



# 香港大學法律學院簡介

THE UNIVERSITY OF HONG KONG

FACULTY OF LAW PROSPECTUS 1999-2000

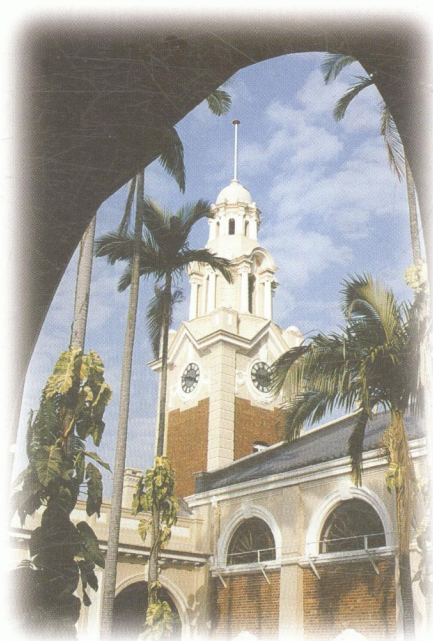
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## MESSAGE FROM THE DEAN



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.

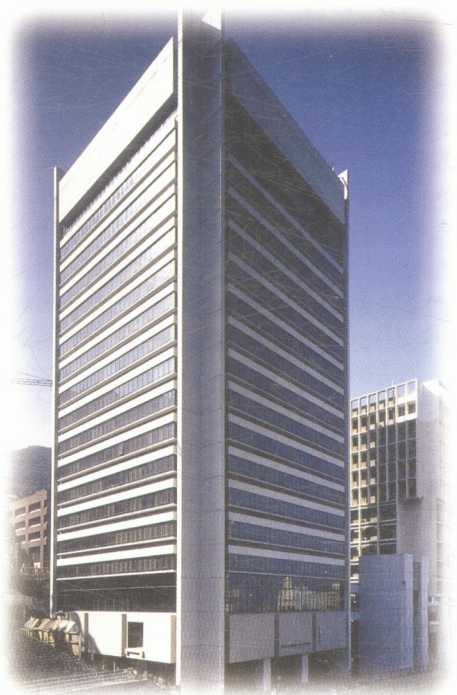
Albert H Y Chen  
Dean  
1 September 1999



## 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。



梁鋸瑠樓 K K Leung Building

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、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，商法深造文憑及中國法律深造文憑課程也開始招生。在1996-97和1997-98學年，學院分別增設公法深造文憑課程和普通法深造文憑課程（後者主要為持有中國內地的法學學位的人士而設）。在1998-99學年，學院又推出中國商法碩士學位課程。在1999-2000學年推出的新設碩士課程包括人權法碩士學位課程和公司法與金融法碩士學位課程。

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（Bachelor of Laws）。除此課程外，由1999-2000學年開始，法律系和商學院合辦三年制的工商管理學學士（法律）學位課程（Bachelor of Business Administration [Law]），亦跟社會科學學院合辦同樣是三年制的社會科學學士（政治與法律）學位課程（Bachelor of Social Sciences [Government and Laws]）。以上混合學位課程的畢業生可選擇修讀第四年的法律課程以取得法學學士學位，然後可申請入讀法律專業證書課程（Postgraduate Certificate in Laws）。社會科學學士（政治和法律）的畢業生亦可選擇修讀法律深造文憑課程（Postgraduate Diploma in Laws），然後入讀法律專業證書課程。

法律系亦與法律專業教育系合作開辦法學碩士學位課程（Master of Laws）。全職學生可在一年內完成碩士課程，兼讀生則分兩年完成該課程。由1999-2000學年開始，為配合社會需要及學院研究的發展，法學碩士學位將分為以下的種類：法學碩士，法學碩士（中國商法），法學碩士（人權法）和法學碩士（公司法與金融法）。

法律系亦提供一年制的普通法（供全職學生）、商法、中國法和公法（此三者供兼讀學生）深造文憑課程（Postgraduate Diplomas in Common Law, Commercial Law, Laws of the People's Republic of China and Public Law）。這些課程和上述碩士課程都是通過上課和考試完成的。普通法深造文憑的畢業生可選擇修讀普通法碩士（Master of Common Law），在一年內通過提交論文完成。

與此同時，法律系亦提供法律哲學碩士（MPhil）、法律哲學博士（PhD）及法律學博士（SJD）（Doctor of the Science of Law）等課程。這些課程主要是以寫論文來完成的，但MPhil和SJD課程均要求學生通過一定數目的學分的考試。

法律系共有三十多位教師。他們來自世界各地，包括香港、中國內地、英國、北美、馬來西亞、非洲、以色列、澳大利亞和新西蘭。法學學士學位課程每年招收130名學生。混合學位課程今年各招收20名學生。在法學學士課程中，一年級新生有七門必修課程（包括中英文兩科），第二年也以必修科為主，但是第三年的許多科目都為選修科。每門課通常每週有兩小時的課堂講授和一小時的小組討論輔導（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月和5月舉行。許多課程的考試成績是由平日功課的成績和最後考試的成績來決定。學生也必須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系，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，加上現在回歸祖國後的“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。這種情況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。除了這些基本訓練外，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，如增加有關中國內地法律及“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，同學需參加七個科目的學習：合同法、侵權法、法律與社會、法律制度、法學方法和技能、中國語文、英文在法律上的應用。此外，同學還須在資訊科技的學習上達到一定的水平。

第二年的必修課程包括憲法與行政法、刑法、財產法、衡平法與信託、中華人民共和國法制導論。其餘為選修科（包括在法律學院以外的學系的科目）。第三年的必修課只有“法律哲學”和“模擬法庭”，其餘全是選修科。同學可以從種類多樣的科目中作出選擇，包括公司法、證據法、家事法、銀行法、國際貿易法、知識產權法、法律衝突法、國際公法、人權法、中國商法及中文在法律上的使用等等。

### 通識教育科目

因應大學的課程改革，法律學院由1999-2000學年開始提供通識教育科目。這些通識課程可分為兩類：第一類是特別為法律學院以外的大學同學而設的有關法律的科目，並只給法律學院以外的學生選修。另一類是法律學士課程中某些亦可供法律學院以外的學生修讀的科目。這些通識課程可以使法律學院以外的學生得到一些法律上的知識及思維的訓練，正如其他學院設立的通識課程可使法律學院的同學擴闊自己學習的視野。

### 工商管理學學士（法律）學位結構

在第一學年，同學須修讀合同法和法學方法和技能，以及商學院和社會科學學院所提供的科目，包括管理、會計、經濟和統計等。同學亦需要修讀中英文和資訊科技的科目。

在第二學年，同學需要修讀衡平法與信託、財產法和侵權法，以及商學院所提供有關管理、市場推廣、財務和商業決策的科目。

第三年的必修科只有商業組織法和一些商學院的科目，其餘的則是選修科。

### 社會科學學士（政治與法律）學位結構

同學在第一年須修讀法律方法和技能，以及合同法或侵權法，和政治科學和公共行政的科目。同學亦需要修讀中英文和資訊科技的科目。

在第二和第三年，除了憲法與行政法是必修科，其他科目大部份是選修科目。

### 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。

### 專業認可

在香港獲得法律執業資格，須滿足以下要求：取得法律專業證書，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（包括上述混合學位的畢業生）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170人（此數字未包括入讀港大專業進修學院（School of Professional and Continuing Education）與本學院合辦的PCLL課程的學生），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。



# FACULTY OF LAW

DEPARTMENT OF LAW  
DEPARTMENT OF PROFESSIONAL LEGAL EDUCATION

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 of English law in Hong Kong 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 Professional Legal Education teaches the PCLL, while the Department of Law has responsibility for the programmes of LLB, BBA(Law) (jointly offered with the School of Business), and BSS(GL) (jointly offered with the Faculty of Social Sciences). The BBA(Law) curriculum is three years in duration, and students will take courses in law and in business studies. Graduates of the degree programme may undertake a fourth year of study to obtain a degree of LLB and may apply for admission to the Postgraduate Certificate in Laws programme. The BSS(GL) curriculum is also of three years in duration, and students will take courses in law and in those offered by the Department of

Politics and Public Administration. The programme is designed for students who would like to receive a broader education and enjoy greater flexibility in career choice, but graduates may undertake a fourth year of study to obtain either a degree of LLB or the Postgraduate Diploma in Laws. The Faculty also offers popular coursework programmes including LLM, LLM in Human Rights, LLM in Chinese Commercial Law, LLM in Corporate and Financial Law, Postgraduate Diplomas, and the research degrees of MPhil, PhD and SJD. In addition, it co-operates with the School of Professional and Continuing Education (successor to the Department of Extra Mural Studies) in teaching a separate intake of PCLL students.



## FACULTY ADMINISTRATIVE STAFF

### ACADEMIC OFFICE-HOLDERS

Dean:

Albert H Y Chen 陳弘毅

Associate Deans:

Benny Y T Tai 戴耀廷, Katherine Lynch, Andrew Halkyard

Head, Department of Law:

Johannes M M Chan 陳文敏

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

Assistant Research Officer:

Simon H Y Wong 黃慶恩, LLB (HK), JSM (Stan)

Research Assistant I:

Priscilla C S Wong 黃翠珊, LLB, PCLL (CityU), LLM (Bristol)

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



<i>Clerk I:</i>	Nancy W K Choi 蔡惠琼 Lam Chun-kwan 林鎮坤
<i>Clerk II:</i>	Estella L W Ng 吳雷華 Rita W M Wai 韋蕙綿 Veronica M P Yiu 姚茂萍
<i>Clerical Assistant:</i>	Eliza W L Li 李惠玲 (Front desk) Polly Y Y Li 李英英
<i>Office Assistant:</i>	Poon Yin-ngan 潘燕顏 Yiu Ying-sum 姚英森 Wong Kam-Leung 王錦良
<i>Senior Printing Technician:</i>	Henley C C Chan 陳致昌
<i>Printing Technician I:</i>	Cho Chung-cheung 曹仲祥
<i>Printing Technician II:</i>	Ting Sui-kai 丁垂介
<i>Media Production Assistant:</i>	Raymond S C Lam 林少秋

## LAW LIBRARY

<i>Law Librarian:</i>	Sng Chan Yok Fong 孫陳玉鳳 LLB (Hons) (Singapore); M Law Libr (Washington); PLC (Singapore)
<i>Assistant Law Librarian:</i>	Irene Shieh Lin Ying 謝玲櫻 BA (HK); MA, DipLib (London); ALA



## CENTRE FOR COMPARATIVE AND PUBLIC LAW

<i>Director:</i>	Andrew C Byrnes
<i>Assistant Research Officer:</i>	Kirstine G Adams, MA (Hon) (Glasgow), MA (Essex), LLB (Edinburgh), LLM (CEU, Budapest)



## FACULTY ACADEMIC STAFF

### DEPARTMENT OF LAW

Janice M **Brabyn**  
Simon **Bronitt**  
Andrew C **Byrnes**  
Johannes M M **Chan**  
Albert H Y **Chen**  
Anne S Y **Cheung**  
Jill H **Cottrell**  
Hualing **Fu**  
Yash P **Ghai**  
Rick **Glofcheski**  
Say H **Goo**  
Lusina K S **Ho**  
Betty M F **Ho**  
Michael I **Jackson**  
Alice S C **Lee**  
Donald J **Lewis**  
Yahong **Li**  
Athena N C **Liu**  
Nanping **Liu**  
Katherine L **Lynch**  
Robert **Morgan**  
Roda **Mushkat**  
Joseph **Norton**  
Carole **Petersen**  
Bart A **Rwezaura**  
Michael R **Sandor**  
Judith E **Sihombing**  
Philip J **Smart**  
Benny Y T **Tai**  
Anna Y M **Tam**  
Carol **Tan**  
Raymond I **Wacks**  
Guanghua **Yu**  
Xianchu **Zhang**

### DEPARTMENT OF PROFESSIONAL LEGAL EDUCATION

Charles D **Booth**  
Christine N **Booth**  
Janet R **Burton**  
Anne R **Carver**  
Felix W H **Chan**  
Eric T M **Cheung**  
Wilson W S **Chow**  
Andrew J **Halkyard**  
Helen J **McCook**  
J Arthur **McInnis**  
Stephen B **Nathanson**  
Christopher H **Sherrin**  
Michael **Wilkinson**  
Richard W S **Wu**



## TEACHERS IN THE DEPARTMENT OF LAW

Lecturer **Janice Brabyn** LLB (Victoria), LLM (Yale), LLM (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 and skills course for the first-year LLB students. Her publications include 'Inter-Jurisdictional Co-operation in Criminal Matters: Extradition, Mutual Assistance, Prisoner Transfer to and from the HKSAR' (in press). In 1999-2000, she will be teaching Legal Skills, Criminal Law, and Introduction to the Study of Law.

