有把“中文在法律上的使用”作為獨立科目來教授。

法學學士學位是修讀法律專業的第一個學位，為期三年，為學生提供了一個基礎的法律學科教育，同時還包括一些通識教育的成份，期望學生除了學習法律專業人員所必需具備的知識以外，還對社會、政治、經濟等方面有基本的認識。近年來，課程設計經歷了改革，如增加有關中國法律及“中文在法律上的使用”的內容，拓寬學生的科目選擇範圍，要求學生提交更多的論文，以增強表達和溝通能力，並培養獨立地進行法學研究的能力。此外，也鼓勵學生參加港大中文系提供的中文和普通話學習班及北京清華大學提供的暑期中國法律學習班。

法學學士學位課程由法律學院的法律系負責。法律學院的另一個部門是法律專業教育系，負責教授為期一年的全日制法學專業證書課程。法學學士學位獲得者可以入讀這一課程。獲得法學專業證書之後，願意成為事務律師 (solicitor) 者必須先做兩年見習律師工作，願意成為訟務律師 (即大律師 barrister) 者則必須做一年學徒工作，然後才能成為具有完全資格的執業律師。香港大學的法學學士學位一向得到香港法律專業團體及海外各大學的承認。

目前，法律學院共有 700 多名學生和約 50 名全職教師。現時法律學院教師的數目比 1969 年它剛成立時的學生總數還要多，那時，只有 4 名講師和 40 名學生。

從那時起，港大法律學院不但在規模上不斷擴大，而且一直積極發展與英國、中國、太平洋地區及其他地區國家的學術交流和訪問項目。

在香港，目前女性在法律學習中佔有很高的比例。近年來法學學士課程的學生中，女同學持續地佔大多數。

法律學院擁有一個藏書數萬冊的圖書館，圖書內包括香港、中國和普通法國家的法律資料，也包括美國和歐洲大陸法制的一些資料。

隨著社會變得更加複雜和越來越依賴法律規則，諮詢律師和獲得法律服務的需求也相應增加，尤其是帶來對高質素的法律服務的需要。在這社會環境下，法學成為了最受學生歡迎的學科之一。香港大學法律學院的畢業生絕大部分已成為事務律師、訟務律師、法官、企業法律顧問或政府律師而服務於香港社會，當然也有畢業生從事其他領域的工作，例如商業、公共行政、政治、教學和研究等，其中還有人被任命為資深大律師，或重要的諮詢委員會的成員，或成為香港大律師公會或律師公會的執行委員。看來，多種類型職業的大門正在向法律學院畢業生們敞開，因此，攻讀法律是具有直接的用途和真正的價值的。攻讀法學學位所帶來的智力訓練及對政府和社會事務的理解，對於許多不同種類的生活和工作，都具有寶貴的價值。

## **法學學士學位結構**

同學們將通過參加聽講及小組討論，獲得老師的指導，同時還必須完成各書面作業，並參加辯論練習。

在第一學年，同學需參加五門課程的學習：合同法、侵權法、法律與社會、法律制度、法學寫作與研究。

第二年的必修課程包括憲法與行政法、刑法、財產法。第三年則只有一門名為“法律哲學”的必修課。第二年和第三年，同學可以從種類多樣的科

目中作出選擇，包括(例如)公司法、證據法、信託法、家庭法、國際貿易法、知識產權法、法律衝突法、國際公法、人權法、中國法及中文在法律上的使用等等。

## **考試**

第一學期的考試在12月進行，第二學期的則於翌年5月進行，那些需要一學年才完成的課程，於每年5月舉行一次考試。在大多數課程中，書面作業被計算在考試總成績之內。

## **職業認可**

在香港獲得法律執業資格，須滿足以下要求：取得法學學士學位及法律專業證書，並經過兩年見習期(事務律師)或一年學徒期(訟務律師)。法學專業證書課程的入學申請人，包括港大法律系畢業生和其他被承認的香港及世界各地的大學和類似的學術機構的普通法課程的畢業生。法學專業證書課程現時每年招生近200人，但入學競爭激烈。目前的選拔標準中，主要考慮申請人的法學學士學位的成績，尤其優先考慮那些在香港大學法律系獲得一等或二等榮譽學位的畢業生。

## A BRIEF HISTORY OF THE FACULTY OF LAW, HKU



The first law teacher appointed to the University of Hong Kong was George Keeton in the 1930s, who taught law as part of a general degree and very much from a comparative perspective. He did not stay long before proceeding to a distinguished career as an academic in the United Kingdom, and no one seems to have been appointed to take his place. Not until the 1960s were law teachers once again seen around the campus, this time employed in the Department of Extra-Mural Studies to prepare students taking the external LLB degree of the University of London. Until then Hong Kong students who wished to become lawyers through the university route had to proceed to the UK. But part-time, external study in Hong Kong of English law was not a sufficient alternative to taking a degree in Britain: the profession needed a greater number of entrants, and from wider socio-economic backgrounds, than these options could provide. In any event, it was high time that the academic study of Hong Kong law was begun, such as could only be provided by teachers at the University of Hong Kong whose duties included research and publication. Thus by the end of the decade a law degree at the University of Hong Kong was created with the establishment of the Department of Law in the Faculty of Social Sciences and Law. With Dafydd M E Evans as the foundation Professor of Law and Head, the department received its first students in 1969. When this first cohort graduated three years later they were able to proceed, within the university, to the Postgraduate Certificate in Laws (PCLL), a one-year course of more practice-oriented instruction accepted by the professions.

The department later split from the Faculty and in due course matured into a separate Faculty in 1984. The Faculty of Law now consists of the Department of Law and the Department of Professional Legal Education. The Department of Law has responsibility for the LLB while the Department of Professional Legal Education teaches the PCLL. The Faculty also offers a popular coursework LLM, Postgraduate Diplomas, and the research degrees of MPhil and PhD; in addition, it co-operates with the School of Professional and Continuing Education (successor to the Department of Extra Mural Studies) in teaching the Common Professional Examination Certificate (a 'conversion course' for graduates of other disciplines who wish to become lawyers in Hong Kong) and a separate intake of PCLL students.



## FACULTY ADMINISTRATIVE STAFF

### ACADEMIC OFFICE-HOLDERS

*Dean:* Albert H. Y. Chen 陳弘毅

*Associate Deans:* Charles D. Booth, Jill H. Cottrell

*Head, Department of Law:* Richard A. Glofcheski

*Head, Department of Professional Legal Education:* Michael Wilkinson

### FACULTY SECRETARIAT

*Faculty Secretary:* Vivian T. V. Wong 黃天慧, BA, MPA (HK)

*Executive Officer:* Pamela Y. S. Tam 譚玉成, BCom (Newcastle)

*Faculty Clerk:* Connie K. Y. Ko 高國妍

*Secretary II:* Nancy B. M. Ng 伍碧曼

Dickly M. C. Tsui 徐敏珠

*Clerk I:* Maria L. M. Lau 劉麗文

*Clerk II:* Betty S. Y. Ng 吳思螢

*Office Assistant:* Doris K. Y. Ng 吳家燕



### DEPARTMENTAL GENERAL OFFICE

*Executive Officer I:* Alice L. K. Iu 姚麗娟, BA(Dundee), ACIS

*Research Assistant I:* Magdalen Spooner, LLB (Sheffield)

*Assistant Computer Officer:* Eddie T. K. Leung 梁達強

*Senior Secretary, Department of Law:* Monnie S. M. Lee-Leung 李梁秀文

*Senior Secretary, Department of PLE:* Cecilia C. F. Chan-Ching 陳程之芬

*Clerk I:* Nancy W. K. Choi 蔡惠琮

Lam Chun-kwan 林鎮坤

Estella L. W. Ng 吳雷華

*Clerk II:* Rita W. M. Wai 韋蕙綿

Veronica M. P. Yiu 姚茂萍

*Clerical Assistant:* Eliza W. L. Li 李惠玲 (Front desk)

Polly Y. Y. Li 李英英

*Office Assistant:* Poon Yin-ngan 潘燕顏

Yiu Ying-sum 姚英森

*Senior Printing Technician:* Henley C. C. Chan 陳致昌

*Printing Technician I:* Cho Chung-cheung 曹仲祥

*Printing Technician II:* Ting Sui-kai 丁垂介

*Media Production Assistant:* Raymond S. C. Lam 林少秋



## **LAW LIBRARY**

*Law Librarian:* Sng Chan Yok Fong 孫陳玉鳳

LLB (Hons) (Singapore); M Law Libr (Washington); PLC (Singapore)

*Assistant Law Librarian:* Irene Shieh Lin Ying 謝玲櫻

BA (HK); MA, DipLib (London); ALA

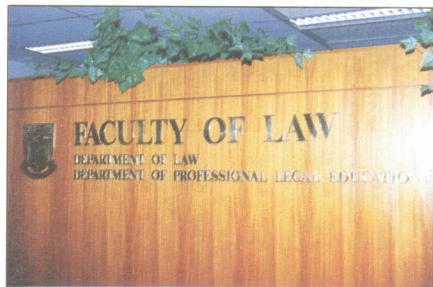
## **CENTRE FOR COMPARATIVE AND PUBLIC LAW**

*Director:* Andrew C. Byrnes

*Assistant Research Officers:*

Kirstine G. Adams, LLB (Edinburgh), LLM (CEU), MA (Hon) (Glasgow), MA (Essex)

Adam C. Mayes, BA (Yale), MA (Asian Studies), JD (Berkeley)



DEPARTMENT OF LAW

Janice M. **Brabyn**  
Andrew C. **Byrnes**  
Johannes M. M. **Chan**  
Albert H. Y. **Chen**  
Anne S. Y. **Cheung**  
Jill H. **Cottrell**  
Peter X. **Feng**  
Hualing **Fu**  
Yash P. **Ghai**  
Richard A. **Glofcheski**  
Say H. **Goo**  
Lusina K. S. **Ho**  
Betty M. F. **Ho**  
Michael I. **Jackson**  
Alice S. C. **Lee**  
Donald J. **Lewis**  
Athena N. C. **Liu**  
Nanping **Liu**  
Katherine L. **Lynch**  
William P. **MacNeil**  
Roda **Mushkat**  
Bart A. **Rwezaura**  
Michael R. **Sandor**  
Judith E. **Sihombing**  
Philip J. **Smart**  
Benny Y. T. **Tai**  
Anna Y. M. **Tam**  
Raymond I. **Wacks**  
Peter **Wesley-Smith**  
Guanghua **Yu**  
Xianchu **Zhang**

DEPARTMENT OF PROFESSIONAL LEGAL  
EDUCATION

Brian G. **Baillie**  
Charles D. **Booth**  
Christine N. **Booth**  
Janet R. **Burton**  
Anne R. **Carver**  
Eric T. M. **Cheung**  
Wilson W. S. **Chow**  
Caroline M. **Hague**  
Andrew J. **Halkyard**  
Helen J. **McCook**  
J. Arthur **McInnis**  
Stephen B. **Nathanson**  
Christopher H. **Sherrin**  
Michael R. **Wilkinson**

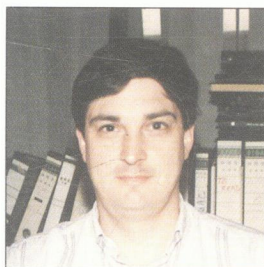




## TEACHERS IN THE DEPARTMENT OF LAW



Lecturer **Janice Brabyn** LLB (Victoria), LL.M (Yale), LL.M (Victoria) teaches and writes mainly in the fields of evidence and criminal law and also has long-term interests in extradition in particular and international mutual assistance in criminal matters generally. Major current commitments include empirical research about contested confessions in the Hong Kong District courts and running a new, active learning introduction course for the first-year LLB students. Her publications include “The Extraterritorial Reach of Hong Kong Criminal Law and the Court of Appeal”, 23 *Hong Kong Law Journal* 178-206 (1993); Commentary on Orders 24, 38, 39 and 40, in *Hong Kong Supreme Court Practice* (William Clarke ed), loose-leaf publications (1994); and “Extradition and the SARs after Reunification” (in press). In 1997-98, she will be teaching Introduction to the Study of Law, Criminal Law, Fundamentals of Evidence and Trial Procedure and Legal Theory.

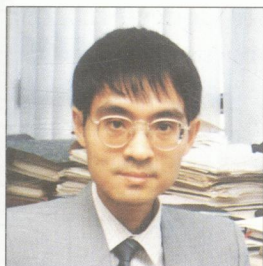


Director of the Center for Comparative and Public Law and Associate Professor **Andrew Byrnes** BA (Hons), LLB (Hons) (ANU), LL.M (Harv), LL.M (Col) has written widely on human rights issues focusing both on international and Hong Kong developments, and has recently been involved in efforts to adopt and implement anti-discrimination legislation in Hong Kong. He is co-editor of the *Bill of Rights Bulletin* and the *Hong Kong Public Law Reports* and his current research interests include: human rights protection in Hong Kong under the Bill of Rights and the Basic Law; equal opportunities law; feminism and international law; international criminal law; the law and practice of United Nations human rights treaty bodies; and private international law. His recent publications include *Hong Kong Public Law and Human Rights Documents: A Sourcebook* (with Johannes Chan) (1993); “Enforcing the Human Rights of Women: A Complaints Procedure for the Convention on the Elimination of All Forms of Discrimination Against Women?”

(with Jane Connors), 21(3) *Brooklyn Journal of International Law* 678-798 (1996); “And Some Have Bills of Rights Thrust Upon Them: The Experience of Hong Kong’s Bill of Rights” in *Promoting Human Rights Through Bills of Rights: Comparative Perspective* (P Alston ed) (1997). He has taught Legal System, Constitutional and Administrative Law, International Human Rights Law, Human Rights in Hong Kong and Human Rights: Theory and Practice (LLM course). This year he teaches Public International Law, Introduction to Private International Law and International Criminal Law (LLM course).



Associate Professor **Johannes Man-mun Chan** 陳文敏 LLB, PCLL (HKU), LLM (London) has written widely on international and local human rights issues. He has appeared as a barrister in many Bill of Rights cases in Hong Kong, and has been involved in various international human rights activities. He is co-editor of the *Hong Kong Public Law Reports* and the *Bill of Rights Bulletin*. His academic interests extend to international human rights law, civil liberties, constitutional law, administrative law and media law. He has also been involved in extensive public and community services, and was selected one of the Ten Outstanding Young Persons in Hong Kong in 1995. His publications include *Public Law and Human Rights: A Hong Kong Sourcebook* (with Andrew Byrnes) (1993); *The Hong Kong Bill of Rights: A Comparative Approach* (with Yash Ghai) (1993); and *Media Law and Practice* (with Kenneth Leung) (1995) (in Chinese). This year he will teach Legal System and Human Rights in Hong Kong.



Professor **Albert Hung-yeec Chen** 陳弘毅 LLB, PCLL (HKU), LLM (Harvard) started teaching in this law school in 1984, became Dean of the Faculty of Law on July 1, 1996, after serving as Head of the Department of Law in 1993-95. His research interests include legal and political philosophy, comparative legal traditions, and constitutional developments in Hong Kong and China. His publications include the following books: *An Introduction to the Legal System of the People's Republic of China* (1992); *Law and Politics in Hong Kong* (1990) (in Chinese); *Hong Kong's Legal System and the Basic Law* (1986) (in Chinese); and over fifty articles in English or Chinese published in Hong Kong, mainland China, Taiwan and overseas. He is a member of the Basic Law Committee under the Standing Committee of the National People's Congress, and an honorary professor at four Chinese universities. He teaches Law and Society, and has taught Legal System, Constitutional and Administrative Law, and Use of Chinese in Law.