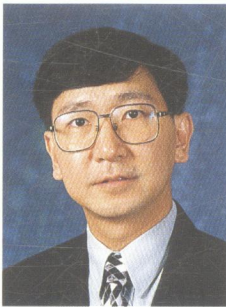


Visiting Associate Professor **Simon Bronitt** LLB (Bristol), LLM (Cantab) is a senior lecturer in the Faculty of Law, Australian National University and an associate of the Australian Institute of Criminology. His areas of interest include criminal law, evidence and procedure, criminal justice, criminology, health law, European Community law, and comparative legal history. He has published widely in leading journals in Australia, UK, Canada, and the USA. He has designed and constructed two educational websites. In 1999/2000 he will be lecturing in Criminal Law and tutoring in Fundamentals of Evidence & Procedure. Recent publications include *Principles of European Community Law* (Sydney: LBC, 1995) pp 587 (with F Burns and D Kinley); 'The Rules of Recent Complaint: Rape Myths and the Legal Construction of the "Reasonable" Rape Victim' in P Easteal (ed), *Balancing the Scales: Rape, Law Reform and Australian Culture* (Sydney: Federation Press, 1998), Ch 4; and 'Criminal Law and Human Rights' in D Kinley (ed), *Human Rights in Australian Law: Principles, Practice and Potential* (Sydney: Federation Press 1998), Ch 6 (with M Ayers).





Director of the Centre for Comparative and Public Law and Associate Professor **Andrew Byrnes** BA (Hons), LLB (Hons) (ANU), LLM (Harv), LLM (Col) has written widely on human rights issues focusing both on international and Hong Kong developments. He is co-editor of the *Basic Law 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 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?' (1996) 21(3) Brooklyn Journal of International Law 678-798 (with Jane Connors); 'And Some Have Bills of Rights Thrust upon Them: The Experience of Hong Kong's Bill of Rights' in P Alston (ed), *Promoting Human Rights Through Bills of Rights: Comparative Perspective* (1999). In 1999-2000 he will be teaching Public International Law and Introduction to Private International Law in the LLB course, as well as a number of courses in the Faculty's new LLM in Human Rights, including International and Regional Protection of Human Rights, and International Criminal Law.



Professor **Johannes Man-mun Chan** 陳文敏 LLB, PCLL (HKU), LLM (London) and Head of Department of Law, 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 *General Principles of Hong Kong Law* (with Albert Chen and others) (1999) (in Chinese); *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 (LLB year 1), Human Rights in Hong Kong (LLB year 2 & 3, LLM). Other courses that he has taught in the last 3 years include Human Rights: Theory & Practice (LLM), Constitutional and Administrative Law (LLB year 2), Tort (LLB year 1), Introduction to the Study of Law (LLB year 1) and International Human Rights (LLB year 2 & 3).

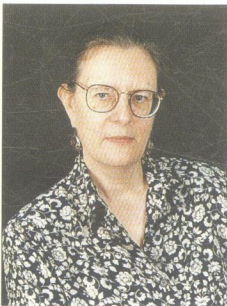
Professor **Albert Hung-yeo Chen** 陳弘毅 LLB, PCLL (HKU), LLM (Harvard) started teaching in this law school in 1984, became Dean of the Faculty of Law on July 1, 1996, after serving as Head of the Department of Law in 1993-95. His research interests include legal and political philosophy, comparative legal traditions, and constitutional developments in Hong Kong and mainland China. His publications include the following books: *An Introduction to the Legal System of the People's Republic of China* (1998); *The Rule of Law, Enlightenment and the Spirit of Modern Law* (1998) (in Chinese); *Law and Politics in Hong Kong* (1990) (in Chinese); and over 70 articles in English or Chinese published in Hong Kong, mainland China, Taiwan, and overseas. He is co-editor of the *Hong Kong Law Journal*, a member of the Basic Law Committee under



the Standing Committee of the National People's Congress, and an honorary professor at five Chinese universities. He currently teaches Law and Society, and in the past has taught Legal System, Legal Theory, 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), JSM (Stan) joined the Faculty in 1995. Her major interests include law and sociology, and legal theory. 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' (1996) 11 *Canadian Journal of Law and Society* 63-85; 'Towards a Bilingual Legal System - The Development of Chinese Legal Language' (1997) 19 *Loyola of Los Angeles International and Comparative Law Journal* 315-336; and 'Language Rights and the Hong Kong Courts' (1997) 2 *Hong Kong Journal of Applied Linguistics*. In the past, she has taught Law and Society, Legal System, Tort Law and Equity and Introduction to Trusts. This year, she will be on leave to further her study in the United States.

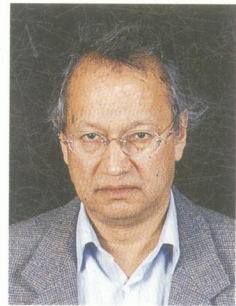


Senior Lecturer **Jill Cottrell** LLB, LLM (London), LLM (Yale) has particular academic interests in the law of tort and environmental law, as well as in research methodology for law students. Her publications include *Legal Research: A Guide for Hong Kong Law Students* (updated 1999) and *Defamation in Commonwealth Africa* (1998). She usually teaches some tort, legal skills for first year students, some research methodology for more advanced students and some environmental law, usually for the MSc Environmental Management. She writes or has written on the law of India and some Pacific Island states, as well as Hong Kong, England and Africa.

Assistant Professor **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* (with Richard Cullen) (Hong Kong: Asia Law and Practice, 1996); 'A Bird in the Cage: Police and Political Leadership in Post-Mao China' (1994) 4 *Policing and Society* 277-291; and 'Understanding People's Mediation in Post-Mao China' (1992) 6 *Journal of Chinese Law* 211-246. He teaches Criminology and Criminal Law.

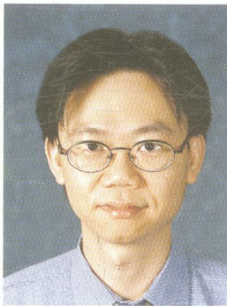


Holder of the Sir Y K Pao Chair in Public Law, Professor **Yash Ghai** MA, DCL (Oxon), LL.M (Harvard) is particularly interested in constitutional law including human rights and ethnic conflicts. He has written extensively in this area, as well as on the law in many countries, especially in Africa and 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* (2nd ed 1999). In 1999-2000 he will be teaching Law and Society in the LLB, Human Rights: History, Theory and Practice, and Ethnicity, Human Rights and Democracy in the LL.M, and Globalisation, State and Human Rights in the general studies curriculum.





Associate Professor **Rick Glofcheski** BA (WLU), LLB (Windsor), LLM (Cantab) has taught Tort, Criminal Law, Contract Law and Legal System. His publications include 'Tort/Contract Concurrency: the Demise of *Tai Hing Cotton Mill Ltd*' (1996) 26 *Hong Kong Law Journal* 34-46; 'Obstructions, Noise and Smells: Nuisance Liability in Hong Kong' in Alice Lee (ed), *Law Lectures for Practitioners 1998* (Hong Kong: Hong Kong Law Journal Ltd, 1998) 25-55; and 'Plaintiff's Illegality as a Bar to Recovery of Personal Injury Damages' (1999) 19 *Legal Studies* 6-23. He is also a member of the Editorial Board and Committee of the *Hong Kong Law Journal*. He will be teaching Tort Law to LLB students in the academic year 1999-2000.



Associate Professor **Say Goo** 吳世學 LLB (Leicester), LLM (East Anglia) was formerly lecturer in law at the University of Exeter, England. He has taught a number of subjects including 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* (1998) and the co-author of *Cases and Materials on Company Law* (3rd ed 1999). 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*, and the articles editor of the *Hong Kong Law Journal*. He is currently researching in the area of China's corporate insolvency law and aspects of international financial law. He is also updating chapters in Kwok & Amour's *Corporate Securities Law* (Butterworths). He was visitor to the Faculty of Law, the University of Cambridge in July 1998 and Universitas 21 fellow visiting the University of Melbourne in August 1999. In the academic year 1999-



2000, he will be teaching Property Law, Insolvency Law and Corporate Governance and Shareholder Remedies. He is director of LLM in Corporate and Financial Law and co-organiser of the ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW. For more detail see [www.hku.hk/law/sg/sg.htm](http://www.hku.hk/law/sg/sg.htm)

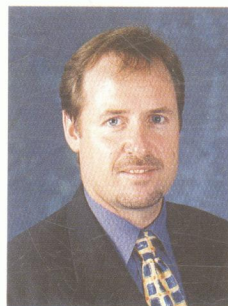
Associate Professor **Lusina Kam-shuen Ho** 何錦璇 BCL, BA (Oxon), has special interest in the law of restitution, trusts and equitable obligations and remedies. In 1999-2000, she will teach Trusts (LLB year 3), and Equity and Introduction to Trusts (LLB year 2). Her publications in 1998-99 include 'Attributing Losses to a Breach of Fiduciary Duty' (1998) 12 *Trust Law International* 66-77; 'A Law of Trust for the PRC: the Need for Caution' (1998) *Peking University Law Review* Vol 1, 618-640 (信託立法不宜操之過急《北大法律評論》, (1998)第1卷, 618-640頁); and 信託法與繼承法, 收於陳弘毅等編:《香港法概論》第十章(三聯書局,一九九九)。



Associate Professor **Betty May-foon Ho** 何美歡 BA, MA (Berkeley), LLB (Toronto), LLM (Cantab) teaches and writes in the field of corporate and commercial law. Her books include *Public Companies and Their Equity Securities*, *Hong Kong Contract Law* and *Security for Credit*. This year she will teach Contract and Equity.



Lecturer and Deputy Head of Department **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) 178-208; 'The Criminal Law in Hong Kong' in R Wacks (ed) *The Future of the Law in Hong Kong* (Oxford) 189-218; and 'Criminal Law' in Gaylord & Traver (eds) *Introduction to The Hong Kong Criminal Justice*



*System* (Hong Kong: Hong Kong University Press) 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, as in recent years, he teaches Criminal Law and Equity and Introduction to Trusts (both LLB year 2).



Assistant Professor **Alice Suet-ching Lee** 李雪菁 LLB (HKU), BCL (Oxon), PCLL (HKU) has written on property law issues in both English and Chinese. Her academic interests also extend to intellectual property, evidence, the use of Chinese in law, and bilingualism in Hong Kong's legal system. She was a member of the Bilingual Laws Advisory Committee from 1995 to 1997, and has participated in programmes designed to introduce aspects of Hong Kong law to Chinese Language Officers and court interpreters. Her recent publications are 'An Unsolved Problem For Adverse Possessors of New Territories Land' (1996) 26(1) Hong Kong Law Journal 7-20; 'Protecting Trade Marks in Hong Kong: *Re Omega*' (1996) 26(2) Hong Kong Law Journal 180-193; 'Language and the Law in Hong Kong: From English to Chinese' in Wright and Kelly-Holmes (eds), *One Country, Two Systems, Three Languages: A Survey of Changing Language Use in Hong Kong* (Multilingual Matters, 1997) 50-56; Chapter 12 'Rule Against Perpetuities' in Goo, *Land Law in Hong Kong* (Butterworths, 1997) 477-500; 'Leases Beyond 2047?' in Alice Lee (ed), *Law Lectures for Practitioners 1998* (Hong Kong: Hong Kong Law Journal Ltd, 1998) 177-186; and Chapters 8 and 12 in Chen, Chau, Lee et al (eds), *General Principles of Hong Kong Law* (Hong Kong: Joint Publishing, 1999). She will teach Property Law, Issues in Intellectual Property, and Use of Chinese in Law this year.

Associate Professor **Donald J Lewis** AB (USC), JD (Emory), LL.M (London) currently heads the Chinese Law Research Group in the Faculty. Mr Lewis 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 general editor of *China Investment Manual* (1998) and 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). His other publications include 'Capital Contributions and Financing' in *The Life and Death of a Joint Venture in China* (1996) 53-74 (with Lawrence Yee); and 'Domestic Commercial Arbitration in the People's Republic of China' in *Dispute Resolution in the PRC* (1995) 74-91 (with Karen Ip). 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 and direct Current Issues in Chinese Commercial Law in the new Chinese Commercial Law LL.M programme, and will also lecture in International Trade Law in the LL.B in 1999-2000.



Research Fellow **Yahong Li** 李亞虹 LL.B (Southwestern), LL.M (Beijing), JD (Suffolk). Before joining the Faculty of Law in 1998, she had been a researcher at the Legislative Affairs Committee of the National People's Congress of the PRC, assistant to the intellectual property counsel at MIT, editor-in-chief of *Modern China Studies* in Princeton, and visiting scholar at Harvard Law School. Her research fields and interests include comparative legal studies, constitutional and



administrative law, intellectual property, and torts. Among her publications are: *American Torts Law* (1998); *General Principles of Hong Kong Law* (co-eds) (1999); 'Hong Kong' in Cheryl Saunders (ed), *The Asia-Pacific Constitutional Yearbook 1997* (1999); 'Hong Kong and the Mainland: The Central-Regional Legislative Relationship' in Raymond Wacks (ed), *The New Legal Order in Hong Kong: Shifting Values* (forthcoming 1999); and 'Thoughts on the Central-Local Legislative Relationship in Transition Period' (1996) 1 Chinese Legal Sciences. She is the Chinese law editor of the *Hong Kong Law Journal*. She currently teaches Introduction to Chinese Law and Law and Society.

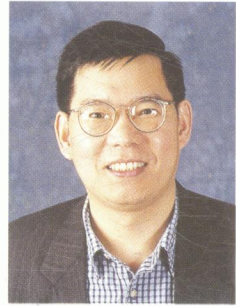


Associate Professor **Athena Nga-chee Liu** 廖雅慈 BA (CNA), PhD (Glasgow) writes on issues concerning family and children, including 'Wrongful life' (1987) 69 *Journal of Medical Ethics*; *Artificial Reproduction and Reproductive Rights*, (Dartmouth, 1991); 'Strengthening the Protection of Children' (1994-95) 31 *University of Louisville Journal of Family Law* 361-383; 'Parentage of Children Born As a Result of Natural and Assisted Reproduction' (1994) 24 *Hong Kong Law Journal* 356-371; 'Clean Break: The Pitfalls with Finality' *Law Lectures For Practitioners* 221-235 (1995); *Family: Hong Kong Legal Practice Manuals* (Sweet & Maxwell, 1998); *Family Law for the HKSAR* (Hong Kong: Hong Kong University Press, 1999). She is a member of the Provisional Council on Reproductive Technology and a member of its committees including the Ethics Committee, Reproductive Technology Bill's Committee, and Code of Practice Committee. She is also a member of the Law Reform Commission Working Group on Guardianship and Custody of Minors, Hospital Governing Committee of Bradbury Hospice, and Hong Kong Nursing Council. In 1999-



2000 she will teach Medical and Legal Issues, Issues in Family Law, and Medical Responsibility and Patients's Rights.

Assistant Professor **Nanping Liu** 劉南平 is a law graduate from Wuhan University in China. He also holds an LL.M. and a J.S.D. 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' (1991) 1 *Journal of Chinese Law* 107-140; and "'Judicial Review' in China: A Comparative Perspective' (1988) 14 *Review of Socialist Law* 241-253. He supervises several M.Phil. and Ph.D. students at work on issues including company law, consumer protection, and labor law in the PRC. In the academic year 1999-2000, he will be teaching PRC Civil and Commercial Law and PRC Security & Insolvency Law to LL.M. students and Law of Contract to LL.B. students.



Associate Dean and Associate Professor **Katherine Lynch** BA (Simon Fraser), LLB (Osgoode Hall), LL.M. (Cantab), J.S.M. (Stan) has been with the Faculty since 1991. Prior to coming to Hong Kong, she was in private practice with the international law firm of McCarthy Tétrault in Vancouver, BC and was a law clerk with the British Columbia Court of Appeal. In 1996-97 she was a Research Fellow in the Stanford Program in International Legal Studies at Stanford Law School where she was awarded a J.S.M. degree. She is currently a doctoral candidate in the J.S.D. program at Stanford. She has developed and taught the Alternative Dispute Resolution course, and has also taught Business



Associations, Company Law, Property Law, and Legal System. Her main scholarly areas of interest are corporate and financial law, arbitration, and alternative dispute resolution and she has recently written: 'The Temptation to Meddle: Problems created by the Government's Intervention in the Hong Kong Stock Market' (1999) 29:1 Hong Kong Law Journal, 'Stock Market Crises and Insider Dealing in Hong Kong: The Need for Regulatory Reform' in *Hong Kong's New Legal Order* (1999), 'International Commercial Arbitration in the Hong Kong SAR and China: The One Country, Two Systems Principle in Practice' in *International Business Series* (1999), and four chapters on Hong Kong company law in Vol 6, *Halsbury's Laws of Hong Kong* (Butterworths, 1997). She is also the co-author of *Hong Kong Company Law: Cases, Materials and Comments* (Singapore: Butterworth Asia, 1997). She is currently researching the impact of globalization on the law and practice of international commercial arbitration. She is a member of the Editorial Committee of the *Hong Kong Law Journal*. In 1999-2000, she will teach Company Law, Property Law, and Alternative Dispute Resolution in the LLB, and Resolution of International Financial Disputes in the LLM.



Research Assistant Professor **Robert Morgan** BA (Hons), LL.M, FCIArb, FSIArb, AMAE is a member of the Bar of England & Wales. Before joining the Faculty in 1998 he practised with Hellings Morgan Associates, a construction arbitration and mediation consultancy. He is a former legal adviser to and currently a Council member of the Chartered Institute of Arbitrators (CIArb). He is also Secretary to the Hong Kong Institute of Arbitrators' Committee on Hong Kong Arbitration Law, advising the government of the Hong Kong SAR on arbitration law reform. Mr Morgan has written and lectured extensively on dispute resolution issues.

Publications include *The Arbitration Ordinance of Hong Kong: A Commentary* (Butterworths Asia, 1997); 'Hong Kong Arbitration in Transition: The Arbitration (Amendment) Ordinance 1996' (1997) *International Arbitration Law Review* 19-38 and (1998) *Int ALR* 74-85. He is co-author of *Halsbury's Laws of Hong Kong*, Vol 1, 'Arbitration'. He has taught Commercial Law & Practice in the PCLL. This year he will be teaching Legal System and Introduction to Private International Law in the LLB and Resolution of International Financial Disputes in the LLM in Corporate and Financial 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); 'The Future of Hong Kong's International Legal Personality: Does International Law Matter? A Post-Handover Snapshot' (1998) 22 *Southern Illinois University Law Journal* 275; 'Enforcing International Environmental Law in the Asia-Pacific Region' in A Shapira (ed), *Tel Aviv University Studies in Law* (Tel Aviv: The Cegla Institute for Comparative and Private International Law, 1998); and 'International Environmental Law in Hong Kong: How Green is the Future?' in R Wacks (ed), *The New International Legal Order in Hong Kong* (Hong Kong: Hong Kong University Press, forthcoming 1999). In this



academic year, she will be on sabbatical, pursuing a research project in the field of international environmental law with special reference to Asia.



Visiting Professor **Joseph Norton** AB (Providence), LLB (Edinburgh), LLM (Texas), SJD (Michigan), Depl (drot prwe) (Hague), DPhil (Oxon) is appointed to the Department of Law under the University's Distinguished Visiting Scholars Scheme. He is one of the world's leading experts in international banking and financial law. He holds concurrently the Sir John Lubbock Chair of Banking Law at the centre for Commercial Law Studies, Queen Mary College, University of London, and a Professorship at Southern Methodist University School of Law, Dallas, Texas. His publications include more than 100 articles and 35 books (as author, editor, or contributor). He is the editor-in-chief of *The International Lawyer and the Yearbook on International Financial and Economic Law*, and the general editor of a series of books on international banking and finance regulation and another series on international development law (both published by Kluwers/Martinus Nijhoff). He is one of the co-organisers of the Faculty's new ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW. Professor Norton will be teaching in the new LLM Corporate and Financial Law Programme.

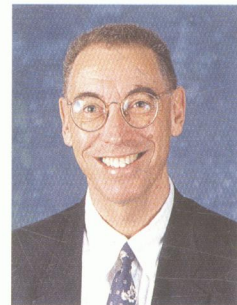
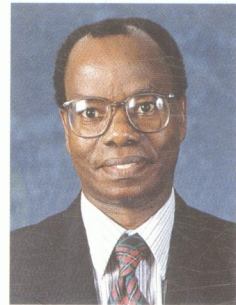


Associate Professor **Carole Petersen** BA (Chicago), JD (Harvard), Postgrad Dip Law of the PRC (Hong Kong) writes in the areas of human rights law, women and the law, and anti-discrimination law. Her recent publications include: 'Preserving Institutions of Autonomy in Hong Kong: The Impact of 1997 on Academia and the Legal Profession' 22 Southern Illinois University Law Journal 337-368; 'Values in Transition: The Development of the Gay and Lesbian



Rights Movement in Hong Kong' (1997) 19 *Loyola of Los Angeles International and Comparative Law Journal* 337-362; and 'Equality as a Human Right: the Development of Anti-Discrimination Law in Hong Kong' (1996) 34 *Columbia Journal of Transnational Law* 334-388. In the 1999-2000 academic year she will teach a new LLM course on equality rights, as well as Constitutional and Administrative Law, Contract, Legal Theory, and Legal System in the LLB. She is also the editor of the Analysis Section of the *Hong Kong Law Journal* and serves as convenor of the Women's Studies Research Centre.

Senior Lecturer **Bart Rwezaura** LLB (Makerere), LLM (Harvard), PhD (Warwick) has written extensively 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 recent publications include 'Competing "Images" of Childhood in the Social and Legal Systems of Contemporary Sub-Saharan Africa' (1998) 12 *International Journal of Law, Policy and the Family* 253-278; 'Gender Justice and Children's Rights: A banner for family law reform in Tanzania' in A Bainham (ed) *International Survey of Family Law* 1997, 413-443, 'Recent developments in Hong Kong Family Law: The Impact of Human Rights Treaties' in A Lee (ed), *Law Lectures for Practitioners 1998* (Hong Kong: Hong Kong Law Journal Ltd, 1998) 141-165. In the academic year 1999-2000, he will be teaching Principles of Family Law, Contract Law, and Law and Society in the LLB.



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' in *Law Lectures for Practitioners 1993* 103-123; 'The Ethics of Refusal and the Way to the Courtroom' in Raymond Wacks (ed), *The Right To Representation* (1994) 61-84; and a book, *The Professional Conduct of Lawyers in Hong Kong* (1996) (with Michael Wilkinson), 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 teaches Fundamentals of Evidence and Trial Procedure in the LLB and Professional Practice in the PCLL this academic year.

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 ed 1991), (3rd ed 1996); from the first issue until 1997 the Hong Kong chapters in *Doing Business in Asia*, (CCH Asia) (quarterly up-dates); *Hong Kong Conveyancing: Law and Practice* (with Michael Wilkinson), author of Ch 1: 'Land Tenure in Hong Kong,' Ch 4: 'Co-ownership of Multi Storey Buildings,' Ch 8: 'Contract: Formation,' Ch 9: 'Contract: Vitiating Factors,' Ch 10: 'Contract: Capacity and Effect,' Ch 11:

'Contract: Contents,' Ch 13: 'Security Transactions over Land,' Ch 14: 'Completion of the Contract for the Sale of Land,' Ch 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 ed 1997); *Malaysian Conveyancing* (1996), and *A Commentary on the National Land Code* (1981), (2nd ed 1992), (3rd ed 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 July 1998); *Hong Kong Company Law: Cases Materials and Comments* (with Katherine Lynch and Anna Tam) (Singapore: Butterworths Asia, 1997); and 'English Courts and International Insolvency' (1998) 114 *Law Quarterly Review* 46-52. In the academic year 1999-2000, he will be on leave.



Associate Dean and Assistant Professor **Benny Yiu-tung 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 a member of the Committee on the Promotion of Civil Education. His papers and publications include 'The Jurisdiction of the Courts of the Hong Kong Special Administrative Region' in Alice



Lee (ed) *The Law Lectures for Practitioners 1998* (Hong Kong: Hong Kong Law Journal Ltd, 1998); 'Constitutional Law' in Albert Chen et al (eds) *General Principles of Hong Kong Law* (Hong Kong: Joint Publishing Co, 1999) (in Chinese) and 'The Development of Constitutionalism in Hong Kong' in Raymond Wacks (ed) *The New Legal Order in Hong Kong* (Hong Kong: Hong Kong University Press, forthcoming 1999). He won the award of University Teaching Fellowship in 1996-97. In the academic year 1999-2000, he will be teaching Constitutional and Administrative Law and Law, Government and Society.



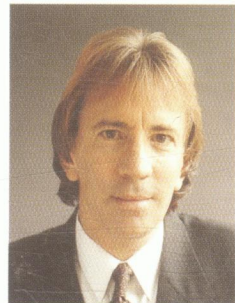
Assistant Professor **Anna Yick-man Tam** 譚奕雯 LLB, PCLL (HKU), LLM (Yale) practised as a solicitor before joining the Department of Law in December 1994. The subjects she has taught include Law of Business Associations, Banking Law, Company Law, Property Law, and Commercial Law & Practice (PCLL). Her research interests include company and commercial law. She has published a casebook *Hong Kong Company Law: Cases, Materials and Comments* (with Philip Smart and Katherine Lynch) (Singapore: Butterworths Asia, 1997). She has also written a chapter on 'Company Law and the Law of Partnership' in Albert Chen et al (eds), *General Principles of Hong Kong Law* 《香港法概論》 (Hong Kong: Joint Publishing Ltd, 1999) and a chapter 'Company Law in Hong Kong: Charting a New Course?' in Raymond Wacks (ed), *The New Legal Order in Hong Kong* (Hong Kong: Hong Kong University Press, forthcoming). In the 1999-2000 academic year, she will be teaching Law of Business Associations, Banking Law, Property Law, and Commercial Law and Practice (PCLL).



Research Fellow **Carol Tan** LLB, LLM (London) was a lecturer at Keele University and SOAS, University of London before arriving in Hong Kong. She has taught South East Asian Legal Systems and Investment Law, Contract, Tort, Legal System and Legal Method. Her areas of research include Chinese customary law, family law, legal history, investment law, and tort. This year she will be teaching Tort Law and Introduction to Legal Theory. Her publications include 'Chinese Wills under the laws of Hong Kong' (1999) *Hong Kong Law Journal* 92-122; "'We Are Registered": Actual Processes and the Law of Marriage in Singapore' (1999) *International Journal of Law, Family and Policy* 1-32; and 'The Twilight of Chinese Customary Law Relating to Marriage in Malaysia' (1993) *International and Comparative Law Quarterly* 47-56.