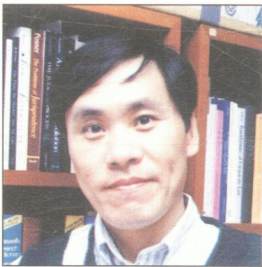


Assistant Professor **Anne Shann-Yue Cheung** 張善喻 LLB (HKU), LLB (Toronto), LLM (London) joined the Faculty in 1995. Her major interests include law and sociology, legal theory and legal education. Her writings are mainly on the analysis of legal system and aspects of law and society. Her publications and papers include "The Paradox of Hong Kong Colonialism: Inclusion as Exclusion" 11 *Canadian Journal of Law and Society* (1996) 63-85; "Towards a Bilingual Legal System - The Development of Chinese Legal Language" 19 *Loyola of Los Angeles International & Comparative Law Journal* (1997) 315-336; and "Cultural Appropriation and the Search of Identity for Hong Kong" a paper presented at the *Annual Conference of the Canadian Law and Society Association* (1996). This year she will teach Law and Society, Equity and Introduction to Trusts, and Tort Law, and she has also taught Legal System in the past.





Associate Dean and Senior Lecturer **Jill Cottrell** LLB, LLM (London), LLM (Yale) has academic interests in the law of tort and environmental law, as well as in research methodology for law students. Her publications include *Legal Research: A Guide for Hong Kong Law Students* and various articles on environmental law. She has just finished a book on *Defamation in Commonwealth African Countries*. In the academic year 1997-98, she will be teaching Tort, Legal Research and Writing, and Guided Research.



Assistant Professor **Peter Feng** 馮象 BA (Kunming), MA (Beijing), PhD (Harvard), JD (Yale) teaches Intellectual Property and China law courses in both the LLB and LLM programmes. He also serves as honorary professor of law at the Oriental School of Law and Business, Shanghai; fellow of the Beijing Institute of Chinese Studies; advisor to the Hong Kong Stock Exchange Listing Division, and the China law editor of the *Hong Kong Law Journal*. His recent publications include *Intellectual Property in China*, Sweet & Maxwell Asia (1997) and “Labour Law in China: An Overview”, *Employment in China*, THC Press (1996), pp. 1-25. He is currently writing a book on the Chinese legal profession. In 1997-98, he will offer courses in PRC Intellectual Property (LLM), Issues in Intellectual Property, Introduction to Chinese Law, and Law and Society.



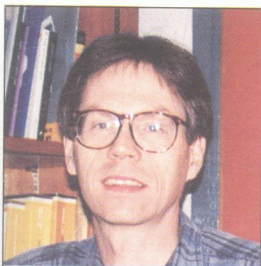
Research Fellow **Hualing Fu** 傅華伶 LLB (Southwestern); MA (Tor); D Jur (York) has taught and researched in Criminal Justice and Law and Administration. His recent publications include *Media Law in the PRC* (Hong Kong: Asia Law and Practice, 1996) (with Richard Cullen); “A Bird in the Cage: Police and Political Leadership in Post-Mao China” 4 *Policing and Society* 277-291 (1994); and “Understanding People’s Mediation



in Post-Mao China” 6 *Journal of Chinese Law* 211-246 (1992). He teaches Criminal Law, Criminology and Legal Theory in this academic year.



Holder of the Sir Y K Pao Chair in Public Law, Professor **Yash Ghai** MA, DCL (Oxon), LLM (Harvard) is particularly interested in constitutional law including human rights. He has written extensively in this area, as well as on the law in many countries, especially in Africa and the Pacific. He has advised governments and other bodies on constitutional developments. He has been a visiting professor in the USA and in Canadian and Australian universities, and has held full-time appointments in universities in the USA, Africa, England, and Sweden. He has taught Law and Society, Constitutional and Administrative Law, and the Basic Law of the HKSAR. His publications include *Human Rights and Governance: The Asian Debate* (1994); *The Law, Politics and Administration of Decentralisation in Papua New Guinea* (1992); and *Hong Kong's New Constitutional Order: The Resumption of Chinese Sovereignty and the Basic Law* (1997). In 1997-98 he will be teaching Law and Society, Hong Kong Basic Law, and Introduction to the Study of Law.



Head of Department and Associate Professor **Rick Glofcheski** BA (WLU), LLB (Windsor), LLM (Cantab) has taught Tort, Criminal Law, Contract Law and Legal System. His publications include “Conditions for Compensation under the Employees’ Compensation Ordinance”, *Law Lectures for Practitioners* (Janet Burton ed) 149-170 (1995); “Tort/Contract Concurrency: the Demise of Tai Hing Cotton Mill Ltd”, 26 *Hong Kong Law Journal* 34-46 (1996); and “Occupiers’ Liability Ordinance” in the *Annotated Ordinances of Hong Kong* (1997). He is also a member of the Editorial Committee of the *Hong Kong Law Journal*. He will be teaching Tort Law to LLB students in the academic year 1997-98.



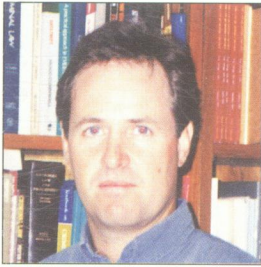
Lecturer **Say Goo 吳世學** LLB (Leicester), LLM (East Anglia) was formerly lecturer in law at the University of Exeter, England. He has taught Land Law, Contract Law and Company Law. He is the author of *Minority Shareholders' Protection* (1994), *Sourcebook on Land Law* (2nd ed 1997), *Land Law in Hong Kong* (1997) and the co-author of *Cases and Materials on Company Law* (2nd ed, 1997). He has also published in, among others, *Oxford Journal of Legal Studies*, *Northern Ireland Legal Quarterly*, and the *Conveyancing and Property Lawyer*. He is a contributor to *Halsbury's Laws of Hong Kong* and *Annotated Ordinances of Hong Kong*. In the academic year 1997-98, he will be teaching Property Law, Insolvency Law and Company Law.



Assistant Professor **Lusina Kam-shuen Ho 何錦璇** BA, BCL (Oxon) has special interest in the law of restitution, trusts and equitable obligations and remedies. She is on leave in 1997-8. In 1998-9, she will offer courses on Law of Trusts and Law of Restitution. Her publications include "The Nature of Restitution - A Reply", 16 *Oxford Journal of Legal Studies* 517-533 (1996); "Vulnerable Sureties in a Finance Center: How will the Courts in Hong Kong Respond to the Principle in *Barclays Bank v O'Brien*", 26 *Hong Kong Law Journal* 284-300 (1996) and "Appointment of Judicial Trustee", 27 *Hong Kong Law Journal* 131-136 (1997).



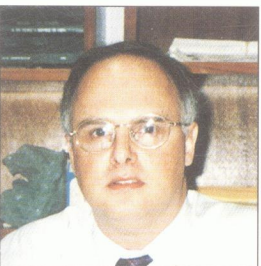
Associate Professor **Betty May-foon Ho 何美歡** BA, MA (Berkeley), LLB (Toronto), LLM (Cantab) teaches and writes in the field of commercial law. Her books include texts on contract, security for credit, and agency law. She has written 《香港合同法》 (1995); 《香港擔保法》 (1995); and "Agency", in *Halsbury's Laws of Hong Kong* (1995). This year she will teach Contract, Use of Chinese in Law, Law of Agency and Use of Chinese II (Agency).



Lecturer **Michael Jackson** LLB (Auckland), LLM (BC) teaches and writes mainly on criminal law and procedure. His three most important publications are “The Criminal Law” in R Wacks (ed) *The Law in Hong Kong 1969-1989* (Oxford), pp. 178-208; “The Criminal Law in Hong Kong” in R Wacks (ed) *The Future of the Law in Hong Kong* (Oxford), pp. 189-218; and “Criminal Law” in Gaylord & Traver (eds) *Introduction to The Hong Kong Criminal Justice System* (HKU Press), pp. 79-94. He has a particular interest in the field of commercial crime, and has assisted as a solicitor in several major criminal fraud cases in recent years. In this academic year, he teaches Contract Law, Criminal Law and Equity and Introduction to Trusts.



Lecturer **Alice Suet-ching Lee** 李雪菁 LLB (HKU), BCL (Oxon), PCLL (HKU) has written on property law issues both in English and Chinese. Her academic interests also extend to the use of Chinese in law and bilingualism in Hong Kong’s legal system. She has participated in programmes designed to introduce aspects of Hong Kong law to Chinese Language Officers and court interpreters. She is currently co-authoring a book in Chinese on Hong Kong law. Her recent publications are “An Unsolved Problem For Adverse Possessors of New Territories Land”, 26(1) *Hong Kong Law Journal* 7-20 (1996); and “Protecting Trade Marks in Hong Kong: *Re Omega*”, 26(2) *Hong Kong Law Journal* 180-193 (1996). She will teach Property Law, Issues in Intellectual Property, Fundamentals of Evidence and Trial Procedure this year. She has also taught Use of Chinese in Law.



Associate Professor **Donald J. Lewis** AB (USC), JD (Emory), LLM (London) has written extensively, and lectured throughout the Asia-Pacific region, on issues of PRC trade and investment law. He has served as a consultant and expert witness on Chinese law for international law firms and multinational corporations. He is co-author (with John Kuzmik) of *PRC Joint Ventures -*



*Drafting and Negotiating Contracts* (1997) and general editor of *The Life and Death of a Joint Venture in China* (1996) and *China Investment Manual* (1994). His other publications include “Capital Contributions and Financing” (with Lawrence Yee), in *The Life and Death of a Joint Venture in China* 53-74 (1996); and “Domestic Commercial Arbitration in the People’s Republic of China” (with Karen Ip), in *Dispute Resolution in the PRC* 74-91 (1995). He was formerly a Fulbright law professor at Nankai and Zhongshan Universities in Tianjin and Guangzhou and a research fellow at the East-West Center in Hawaii. His principal academic interests are Chinese law and international trade law. He will lecture in Trade and Investment Law in the People’s Republic of China in the LLM and International Trade Law in the LLB in 1997-98.



Lecturer **Athena Nga-chee Liu** 廖雅慈 BA (CNA), PhD (Glasgow) writes on issues concerning family and children, including “Strengthening the Protection of Children”, 31 *University of Louisville Journal of Family Law* 361-383 (1994-95); “Parentage of Children Born As a Result of Natural and Assisted Reproduction”, 24 *Hong Kong Law Journal* 356-371 (1994); “Clean Break: The Pitfalls with Finality”, *Law Lectures For Practitioners* (Janet Burton ed) 221-235 (1995). She is a member of the Provisional Council on Reproductive Technology; Provisional Council on Reproductive Technology, Ethics Committee; Provisional Council on Reproductive Technology, Reproductive Technology Bill’s Committee; Provisional Council on Reproductive Technology, Code of Practice Committee; and the Law Reform Commission Working Group on Guardianship and Custody of Minors. In 1997-98 she is teaching Principles of Family Law, Issues in Family Law and Medico-legal Issues.



Assistant Professor **Nanping Liu** 劉南平 is a law graduate from Wuhan University in China. He also holds an LLM and a JSD from Yale University. He has experience practising Chinese law, and has published widely in both English and Chinese. He is a visiting professor of the South-Central China Institute of Law and Politics. His publications include *Opinions of the Supreme People's Court: Judicial Interpretation in China* (1997); "Legal Precedents' with Chinese Characteristics: Published Cases in the Gazette of the Supreme People's Court", 1 *Journal of Chinese Law* 107-140 (1991); and "'Judicial Review' in China: A Comparative Perspective", 14 *Review of Socialist Law* 241-253 (1988). He supervises several MPhil and PhD students at work on issues including the Company Law, Consumer Protection, and the Labor Law in the PRC. In the academic year 1997-98, he will be teaching PRC Civil and Economic Law to LLM students and Introduction to Chinese Law and Law of Contract to LLB students.



Assistant Professor **Katherine Lynch** BA, LLB (Osgoode Hall), LLM (Cantab) has taught the Business Associations, Company Law and Alternative Dispute Resolution courses. Prior to coming to HKU, she was in private practice with the international law firm of McCarthy Tétrault in Vancouver, British Columbia and was a law clerk with the British Columbia Court of Appeal. She has published many articles on arbitration and property law and her research interests include arbitration and alternative dispute resolution, corporate and commercial law, and property law. Two of her recent publications include "Security For Costs in Domestic and International Arbitration in England and Hong Kong", 12(2) *Journal of International Arbitration* 17-49 (1995); and "Chinese Law: The New Arbitration Law", 26(1) *Hong Kong Law Journal* 104-120 (1996). She is also the co-author of a Company Law casebook titled *Cases and Materials on Hong Kong Company Law* (1997). She is a member of the Editorial Committee of the



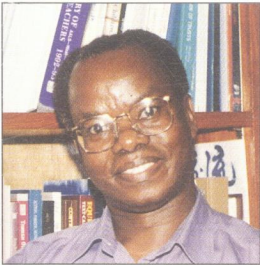
*Hong Kong Law Journal*. In 1997-98, she will be teaching Business Associations, Company Law, Alternative Dispute Resolution and Property Law.



Assistant Professor **William MacNeil** BA, MA (Toronto), LLB (Dalhousie), LLM (London) has been with the Faculty since 1989. Prior to coming to Hong Kong, he was a research assistant in the Department of Law, London School of Economics, and from 1992-93 he was a Wien Fellow at the Faculty of Law, Columbia University in New York where he is still enrolled in the JSD programme. He has taught Legal Theory, Law and Society, Law and Literature, Legal System, Criminal Law and Legal Writing. His main scholarly areas of interest are legal theory and legal history, and he has written: "Righting and Difference", in *Human Rights in Hong Kong* (Raymond Wacks ed) 86-119 (1992); "Living On: Borderlines - Law/History", 6(2) *Law and Critique* 167-191 (Autumn 1995); and "Enjoy Your Rights: Three Cases from the Post colonial Commonwealth", 9 *Public Culture* 377-393 (1997). He is at work, at present, on "Law's Corpus Delicti: The Body in Rights Discourse" (forthcoming, *Law and Critique*) and "The Monstrous Body of the Law: *Wollstonecraft vs. Shelley*". He chairs the Post-Modern Legal Theory Workshop and supervises several MPhil and PhD students at work on issues including bilingualism and the law, legal hermeneutics and punishment. He is the in-house Director of the Santa Clara Summer Programme. This year he teaches Civil & Commercial Law in the P.R.C., Criminal Law, introduction to Legal Theory and Legal Fictions. This year he teaches Criminal Law, Legal Theory, Legal Fictions, and Constitutional & Administrative Law.