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* (1980), *Personal Information: Privacy and the Law* (1989), *Privacy* (1993), *Privacy and Press Freedom* (1995), *Data Privacy Law in Hong Kong* (1997) (with Mark Berthold). His well-known book, *Jurisprudence* (now in its fourth edition) is used by students throughout the common law world. He is a



member of the Editorial Board of the *Hong Kong Law Journal* and presented the RTHK television and radio programme *The Week in Politics*.



Assistant Professor **Guanghua Yu 郁光華** BA (Shanghai Maritime Institute), LL.M (Osgoode, York), LL.B, S.J.D (Toronto) taught at the City University until January 1996 when he joined the Faculty. He has taught Company Law, Tort Law, Introduction to Chinese Law, PRC Civil and Commercial Law, and Securities Regulation. His teaching and research interests encompass company law and policy, Chinese commercial law and policy, 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, in addition to articles on *Journal of World Trade*, *Tilburg Foreign Law Review*, *UCLA Pacific Basin Law Journal*, include 'The Relevance of Comparative Corporate Governance Studies for China' (1997) 8(1) *Australian Journal of Corporate Law* 49-88; 'The Emerging Framework of China's Business Organizations Law' (1997) 10(1) *The Transnational Lawyer* 39-76; 'Towards a Market Economy: Security Devices in China' (1999) 8(1) *Pacific Rim Law and Policy Journal* 1-47. His publications in Chinese include, but not limited to, 'Economic Implications of Secured Debt' (1997) 11(1) *Bijiaofa Yanjiu* [Studies in Comparative Law] 89-93; 'Policy Implications of Comparative Corporate Governance Studies' (1996) 10 *Jingji Yanjiu* [Economic Research Journal] 62-69; *Studies in Law and Economics* (Beijing: China Social Sciences Publishing House, 1999). In the academic year 1999-2000, he will be teaching PRC Company Law and Securities Regulation for LL.M students and Tort Law and Company Law for LL.B students.

Assistant Professor and Deputy Head of Department  
**Xianchu Zhang** 張憲初 LLB (U of Pol Sci & Law, Beijing),  
MCL, JD (Indiana) has taught courses on Chinese  
domestic and foreign economic laws in both LLB and  
LLM programmes as well as some common law  
modules in the City University of Hong Kong before  
he joined HKU in 1997. His research interests include  
company law, foreign investment law, and financial  
market regulation. He is co-editor and contributor of  
*Introduction to Chinese Law* (Sweet & Maxwell, 1997).  
His recent publications also include 'One Country, Two  
Separate Markets and Their Bumping Integration -  
Legal Issues Concerning Cross-border Listing of  
Mainland-funded Companies in Hong Kong' (1999) 10  
Australia Journal of Corporate Law 47-80; 'A Horse, a  
Donkey, or a Elaphure? Share Cooperative Enterprise  
as an Emerging Business Form in China and the Legal  
Concerns with its Developments' (1998) 4 (1 & 2)  
Canberra Law Review 31-50. In the past three years,  
he has taught Business Association, Company Law,  
Contract Law, Insolvency Law of Hong Kong, and PRC  
Insolvency Law (LLM).







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 Hong Kong insolvency law reform, and he has written extensively in international journals and spoken at many international conferences on these topics. His other research interests include Chinese insolvency law, insolvency law generally, and commercial law. His recent publications include 'Hong Kong Corporate Rescue Proposals: Making Secured Creditors More Secure' (1998) 28 *Hong Kong Law Journal* 44-59; 'Leaping forward to 1997: Bankruptcy Law Reform in Hong Kong' (1997) 6 *International Insolvency Review* 183-209; and 'Living in Uncertain Times: The Need to Strengthen Hong Kong Transnational Insolvency Law' (1996) 34 *Columbia Journal of Transnational Law* 391-447. 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 is serving as a consultant to the Asian Development Bank on Hong Kong corporate insolvency law reform and is a member of the Hong Kong Law Reform Commission Sub-committee on Debt Collection. He will be teaching Commercial Law and Practice in the PCLL and Insolvency Law in the LLB and will be co-teaching Current Issues in Insolvency Law and PRC Security and Insolvency Law in the LLM.



Assistant Professor **Christine Booth** LLM (Dist) (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 recent publications include



*Enforcement of Judgments in Hong Kong* (with G Heilbronn and H McCook) (Butterworths, 1998) and 'Undue Influence In Triangular Situations: The Husband, the Wife and the Bank' (1996) 26 *Hong Kong Law Journal* 58-80. She has taught on the LLB (Property Law) and has taught Commercial Law and Practice and Criminal Advocacy on the PCLL. This year she will be teaching Probate, Conveyancing, Landlord and Tenant, 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 and alternative forms of dispute resolution, and the law of civil procedure. She edited *Law Lectures for Practitioners 1995* (Hong Kong: Hong Kong Law Journal Ltd, 1995). She teaches Commercial Law and Practice and Civil and Criminal 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 and Corporate Governance to the LLM students. Her publications include *Hong Kong Business Law* (4th ed 1998); 'Legal Dysfunctionalism: Hong Kong Company Law in the 1990s' in Charles Booth (ed), *Hong Kong Commercial Law: Current Issues and Developments* (1996), and 'Corporate Governance: Capitalism's Fellow Traveller' in Fiona Padfield (ed), *Perspectives on Company Law* Vol 2 (1997). She is currently co-authoring a book on the Hong Kong stock market for use as an MBA text book, examining principles of accounting and company law for public companies in Hong Kong.

Assistant Professor **Felix Wai-hon Chan** 陳偉漢 LLB, PCLL (HKU), LLM (Cantab) is admitted as a solicitor of the Supreme Court of Hong Kong and Supreme Court of England & Wales. He teaches Civil and Criminal Procedure, Professional Practice and Commercial Law and Practice. Before joining the Faculty of Law, he practised with a major law firm in Hong Kong and specialised in the area of shipping, banking and international commercial litigation. He has written 'A Comparative Study of Straight Bills of Lading', a paper presented at the *Third International Conference on Maritime Law* (1998); 'Arresting and Auctioning Vessels in the People's Republic of China' (1999) 1 *International Journal of Shipping Law* (Lloyd's London Press, 1999) 71-78; 'A Plea for Certainty: the Legal and Practical Problems in the Presentation of Non-negotiable Bills of Lading' (1999) 29 *Hong Kong Law Journal* 42-55; 'Documentary Compliance under UCP: a Fault Finding Mission or a Mere Guessing Exercise?' in *Law Lectures for Practitioners 1999*. He is currently co-authoring the volume on 'Maritime Law' for the *Halsbury's Law of Hong Kong* (Butterworths, forthcoming early 2000).



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. He now 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. He serves on a number of committees of the Law Society, including its Constitutional Affairs Committee, Continuing Professional Development Committee, Bilingualism Committee, and Overseas Lawyers Qualification Examination Panel. His publications include a chapter on 'The Law of Contract' in Albert Chen et al (eds), *General Principles of Hong Kong Law* 《香港法概論》 (Hong Kong: Joint Publishing Co, March 1999), 'Undermining Our Rights and Autonomy' (1997) 27 Hong Kong Law Journal 297-300 and 'Bilingualism: Where are We Heading?,' a paper presented at the *Forum on Reform of the Civil Justice System in Hong Kong*, 3-4 May 1999. In recent years, he teaches Advocacy and Civil & Criminal Procedure.

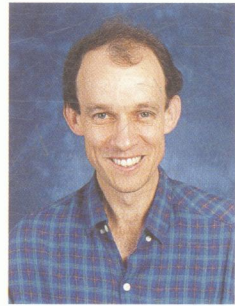


Assistant Professor **Wilson Wai-shun Chow** 周偉信 LLB, PCLL (HKU), solicitor in Hong Kong, is the first full-time local teacher in the Department of Professional Legal Education. His academic and research interests extend from local tax law, conveyancing and tenancy law, to PRC law and the comparative study of PRC and Hong Kong law. Recently he has just finished a research project on trade union law and labour relations in UK and Hong Kong in the 1990s. Apart from papers presented in a couple of the international conferences on Industrial Relations in 1997-1998, he has just finished co-editing a book entitled *Hong Kong Management and Labour: Continuity and Change* (London: Routledge, forthcoming 1999) in which he has also contributed in two of the chapters. Locally, he wrote a chapter on 'Conveyancing and Tenancy Law' in Albert Chen et al (eds), *General Principles of Hong Kong Law* 《香港法概論》 (Hong Kong: Joint Publishing Co, March 1999). His another co-authored article 'Accounting in Tax Law:



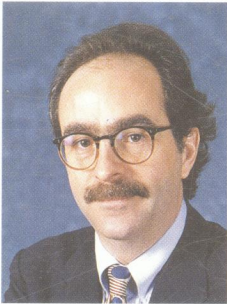
'Timing of Deductions' was published in the Asia Pacific Journal of Taxation (1998) Vol 2 No 3, Autumn 102-112. Currently, he is working on the volume on 'Taxation and Revenue' for *Halsbury's Laws of Hong Kong* (Butterworths, forthcoming 2000). This year he will be teaching Revenue Law, Conveyancing, Landlord & Tenant Law, and Accounts to PCLL students.

Associate Dean and Associate Professor **Andrew Halkyard** LLB (Australian National University), LLM (University of Virginia) has published widely on taxation and investment law. He is co-author of *Encyclopaedia of Hong Kong Taxation*. Recent publications include 'The Privy Council's Hong Kong Tax Legacy' (1998) British Tax Review 32-51 and 'The Hong Kong Tax Paradox: Or Why Jurassic Park Exists in the Pearl River Delta' (1998) 10 Revenue Law Journal 1-35. His current interests include a comparative study of Asian-Pacific taxation systems, cross-border taxation issues involving the People's Republic of China, reform of Hong Kong estate duty and a 'Charter of Rights for Hong Kong Taxpayers.' This year he will teach Revenue Law and Commercial Law and Practice in the PCLL, and Taxation in the PRC and International Tax and Tax Planning in the LLM.

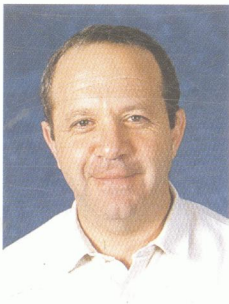


Lecturer **Helen McCook** LLB, LLM (Canterbury) is admitted to practice in New Zealand, Hong Kong, and England. She teaches and writes in the areas of conveyancing, probate, and litigation. She teaches Conveyancing and Probate Practice, and Civil and Criminal Procedure in the PCLL.





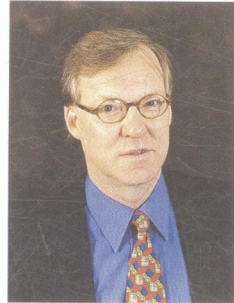
Associate Professor **J A McInnis** LLB (Saskatchewan), BA (Regina), BCL, LLM (McGill), FCI Arb, Barrister and Solicitor in Saskatchewan and British Columbia and Solicitor in Hong Kong, teaches a variety of subjects in both departments. His latest publications include *Hong Kong Construction Law*, 2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



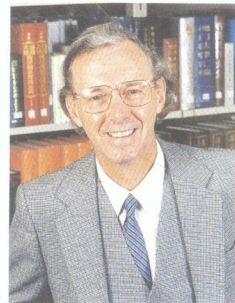
Associate Professor **Stephen Nathanson** BComm (McGill), LLB (UBC) is one of the world's leading authorities on the design of professional legal training programmes. He was one of the pioneer designers of the Professional Legal Training Course in British Columbia which served as a model for the design 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. In 1997 he was made a professor at the College of Law in London and was engaged to design its Bar Vocational Course as well as train staff to teach it. He has a wide range of teaching experience and interests, but specialises in teaching skills such as advocacy and drafting. His research interests focus on legal education and is best known for his work on curriculum design and legal problem solving, particularly, 'The Role of Problem Solving in Legal Education' (1989) 39(2) *The Journal of Legal Education* 167-183; *What Lawyers Do: A Problem Solving*

*Approach To Legal Practice* (Sweet & Maxwell, 1997); and 'Designing Problems To Teach Legal Problem-solving Skills' (1998) 34(2) *California Western Law Review* 325-349.

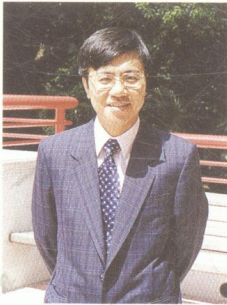
Professor (Chair of Professional Legal Education) **Christopher Sherrin** LLM (London), PhD (London), Barrister (Gray's Inn) joined the Department in January 1993 and was Head from May 1993 until December 1996. He previously taught at the University of Bristol, the National University of Singapore, and 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 *Halsbury's Laws of Hong Kong, Vol 27: Wills, Probate, Administration and Succession* (Butterworths, 1998). 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*. He teaches Equity and Introduction to Trusts and Property Law to LLB students, Conveyancing, Probate Practice, Landlord and Tenant, 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), 5 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, Vol 5: Civil Procedure, A Student's Guide to Hong Kong Conveyancing* (Butterworths, 2nd ed 1997) and *Halsbury's Laws of Hong Kong, Vol 8: Courts and Judicial System* (Butterworths). In the academic year 1999-2000, he will be teaching Conveyancing and Probate Practice, and Civil Procedure to PCLL students.

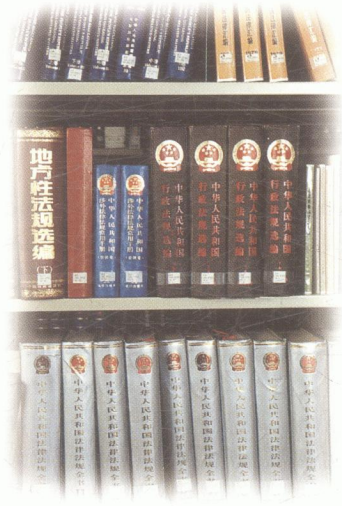


Assistant Professor **Richard Wai-sang Wu** LLB, PCLL (HKU), BSc (Lond), LLM (Lond), MBA (Warwick), LLB (Peking) joined the Department in 1998. He is admitted as a solicitor in Hong Kong and England and Wales, a barrister in Australia and an advocate and solicitor in Singapore. Richard practised as a solicitor in two firms in Hong Kong before joining Johnson Stokes and Master in 1990 as an assistant solicitor. He was made a partner in 1994. His main areas of practice were conveyancing and banking but has also experience of litigation and probate practice. He is presently studying for a PhD at the School of Oriental and African Studies of London University. His topic is the legal development of financial markets in China. He teaches Conveyancing, Commercial Law and Practice, and Civil Advocacy.

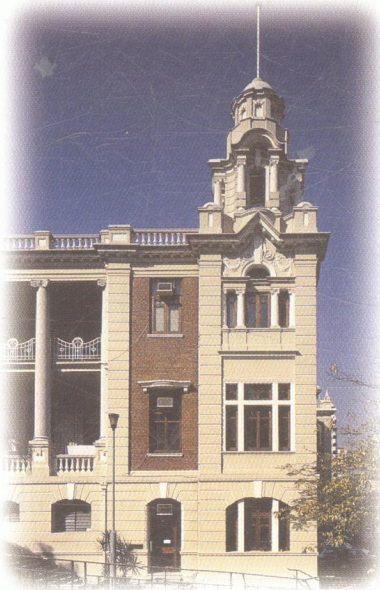


## HONORARY LECTURERS OF THE DEPARTMENT OF PROFESSIONAL LEGAL EDUCATION

Miss Madonna Maree Adams  
Mr Peter Philip Aherne  
Mr Nigel Keith Bacon  
Mr Christopher John Bonsall  
Mr Geoffrey Nigel Booth  
Mr Andrew Alexander Bruce  
Mr Benjamin Shum Woo Chain  
Ms Teresa Yeuk Wah Cheng  
Ms Bebe Pui Ying Chu  
Mr Winston Ka Sun Chu  
Mr Colin Bernard Cohen  
Mr James Wrangham Dick  
Mr Daniel Richard Fung  
The Hon Mr Justice Gerald  
Michael Godfrey  
Mr Clive Stephen Grossman  
Mr David Hague  
Mr Lester Garson Huang  
Mr Simon Sik On Ip  
Mr David J Jordan



The Hon Mr Justice Brian Richard Keith  
Mr William Wai Kwok  
Ms Jacqueline Pamela Leong  
The Hon Mr Justice Henry Litton  
His Honour Judge Gareth John Lugar-  
Mawson  
Mr Geoffrey Tao Li Ma  
Mr Kenneth E McKelvie  
Mr Malcolm John Merry  
Mr Patrick Ronald Moss  
Mr Michael Anatol Olesnicky  
The Hon Mr Justice K K Pang  
Mr Martin David Rogers  
The Hon Mr Justice A R Suffiad  
Mr Ronald Hon Bui Tang  
Mr Ian Tokley  
Mr Ronny Ka Wah Tong  
Mr Michael Kingdon Turnbull  
Mr Peter Geoffrey Willoughby  
Mr Philip Wing Cheong Wong  
Mr Benjamin Yu  
The Hon Madam Justice Maria  
Candace K N Yuen



The Lui Che Woo 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 academic staff and students of the Faculty of Law, who are its primary users, it also serves the law students and academic staff of the School of Professional and Continuing Education and other members of the University who are pursuing law-related studies and researches. Members of the legal community and civil service may use the Law Library on application.

The Law Library has a strong common law collection covering the statutes and law reports of most major common law jurisdictions. The Library also boasts an extensive collection of secondary materials in the English language. Other areas of keen interest are materials on 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 60,000 volumes and 1,900 serial titles in the collection as of 30 June 1998.

The Law Library is highly information technology intensive. Its bibliographic records are available to the public via the

Internet 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. There is an increasing number of online databases and multi-user CDROM databases mounted on the campus network and made accessible to library users through the numerous computer terminals in the Library and all over campus. The Law Library's Web page (<http://www.hku.hk/lib/LawLib/lawlib.html>) is in the process of rapid expansion and is regularly updated. Its Internet Resources can be reached at <http://www.hku.hk/lib/ir/law.html>.

Special collections in the Law Library include a comprehensive Hong Kong law collection, a rapidly growing Chinese language law collection and a faculty publications collection. The Library is also well stocked with audio-visual and microform resources including a collection of United Nations' documents and publications from 1981 to date.

Information services and research assistance are available from 9am to 5pm, Monday to Friday. Library orientation and instructions are conducted in the beginning of every

academic year for freshmen and postgraduate students. Further instruction sessions and demonstrations on the use of CDROM databases are conducted regularly. The Law Library also prepares guides and pathfinders for users. Self-help photocopiers can be found on both floors of the Law Library. Photocopy cards are sold at the loan counter.

At present, the seating capacity is approximately 350. There are also three discussion rooms and seven study carrels in the Library.



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. At the moment, *Law Lectures for Practitioners* are still published annually, and *Hong Kong Law Journal* continues to be edited and managed by members of the Faculty. The latter is published three times per year and is widely known in Hong Kong and internationally as a leading journal on Hong Kong and mainland Chinese law. There are now also 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 'One country, Two systems.' Some teachers have also 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 *Basic Law and Bill of Rights Bulletin*, and other works published in association with Hong Kong Law Journal Ltd frequently appear. For further information, contact Ms Alice Lu, Faculty of Law, at tel (852) 2859 2932, fax (852) 2559 3543.

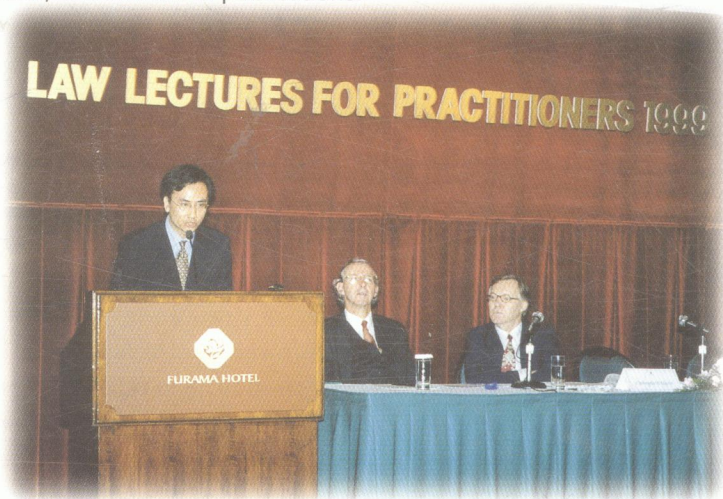




The *Hong Kong Law Journal*, which has always been edited by members of the Faculty, commenced publication in 1971. Issued three times a year since then, and now completing Volume 29, it has made a very considerable contribution to the Hong Kong legal system and to the work of the Faculty. In formal 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 and an International Editorial Board. 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 personal injuries awards, material on Chinese law, and reviews of publications.

The company, with the assistance of the Faculty's Continuing Education Committee, also organises the annual *Law Lectures for Practitioners* (held regularly since 1974). A book of the lectures follows soon afterwards. Other publications, including collections of particular interest to legal practitioners, are also published from time to time.

The Secretary of the company operates out of the Faculty under the direction of the editors. 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 (852) 2859 2917.





Public Lecture by Mr Denis Chang, SC on 'Final Adjudication versus Supreme Interpretation: Developing Constitutional Safeguards' held at HKU on 9 June 1999

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 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. 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. The fourth lecture was delivered on 5 May 1998 by Sir Anthony Mason, former Chief Justice of Australia and currently a visiting member of Hong Kong's Court of Final Appeal. He spoke on 'Developments in Australian Administrative Law.'

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 Reality of the Rule of Law in China.' On 23 March 1998, the fourth lecture, on 'The Progress and Prospects of China's Legal Modernization,' was delivered by Professor Gong Pixiang, President of Nanjing Normal University. On 22 March 1999, the fifth lecture was delivered by Professor Ji Weidong from Kobe University, Japan. He spoke on the Chinese bankruptcy law, the 1999 constitutional amendment and property rights.



## 30TH ANNIVERSARY 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, seminars, and talks at which local or visiting academics and lawyers present papers. In the academic year 1998-99, in celebration of its 30th Anniversary and with the support of the University's Area of Excellence Fund and Leslie Wright Fund, the Faculty has organised a greater number of conferences than before. These conferences and talks include:

International Workshop on *The New Equity* held at HKU on 10-12 September 1998

Conference on *The Implementation of the Convention on the Elimination of All Forms of Discrimination against Women* held at HKU on 28 November 1998

Conference on *The Reform of Trial Procedures in China*, co-organised with the East China Institute of Politics and Law and the Hong Kong Legal Education Trust and held at HKU on 5 December 1998

Trilateral Conference on *Law and Economic Development in Asia*, co-organised with Stanford University

School of Law and University College London Faculty of Law and held at HKU on 7-9 December 1998, marking the formation of a trilateral relationship of cooperation between the three law schools

Conference on *Chinese Law on the Eve of the 21<sup>st</sup> Century* held at HKU on 10 December 1998, inaugurating the HKU - Peking U Legal Research Centre

Eric Au Memorial Lecture by Professor Ji Weidong of Kobe University on '*From Bankruptcy Law for State-owned Enterprises to the 1999 Constitutional Amendment: The Course of Structural Changes in Property Rights in China*' held at HKU on 22 March 1999

Forum on *Reform of the Civil Justice System in Hong Kong* held at Ritz-Carlton Hotel, Hong Kong, on 3-4 May 1999

International Conference on *Comparative Private Law* held at HKU on 3 June 1999

The First Hochelaga Lecture by The Honourable Madam Justice Beverley McLachlin of the Supreme Court of Canada on '*Criminal Law: A New World Order?*' held at HKU on 4 June 1999

International Conference on *Challenges for the New International Financial Architecture: Lessons for East Asia*, co-sponsored by Centre for Commercial Law Studies of London University, Southern Methodist University School of Law, Peking University Financial Law Institute, Centre for Corporate Law and Securities Regulation of the University of Melbourne, International Business Law Programme of the University of Zurich, Korea Institute of Finance, and London Institute of International Banking, Finance and Development Law. The conference was held at HKU on 4-5 June 1999 and marked the launch of the ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW (AIIFL) at our Faculty

Conference on *Chinese Legal and Political Theory in the 21<sup>st</sup> Century*, co-organised with the Department of Politics and Public Administration and held at HKU on 23-25 August 1999

International Workshop on *Estoppel*, co-sponsored by International Islamic University, Universiti Kebangsaan Malaysia and Universiti Malaya and held in Kuala Lumpur on 23-25 August 1999

Conference on *Judicial Assistance between Mainland China and Hong Kong* to be held at HKU on 6-7 September 1999

Conference on *Civil Rights Protection and Judicial Justice*, organised by the HKU - Peking U Legal Research Centre and to be held at Peking University on 16-17 October 1999

International Conference on *Constitutional Interpretation* to be organised in collaboration with the Hong Kong SAR Government on 14-15 April 2000 to mark the tenth anniversary of the enactment of the Basic Law

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.



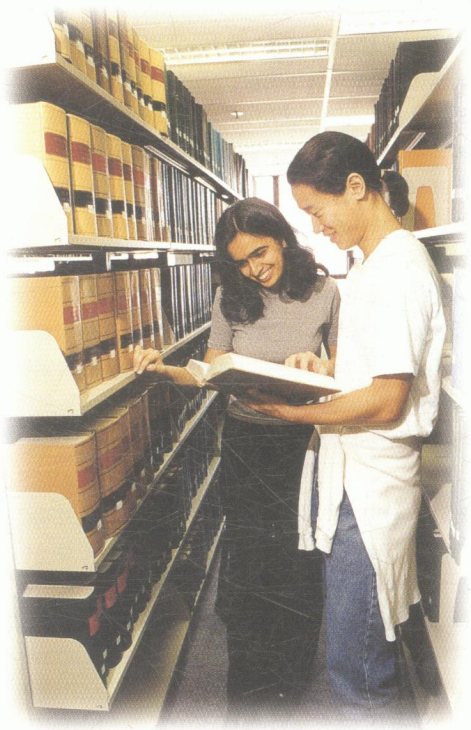
Professor Mi Jian, Professor Ted Tyler, Professor David Hayton, and Ms Judith Sihombing (from left to right) at the Conference on *Comparative Private Law*, 3 June 1999

## INTERNATIONAL LINKS

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

In addition, the Faculty has negotiated several 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 two of our students also 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. There is another trilateral link with Stanford University and University College London. Recently exchange and cooperation agreements have been entered into with the University of Hawaii, University of British Columbia, University of Victoria, and University of Zurich. Several other agreements with foreign universities are expected to be signed in future.