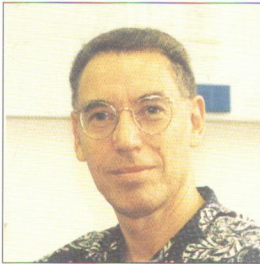


Professor **Roda Mushkat** LLB (Jerusalem), LLM (Wellington), LLD (South Africa) and Postgrad Dip Int'L (Manchester), is a Member of the Israel Bar. She has been teaching at HKU since 1979 in the subjects of Public International Law, Jurisprudence, Law and Society, Constitutional and Administrative Law, and Conflict of Laws. She is the author of numerous publications in the areas of international refugee law, international environmental law, Hong Kong's international personality, international law of war, human rights, and legal theory. Her recent publications include *One Country, Two International Legal Personalities: The Case of Hong Kong* (Hong Kong: Hong Kong University Press, 1997); "Hong Kong and Succession of Treaties", 46 *International and Comparative Law Quarterly* 181 (1997); "Scrapping Hong Kong Legislation: An International Law Perspective", 27 *Hong Kong Law Journal* 12 (1997). In this academic year, she will be teaching Law and Society and Conflict of Laws in the LLB.



Senior Lecturer **Bart Rwezaura** LLB (Makerere), LLM (Harvard), PhD (Warwick) has written widely on family law, the law relating to the child, and on women and the law. His major research focuses on the relationship between economic change and the transformation of family relations and family law. His more recent academic interests include contract law, Hong Kong legal history, and Chinese customary law. His recent publications include "The Concept of the Child's Best Interests in the Changing Economic and Social Context of Sub-Saharan Africa", 8 *International Journal of Law and the Family* 88-116 (1994); "Recent Developments in The Divorce Law of Hong Kong: Towards Minimal Adjudication and Consensual Divorce", 26 *Hong Kong Law Journal* 81-103 (1996): (with A. Armstrong et al.); "Parting the Long Grass: The African Family," *Journal of Legal Pluralism*

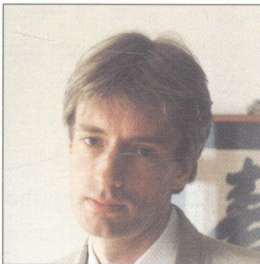
& *Unofficial Law* 25-73 (1995). In the academic year 1997-98, he will be teaching Principles of Family Law, Legal System and Contract Law.



Assistant Professor **Michael Sandor** LLB (Melbourne), LLM (London) practised briefly as a solicitor, and, after three years as a Legal Officer in the Commonwealth Attorney-General's Department in Australia, came to Hong Kong where he was a Crown Counsel for four years. He then became a systems engineer and a marketing manager in the computer industry before returning to the study of law. He joined the Faculty in 1978. He was commissioned by the Law Society of Hong Kong to draft its *Solicitors' Guide to Professional Conduct* which was published in May 1995. His special interests include evidence, procedure, professional conduct, bio-ethics and law, and technology and law. His publications include "Conflicting Obligations and Chinese Walls", *Law Lectures for Practitioners* 103-123 (1993); "The Ethics of Refusal and the Way to the Courtroom", in *The Right To Representation* (Raymond Wacks ed) 61-84 (1994); and a book, *The Professional Conduct of Lawyers in Hong Kong* (with Michael Wilkinson) (1996), in loose-leaf and in a student edition. He is a member of the Guidance Committee and the Foreign Lawyers Committee of the Law Society of Hong Kong. He now teaches Fundamentals of Evidence and Trial Procedure and Issues in Evidence and Trial Procedure.

Senior Lecturer **Judith Sihombing** LLB (Melbourne), LLM (Malaya), Barrister and Solicitor (Supreme Court of Victoria) (High Court of Australia) taught in Malaysia and Australia prior to her arrival in Hong Kong. Her special interests include property, commercial law, and customary law (New Territories, Malaysia, Indonesia). Her publications include *Goods: Sales and Securities* (1989), 2nd edition (1991), 3rd edition (1996); The Hong Kong

chapters in *Doing Business in Asia*, CCH Asia, (quarterly updates); *Hong Kong Conveyancing: Law and Practice* (with Michael Wilkinson), author of chapter 1: “Land Tenure in Hong Kong”, chapter 4: “Co-ownership of Multi Storey Buildings”, chapter 8: “Contract: formation”, chapter 9: “Contract: Vitiating Factors”, chapter 10: “Contract: Capacity and Effect”, chapter 11: “Contract: Contents”, chapter 13: “Security Transactions over Land”, chapter 14: “Completion of the Contract for the Sale of Land”, chapter 15: “Remedies for the breach of a contract for the sale of land” (Quarterly up-dates); and *Manual on Hong Kong Conveyancing: Law and Practice* (with Michael Wilkinson): author of chapters 1, 4, 8, 9, 10, 11, 13, 14 and 15 (2nd edition 1997); *Malaysian Conveyancing*, and *A Commentary on the National Land Code* (1981), 2nd Edition (1992), 3rd edition (1997). This year, she will teach Remedies, Banking, Credit and Securities, and Conveyancing.



Associate Professor **Philip Smart** LLB, LLM (London) has taught company law, insolvency law and private international law and has written widely in international journals in these fields. His approach to teaching is that students should never become bogged down in details, but should approach problem-solving from the standpoint of principles and commonsense. His publications include *Cross-Border Insolvency* (2nd ed., December 1997); *Hong Kong Company Law: Cases Materials and Comments* (1997) (with Katherine Lynch and Anna Tam); and “Safeguarding Assets in International Litigation: the Insolvency Option” 112 *Law Quarterly Review* 397-401 (1996). In the academic year 1997-98, he will be teaching Law of Business Associations, Private International Law, Company Law and Insolvency Law in the LLB.

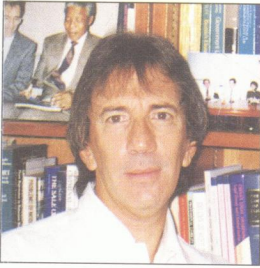




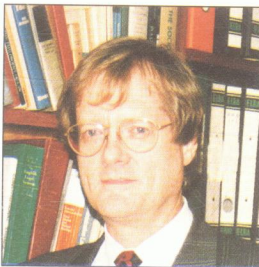
Lecturer **Benny Yiu-ting Tai** 戴耀廷 LLB, PCLL (HK), LLM (London) teaches constitutional and administrative law and writes mainly on the Basic Law of the Special Administrative Region. His research interests include human rights, legal education, administrative law, and comparative constitutional law. He is now a member of the Bilingual Laws Advisory Committee and the Committee on the Promotion of Civil Education. His papers and publications include “Mutual Recognition and Enforcement of Judgments between Hong Kong and the People’s Republic of China”, presented at the Symposium on Legal Interaction between Hong Kong and China organised by the Chinese Law Research Group, Faculty of Law, University of Hong Kong (June 1991); “Contempt of Court and Freedom of Press”, in *Media Law and Practice in Hong Kong* (Johannes Chan and Kenneth Leung eds) 269-301 (1995) (in Chinese); and “The Hong Kong Ombudsman and the Bill of Rights”, *Hong Kong’s Bill of Rights: The First Year* (George Edwards and Andrew Byrnes eds) 121-139 (1993). He won the award of a University Teaching Fellowship in 1996-97. In the academic year 1997-98, he will be teaching Introduction to the Study of Law, and Constitutional and Administrative Law.



Assistant Professor **Anna Yick-man Tam** 譚奕雯 LLB, PCLL (HKU), LLM (Yale) practised as a solicitor before joining the Department of Law in December 1994. She has taught Law of Business Associations and Company Law. Her research interests include company and commercial law. She has recently published a casebook *Hong Kong Company Law: Cases, Materials and Comments* (with Philip Smart and Katherine Lynch) (1997). In 1997-98, she will be teaching Company Law, Commercial Law and Practice (PCLL) and Legal Writing and Research.



Professor (Chair of Law and Legal Theory) **Raymond Wacks** BA, LLB (Witw), LLM, LLD, PhD (Lond), DipLaw, MLitt (Oxon) was Head of the Department of Law from 1986 to 1993. He is a leading international authority on the law of privacy. Professor Wacks' other major areas of interest are legal theory and human rights. In addition to publishing articles and books on these subjects, he has edited a number of collections of essays on various aspects of Hong Kong law, including *The Future of the Law in Hong Kong* (1989), *Human Rights in Hong Kong* (1992) and *Hong Kong, China, and 1997: Essays in Legal Theory* (1993). Professor Wacks' major works in the field of privacy are *The Protection of Privacy* (the first book on the subject in England) (1980), *Personal Information: Privacy and the Law* (1989), *Privacy* (1993) and *Privacy and Press Freedom* (1995). A new book on Hong Kong's Data Privacy Ordinance (with Mark Berthold) has just been published. His well-known book, *Jurisprudence* (now in its fourth edition) is used by students throughout the common law world. He is Editor of the *Hong Kong Law Journal* and presented the RTHK television and radio programme *The Week in Politics*. This year he will be offering the LLM course *Privacy and Data Protection* and participating in the LLB courses *Law and Society*, *Legal System*, and *Introduction to Legal Theory*.



Professor (Chair) **Peter Wesley-Smith** BA, LLB (Adel), PhD (HK), formerly Dean (1993-96), is the longest-serving teacher in the Faculty and holds the earliest doctorate in law awarded by the University of Hong Kong. He has taught Constitutional and Administrative Law, Legal System, Guided Research, and Jurisprudence. His books cover constitutional and administrative law, constitutional history, and the legal system in Hong Kong, and his academic interests extend also to aspects of international law, legal history, and legal theory. His publications include *Introduction to the Hong Kong Legal System* (2nd ed 1993);



*Constitutional and Administrative Law in Hong Kong* (2nd ed 1993); and *The Sources of Hong Kong Law* (1994). He is currently Editor-in-Chief of the *Hong Kong Law Journal*, Member of the Editorial Board of the *Hong Kong Law Reports* and Member of the Hong Kong Law Reform Commission. He will lecture in Legal System and Administrative Law in 1997-98.



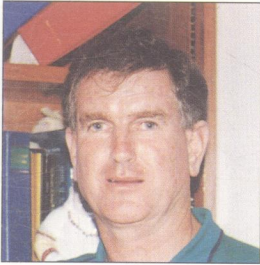
Assistant Professor **Guanghua Yu 郁光華** BA (Shanghai Maritime Institute), LLM (Osgoode, York), LLB, SJD (Toronto) taught at the City University until January 1996 when he joined the Faculty. He has taught Company Law and Business Law, Tort Law, Introduction to Chinese Law, and PRC Civil and Commercial Law. His teaching and research interests encompass Company Law, Securities Regulation, The Regulation of International Trade, and Theories of Economic and Social Regulation. He has written various articles in the above areas both in English and Chinese. His publications in English include “The Law of Pledges in the People’s Republic of China”, 14(2) *UCLA Pacific Basin Law Journal* 270-80 (1997); “China’s Intellectual Property Regime and Direct Foreign Investment”, 5(1) *Tilburg Foreign Law Review* 5-33 (1996); “China’s Foreign Exchange Regulations and Direct Foreign Investment”, 28(6) *Journal of World Trade* 99-120 (December, 1994). His publications in Chinese include “Economic Implications of Secured Debt”, 11(1) *Bijiaofa Yanjiu (Studies in Comparative Law)* 89-93 (1997); “Policy Implications of Comparative Corporate Governance Studies”, 10 *Economic Research Journal* 62-69; “Agency Costs in Joint Stock Companies and Monitoring Devices” (with Fu Jian), 3 *Economic Research Journal* 23-29 (1994). In the academic year 1997-98, he will be teaching PRC Civil and Commercial Law, Securities Regulation for LLM students and Tort Law for LLB students.



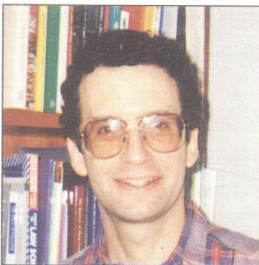
Research Fellow **Xianchu Zhang** 張憲初 LLB (U of Poli Sc & Law, Beijing), MCL, JD (Indiana) has taught courses on Chinese domestic and foreign economic laws in both LLB and LLM programs as well as some common law modules in the City University of Hong Kong before he joined HKU recently. His research interests include company law, foreign investment law, and financial market regulation. He is one of the editors and contributors of *Introduction to Chinese Law* (Sweet & Maxwell, 1997). His recent publications also include “Piercing the Company Veil and the Regulation of Companies in China,” *Legal Development in China* (1996), 129-140; “Legislative Reform of B Share Regulations in China,” *5 Asia Pacific Law Review*, No. 1, 24-37 (1996). This year he teaches Business Association and Contract Law.



## TEACHERS IN THE DEPARTMENT OF PROFESSIONAL LEGAL EDUCATION



Assistant Professor **Brian Baillie** LLB (Adelaide), LLM (Hons.) (Wolv.) is a barrister and solicitor of various courts in Australia, and a solicitor of the Supreme Courts of Hong Kong and Northern Ireland. He has practised for many years, specialising in civil litigation, town planning, environmental law and administrative law. In 1986-87, he was a Visiting Adjunct Professor (Environmental Law) at the University of Oregon. His academic interests and publications cover administrative law, civil procedure, environmental law and professional negligence. His publications include "Making Polluters Pay: Aspects of Public & Private Remedies in Hong Kong", in *Environmental Law in Hong Kong* (Gary Heilbronn ed) 19-43 (1993); "Up-Date On Solicitors' Legal Duties to Clients", in *Modern Trends in Litigation* (Gary Heilbronn ed) 1-30 (1995); and "Hong Kong: Privatisation of Environmental Law Enforcement" in *International Environmental Law and Regulations* (Campbell and Swart eds.) 45-57 (1997). He is currently undertaking an MPhil which is concerned with land-use and environmental law issues in small Pacific island states, particularly in the context of the tourism industry. In 1997-98, he will be teaching Advocacy, Criminal & Civil Procedure and Professional Practice in the PCLL.



Associate Dean and Associate Professor **Charles Booth** BA (Yale), JD (Harvard) joined the Faculty in 1989. Previously, he practised law with a Wall Street firm and taught law at the University of Hawaii. His main research and teaching interests are in comparative and transnational insolvency law, and he has written extensively in international journals in these fields. His other research interests include Hong Kong insolvency law reform and commercial law. His publications include "Living in Uncertain Times: The Need to Strengthen Hong Kong Transnational Insolvency Law," 34 *Columbia Journal of Transnational Law* 391-447 (1996); "Recent Developments in Hong Kong Bankruptcy Law Reform", 2 *International Insolvency Review* 120-150



(1993); and “Recognition of Foreign Bankruptcies: An Analysis and Critique of the Inconsistent Approaches of United States Courts”, 66*American Bankruptcy Law Journal* 135-232 (1992). He has also edited *Hong Kong Commercial Law: Current Issues and Developments* (1996) and is a member of the Editorial Committee of the *Hong Kong Law Journal*. He teaches Commercial Law and Practice in the PCLL and Comparative Insolvency Law and Transnational Insolvency Law in the LLM.



Assistant Professor **Christine Booth** LLM (HKU) is a solicitor who, prior to joining the university, specialized in commercial litigation with an international law firm and was then legal counsel to a multinational corporation where she enjoyed regional responsibilities. Her current projects include a book on the enforcement of judgements in Hong Kong. Her recent publications include “Undue Influence In Triangular Situations: The Husband, the Wife and the Bank”, 26 *Hong Kong Law Journal* 58-80 (1996); “Renewing Part IV Tenancies: Problems and Pitfalls”, *The New Gazette* 38-41 (April 1996); and “Renewing Part IV Tenancies: Preparing For Hearing”, *The New Gazette* 34-36 (May 1996). She has taught Property Law in the LLB course and lectured on insolvency law in the LLM course. She teaches Probate, Conveyancing, Landlord and Tenant Law, Commercial Law and Practice, and Criminal and Civil Procedure in the PCLL.