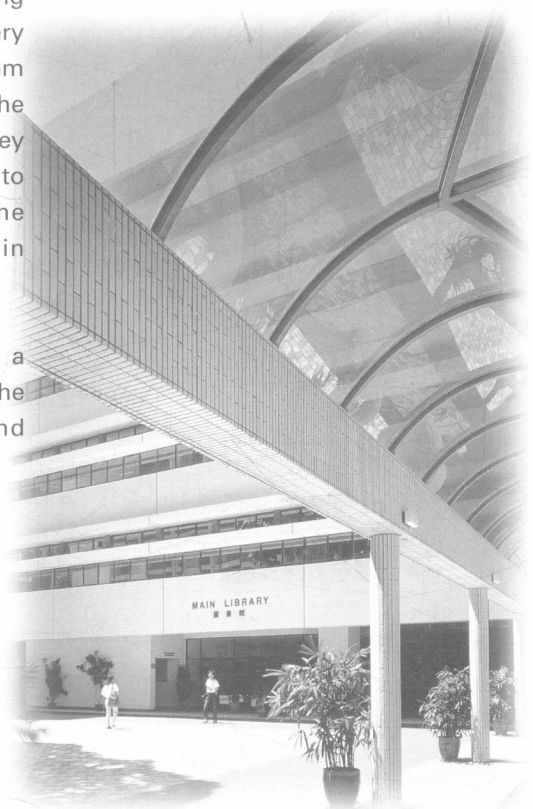
The Faculty has also developed links with leading law schools in mainland China and Taiwan, including Renmin University (with which the Faculty co-organised a conference on constitutional developments in 1996), Peking University (which co-operates with the Faculty in running the HKU-Peking U Legal Research Centre established in 1998), Tsinghua University (which has organised five summer programmes on Chinese law for our students since 1995,



and which some of our teachers visited annually since 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 ten-day 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 the relevant notices on the Faculty and University notice boards.





**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's research projects include the international law implications of 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, human rights protection under the Basic Law and the Hong Kong Bill of Rights, international human rights law and aspects of comparative private law in the Asian region. The Centre has held regular seminars on the implementation of international human rights standards in Hong Kong, on other matters related to human rights in Hong Kong and on constitutional law issues.

Seminars sponsored by the Centre 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: *Economic, Social and Cultural Rights*

(1994), *Torture* (1995), *Civil and Political Rights* (1995), *Race Discrimination* (1996), and *Discrimination against Women* (1998).

In May 1996, the Centre cosponsored 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.

In November 1997, the Centre organised a major international conference on Hong Kong Equal Opportunities Law in International and Comparative Perspective, with the assistance of grants from the European Commission and the Equal Opportunities Commission.

Each June from 1991 to 1996, the Centre held a Bill of Rights Seminar, and published as part of the Faculty's *Problems & Prospects Series* a set of proceedings from the Seminars. In 1997-8 following the entry into force of the Basic Law, the Centre has held, in

collaboration with the Hong Kong Bar Association, seminars on constitutional law issues arising under the Basic Law. These have covered the role of the Basic Law Committee, amicus curiae briefs in constitutional litigation, and the exercise of the power to prosecute.

In 1999 the Centre collaborated with the Hong Kong Chapter of the International Law Association in organising seminars on topical international law issues, including the Pinochet case, the Kosovo war, and the relevance of the Hague Conference on Private International Law to China and Hong Kong.



Ms Elsie Leung, the Secretary for Justice (second from right) and the then Chairperson of the Equal Opportunities Commission, Dr Fanny Cheung (second from left) participating in our EQUAL OPPORTUNITIES LAW CONFERENCE in November 1997

Publications of the Centre include: *Hong Kong Public Law Reports* (University of Hong Kong Press; Butterworths); *Basic Law and Human Rights Bulletin* (formerly the *Bill of Rights Bulletin*); *Hong Kong's Bill of Rights: Two Years Before 1997* (1995); and *The Right to Fair Trial in International and Comparative Perspective* (1996) *Advancing the Human Rights of Women: Using International Human Rights Standards in Domestic Litigation* (1996) (for the Commonwealth Secretariat) and a new series of *Occasional Papers*, launched in May 1999 and available online through the website of the Centre (<http://www.hku.hk/ccpl/HomePage.html>).

The Centre aims to promote access to information and the strengthening of legal research in the comparative study of law in Hong Kong through the World Wide Web. In May 1998, the Centre and the American Society of International Law Committee on Electronic Technologies hosted a seminar on international law in the electronic age: implications for researchers, teachers and practitioners. The Centre's web site at <http://www.hku.hk/ccpl/HomePage.html> makes a variety of resources freely available to Internet users.

The Centre has recently made publicly available through the Internet information about the international treaties applicable to Hong Kong as a consequence of the change of sovereignty. The Hong Kong Treaty Project web site may be used to research the status of international treaties applicable to Hong Kong prior to and after 1 July 1997. This is the product of an ongoing research project documenting some of the international law consequences of the resumption of sovereignty over Hong Kong by the People's Republic of China on 1 July 1997, made possible by the generous support of the Hong Kong Research Grants Council and the University of Hong Kong.

The Centre's web site also provides a number of recent historical legal research resources including a database of human rights documentation relating to Hong Kong, Hong Kong law and Chinese law, which were formerly hosted by the Faculty Law-On-Line site.

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

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

**<http://www.hku.hk/ccpi/HomePage.html>**

The ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW was established by the Faculty in May 1999 (subject to the University's confirmation) as an interdisciplinary institute involving experts within and without the University. It relies heavily upon the advice, guidance and support of its distinguished Academic Advisory Board and Professional Advisory Board. The Institute's directors will be appointed after the University formally confirms its establishment. Its current co-organisers are Associate Professor Say Goo and Professor Joe Norton (Sir John Lubbock Professor of Banking Law, London University, James L Wabn Professor of Banking Law, SMU Law School, Texas and Distinguished Visiting Professor of Law, The University of Hong Kong).

The general objective of the Institute is to assist the Faculty to develop together with other University departments and the local business and financial communities a 'partnership' for establishing a leading Asian academic centre in the area of international financial law, and to develop high-quality courses, teaching and research in that area.

The Institute has so far organised an international conference 'Challenges for the New International Financial

Architecture: Lessons for East Asia' on 4-5 June 1999 in Hong Kong. There were more than 65 participants in the conference including government policy-makers, international financial institutions officials, senior industry executives, bankers, lawyers, and leading academics. The conference was part of a series of global conferences on the 'New International Financial Architecture' held in 1999 in Cologne, Dallas, Johannesburg, London, Bangkok, and Montevideo. More conferences are planned for 1999-2000.

The Institute has also helped the Faculty to organise two short professional courses in corporate and financial law in June 1999 to meet the need of the local legal and business community: 'Anatomy of a Commercial Loan Arrangement' was conducted by Professor Joe Norton on 14-18 June 1999, and 'Fundamentals of Trade Finance' by Dr George A Walker, Lecturer in International Trade and Financial Law, London University, on 21-25 June 1999. Four courses are being planned for 1999-2000.

The Institute has also helped the Faculty to develop a wide range of courses in the new LLM programme in Corporate and Financial Law which are offered



from September 1999. This programme is the first of its kind in Hong Kong. Some of them will be partly or wholly taught by distinguished professors from overseas, who will certainly help to enrich the students' learning experience and perspectives.

#### **THE INSTITUTE'S PUBLICATIONS**

The Institute is jointly responsible for major publications such as the *Yearbook of Asian Commercial and Financial Law* and *Yearbook of International Financial and Economic Law*, as well as major series in international economic development law. The *Yearbook of Asian Commercial and Financial Law*, jointly published with the London Institute of International Banking, Finance and Development Law and the SMU Institute of International Banking and Financial Law, is the Institute's 'flagship' publication. Further, the Institute will join London University (and its Centre for Commercial Law Studies) and SMU in developing a major essay series on 'Studies in International Financial and Economic Law.'

The Institute's website is under construction. Further information on the LLM in Corporate and Financial Law is available at [www.hku.hk/law/cfl/llmcf.html](http://www.hku.hk/law/cfl/llmcf.html)

#### **THE INSTITUTE'S GLOBAL NETWORK**

The Institute has established a global network with leading academic institutes, listed below, in the international banking and finance area throughout Asia and the World. This collaboration will entail faculty and student exchange, joint research and publication efforts and development of new student-centred learning vehicles (including on-line interactive learning and video conferencing in a number of courses), and regular cosponsorship of high-level international conferences and research seminars.

##### **Asia**

- Financial Law Institute, Peking University
- Korea Institute of Finance, Seoul
- Thammasat University Faculty of Law, Bangkok
- Chinese Banking Research Institute, Hainan

##### **United Kingdom**

- Centre for Commercial Law Studies, University of London
- London Institute of International Banking, Finance and Development Law
- Institute of European Finance

### **Continental Europe**

- Banking Law Institute, University of Cologne
- University of Zurich, Postgraduate Programme in International Business Law
- Institute for Banking Law, University of Bern

### **North America**

- Centre for the Study of Central Banking, New York University
- SMU Institute of International Banking and Finance, Dallas

### **South America**

- University of Buenos Aires, Graduate Banking Law Programme

### **Africa**

- RAU Banking Law Institute, Johannesburg
- Faculty of Law, Witswatersrand University, Johannesburg

### **Australasia**

- Centre for Corporate Law and Securities Regulation, University of Melbourne

Inquiries concerning ASIAN INSTITUTE OF INTERNATIONAL FINANCIAL LAW and its activities may be directed to the Institute's Co-organiser: Mr Say Goo, Associate Professor, Faculty of Law, The University of Hong Kong, Pokfulam, Hong Kong, tel: (852) 2859 2944; fax: (852) 2559 3543, e-mail: [shgoo@hkucc.hku.hk](mailto:shgoo@hkucc.hku.hk)



In December 1998, the Faculty, Stanford Law School and University College London Faculty of Law have together inaugurated a trilateral initiative that will involve collaborative research, the annual exchange of faculty members and graduate students among the three schools, and the holding of joint conferences. Another goal is to move toward a more integrated teaching curriculum between the three institutions. Increasingly, our students enter a complex, transnational work environment. The curricular and research agendas that this initiative supports are aimed at responding to the needs of our students as they enter this environment, as well as to provide legal practitioners with relevant support and quality academic analyses. Among the potential themes on which the initiative may focus are the implications for law and legal practice of the following:

- (1) The comparative analysis of corporate and administrative governance and finance, with emphasis on legal reforms in the direction of market-based systems;
- (2) The growing importance in the international economy of transnational complex business organisations and their evolving

interactions with the domestic laws of corporate governance, taxation, industrial relations, administrative law and regulation in host countries;

- (3) The increasing weight, as well as the current difficulties, of Asian political economies in the global system; and
- (4) The implications for national legal development and legal practice of the multiplication of overlapping and competing legal regimes at the national, regional and international levels.



After Hong Kong's reunification with China, legal interaction between Hong Kong and mainland China has been increasing. As early as the mid-1980's, the Faculty has offered to its students courses on the legal system of the People's Republic of China. Subsequently, courses on Chinese civil and commercial law have also been developed, particularly at the Master of Laws (LLM) level. The objective has been to train legal personnel who have not only mastered Hong Kong and Western law but also understand the legal system in mainland China.

Recent years have also seen an increasing number of visitors from the legal field in mainland China coming to Hong Kong to visit or study. The Faculty is pleased to play host to many such visitors, and makes every effort to provide them with facilities and assistance for legal research. In 1997, the Postgraduate Diploma in Common Law programme was established to provide education in common law for law graduates from mainland China. Furthermore, teachers and students at the HKU Faculty of Law have organised a series of lecturing and study activities in mainland China.

The Department of Law of Peking University is one of China's leading law schools. It has a large number of exchange and cooperation arrangements with law schools around the world, and it has also developed close connections with the legal field in Hong Kong. Both the University of Hong Kong and Peking University believe that the strengthening of their exchange and cooperation activities in the field of law will be mutually beneficial. It will promote the development of research and teaching on both sides. By joining forces in this way, the two law schools hope to contribute to the promotion of the Rule of Law in China.

Having regard to these considerations, HKU and Peking University established the HKU-Peking U Legal Research Centre in December 1998. The objectives of the Centre are as follows:

- (1) To arrange and promote reciprocal visits of scholars and students on both sides for the purpose of lecturing, further studies, research and coursework;
- (2) To plan and organise joint research projects, publications and academic conferences involving scholars from both sides;



(3) To organise other activities such as public lectures and seminars for the purpose of promoting legal research, legal education, and better communication and understanding between legal professionals in Hong Kong and mainland China;

(4) To arrange mutual exchange and sharing of legal information.

Offices of the Centre are established at both the Faculty and the Peking University Department of Law. Each side appoints a co-director who is responsible for liaising with the other side and jointly deciding on the work and activities of the Centre. Dr Peter Feng has been appointed the first co-director of the Centre from the HKU side, and Professor Sheng Jiemin the first co-director from the Peking University side. The Centre will focus its work initially on the areas of civil and commercial law, economic law, financial and securities law, intellectual property law, tax law, international law, human rights law, constitutional law, administrative law, and jurisprudence.

The centre is funded by both law faculties, as well as the HKU External Relations Office and the HKU Foundation for Educational Development and Research, including its Leslie Wright Hong Kong-China Legal Education Fund.

## MOOTING PROGRAMMES

### INTERNAL MOOTING PROGRAMME

The Faculty of Law organises annually, through its Mooting Committee, a compulsory mooting programme for third year students and voluntary moots for first and second year students. The internal mooting programme is without doubt one of the most challenging and important activities in the Faculty.

The compulsory moots are held at the High Court with practitioners and Faculty staff acting as judges. Sixteen of the best mooters are then chosen to participate in a competition round which is usually judged by members of the Hong Kong judiciary. The four best mooters then proceed to the Grand Final to compete for the Bar Association Mooting Competition Cup. The grand finalists also

receive prizes from Deacons Graham & James. The Francis Ng Choy Mooting Prize (a prize in memory of Ng Choy, the first Chinese barrister admitted to practice in Hong Kong) also goes to the best mooter.

The grand finalists also represent the University in the Deacons Cup English and Chinese language mooting competition with City University of Hong Kong.

### INTERNATIONAL 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').

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 Hon Mr Andrew Li, Chief Justice of the Court of Final Appeal, Mr Martin Lee, SC, Legislative Council member, and the Dean acting as judges in one of our mooting competitions

the chance to travel to the international round of the competitions and meet law students from around the World.

### **THE JESSUP MOOT**

The Jessup Moot is administered by the International Law Students Association. It is the most preeminent and prestigious international law moot court competition in the world. Participants first compete in regional or national rounds, and the winners advance to the international rounds, which are traditionally held in Washington, DC.

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 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 rounds of competition.

Ever since 1986 (when the first University of Hong Kong team represented Hong Kong at the International Rounds of the

Jessup Moot in Washington), HKU teams have displayed a consistently high level of performance. Most memorable were the years 1987 and 1998. 1987 saw the Hong Kong team ranked third out of 26 national teams, with two team members being placed in the list of ten 'best oralists.' In 1998, the HKU team received the fifth highest scores among 59 teams in the Preliminary Round Ranking, and was awarded the Third Best Combined Memorials in the Alona E Evans Award and the Third Best Memorials in the Hardy C Dillard Award.

### **SPONSORSHIP**

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

- China Chem
- The law firm of Kao, Lee & Yip
- Nina T H Wang of China Chem 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 third floor, K K Leung Building for details of these competitions (normally posted in September) or contact the chairperson of the Faculty's International Mooting Competitions Committee.





## LAW ASSOCIATION, HKUSU

In the University of Hong Kong, law students actively participate in wide-ranging extra-curricular activities, particularly those organised by the Law Association of the HKUSU.

The Law Association is a body for the students of the Faculty. It has its own constitution and an executive committee that 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 the students of other Faculties. Sport and cultural activities organised by the Students' Union, e.g., the Inter-Faculty Sports Competition, are promoted by the Association.



Exco 1999/2000

The Association has its own official homepage. It serves as a link between the Association and its members. Up-to-date news and details of functions can be viewed in the homepage. The address of the homepage is: <http://www.hku.hk/lawassn>

### **ORIENTATION**

An orientation camp is held every year to provide an opportunity for freshmen to meet and to develop friendship with other freshmen and current students. The camp is followed by an orientation fortnight, which comprises a number of activities that aim at helping new students to adjust to the life of the law school. Such activities include individual

visits, the mass orientation, the talent quest and the freshmen night.

### **LEGAL EXHIBITION**

The 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 Chai, the Mandarin Oriental Hotel or the Ritz-Carlton Hotel in Central. It is a glamorous event which brings members of staff, past students, practitioners, and current students together.

### **THE EXECUTIVE COMMITTEE OF 1999/2000**

<b>Chairman:</b>	Wong Wing Hoi, Martin
<b>Internal Vice-Chairman:</b>	Li Sau Lee, Angie
<b>External Vice-Chairman :</b>	Mak Ming Lai, Nicholas
<b>General Secretary:</b>	Law Pui Ying, Anne
<b>Treasurer:</b>	Kotwall, Douglas
<b>Social Convenor:</b>	Chow Wan Sze, Roanna
<b>External Secretary:</b>	Lee Hong Kiu, Kildaria
<b>Publication Secretary:</b>	Wai Wing Mei
<b>Sports Captain:</b>	Pang Kun Hao, Arnold
<b>Legal Education Secretary:</b>	Lam Ngan Ling, Tracy
<b>Welfare Secretary:</b>	Lau Pui Ni, Penny
<b>Marketing Secretary:</b>	Chan Sze Kee, Christie

### **INTERFLOW TOUR**

In the past we have visited Shanghai, Singapore and the University of Law and Politics in Beijing. The interflow tours are excellent opportunities for law students to learn more about the legal systems and ways of life of law students in other parts of the World. Last academic year, the Association organised an interflow tour to Taiwan. The academic activities during that tour included visits to the Law Faculty of National Chengchi University, Tung Hai University, Legal Department and political parties.

### **STOCK SALE**

The Association sells accessories carrying the logo of the Association to members. The aim is to foster a sense of unity among members. The response to the stock sales has been very encouraging in the past and shows that LA members are very supportive of the group.

### **PUBLICATIONS**

Every year, the Association issues a yearbook, a directory and several newsletters to members. These provide channels of communication and information to members.

### **LEGAL TALKS**

The Association organises law-related talks presented by its members in secondary schools all over Hong Kong.

### **SPORTS DAYS**

The Association also organises sport activities for members, e.g., basketball, volleyball and badminton games, etc.

## Students Speaking

by Simon Wong

The ordinary prospectus is little more than a collection of the professors' biographies and programme outlines. We venture to give prospective students a sense of what life is really like in the law school. We therefore interviewed Angie Li and Nicholas Mak, both year one students in 1998-99 and Internal and External Vice Chairmen of the students' Law Association respectively.

Asked about what characterized the life of a law student as compared to that of the students in other disciplines, both Angie and Nicholas were quick to respond, 'The heavy workload!' Angie explained, 'Here, the examination results in all the three undergraduate years contribute equally to determining a student's class of honour when he or she graduates, while the students of other faculties can in effect treat their first year as a "year-long holiday."' Nicholas took

it further, 'To be honest, being hardworking is merely the bare minimum requirement for survival here.'

Sounds frightening ... Was there no fun at all that they derived from the study of law?

'Doing research assignments can be fun,' Angie added. 'It is intellectually exciting to try to analyze and argue in a legalized manner. I only wish assignments counted more toward the final examination result than they do now... And tutorials are a thrill too - they are both demanding and rewarding at the same time. While tutorials in other faculties tend to become merely "mini-lectures," tutorials here require students to take a really active role in discussion and problem solving. If you have done your homework beforehand, you will find tutorials a valuable opportunity to stand on your feet and apply your legal knowledge in discussion.'

Angie also has a high regard for the teachers here. 'Many of our professors are really good teachers. They make the apparently dry subjects lively, challenging and thought provoking.'



Angie Li and Nicholas Mak

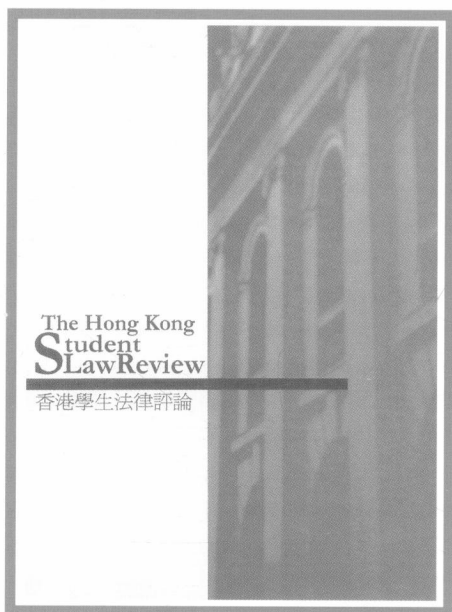


That's why their lectures always make full-house!' 'And the personal tutor system [wherein every student is assigned a professor as his or her personal tutor] is so useful,' Nicholas added. 'My personal tutor, for example, helped me overcome my weakness when I did not fare too well in a particular subject. I also know that I can count on my personal tutor for honest and helpful reference letters when I need them.'

Being a law student is always an exciting experience. Perhaps it is especially so at a time when the reunion of Hong Kong and China has brought so many challenges and controversies to the special administrative region's legal system. 'The law students have shown a great deal of concern for the current legal controversy ensuing from the Court of Final Appeal's decision on the right of abode issue,' Nicholas said. 'Earlier we organised a lunch time forum with several of our professors as speakers on the topic. Out of our expectation, the several hundred seats in the lecture theatre were all filled up by law students and some people had to sit in the aisles and even on the podium.' To the External Vice Chairman, however, the students'

participation in current affairs activities was still 'not enough.' 'After the Standing Committee of the National People's Congress issued an interpretation on the relevant provisions of the Basic Law, our students helped organise a walk for the Rule of Law in Central. Over six hundred lawyers took part in the walk. Among them there were only forty or so law students. Considering the fact that so many practitioners gave up their billing hours to join the walk, I wonder why there had not been more law students.' Nicholas noted.

Angie and Nicholas unanimously had this advice for incoming students: 'It is high time that law students realize that legal education is much more than professional training, and that a law degree leads to many diverse, meaningful and rewarding careers other than legal practice in the narrow sense. If you don't take the chance to expand your horizon while in law school, but rather choose to confine your target to joining one of the few big law firms upon graduation, you are going to spend your years here worried and pressurized.'



Since autumn 1994, the *Hong Kong Student Law Review* has been published 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.

Volume three, the 1997 Commemorative Edition, featured a foreword from the Chief Justice and is to date our best-received issue. Bilingualism was introduced for the first time in the form of introductory abstracts. The theme was, naturally, the hand-over and its implications on various aspects of the law.

Volume four is recently published and is being warmly received by the legal profession. It is available in the University Bookstore and other bookshops along with the three earlier volumes.

All four volumes have been distributed to Commonwealth and American Universities in the hope of bringing Hong Kong issues to the attention of legal academics and law students worldwide.

Students can contribute in many ways to the Review; positions include editors, proofreaders, fact-checkers, and business managers. Those 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. 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:

Robert Charles Allcock  
Mohan Bharwaney  
Benjamin Chain  
Warren Chee Hoi Chan, SC  
Penelope Chu Ling Chan  
Chan Chue Kai  
Louis Kong Yiu Chan  
Chan Sze Hung  
Shirley Sze Ki Chan  
Michael Wah Tip Chan  
Christopher Yiu Chong Chan  
Bonnie Yuen Man Chan

Edward Chan, SC  
Denis Khen Lee Chang, SC  
Carol Suk Yi Chen  
Cheng Hor Kwan  
Michael Man Yeung Cheng  
Moses M C Cheng  
Albert Yau Kai Cheong  
Francis Cheung  
Keith Cheung  
Susanna Kit Shan Cheung  
Bebe Pui Ying Chu  
Yvonne Chua  
Chung Kwok Cheong



Cordelia Chung  
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Lester G Huang  
Barbara Anne Hung  
Ip Shing Hing  
Susan Johnson  
Tony Kan  
Donald Hoi Yan Koo  
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Susan Shuk Hing Kwan  
Gary Kar Yan Lam  
Johnson Man Hong Lam  
Lam Tse Yan

Godfrey Wan Ho Lam  
Yvonne Yee Fung Lam  
Paul T K Lam  
Lau Kwok Hing  
Johnny Tze Ming Lau  
Carmelo K S Lee  
Lawrence Lee  
Martin C M Lee, SC  
Y C Lee  
Alan Kah Kit Leong  
Leong Mei Yong  
Godwin Chi Chung Li  
Winnie Ka Wai Li  
Andrew Kwok Nang Li, CJ  
Angel Yuen Yee Li  
Li Zong Er  
Andrew Cheung Sing Liao, SC  
Amanda Lai Yun Liu  
Ankana Livasiri  
Alexandra Dak Wai Lo



Mabel Mei Yee Lui-Fung  
Geoffrey Tao Li Ma, SC  
Brian S McElney  
Malcom John Merry  
Alice Oi Lai Mok  
Barbara Mok  
Anthony Neoh, SC  
Linda Lee Ngan  
Abdul Majid Niamatullah  
Robert Yiu Hung Pang  
Josephine Antonetta Pinto  
Anselmo Trinidad Reyes  
Paul Wing Tai Shieh  
Shum Cheuk Yum  
Erik Ignatius Sze Man Shum  
Kenneth Hoi Wah Sit  
Alice Yuen Ying Tai, OBE JP  
Tammie Mei Fung Tam  
Winnie Tam  
Robert Ching Tang, SC  
Albert da Rosa Thomas, Jr  
Gerald Hin Tsun To  
Albert Hon Kin Tsang  
Kenneth Kin Ping Tsang  
Paul Kai Bor Tse  
Jacob Yui Suen Tse  
Jeff T K Tse  
Stuart Valentine  
Peter Alan Lee Vine  
Terence Hon Hei Wai  
Wong Ching Yue  
Fonnie Fung Yi Wong  
Wong Kwong Hing

Cleresa Pie Yue Wong  
Priscilla Pui Sze Wong  
Rosana Wong  
Jimmy Ting Lok Wu  
Elizabeth Wu  
John Mang Yee Yan  
Patrick Pui Choi Yeung  
Benny Yuen Bun Yeung  
Valentine See Tai Yim  
Maria Candace K N Yuen

## 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. The 30th Anniversary Celebration Dinner will be held at Lok Yew Hall on 15 November 1999, which will be preceded by a Homecoming event at the Faculty on 13 November 1999.