Lecturer **Janet Burton** BA, LLB (ANU), LLM (Sydney), is admitted as a solicitor in Australia and Hong Kong. Her interests include commercial law and practice, arbitration and alternative forms of dispute resolution, and the law of civil procedure. She edited *Law Lectures for Practitioners* (1995). She teaches Commercial Law and Practice and Civil Procedure in the PCLL.



Senior Lecturer **Anne Carver** BA, MA (Cantab) has been a lecturer in the Faculty since 1984. This year, she will teach Commercial Law and Practice, Accounts and Professional Practice to PCLL students. Her publications include *Hong Kong Business Law* (3rd edition) (1996); and “Legal Dysfunctionalism: Hong Kong Company Law in the 1990s”, in *Hong Kong Commercial Law: Current Issues and Developments* (Charles Booth ed) (1996).



Assistant Professor **Eric Tat-ming Cheung** 張達明, LLB, PCLL (HKU), joined the Department in December 1996. He worked as a litigation solicitor at Johnson Stokes & Master from his admission in October 1989 (having previously served his articles there) and was admitted as a partner in October 1994, and he remains a Consultant to JSM. He has also been admitted as a solicitor in England and Wales as well as in Singapore. His areas of work include building and town planning appeals, solicitors' indemnity claims, building and construction litigation, and general banking and commercial litigation. He has been a member of the Hong Kong Law Reform Commission since July 1994 and has been involved in its work on the Commission Reports on Description of Flats on Sale: Uncompleted Hong Kong Domestic Flats; Hearsay Evidence in Civil Proceedings; Fraud; Insolvency; Corporate Rescue; Privacy: Interception of Communications; Use of Extrinsic Materials as an Aid to Statutory Interception; and the Year and A Day Rule in Homicide. In the academic year 1997-98, he will be teaching Advocacy, Civil & Criminal Procedure and Professional Practise.



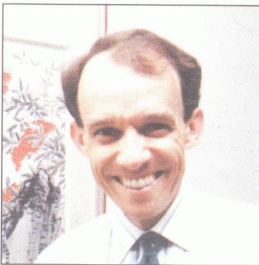
Assistant Professor **Wilson Wai-shun Chow** 周偉信 LLB, PCLL (HKU), solicitor in Hong Kong and England and Wales, was the first full-time local teacher in the Department of Professional Legal Education. His academic interests extend to PRC law and the comparative study of PRC and Hong Kong law. He has written a chapter on Conveyancing and Tenancy Law in *General Principles*



of *Hong Kong Law* 《香港法概論》 (1997 forthcoming). Currently he is involved in a research project on trade union law and labour relations in UK and Hong Kong in the 1990s. This year he will be teaching Conveyancing and Probate Practice, Revenue Law, and Accounts to PCLL students.



Lecturer **Caroline Hague** BA (Manchester), solicitor, practised company and commercial law with a leading Hong Kong firm of solicitors before joining the University. Her principal academic interest is in company law, in particular the role of company directors. Publications include “The Perils of Being a Director”, in *Commercial Law* (Caroline Hague ed) (1991); “Disqualification of Company Directors”, in *Hong Kong Commercial Law: Current Issues and Developments* (Charles Booth ed) (1996); and “The Protection of Minority Shareholders” in *Law Lectures for Practitioners 1997* (Peter Wesley-Smith ed) (1997). She teaches Commercial Law and Practice, Revenue, and Accounts in the PCLL.



Associate Professor **Andrew Halkyard** LLB (Australian National University), LL.M (University of Virginia) has published widely on taxation and investment law. He is co-author of *Encyclopaedia of Hong Kong Taxation*. His current interests include a comparative study of Asian-Pacific taxation systems, cross-border taxation issues involving the People’s Republic of China and an analysis of PRC tax treaty negotiation and policy. As well as his current teaching he has taught International Tax and Tax Planning to LL.M students. He is an authorised climbing instructor of the Chinese Mountaineering Association. This year he will be teaching Revenue Law and Commercial Law and Practice in the PCLL, and Taxation in the PRC to LL.M students.



Lecturer **Helen McCook** LLB, LLM (Canterbury) is admitted to practice in New Zealand, Hong Kong and England. She teaches and writes in the areas of conveyancing, probate, and litigation. In the academic year 1997-98, she will be teaching Conveyancing and Probate Practice and Civil and Criminal Procedure in the PCLL.

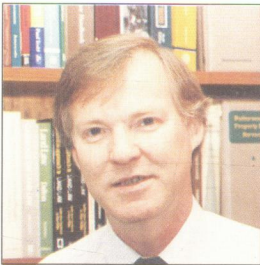


Associate Professor **J A McInnis** LLB (Saskatchewan), BA (Regina), BCL, LLM (McGill), FCI Arb. Barrister and Solicitor in Saskatchewan and British Columbia and Solicitor in Hong Kong, teaches a variety of subjects in both departments. His latest publications include *Hong Kong Construction Law*, 2 Vols (looseleaf); *Building and Construction in Halsbury's Laws of Hong Kong*; and the *Annotated Buildings Ordinance* in *The Annotated Ordinances of Hong Kong* (Butterworths). In the current year he will be teaching Construction Law in the Master's programme, and Commercial Law and Practice, Professional Practice, and Conveyancing and Probate Practice in the Department of Professional Legal Education.



Associate Professor **Stephen Nathanson** B.Comm (McGill), LLB (UBC) is one of the world's leading authorities on the design and development of professional legal training programmes. He was one of the pioneer designers of the Professional Legal Training Course in British Columbia which served as a model for the design of similar courses around the Commonwealth. In 1992, he was appointed Visiting Professor at Nottingham Law School, and in that capacity helped to design and develop its Legal Practice Course, which has gained prominence in the United Kingdom and around the world. He has a wide range of teaching experience and interests, but specialises in teaching skills such as advocacy, interviewing, negotiation, drafting and writing. His research interests focus on legal education and he is perhaps best known for his work on curriculum design and legal problem solving, particularly, "Putting Skills and Transactions Together in

Professional Legal Education”, 5(2) *The Journal of Professional Legal Education* 187-200 (1987); “Developing Legal Problem-Solving Skills”, 44(2) *The Journal of Legal Education* 215-231 (1994); and “The Role of Problem Solving in Legal Education”, 39(2) *The Journal of Legal Education* 167-183 (1989). Concurrent with his appointment at this university he has recently been made a professor at the College of Law in London and has published a book entitled *What Lawyers Do: A Problem Solving Approach To Legal Practice* (Sweet & Maxwell, 1997). This year he is teaching Conveyancing and Probate Practice, Accounts and Financial Management, and Advocacy.



Professor (Chair of Professional Legal Education) **Christopher Sherrin** LLM (London), PhD (London), Barrister (Gray’s Inn) joined the department in January 1993 and was Head from May 1993 until December 1996. He previously taught at the University of Bristol, the National University of Singapore, and the University of North Carolina. His main teaching and research interests are in the field of property law and he has written extensively on the law of wills, intestacy, and trusts. His recent publications include *Williams on Wills* (with F Barlow and R Wallington ) (7th ed), Vol 1: 1975, Vol 2: 1000-2104 (1995); *The Law and Practice of Intestate Succession* (with R Bonehill) (2nd ed) (1994); and “Aut Ovis Aut Capra: Personal Representatives or Trustees”, *Hong Kong Law Journal* 239-262 (1995). He is also the joint author of “A” *Level Law*; the author of *Probate Practice in Hong Kong*, and is a member of the Editorial Committee of the *Hong Kong Law Journal*. In the academic year 1997-98, he will be teaching Equity and Introduction to Trusts to LLB students, Conveyancing and Probate Practice, and Revenue Law to PCLL students.



Professor **Michael Wilkinson** BA, LLB (Cantab) is Head of the Department of Professional Legal Education. He is a barrister-at-law of the Inner Temple. He also spent several years as Head of Law at the University of Malawi. He specializes in the teaching of litigation and conveyancing and has published books in these areas. His publications include *Hong Kong Conveyancing Law and Practice* (with Judith Sihombing), 3 Vols (1995); *Advocacy and the Litigation Process in Hong Kong* (2nd ed) (1995); *Professional Conduct of Lawyers in Hong Kong* (with Michael Sandor), 2 Vols (1996); *Halsbury's Laws of Hong Kong, Volume 5, Civil Procedure* and a *Student's Guide to Hong Kong Conveyancing* (2nd ed 1997). In the academic year 1997-98, he will be teaching Conveyancing and Probate Practice to PCLL students.

## A TRADITION OF LEGAL RESEARCH AND PUBLICATION

Until the Department of Law opened its doors in 1969 there was virtually no published research on the law of Hong Kong. Since the first issue of the *Hong Kong Law Journal* in 1971, and the first book of *Law Lectures for Practitioners* three years later, the flow of learned analysis of local law has steadily increased, and it has been dominated by the contributions of teachers from the Faculty. There are now numerous books on many aspects of legal doctrine and the legal system. Publication has been dependent, on the one hand, upon expansion of the legal profession and, on the other, on the availability of authors - mostly academics. More and more loose-leaf practitioners' works, requiring much time and energy for their regular updating, are now appearing as well. International legal publishers find it increasingly profitable to operate in Hong Kong, though of course their products tend to be directed towards students or to concentrate on those areas of the law which are of most interest (and commercial value) to practitioners. More contemplative or theoretical or esoteric work can still find an outlet: both Oxford University Press and Hong Kong University Press have published collections of essays, edited and substantially written from the Faculty, devoted to such themes as human rights, the future of the law, and the contributions of legal theory to the challenge of post-1997 issues, and some teachers have published widely abroad.

The Faculty itself has become a publisher of note: the *Problems and Prospects* series of seminar papers, a working paper series, the *Bill of Rights Bulletin*, and other works published in association with Hong Kong Law Journal Ltd frequently appear. For further information, contact Ms Alice Iu, Faculty of Law, at tel. 2859 2932, fax 2559 3543.



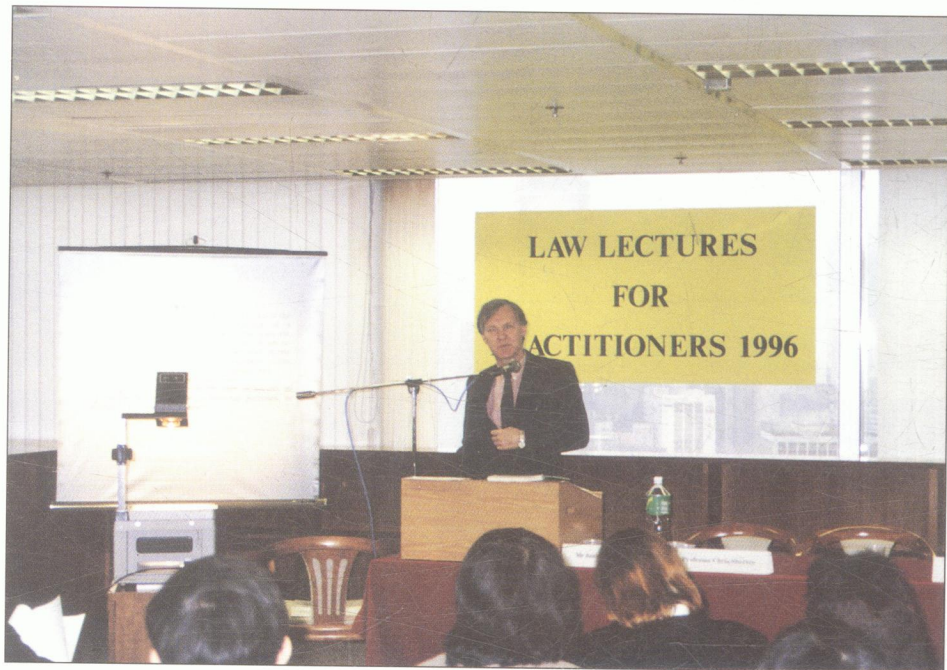


# HONG KONG LAW JOURNAL

The *Hong Kong Law Journal*, which has always been edited by members of the Faculty, commenced publication in 1971. Issued three times a year since then, and now completing Volume 27, it has made a very considerable contribution to the Hong Kong legal system and to the work of the Faculty. In formal terms published by a limited company, whose Board of Directors is composed of leading practitioners, it is now managed by the Faculty through an Editorial Committee chaired by former Dean Professor Peter Wesley-Smith. Its basic editorial policy is to provide readable and relevant commentaries on and analysis of current developments in Hong Kong law, learned articles, digests of decisions of the local courts on sentencing and personal injuries awards, material on Chinese law, and reviews of publications.

The company, which for this purpose is the Faculty's Continuing Education Committee, also organises the annual two-day *Law Lectures for Practitioners* (held annually since 1974). A book of the lectures follows soon afterwards, and other publications have been produced as well. Recently published is a volume of essays entitled *Modern Trends in Litigation*. Other collections of particular interest to legal practitioners are contemplated.

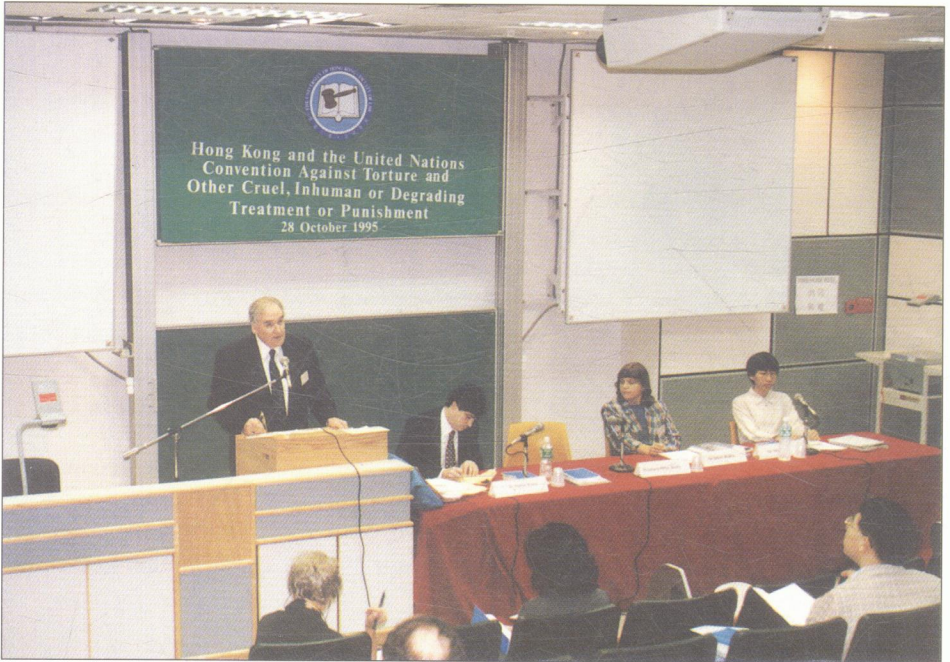
The Secretary of the company operates out of the Faculty under the direction of the Editor-in-Chief. Back issues are available (though some are sadly out of print) along with books previously published and earlier volumes of *Law Lectures for Practitioners*. Inquiries from the Secretary, Hong Kong Law Journal, Faculty of Law, tel/fax 2859 2917.



## PUBLIC LECTURE SERIES

In 1994 the **Peter Allan** Memorial Lecture series was inaugurated with a visit from the President of the New Zealand Court of Appeal, Sir Robin Cooke. Peter Allan was a former Solicitor General and Commissioner of the Independent Commission Against Corruption whose premature death robbed us of a true friend. His colleagues and admirers established a fund to perpetuate his memory by the delivery of regular lectures by eminent legal scholars and practitioners. Sir Robin Cooke paid eloquent tribute to his fellow New Zealander in a stimulating lecture (published in *25 Hong Kong Law Journal* 64 (1995)) on “Brass Tacks and Bills of Rights”. In 1996 the Peter Allan Memorial Lecturer was Mr. Sydney Kentridge, a leader of the UK Bar and member of the Constitutional Court of South Africa. His visit was made possible by a generous donation, supplementing the fund, from a Hong Kong barrister who enjoyed Sir Robin Cooke’s contribution so much that he reportedly did not wish to wait two years before the next scheduled lecture. The third lecture was delivered by one of our own colleagues, Professor Yash Ghai, in 1997. His topic was the Basic Law, timely both in view of Hong Kong’s transition to Chinese rule, and the publication of his book on the subject.

Another memorial lecture series has been established to honour one of our most distinguished graduates, **Eric Au**, a rising star in the Legal Department before his untimely demise. The Chief Justice of Hong Kong, Sir T L Yang, delivered the first lecture on 3 October 1994, followed by a reception at the university attended by legal practitioners and friends. The second lecturer was Professor Guo Daohui from the China Law Society in Beijing, whose title was “The Democratisation of Chinese Law: Issues of Rights and Power in Law Making”. Professor Li Buyun from the Institute of Law, Chinese Academy of Social Sciences, delivered the third lecture in March 1997 on “The Ideal and the Reality of the Rule of Law in China”.





## ACADEMIC CONFERENCES

One of the missions of the Faculty is to promote research, discussion and debate on issues of local, regional, international and comparative law by organising conferences at which local or visiting academics and lawyers present papers. The conferences, symposiums, seminars and workshops organised by the Faculty in recent years included:

International Conference on *Conflict and Interaction of Laws between Mainland China, Hong Kong and Taiwan*, co-organised with Soochow University, Taipei and held at Conrad Hotel on 8-9 February 1993

Seminar on *Police Powers in Hong Kong* held at HKU on 3 April 1993

International Symposium on *The Translation of Laws into Chinese: Experience in Hong Kong and Macau* held at HKU in May 1993

*Law and the Environment*, a series of three seminars held at HKU in May and June 1993 as a contribution to HKU's 80th Anniversary Celebrations

Symposium on *The Right to Legal Representation* held at HKU on 25 September 1993

International Symposium on *The Resolution of Administrative Grievances* held at HKU on 10-11 December 1993

*Human Rights Training Workshop* for Local NGOs held at HKU in April 1994

International Symposium on *Hong Kong and the International Covenant on Economic, Social and Cultural Rights* held at HKU on 15 October 1994

International Conference on *The Basic Laws of Hong Kong and Macau*, co-organised with the Institute of International and Comparative Law, Macau and held in Macau on 26-27 November 1994

Reflective Symposium on *Learning Law at the University of Hong Kong* held at HKU on 10 April 1995 as a contribution to the HKU Faculty of Law's 25th Anniversary Celebrations

International Conference on *Law and Change in Hong Kong — Hong Kong as a Financial Centre: The Challenges Ahead* held at HKU on 3 June 1995 as a contribution to the HKU Faculty of Law's 25th Anniversary Celebrations

International Conference on *Trends in Contemporary Constitutional Law*, co-organised with Renmin University of China and held at HKU on 13-14 December 1996

International Conference on *Constitutional Transition: Hong Kong 1997 and Global Perspectives* held at the Convention and Exhibition Centre on 29 May - 1 June 1997 in anticipation of Hong Kong's return to China

Since the establishment of the Faculty's Centre for Comparative and Public Law in 1995, the Centre has also organised a number of seminars and conferences. For details, please see the section on the Centre below.



## I N T E R N A T I O N A L     L I N K S

The University has a number of agreements with universities in other countries through which student exchanges may be organised. HKU law students have recently taken advantage of these arrangements to study in the University of Melbourne and the University of Toronto, earning credit for their LLB studies at the University of Hong Kong.

In addition, the Faculty of Law has negotiated three agreements to provide similar advantages. The first is with the Centre for Asian and Pacific Law at the University of Sydney. The second is an arrangement with the University of Kyushu in Fukuoka, Japan, pursuant to which the Faculty has exchanged staff on short visits, and in 1996-7 one of our students studied in Kyushu for a Master degree on a full scholarship. The third link is a triangular relationship with the Universities of London and Xiamen, concentrating on research into environmental law. Several other agreements with foreign universities are expected to be signed in future.

The Faculty has also developed links with leading law schools in mainland China and Taiwan, including Renmin University (with which the Faculty co-organised a conference on constitutional developments in 1996), Beijing University, Tsinghua University (which has organised three summer programmes on Chinese law for our students since 1995, and which some of our teachers visited in 1997 to deliver lectures to postgraduate students), Jilin University, Fudan University, Wuhan University, Xiamen University, Zhongshan University, Shenzhen University, the Northwestern Institute of Politics and Law, the Southwestern University of Politics and Law, Soochow University (Taipei) and National Taiwan University.

The Faculty has a Distinguished Visiting Scholars Programme under which every year a number of leading scholars from all over the world are invited to visit the Faculty for a two-week period in which they conduct stage seminars, give lectures to students and advise teachers in the Faculty on teaching and research in relevant fields of the law.

Any student wishing to study for a semester abroad should look out for relevant notices on the Faculty notice board.





## UNIVERSITY OF HONG KONG LAW LIBRARY

The Law Library of the University of Hong Kong occupies two floors of the K. K. Leung Building, and is close to the Faculty of Law.

Besides serving the staff and students of the Faculty of Law, who are its primary users, it also serves the law students and staff of the School of Professional and Continuing Education and other members of the University community who are pursuing study and research on the law and related areas. Members of the legal fraternity and government departments may use the Law Library on application.

Efforts have been made to develop a strong common law collection covering many major common law jurisdictions. Coverage of English legal materials is very full. Other areas of keen interest are materials of the People's Republic of China, the Asia-Pacific region, the Southeast Asian region and Europe with special reference to the European Union. There are more than 50,000 volumes and 1,300 serial titles in the collection.

The Law Library is highly automated. The Library's bibliographic records are available in the Online Public Access Catalogue which is a shared database of the University of Hong Kong Libraries system to facilitate inter-disciplinary study and research. Many online databases and multi-user CDROM databases are mounted on the campus network and accessible to library users via its numerous computers in the Library premises as well as in other areas in the campus. Access to the Online Public Access Catalogue is also widely available via the Internet. Online databases comprise LEXIS/NEXIS, Westlaw, Celex, and Infolaw. There is also a wide range of multi-user and single-user CDROM databases in the collection to facilitate effective research. Access to the World Wide Web is available in the Library and the Law Library's Web home page is up-dated regularly: <http://www.hku.hk/lib/LawLib/lawlib.html>

Special collections in the Law Library include a Hong Kong law collection, and a Chinese language law collection. The Hong Kong law collection is intended to be comprehensive and complete. The Chinese collection is rapidly growing. There are also sizeable audio-visual and microform resources which include United Nations' Documents and Publications, 1981 to date.

Information services and research assistance are available. Library orientation and instructions are conducted at the beginning of every academic session for freshmen. Further instruction sessions may be conducted on request. The Law Library prepares several guides and leaflets to assist users in their study and research.

At present the seating capacity is approximately 350. There are also 7 study carrels for the exclusive use of postgraduate students and 3 discussion rooms.

## CENTRE FOR COMPARATIVE AND PUBLIC LAW

**The Centre for Comparative and Public Law**, whose director is currently Associate Professor Andrew Byrnes, was officially established within the Faculty of Law of the University of Hong Kong in mid-1995. Its goals are to promote research in the fields of public and comparative law, and to disseminate the results of that research through publications and on-line materials. The Centre has research projects encompassing the international law implications of the Hong Kong's reunification with China in 1997 (including the continued application of treaties), immigration law and practice, equality and the law in Hong Kong, the Hong Kong Bill of Rights, and international human rights law. The Centre has held regular seminars on the implementation of international human rights standards in Hong Kong and on other matters related to human rights in Hong Kong.

Seminars sponsored by the Centre since 1995 include several that preceded meetings in Geneva of United Nations treaties bodies that were considering human rights reports on Hong Kong. They include the UN Committees on: *Torture* (1995); *Civil and Political Rights* (1995); and *Race Discrimination* (1996).

In May 1996, the Centre co-sponsored with the Commonwealth Secretariat a Judicial Colloquium on Human Rights and Women. It was attended by more than 25 senior judges and others from around the Commonwealth. In November 1996 the Centre, in collaboration with the Regional Delegation for East Asia of the International Committee of the Red Cross, organised a seminar on the right to fair trial in international and comparative perspective. The proceedings of the seminar were published by the Centre in June 1997.

In November 1997, the Centre will be organising a seminar on Hong Kong Equal Opportunities Law in International and Comparative Perspective.

Each June in 1991-96, the Centre has held a Bill of Rights Seminar, and



published as part of the Faculty's *Problems & Prospects Series* a set of proceedings from the Seminars. Following the entry into force of the Basic Law, the Centre will be organising similar seminars focusing on its implementation.

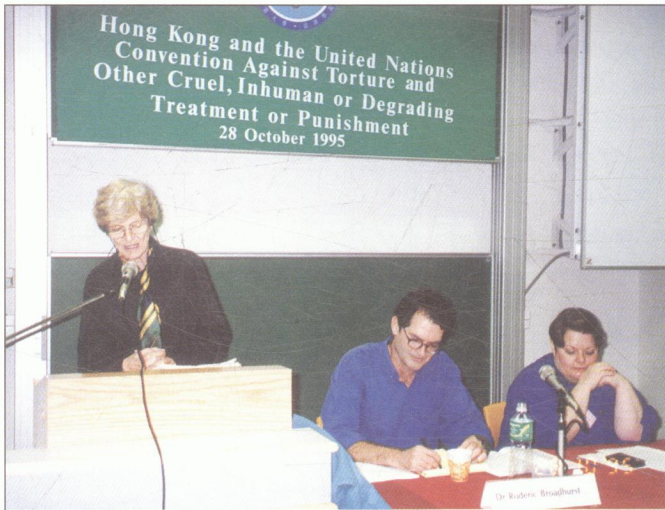
Other publications of the Centre include:

*Hong Kong Public Law Reports* (University of Hong Kong Press; Butterworths);  
*Bill of Rights Bulletin* (three times a year);  
*Hong Kong's Bill of Rights: Two Years Before 1997* (1995); and  
*Hong Kong's Bill of Rights: The Final Year* (1996)

For further information about the Centre's activities and publications, see

<http://www.hku.hk/law/law.html>

<http://www.hku.hk/ccpl/>



## INTERNATIONAL MOOTING COMPETITIONS

### *Mooting programmes*

The Faculty of Law has, in addition to organising mooting within the Faculty, also participated for many years in international law mooting competitions, most notably:

- the Philip C Jessup International Law Moot Court Competition (the “Jessup Moot”) and
- the Commonwealth Mooting Competition.

These moot competitions consist of two parts: (a) written legal arguments, and (b) oral arguments (as both appellants and respondents) before a panel of three judges. Students of both the Department of Law and the Department of Professional Legal Education are encouraged to participate in these mooting programmes. The benefits from participation are numerous, including improved legal research and writing skills, improved oral advocacy skills, and the chance to travel to the international round of the competitions and meet law students from around the world.

### *Jessup Moot*

The Jessup Moot is administered by the International Law Students Association and is traditionally held in Washington, DC (although the 1995 final was held at the United Nations in New York). 1996 marked the 37th anniversary of the Jessup Moot with more than 300 teams from 35 nations vying for the title of World Champion. The subject of the 1996 competition problem was “protection of military personnel database”.

The Faculty of Law holds annual internal selection moots in October to select the members of the Jessup Moot Team (normally five students selected from both departments in the Faculty) who represent the university in the regional competition against the City University of Hong Kong. The regional competition is held in February in the High Court of Hong Kong, with presiding judges from the Hong Kong judiciary, the Bar, and international organisations. The winner of the regional round earns the right to represent Hong Kong in the international round of competition.

In 1996 the team that went to the United States was from the City University, but in 1997 was from the University of Hong Kong.

In 1996 the University of Hong Kong team won the Deacon’s Cup, and that team represented Hong Kong at the Commonwealth Moot in Vancouver in August 1996. It is not clear whether



Hong Kong will be able to continue to participate in the Commonwealth mooted competition. However, there is at least one other international competition in which we hope to be able to participate.

### *Sponsorship*

The Faculty's international law mooted programme receives generous sponsorship from the following:

- the law firm of Kao, Lee & Yip
- Nina T H Wang of Chinachem Co
- the Peter Vine Charitable Foundation
- the Gary Alderdice Memorial Fund

In addition, each year the student mooters organise a fund-raising auction and food fair with generous contributions from Faculty members, students, and members of the Hong Kong judiciary and the Bar.

### *Faculty contact*

Watch the student notice boards on the 3rd floor, K K Leung Building for details of these competitions (normally posted in September) or contact Professor Roda Mushkat, Chairperson of the Faculty's International Mooted Competitions Committee.

## LAW ASSOCIATION OF THE HONG KONG UNIVERSITY STUDENTS' UNION

The curricula of the law school are very demanding and students in Hong Kong are generally very diligent in their studies. However, law students also actively participate in wide-ranging extra-curricular activities.

There are many options available to students in the Faculty. They can participate in activities provided by various clubs and societies or activities provided by residential and non-residential university halls. But most students confine their interest to the Law Association.

The Law Association is a body for students studying law. It has its own constitution and an executive committee which is responsible for the management of the Association. The Law Association is one of the Faculty Students' Associations under the supervision of the Students' Union of the University of Hong Kong. Nevertheless, the Association enjoys a high degree of autonomy in its day-to-day affairs.

The purposes of the Association as enshrined in the constitution are as follows:

- a. to secure the complete organisation and unity within the Association of all past and present students of the Faculty of Law;
- b. to promote the general welfare of the members of the Association;
- c. to promote an interest in serving the community amongst members of the Association.

The Association serves as a link between law students and students of other Faculties. Sport and cultural activities organised by the Students' Union are promoted by the Association (eg Inter-Faculty Sports Competition and Inter-Faculty Drama Competition).

### *The Executive Committee*

The composition and duties of the executive committee appear from the titles of the members:



- |                           |                               |
|---------------------------|-------------------------------|
| 1. Chairman               | 7. External Secretary         |
| 2. Internal Vice-Chairman | 8. Publication Secretary      |
| 3. External Vice-Chairman | 9. Sports Captain             |
| 4. General Secretary      | 10. Legal Education Secretary |
| 5. Treasurer              | 11. Welfare Secretary         |
| 6. Social Convenor        | 12. Marketing Secretary       |

### *Functions*

In accordance with its charter, the Association organises a number of functions every year. The following list highlights several of these functions:

#### ORIENTATION CAMP

Held every year at the Kadoorie Research Centre in the New Territories, it provides an opportunity for the freshmen to meet current students and develop a friendly relationship.

#### ORIENTATION FORTNIGHT

It is comprised of a number of activities that help new students adjust to the life of the law school. The activities include individual visits, mass orientation, and a freshmen night.

#### LEGAL EXHIBITION

This exhibition is usually held both on and off campus. It aims at educating the public about law and legal issues. The topics in recent years have concentrated mainly on human rights issues.

#### ANNUAL BALL

In the past, the annual ball has been held in the Exhibition and Convention Centre in Wan Chi or in the Mandarin Oriental Hotel. It is a glamorous event which provides an opportunity for members of staff, past students, practitioners, and current students to be together.

#### SEMINARS

These are held on the campus and usually involve current legal issues.

#### INTERFLOW TOUR

In the past we have visited Shanghai and the University of Law and Politics in Beijing. The tour is an excellent opportunity for law students to gain greater knowledge of the life of law students and the legal system in mainland China.

#### SOCIAL VISITS

The Association plans various activities, such as a visit to a home for the aged, in the hope that law students will become better aware of the needs of the old, the very young, and under-privileged members of the community.

#### STOCK SALE

The stock sale is held in the Discussion Room every week. The Association sells accessories with the logo of the Association to its members. The aim is to foster a sense of unity of members. The response to these stock sales has been very encouraging in the past and shows that LA members are very supportive of the group.

#### LAW DIRECTORY

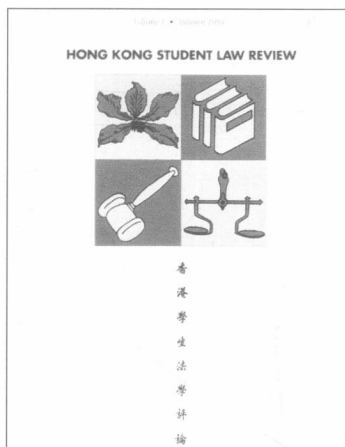
This is a booklet containing basic information regarding all law students, the full constitution, and other particulars. It is issued free to each student.

#### LEGAL TALKS

The Association delivers talks to secondary schools all over Hong Kong on legal topics.



## HONG KONG STUDENT LAW REVIEW



Since autumn 1994, the *Hong Kong Student Law Review* has been published yearly by the students of the Law Faculty.

This is a student-written, -edited, -published and -managed publication which aims to provide a forum for law students in Hong Kong to try their hands at serious academic writing, to express their opinions on current legal issues, and to share their learning experience. The editors also hope to promote law teaching as a career option for Hong Kong law students.

The first volume included articles written by students covering such topics as China's entry into the World Trade Organisation, consumer protection in Hong Kong, and corruption in Hong Kong and China; as well as shorter notes covering topics of general concern and importance to students which are particularly puzzling for most students, such as the Application of English Law Ordinance.

In volume two, a new section entitled "Guided Research Dissertations 1994-95" was added. It covered a wide range of practical and topical issues, such as the 1994 Chinese Company Law, the balance between the independence and accountability of the judiciary, the human right to adequate housing in the context of bedspace apartments in Hong Kong, and Hong Kong's potential legal vacuum. The second volume also included submissions from students studying at the City University, thus making the 1995 volume of the *Review* truly a "Hong Kong Student" Law Review.

Both volumes have been distributed among Commonwealth and American Universities in the hope of bringing Hong Kong issues to the forefront of contemporary legal education.

Students can contribute in many ways to the Review; positions include editors, proofreaders, fact-checkers, and business managers. Students who have participated in the past feel that working on the *Review* has given them good experience in research and writing as well as in publishing in general.

Thus far, the *Review* has received an enthusiastic response from law firms and chambers. The editors hope that the *Review* will live up to expectations, and will be successful in encouraging students to think and write critically.

## FRIENDS OF THE FACULTY

The Friends of the Faculty Scheme was established in 1995 for the purpose of raising funds to support those educational and academic activities of the Faculty that are not directly funded by the Universities Grant Committee. Since 1995, many members of the legal profession in Hong Kong, including alumni of our law school, have become Friends of the Faculty and contributed generously to the fundraising project.

Members of the Scheme make an annual donation of \$2,800 to the Faculty. The donations are being used to support seminars, conferences and publications, visits to our Faculty by scholars outside Hong Kong, scholarships to enable mainland Chinese law scholars to study here, academic cooperation between our Faculty and leading law schools in China, and grants for our students' activities such as the publication of the *Hong Kong Student Law Review*, exhibitions to publicize legal knowledge, and law talks at secondary schools and youth centres.

The Faculty is most grateful to the Friends of the Faculty for their kind and generous financial and moral support, which has made possible many projects which would otherwise have been impossible. We look forward to their continued companionship as we move towards the twenty-first century.

### **Friends of the Faculty:**

Allcock, Robert Charles	Chu Pui Ying Bebe
Chain, Benjamin	Chung Kwok Cheong
Chan Chue Kai	Chung, Cordelia
Chan Kong Yiu Louis	Eu Yuet Mee Audrey, SC
Chan Sze Ki Shirley	Fung Chi Kong Edward
Chan Yiu Chong Christopher	Goh, Tammy
Chan Yuen Man Bonnie	Grossman, Clive S, SC
Chan, Edward, SC	Ho Chi Keung Raymond
Chan, Warren, SC	Ho May Yu Lily
Chang, Denis Khen Lee, SC	Huang, Lester G
Cheng Hor Kwan	Ip Shing Hing
Cheng Man Yeung Michael	Johnson, Susan
Cheng, Moses M C	Kan, Tony
Cheong Yau Kai Albert	Koo Hoi Yan Donald
Cheung, Francis	Kotewall, Robert G, SC
Cheung, Keith	Kwan Shuk Hing Susan

Lam Tse Yan	Shum Cheuk Yum
Lam Yee Fung Yvonne	Shum Sze Man Erik Ignatius
Lam, Paul T K	Sit Hoi Wah Kenneth
Lau Kwok Hing	Tai Yuen Ying Alice, JP
Lee, Carmelo K S	Tam, Winnie
Lee, Lawrence	Tang Ching Robert, SC
Lee, Martin C M, SC	To Hin Tsun Gerald
Lee, Y C	Tsang Hon Kin Albert
Leong Kah Kit Alan	Tsang Kin Ping Kenneth
Li Chi Chung Godwin	Tse Kai Bor Paul
Li Kwok Nang Andrew, CJ	Tse Yui Suen Jacob
Li Yuen Yee Angel	Tse, Jeff T K
Li Zong Er	Valentine, Stuart
Liao, Andrew, SC	Vine, Peter Alan Lee
Liu Lai Yun Amanda	Wai Hon Hei Terence
Lui Fung Mei Yee Mabel	Wong Ching Yue
Ma Tao Li Geoffrey, SC	Wong Fung Yi Fonnice
McElney, Brian S	Wong Kwong Hing
Merry, Malcom John	Wong Pie Yue Cleresa
Mok Oi Lai Alice	Wong Pui Sze Priscilla
Mok, Barbara	Wong, Rosana
Neoh, Anthony, SC	Wu Ting Lok Jimmy
Ngan Lee Linda	Wu, Elizabeth
Niamatullah, Abdul Majid	Yan Mang Yee John
Reyes, Anselmo Trinidad	Yeung Yuen Bun Benny
Shieh Wing Tai Paul	Yim See Tai Valentine
	Yuen Ka Ning Maria Candace

## HKU LAW ALUMNI ASSOCIATION

On 14 December 1989, a Gala Dinner was held at the Hong Kong Convention and Exhibition Centre as one of many events to celebrate the 20th anniversary of the HKU Faculty of Law and also to welcome the birth of the Hong Kong University Law Alumni Association Limited. The Association was formed by enthusiastic graduates including Mr. Moses Cheng OBE, JP, Ms. Anna Wu and Mr. Lester Huang. Amongst many of its objects, the Association is established to maintain and promote fellowship amongst law graduates and former and present law students of the University and to afford a means whereby they may be kept in touch with the activities of the Faculty.

On 14 November 1994, a Silver Jubilee Dinner was held by the Association at the Hong Kong Convention and Exhibition centre to celebrate the 25th anniversary of the Faculty of Law.

From time to time, informal gatherings were held to foster relationship amongst the graduates and between them and the Faculty. The Association has also participated in many of the activities of the Faculty and in the "Friends of the Faculty" scheme.

The present executive committee includes Mr. Andrew Liao SC, JP, Mr. M. K. Kwan, Mr. Anthony Hung, Mr. Erik Sham and Ms. Tammy Goh.





## **S U M M E R   S E S S I O N S**

### **Santa Clara University Summer School**

For more than 15 years, the Faculty has co-sponsored a law study/internship abroad programme with Santa Clara University, California. Each June, law students from the United States take classes at the Faculty in comparative public and commercial law, with a Hong Kong, PRC and Regional focus. During July, the students apply their classroom knowledge and gain practical experience while working at law firms, government offices, and private corporate counsel offices in Hong Kong. The lecturers are mostly from the Faculty and from private practice in Hong Kong. The Santa Clara Programme is well known, and is accredited by the American Bar Association.

### **Duke University Asia-America Institute in Transnational Law**

The Faculty and the Duke University School of Law established the Asia-America Institute in Transnational Law in 1995. Now in its fourth year, the Institute is designed to attract participants from both the United States and Asian region. Teachers from the Faculty contribute to the teaching programme and assist in its organisation and administration. The current HKU Faculty of Law Programme Director is Charles Booth. The third session was held in July/August 1997; five student interns from our law school assisted with the program, three of whom were awarded 1997 Duke University Asia-America Institute Scholarships and two of whom paid a nominal fee. Preparations are under way for the 1998 Institute which will be held from July 1 - August 1, 1998. The Institute is accredited by the American Bar Association.

### **Advocacy Summer School**

The Faculty has for some years biennially hosted an advocacy course (alternating with City University of Hong Kong) which is partly sponsored by the British Council. Expertly taught by members of the English Bar, the course has been most beneficial in preparing final year LLB students for the PCLL Advocacy and Procedure courses.



# **The Bachelor of Laws (LLB) Programme**

## **Aims**

In some countries students study law after having taken a degree in another subject. In Hong Kong most students come to the study of law fresh from secondary school. The LLB degree therefore is designed not only to offer students an education in substantive law subjects and legal techniques which are useful for future practitioners of law, but also to provide education in the broadest sense of expanding the intellectual horizons of the students. Some of the courses are designed with a view to placing the law in its social, theoretical or comparative contexts, and all students are required to have some exposure to such courses.

Although most of our students go on to take the PCLL and enter the practice of law, not all will do so, and in their longer term futures many others will become administrators, business people or do something else for which the knowledge of substantive law is of small relevance. We believe that university education generally, and the study of law particularly, can and should develop the intellectual capacities and introduce the students to techniques and skills which will be of value to them whatever their careers, and in their lives as citizens outside the work context.

## **The curriculum**

The LLB degree is a three-year full-time undergraduate programme. To complete the curriculum a student must, in addition to following instruction, completing assignments, and participating in moots, pass in subjects totalling at least 25 units in value as follows:

- (A) all of the following subjects:
1. Constitutional and administrative law (2 units)
  2. Criminal law (2 units)
  3. Law and society (2 units)
  4. Law of contract (2 units)
  5. Law of tort (2 units)
  6. The legal system (2 units)
  7. Legal writing and research (1 unit)
  8. Property law (2 units)
  9. Introduction to legal theory (1 unit)

- (B) at least one of the following subjects:
1. Comparative law (1 unit)
  2. Criminology (1 unit)
  3. Economic analysis of Law (1 unit)
  4. The Hong Kong Basic Law (1 unit)
  5. Human rights law (2 unit)
  6. International human rights (1 unit)
  7. International organizations (1 unit)
  8. Introduction to Chinese law (1 unit)
  9. Law in East Asia (1 unit)
  10. Law, justice and ideology (1 unit)
  11. Legal fictions: representations of the law in literature, philosophy and cinema (1 unit)
  12. Legal history (1 unit)
  13. Medico-legal issues (1 unit)
  14. Public international law (1 unit)
  15. Sociology of law (1 unit)
- (C) any subjects with a total unit value of not less than eight selected from list B above and the following: (This is a list of those approved courses which are currently available or are likely to be available. In any one year not all will actually be taught, and new courses are sometimes added as new areas of the law develop or to reflect new interests of staff. Courses actually taught in 1997-98 are **emboldened**; others are either not offered or not chosen by a sufficient number of students.

Two-unit courses

1. **Guided research**
2. **Human rights law**
3. **Use of Chinese in Law II**

One-unit courses

1. **Alternative dispute resolution**
2. Banking security
3. **Banking law**

4. **Business associations**
5. Civil litigation
6. **Commercial law I**
7. Commercial law II
8. **Company law**
9. Copyright law
10. **Criminology**
11. Current legal controversies
12. **Economic analysis of law**
13. **Equity and introduction to trusts**
14. **Fundamentals of evidence and trial procedure**
15. **Human rights in Hong Kong**
16. **Insolvency law**
17. International commercial litigation
18. International human rights
19. International organizations
20. **International trade law I**
21. **International trade law II**
22. **Introduction to Chinese law**
23. **Introduction to private international law**
24. **Issues in evidence and trial procedure**
25. **Issues in family law**
26. **Issues in intellectual property law**
27. Law, justice and ideology
28. Law of agency
29. **Legal fictions: representation of the law in literature, philosophy and cinema**
30. Legal history
31. **Medico-legal issues**
32. **People's Republic of China civil and commercial law**
33. **Planning and environmental law**
34. **Principles of family law**
35. **Public international law**
36. Remedies
37. Selected problems of international law



- 38. Succession
- 39. **The child and the law**
- 40. **The Hong Kong Basic Law**
- 41. Trusts
- 42. **Use of Chinese in law I**

## **Admission**

An applicant who wishes to undertake courses leading to the degree of Bachelor of Laws must either satisfy the minimum University entrance requirements (below) or have been exempted from it. The Law Faculty encourages A-Level students applying for admission to take the AS-Level course on Liberal Studies, and is also very concerned to ensure that students have a high quality of English.

### *University entrance requirements*

- (a) To satisfy the minimum requirements for entrance to the University, each applicant shall:
  - (I) gain at the first and/or second attempt in the HKCEE Grade E or above in seven subjects, of which
    - (A) six subjects shall be obtained at one and the same time;
    - (B) one shall be English Language (Syllabus B) at Grade D or above (or Grade B or above in the case of English Language (Syllabus A));
    - (C) one shall be Chinese Language; or a language other than Chinese and English; and
    - (D) one shall be Mathematics;
  - (II) gain the following in the HKALE:
    - (A) Grade D or above in AS Use of English;
    - (B) Grade E or above in AS Chinese Language and Culture (or in not less than three of the five components of the paper) [Note: candidates who obtain Grade E or above in AL Chinese Literature may be exempted from this requirement, provided that they obtain Grade E or above in an AS subject other than Use of English and in addition to those required in satisfying Regulation (a)(II)(C)(ii). Candidates who satisfy the requirement in Regulation (a)(I)(C) with a language other than Chinese Language may be exempted from this requirement, provided

they obtain Grade E or above in an AS subject other than Use of English and in addition to those required in satisfying Regulation (a)(II)(C)(ii).]

- (C) *either* (i) Grade E or above in two AL subjects;  
*or* (ii) Grade E or above in one AL subject, and in two AS subjects other than Use of English and Chinese Language and Culture.

- (b) An applicant shall be deemed to have satisfied the minimum requirements for entrance to the University if he or she
- (I) has passed the final examination for a degree of any university in the Commonwealth;
  - (II) has attained the age of 25 years on or before September 1 of the year in which admission is sought;
  - (III) presents evidence of qualifications which are approved by the Senate as being of a level equivalent to or higher than the levels required to satisfy the requirements in (a) above.

# The Postgraduate Certificate in Laws (PCLL) Programme

## Aims

The PCLL is a one-year full-time curriculum leading to pupillage (for future barristers) or employment as a trainee solicitor and then professional qualification as a barrister or solicitor in Hong Kong. The overall aim of the course is to prepare students to become lawyers by teaching them the knowledge, skills and professional ethics necessary for legal practice. This aim is broken down into four main objectives for students:

1. to be able to use substantive and procedural law in areas of particular importance to legal practitioners in general practice;
2. to develop the ability to conduct common legal transactions;
3. to be able to perform basic skills required of legal practitioners; and
4. to be able to apply the principles of legal ethics to problems encountered in legal practice.

These objectives are achieved through a variety of learning methods: lectures, small-group sessions, simulations, and practical drafting, writing and problem-solving exercises.

## The curriculum

The course covers the following subjects:

- Accounts and financial management
- Advocacy
- Civil and criminal procedure
- Commercial law and practice
- Conveyancing and probate practice
- Professional practice
- Revenue law

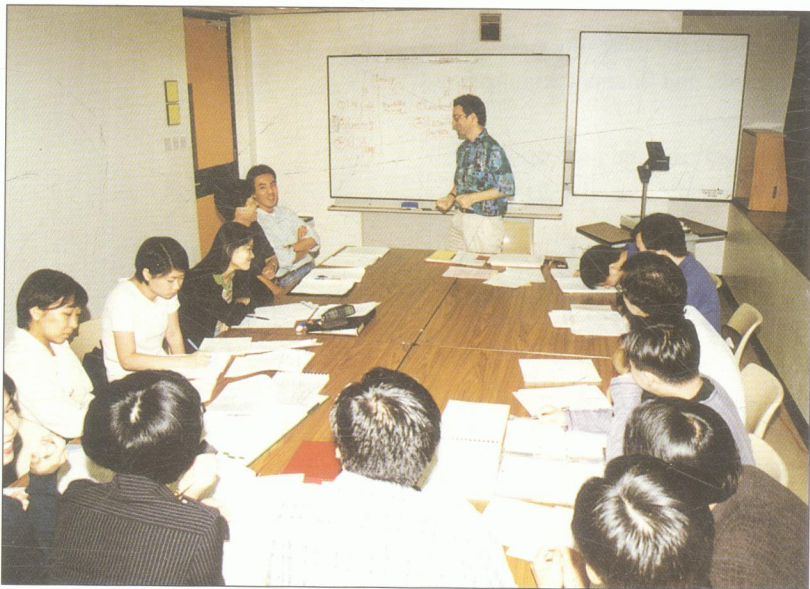
## Admission

To be eligible for admission to the courses leading to the Postgraduate Certificate in Laws a candidate

- (a) shall
  - (i) hold a degree in law (see Note below) from a university or comparable institution subject in each case to Senate approval; or
  - (ii) hold a professional qualification which entitles the candidate to practise law in a territory or country other than Hong Kong subject in each case to Senate approval; or

- (iii) pass the Common Professional Examination of Hong Kong or of England and Wales and satisfy this University as to the candidate's competence in the law of business associations and evidence;
- (b) if applying on the basis of a degree in law of a university or comparable institution other than this University and the City University of Hong Kong (formerly known as City Polytechnic of Hong Kong) under (i) above, shall provide evidence of sufficient academic attainment and may be required to pass a qualifying examination.

Note: A candidate's degree must be in common law, should normally be from a Hong Kong or Commonwealth institution, and should include passes in six law subjects or subject areas including the following (or subjects recognized as their equivalent): constitutional law, contract, criminal law, property law, tort and trusts (or equity or remedies), in addition to satisfying the University as to the candidate's competence in the law of business associations and evidence.



## Higher Degree Programmes in Law

The Faculty offers a variety of Higher Degree Programmes including both research and coursework programmes.

### **The Master of Laws**

#### *Curriculum*

The LL.M programme offers a curriculum which Hong Kong is perhaps uniquely placed to provide. Hong Kong is, and will continue to be, a world financial and import/export centre as well as a major China trader. The territory has important commercial links and common cultural traditions with many of the countries of East and Southeast Asia. As an English-speaking enclave on the south China coast, Hong Kong is ideally situated for understanding the socialist legal system of mainland China. Hong Kong is also a society whose laws are in transition as the territory faces the unprecedented challenge of accommodating to and interacting with the legal system of the People's Republic of China.

As a result, the LL.M programme emphasizes the following areas: law of international trade, investment and finance; commercial law; law of the People's Republic of China; law of international transport and travel; public law and regional legal systems.

The LL.M is a one-year full-time or two-year part-time curriculum which requires a minimum of 300 hours of prescribed work. Candidates are required to follow either the equivalent of four full courses of instruction or the equivalent of three full courses of instruction and a dissertation, but in both cases, candidates must follow at least one full course of instruction to complete the requirement of the curriculum. A half course of instruction is one which is taught over a period of one semester while a full course of instruction is one which is taught over a period of two semesters. A dissertation can either be a full or a half course of instruction. At least 25 per cent of the final assessment of each course is by written work carried out during the course. The courses offered annually are drawn from the following list:

- Full courses:
1. Admiralty
  2. **Credit and security law**
  3. **Civil and commercial law in the People's Republic of China**
  4. Human rights law: theory and practice
  5. Intellectual property law
  6. International commercial transactions



7. International dispute resolution
8. Introduction to Chinese law and legal system
9. Introduction to law in East Asia
10. **Remedies**
11. Shipping law
12. Taxation and tax planning
13. **Trade and investment in the People's Republic of China**

- Half Courses:
1. Advanced administrative law
  2. **Arbitration Law Workshop**
  3. **Banking Law**
  4. **Comparative insolvency law**
  5. **Construction law**
  6. **Equality and the law**
  7. **Hong Kong and international law**
  8. **Hong Kong Basic Law**
  9. Hong Kong environmental law
  10. **Human Rights in Hong Kong**
  11. International air law: structure and organisation
  12. **International criminal law**
  13. International environmental law
  14. International humanitarian law
  15. **Introduction to Chinese Law**
  16. **Legal Fictions: representations of the law in literature, philosophy and cinema**
  17. Liabilities in international aviation
  18. Postmodern legal theory
  19. **Privacy and data protection**
  20. **People's Republic of China intellectual property**
  21. **Securities regulation**
  22. **Taxation in the People's Republic of China**
  23. The law of restitution
  24. **Transnational insolvency law**

Not all courses listed may be available in any one academic year. In the 1997-98 academic year, five full courses and approximately six half courses will be offered (these are **emboldened** in the list).

### *Admission*

To be eligible for admission to the courses leading to the degree of Master of Laws a candidate must

- (i) hold the degree of Bachelor of Laws with honours of this University; or
- (ii) hold a degree in law from another university or comparable institution accepted for this purpose; or
- (iii) have been admitted to the professional practice of law in Hong Kong or in a territory or country other than Hong Kong; or
- (iv) have obtained either the Common Professional Examination of England and Wales or the Common Professional Examination Certificate of this University provided that in either case the candidate has also obtained a second class honours degree of this University or from another university or comparable institution accepted for this purpose.

A candidate seeking admission under (ii), (iii) or (iv) above must produce evidence of sufficient academic attainment and satisfy the examiners in a qualifying examination if such an examination is required. A candidate who fails to meet the requirements of (iv) above by reason only of the fact that his or her degree is not of at least second class honours standard may, nevertheless, be admitted provided that the Faculty Higher Degrees Committee is satisfied that by reason of his or her background, experience and professional qualifications, if any, the candidate is fit to follow the courses.

In addition to satisfying the requirements for admission to the curriculum, a candidate who is seeking admission on the basis of a qualification from a university or comparable institution outside Hong Kong of which the language of teaching and/or examination is not English is required to obtain:

- (i) a score of 550 or above in the Test of English as a Foreign Language (TOEFL); or
- (ii) a minimum overall band of 6 with no subtest lower than 5.5 in the International English Language Testing System (IELTS); or
- (iii) Grade C or above in the Overseas General Certificate of Education (GCE); or

- (iv) Grade C or above in the International General Certificate of Secondary Education (IGCSE); or
- (v) Grade C or above in the Cambridge Test of Proficiency in English Language;

unless in exceptional circumstances he or she is exempted from this requirement by the Senate Committee on Higher Degrees upon the recommendation of the Board of the Faculty.

### **Postgraduate Diplomas in Commercial Law (PDipCommL), in the Law of the People's Republic of China (PDipLPRC) and in Public Law (PDipPubL)**

#### *Curriculum*

These programmes are offered to meet the needs of the Hong Kong legal community for shorter, specialized postgraduate law courses leading to a qualification. All the Postgraduate Diploma curricula involve one academic year of part-time study and comprise a minimum of 150 hours of prescribed work. Candidates are required to take the equivalent of two full courses of instruction. The admission requirements for the diplomas are the same as those for the LLM. Students who successfully complete the equivalent of two full courses of a diploma programme may be permitted to continue postgraduate studies in the part-time LLM programme, provided that applications to do so have been submitted on or before the prescribed deadline, and they may obtain an LLM degree upon satisfactory completion of two further courses in their second year of study. The courses for the diplomas are derived from the LLM curriculum and are as follows:

#### *Postgraduate Diploma in Commercial Law:*

- Full Courses:
- 1. Admiralty
  - 2. Credit and security law
  - 3. Civil and commercial law in the People's Republic of China
  - 4. Intellectual property law
  - 5. International commercial transactions
  - 6. International dispute resolution
  - 7. Remedies
  - 8. Shipping law
  - 9. Taxation and tax planning

- Half Courses:
1. Arbitration Law Workshop
  2. Banking Law
  3. Comparative insolvency law
  4. Construction law
  5. Hong Kong environmental law
  6. International air law: structure and organisation
  7. Liabilities in international aviation
  8. Privacy and data protection
  9. People's Republic of China intellectual property
  10. Securities regulation
  11. Taxation in the People's Republic of China
  12. The law of restitution
  13. Transnational insolvency law

*Postgraduate Diploma in the Law of the People's Republic of China:*

- Full Courses:
1. Civil and commercial law of the People's Republic of China
  2. Introduction to Chinese law and legal system
  3. Trade and investment in the People's Republic of China

- Half Courses:
1. Introduction to Chinese Law
  2. People's Republic of China intellectual property
  3. Securities regulation
  4. Taxation in the People's Republic of China

*Postgraduate Diploma in Public Law:*

- Full Course:
1. Human rights law: theory and practice

- Half Courses:
1. Advanced administrative law
  2. Equality and the law
  3. Hong Kong and international law
  4. Hong Kong Basic Law
  5. Hong Kong environmental law

6. Human Rights in Hong Kong
7. International air law: structure and organisation
8. International criminal law
9. International environmental law
10. International humanitarian law
11. Postmodern legal theory
12. Privacy and data protection

### *Admission*

To be eligible for admission to the courses leading to the Postgraduate Diploma in Commercial Law or the Postgraduate Diploma in the Law of the People's Republic of China or the Postgraduate Diploma in Public Law, a candidate shall have the same qualifications as required for admission to the LL.M.

### **Postgraduate Diploma in Common Law and Master of Common Law**

The Faculty is introducing a Postgraduate Diploma course in Common Law in the 1997-98 academic year. This programme is specifically designed for graduates in law from non-common law jurisdictions who wish to acquire an expertise in common law as it is practised in Hong Kong and in other common law jurisdictions. It is intended primarily for suitably qualified graduates from Universities in mainland China. But students from other non-common law jurisdictions are welcome to apply. Successful candidates may be permitted to proceed to obtain a Master's degree in Common Law by completing a dissertation.

The curriculum for the Postgraduate Diploma in Common Law extends over one academic year of full-time study or two academic years of part-time study. To complete the curriculum a candidate must satisfy the examiners in each of a total number of subjects amounting to at least 8 units in value and selected (with the approval of the Head of the Department of Law) from the subjects listed below, of which at least 5 units must be selected from the subjects specified as Common Law subjects. A one-unit course is taught in one semester, while a two-unit course extends over the full academic year.



*Two-Unit Courses*

*Common Law Subjects:*

Constitutional and administrative law  
Criminal law  
Law of contract  
Law of tort  
Property law  
The legal system

*Non-Common Law Subject:*

Law and society

*One-Unit Courses*

*Common Law Subjects:*

Bank security  
Banking Law  
Business associations  
Civil litigation  
Commercial law I and II  
Company law  
Copyright law  
Equity and introduction to trusts  
Fundamentals of evidence and trial procedure  
Human rights in Hong Kong  
Insolvency law  
International commercial litigation  
International trade law I and II  
Introduction to private international law  
Issues in evidence and trial procedure  
Issues in family law  
Issues in intellectual property law  
Labour law  
Law of agency  
Legal writing and research  
Medico-legal issues  
Planning and environmental law  
Principles of family law  
Remedies  
Succession  
The child and the law  
Trusts

*Non-Common Law Subjects:*

Alternative dispute resolution  
Criminology  
Current legal controversies  
Economic analysis of law  
Hong Kong Basic Law  
International human rights  
International organizations  
Introduction to legal theory  
Law, justice and ideology  
Legal fictions: representations of  
the law in literature, philosophy  
and cinema  
Public international law  
Selected problems of  
international law

Not all courses are offered every year. The courses actually offered in any year depend upon student interest and staff availability.

### *Admission*

Applicants must hold a degree in law from a university or another approved institution in a non-common law jurisdiction; or have been admitted to the professional practice of law in a non-common law jurisdiction. A candidate for admission shall, if required, produce evidence of sufficient academic attainment, and may be required to satisfy the examiners in a special qualifying examination. A candidate who fails to meet the above requirements may, in exceptional circumstances, be admitted provided that the Faculty Higher Degrees Committee is satisfied that by reason of his or her background, experience and professional qualifications, the candidate is fit to follow the courses and the candidate satisfies the examiners in a qualifying examination.

Teaching is in English and applicants will be required to produce evidence of an adequate standard of English in the form of a TOEFL score of 550 or above or in other forms mentioned above in relation to admission to the Master of Laws programme.

## **Research Degrees (MPhil and PhD)**

### *Programme*

Hong Kong presents many opportunities for interesting and important original research in the field of law. In particular, the stresses and strains of adapting an English-based legal system to a financial and trading centre on the coast of China, and the legal aspects of the return of Hong Kong to Chinese sovereignty, have provided many features worthy of study. Yet much more legal research remains to be done. The Faculty of Law welcomes applications from those wishing to do research under supervision for an MPhil (Master of Philosophy) or PhD (Doctor of Philosophy) in Law.

All research students have one, or more, supervisors appointed from amongst the academic staff of the department in which they are registered. The School of Research Studies offers a variety of courses and seminars designed to support research students in their work and enhance their personal development.

Candidates may register on the first day of any month on a full or part-time basis and are subject to a probationary period and to minimum and maximum periods of study as follows:

		<i>Full-time</i>	<i>Part-time</i>
<i>MPhil</i>	Probation	12 months	18 months
	Minimum	24 months	36 months
	Maximum	36 months	48 months
<i>PhD</i>	Probation	12 months	18 months
	Minimum	36 months	54 months
	Maximum	60 months	72 months

All candidates are required to register provisionally for the degree of MPhil for a probationary period of 12 or 18 months. At the end of this probationary period the candidate must submit a detailed scheme of research and may then be confirmed as a candidate for either MPhil or PhD. Results of research must be presented in the form of a thesis which, in the case of a PhD, must represent “an original contribution to knowledge, deserving of publication”. There will also be an oral or written examination on the candidate’s research work.

### *Research Areas*

Major areas of research interest in the Faculty include

1. Commercial law
2. Company Law
3. Constitutional and administrative law
4. Criminal law and criminology
5. Environmental law
6. Family law
7. Hong Kong legal history and legal system
8. Human rights law
9. Insolvency law
10. International trade law
11. Jurisprudence and legal theory
12. Law of the People’s Republic of China
13. Legal education
14. Legal theory

15. Medico-legal issues
16. Privacy law
17. Public international law
18. Revenue law
19. Tort law

Current and recent MPhil and PhD research topics include:

1. Civil jurisdiction of the Hong Kong courts
2. Commercial and company laws of China
3. Company law
4. Comparative environmental law
5. Comparative study of the legal aspects of credit security in the Asian region
6. Constitutional law
7. Constitutional law (Chinese and comparative)
8. Consumer protection: a study of the PRC consumer protection law
9. Critical theories of law with a critical analysis of American constitutional law
10. Death penalty, the right to life and human rights in China
11. Detention without trial in China
12. Environmental law/Tourism/Pacific Island States
13. Future relations between the laws of Hong Kong Special Administrative Region and Mainland China
14. Human rights law
15. Intellectual property and comparative law
16. Interpretation and implementation of China's national labour health and safety regime at the local level: a comparison of Shanghai and Beijing
17. Jurilinguistics
18. Justification of punishment
19. Legal protection of intellectual property in international trade
20. Medico-legal issues
21. Public policies, infrastructural development and the law in China and Hong Kong
22. Securities regulation
23. Tax law and policy in Hong Kong

Studentship carries a stipend of approximately HK\$14,750 per month (subject to review). A

### *Admission*

The minimum requirements for a research student are:

- (i) a Bachelor's degree with honours of this University; or
- (ii) another qualification of equivalent standard from this University or from another university or comparable institution accepted for this purpose; and shall satisfy the examiners in a qualifying examination if required.

A candidate who is seeking admission on the basis of a qualification from a university or comparable institution outside Hong Kong of which the language of teaching and/or examination is not English is required to obtain:

- (i) a score of 550 or above in the Test of English as a Foreign Language (TOEFL); or
- (ii) a minimum overall band of 6 with no subtest lower than 5.5 in the International English Language Testing System (IELTS); or
- (iii) Grade C or above in the Overseas General Certificate of Education (GCE); or
- (iv) Grade C or above in the International General Certificate of Secondary Education (IGCSE); or
- (v) Grade C or above in the Cambridge Test of Proficiency in English Language;

unless in exceptional circumstances he or she is exempted from this requirement by the Senate Committee on Higher Degrees upon the recommendation of the Board of the Faculty.

### **Housing**

Overseas students are eligible for accommodation in the university halls of residence. Students living in the halls of residence should ensure that their high table dining obligations do not conflict with their class schedule. For further information about housing, please contact the Office of Student Affairs, The University of Hong Kong (Tel: 2859 2305 Fax: 2546 0184).

### **Financial Support**

For students pursuing their studies full time as MPhil or PhD candidates, there are a limited number of Studentships offered for the minimum period of study. Each Postgraduate



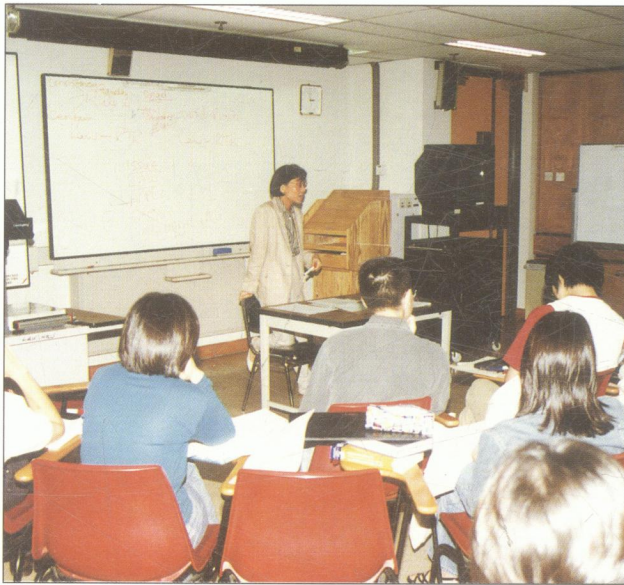
Studentship carries a stipend of approximately HK\$14,750 per month (subject to review). A Postgraduate Studentship holder may be required to undertake up to 150 hours per annum of teaching assistance duties.

Full-time research students may also apply for support to attend one overseas conference during their minimum period of candidature; this support usually comprises an airfare at the most economical rate and a contribution towards associated residential and registration expenses.

### **Application Information**

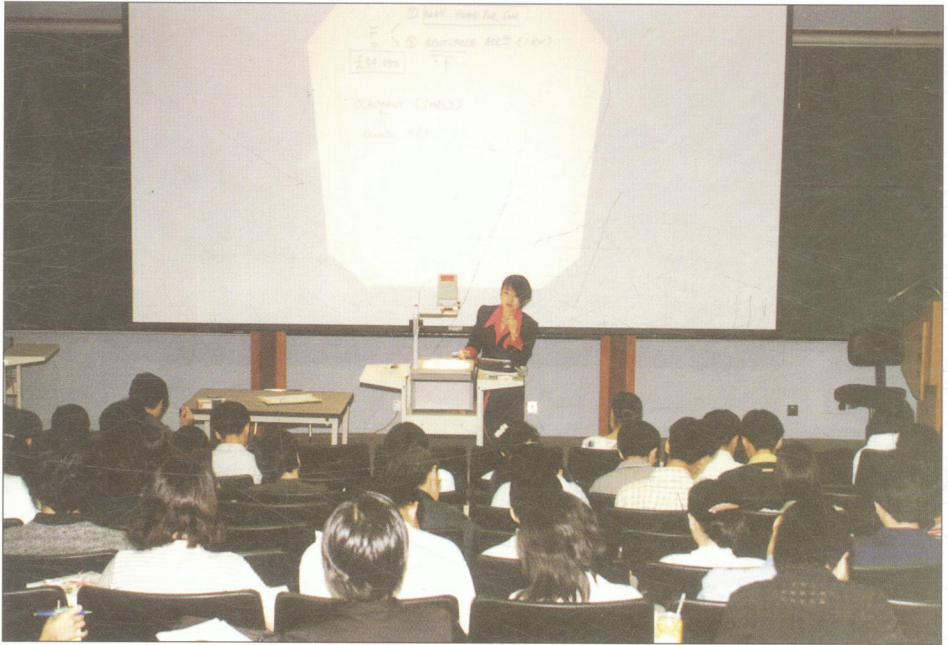
Application forms for research degrees are available from the Academic Services Enquiry Office, Room UG-05, Knowles Building, The University of Hong Kong, Pok Fu Lam Road, Hong Kong. Research degree applications may be made at any time, and a candidate whose application is accepted may register on the first day of any month. Prospective candidates should contact Richard A. Glofcheski, Head of Department of Law, or Charles D. Booth, Associate Dean of the Faculty responsible for Higher Degrees, on matters pertaining to their proposed field of research. Application forms for the LLM and Postgraduate Diploma programmes will be available by December 1997 from the Academic Services Enquiry Office. Enquiries about the LLM or Postgraduate Diploma programmes should be addressed to Charles D. Booth as well.

Applications are welcome from overseas students. Past postgraduate students have come from Australia, Germany, Japan, New Zealand, the PRC, South Africa, Sweden, Switzerland, the United Kingdom, and the United States and have included students holding Commonwealth Scholarships.



## SCHEDULE OF FEES (FOR 1997-98 IN HK\$)

Application fee (for all applicants)	\$150
Caution money (for all applicants)	\$350
Composition fee	
LLB, LLM (full-time), PCLL (full-time)	\$42,100 p.a.
MPhil/PhD (full-time), PDip (full-time)	[\$44,500 p.a. for 1998-99 (indicative) and \$47,300 p.a. for 1999-2000 (indicative)]
LLM (part-time), PDipCommL (part-time), PDipLPRC (part-time), PDipPubL(part time)	\$21,050 p.a. [\$22,250 p.a. for 1998-99 (indicative) and \$23,650 p.a. for 1999-2000 (indicative)]
MPhil/PhD (part-time)	\$28,070 p.a. [\$29,670 p.a. for 1998-99 (indicative) and \$31,540 p.a. for 1999-2000 (indicative)]
Continuation fee (for MPhil and PhD candidates)	\$4,250 for 3 months, or part thereof (provisional at \$4,500 for 1998-99, \$4,790 for 1999-2000)
Examination fee	
MPhil	\$1,000
PhD	\$1,500
Repeating each course (for LLB, LLM, PCLL, and Postgraduate Diplomas)	25% of the composition fee for the and curriculum p.a.(rounded upward to the nearest \$50). [Maximum fee: the amount of the composition fee. The fee for a half-unit course is 12.5% of the composition fee, rounded upward to the nearest \$50.]
Graduation fee (for all students)	\$350



## The Faculty of Law on the World Wide Web!

Here is a small reproduction of the Faculty's Home Page. the address (url) is : <http://www.hku.hk/law/law.html>



香港大學法律學院

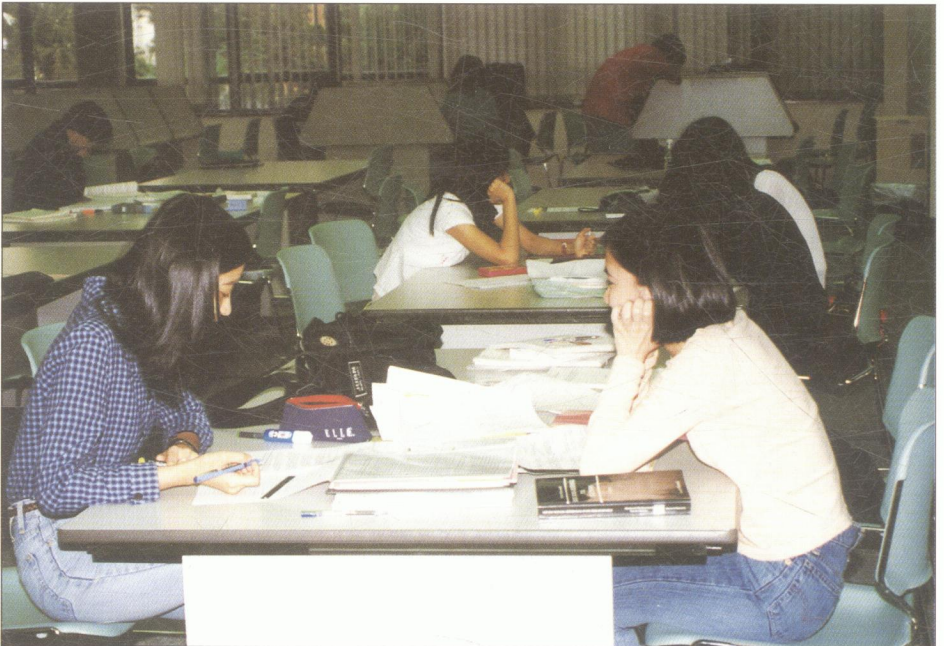
---

**FACULTY OF LAW**  
**4/F K.K.LEUNG BUILDING**  
**UNIVERSITY OF HONG KONG**  
**POKFULAM ROAD**  
**HONG KONG**  
**TELEPHONE 852-2859-2951**  
**FAX 852-2559-3543**

---

- Message from the Dean
- Department of Law
- Department of Professional Legal Education
- Law Library
- Staff email list
- Asia America Institute in Transnational Law
- Centre for Comparative and Public Law
- Hong Kong Law Journal
- Bill of Rights Bulletin
- Hong Kong Law Alumni Association
- Faculty of Law News Letter
- Faculty Publications
- Commonwealth Legal Education Association
- Public International Law (for HKU's Law students)
- Other law related WWW server
- Other WWW server
- Newsgroups







## ACADEMIC CALENDAR 1997-98

<b>LLB</b>	1st Semester LLB:	15.09.97 - 06.12.97	
	Examination Weeks:	08.12.97 - 20.12.97	
	2nd Semester LLB:	05.01.98 - 04.04.98	
	Examination Weeks:	27.04.98 - 16.05.98	
<b>PCLL</b>	1st Semester PCLL:	15.09.97 - 06.12.97	
	Examination Week:	08.12.97 - 15.12.97	
	2nd Semester	05.01.98 - 18.04.98	
	Examination Weeks:	01.05.98 - 15.05.98	
University Holiday	24.12.97	Christmas Eve	
	31.12.97 (p.m.)	New Year's Eve	
	27.01.98 (p.m.)	The day preceding Lunar New Year	
Suspension of Classes	27.01.98 - 02.02.98	Suspension of Classes for Lunar Chinese New Year	
	16.03.98	Foundation Day	
Designated Vacations	23.04.97 - 30.04.97		
	01.07.97 - 31.08.97		
General Holidays (subject to confirmation by the government)			
	17 September 97	Mid-Autumn Festival	
	1 October 97	National Day	
	2 October 97	The day following National Day	
	10 October 97	Chung Yeung Festival	
	25, 26 December 97	Christmas	
	1 January 98	New Year's Day	
	28, 29, 30 January 98	Lunar New Year	
	6 April 98	Ching Ming Festival	
	10,11,13 April 98	Easter	
	30 May 98	Tuen Ng Festival	
	1 July 98	Hong Kong Special Administrative Region Establishment Day	
	17 August 98	Sino-Japanese War Victory Day	



FACULTY OF LAW, THE UNIVERSITY OF HONG KONG

香港大學法律學院

Address: 4th floor, KK Leung Building, Pokfulam Road, Hong Kong

地址：香港薄扶林道梁錫琚樓4樓

Telephone電話: (852) 2859 2951

Fax傳真: (852) 2559 3543

E-mail電子郵件: [hrxvltk@hkucc.hku.hk](mailto:hrxvltk@hkucc.hku.hk)