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 current President of the Association is Mr Andrew Liao SC, JP.



Students in our law school in 1970

### SANTA CLARA UNIVERSITY SUMMER SCHOOL

For more than 15 years, the Faculty has cosponsored 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 international law and 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 and/or other major cities in the PRC. The lecturers are mostly from the Faculty and from private practice in Hong Kong. The current Programme Director is Li Yahong. The Program 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 sixth year, the Institute attracts participants from the United States, Europe, and Asia. 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 fifth session was held in July/August 1999; four student interns from our law school assisted with the programme, three of whom were awarded Duke University Asia-America Institute Scholarships. Preparations are under way for the 2000 Institute which will be held in July/August 2000. The Institute is accredited by the American Bar Association.

### ADVOCACY SUMMER SCHOOL

The Faculty has for some years biennially hosted an advocacy summer school (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.



Advocacy Summer School





Postgraduate Diploma in Common Law Graduates of 1999

*'The academic environment and facilities of HKU are better than those of any university in mainland China, especially in terms of libraries. ... I trust I will find my experience in Hong Kong invaluable when I return to my work in law drafting in Beijing.'*

*'Here I got excellent training in the Common Law, including its theory, spirit, and method of adjudication. ... I plan to introduce a Common Law course for Chinese judges when I return to Beijing. That may help to improve their standard of adjudication!'*

- Zhou Min, LLB, LLM (Peking), the Research Office of the Legislative Affairs Commission, the Standing Committee of the National People's Congress of the PRC
- Guan Yi, LLB (Peking), Lecturer at the Senior Judges Training Centre of the PRC Supreme People's Court

*'Besides attending lectures, I've learnt a great deal from just living in Hong Kong. Through reading newspaper and watching TV, I have a much deeper understanding of Hong Kong now. Also, the meticulous scholarship of our teachers, the hard-working style of study of the students, the warmth and hospitality of the people, together with the beauty of Victoria Harbor have strongly impressed me and will accompany me in future as beautiful memories.'*

- Chen Yutian, LLB (Peking), official at the Hong Kong and Macau Office of the State Council of the PRC

## 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

A new LLB curriculum, as part of the University-wide curriculum reform, became applicable to first-year students admitted in 1998-99, and will be gradually phased in until the year 2000-01 when the new curriculum will be applicable to all years of studies. The new curriculum is similar to the existing one, except that a 'broadening element' has been

included into the syllabus. To complete the curriculum a student must follow instruction, complete assignments, participate in moots, and pass in subjects totalling 180 credits in value as follows:

(Courses offered in the academic year 1999-2000 are emboldened.)

(A) all the following courses :

**Constitutional and administrative law I and II (12 credits)**

**Criminal law I and II (12 credits)**

**Equity and introduction to trusts I and II (12 credits)**

**Introduction to legal theory (6 credits)**

**Introduction to PRC Law (6 credits)**

**Law and society I and II (12 credits)**

**Law of contract I and II (12 credits)**

**Law of tort I and II (12 credits)**

**The legal system (6 credits)**

**Legal skills (9 credits)**

**Property law I and II (12 credits)**

**Use of English in law (6 credits)**

**Chinese language and communication (3 credits)\***

**Moot court (3 credits)**

[\* or a substitute 3-credit course approved by the head of the Department of Law where the candidate has been exempted from this course]

(B) courses selected from the following with a total of 48 credits in value:

*Twelve-credit courses*

Guided research (12 credits)

Human rights law (12 credits)

Use of Chinese in law II (12 credits)

*Six-credit courses*

Administrative law (6 credits)

Admiralty (6 credits)

**Alternative dispute resolution (6 credits)**

Bank security (6 credits)

**Banking law (6 credits)**

**Business associations (6 credits)**

The child and the law (6 credits)

Chinese laws governing foreign investments  
(6 credits)

Civil litigation (6 credits)

Commercial law I (6 credits)

Commercial law II (6 credits)

**Company law (6 credits)**

Comparative law (6 credits)

Copyright law (6 credits)

**Criminology (6 credits)**

**Current legal controversies (6 credits)**

Economics analysis of law (6 credits)

Emerging markets: finance and investment  
(6 credits)

**Fundamentals of evidence and trial procedure  
(6 credits)**

The Hong Kong Basic Law (6 credits)

Human rights in Hong Kong (6 credits)

Human rights in China (6 credits)

Information technology law (6 credits)

**Insolvency law (6 credits)**

Insurance law (6 credits)

International commercial litigation  
(6 credits)

International human rights (6 credits)

International criminal law (6 credits)

International human rights (6 credits)

International moot competition\*  
(6 credits)

International organisations (6 credits)

**International trade law I (6 credits)**

International trade law II (6 credits)

**Introduction to private international law  
(6 credits)**

**Issues in evidence and trial procedure  
(6 credits)**

**Issues in family law (6 credits)**

**Issues in intellectual property law  
(6 Credits)**

**Jessup international law moot court  
competition\* (6 credits)**

Labour law (6 credits)

Law in East Asia (6 credits)

Law, justice and ideology (6 credits)

Law of agency (6 credits)

The law of the sea (6 credits)

Law, the individual and the community:  
a cross-cultural dialogue (6 credits)

Legal fictions : representations of the law  
in literature, philosophy and cinema  
(6 credits)

Legal history (6 credits)

**Medico-legal issues (6 credits)**

People's Republic of China civil and  
commercial law (6 credits)

Planning and environmental law (6 credits)

**Principles of family law (6 credits)**

Public international law (6 credits)

Remedies (6 credits)

The law of restitution (6 credits)

Securities regulation (6 credits)

Selected problems of international law  
(6 credits)

Shipping law (6 credits)

Sociology of law (6 credits)

Succession (6 credits)

**Trust (1 unit; only offered to the third year  
students in 1999/2000)**

**Use of Chinese in law I (6 credits)**

(C) courses (other than any mentioned above) with a total of 12 to 15 credits in value selected from the list of courses offered by any department or division of this University or offered by another University or comparable institution may be taken, provided that approval by the head of the Department of Law for the candidate to take the course for

the purpose of completing the LLB curriculum has been obtained. Such courses may include a 3-credit course in 'Science and Technology Studies.'

- + Enrolment in the courses marked with (+) is limited to those candidates who have been selected as members of the mooted competition team to represent the University.

### 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).]
- (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.
- (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.



## General Education Programme

As part of the university-wide curriculum reform that aims at providing all-rounded training to students, the Faculty will introduce a number of general education courses in the academic year 1999-2000 for enrolment by law or non-law students. The Faculty will offer two kinds of general education courses: broadening courses in law which are designed specifically for non-law students; and inter-faculty electives which are essentially current courses taken by the law students but are now opened to non-law students as well. It is hoped that non-law students will be able to benefit from some training in law, and that the law students can broaden their horizon through taking non-law courses offered by other faculties and interacting with students from other disciplines.

In the academic year 1999-2000, the Faculty will offer the following broadening courses, all of which are of three credits:

- Law, government and society
- Law in a consumer society
- Medical responsibility and patients' rights
- Globalization, state and human rights
- Law in context: current legal issues

The following current law courses, both of which are of six credits, will become open to non-law students as inter-faculty electives:

Alternative dispute resolution  
Criminology

Details of the broadening courses and the inter-faculty electives can be found in the booklet 'Regulations and Syllabus for Broadening Courses' and the LLB syllabus respectively.

## Mixed Degree Programmes

In the academic year 1999-2000, the Faculty will introduce two mixed degree programmes of Bachelor of Business Administration (Law) (BBA(Law)) and Bachelor of Social Sciences (Government and Laws) (BSS(GL)) in cooperation with the School of Business and the Faculty of Social Sciences respectively.

The BBA(Law) programme is three years in duration. The students are required to take half of their courses in law and the other half in economics, business studies, finance, and accounting. The programme is designed to prepare the students for careers in finance, investment banking, and corporate law. The BSS(GL) programme is also three years in duration. Similarly, the students are required to take half of their courses in law and the other half in politics and public administration and some other social sciences. The programme is designed for the students who would like to receive broader education and to have greater flexibility in choosing careers, such as in the government, politics, journalism, and law.

The graduates of these two programmes may proceed to a fourth year of study in the Faculty of Law in order to obtain a second degree of LLB, and may thereafter apply for admission to the programme of Postgraduate Certificate in Laws (PCLL).

## 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 recognised 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.



The Faculty offers a variety of higher degree programmes including both research and coursework programmes.

### THE MASTER OF LAWS (LLM) [GENERAL STREAM]

#### CURRICULUM

The LLM 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 LLM programme emphasizes the following areas: law of international trade; investment and finance; commercial law; law of the People's Republic of China; public law and human rights.

The LLM is a one-year full-time or two-year part-time curriculum which requires a minimum of 300 hours of class time. The LLM curriculum has been restructured to include a number of one-unit courses. Candidates are required to satisfactorily complete courses of

instruction equivalent to at least eight credit units. A candidate may elect to submit either a one-unit or two-unit dissertation towards these requirements. A one-unit course of instruction is one which is taught over a period of one semester while a two-unit course of instruction is one which is taught over a period of two semesters. A dissertation can either be a two-unit or a one-unit 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: (Courses offered in the academic year 1999-2000 are emboldened.)

#### *PRC law*

**Civil and commercial law in the People's Republic of China (2 units)**

**Company law and securities regulation in the People's Republic of China (1 unit)**

**Current issues in PRC commercial law (1 unit)**

Dispute resolution in the People's Republic of China (1 unit)

Introduction to Chinese law (1 unit)

Introduction to Chinese law and legal system (2 units)

Legal Chinese in commercial transactions (1 unit)

Legal system of the People's Republic of China (1 unit)

**People's Republic of China intellectual property (1 unit)**

Real estate law in the People's Republic of China (1 unit)

**PRC security and insolvency law (1 unit)**

**Taxation in the People's Republic of China (1 unit)**



**Trade and investment in the People's Republic of China (2 units)**

***Human rights and public law***

Advanced administrative law (1 unit)  
Armed conflict, humanitarian law and human rights (1 unit)

**Criminal justice and human rights (1 unit)**

Current issues in human rights (1 unit)  
Development and human rights (1 unit)  
Economic, social and cultural rights (1 unit)

**Equality and non-discrimination (1 unit)**

Equality and the law (1 unit)

**Ethnicity, human rights and democracy (1 unit)**

Freedom of speech and the press (1 unit)  
Gender issues in human rights (1 unit)  
Globalisation and human rights (1 unit)  
Hong Kong Basic Law (1 unit)  
Hong Kong environmental law (1 unit)

**Human rights: history, theory and politics (1 unit)**

Human rights and governance (1 unit)

**Human rights in China (1 unit)**

**Human rights in Hong Kong (1 unit)**

Indigenous peoples and human rights (1 unit)

**International and regional protection of human rights (1 unit)**

**International criminal law (1 unit)**

International protection of refugees and displaced persons (1 unit)  
Labour rights and human rights (1 unit)

**National protection of human rights (1 unit)**

**Privacy and data protection (1 unit)**

**Seminar in human rights research, sources and methodology (1 unit)**

The rights of the child in international and domestic law (1 unit)

***Commercial, corporate and financial law***

Arbitration law workshop (1 unit)  
Banking and finance in the PRC (1 unit)  
Banking law (1 unit)  
Comparative banking law (1 unit)  
Comparative companies law in the Asia-Pacific region (1 unit)  
Comparative insurance law and regulation (1 unit)

Comparative securities laws (1 unit)

**Construction law (1 unit)**

**Corporate governance and shareholder remedies (1 unit)**

Corporate reconstruction (1 unit)

**Credit and security law (2 units)**

Cross-border insolvency law (1 unit)  
Currency law/law of money (1 unit)

**Current issues in corporate law (1 unit)**

**Current issues in insolvency law (1 unit)**

**Derivatives regulation (1 unit)**

East Asian regional financial regulation (1 unit)  
Emerging markets: finance and investment (1 unit)

Equity finance (1 unit)

Equity in commercial law (1 unit)

**Foundations of international financial law (1 unit)**

Intellectual property law (2 units)  
International financial regulation (1 unit)

**International financial transactions (1 unit)**

International investment law with East Asia focus (1 unit)

**International tax and tax planning (1 unit)**

Pension and investment funds in Hong Kong and the PRC (1 unit)

**Project finance (1 unit)**

**Remedies (2 units)**

**Resolution of international financial disputes  
(1 unit)**

Securities for corporate lending (1 unit)

**Securities regulation (1 unit)**

Takeover and insider dealing (1 unit)

Trade finance law (1 unit)

The corporation and crimes (1 unit)

The law of restitution (1 unit)

***International and comparative law***

Hong Kong and international law (1 unit)

International air law: structure and  
organisation (1 unit)

International commercial transactions (2 units)

International criminal law (1 unit)

International dispute resolution (2 units)

International environmental law (1 unit)

International humanitarian law (1 unit)

International trade regulation (1 unit)

Introduction to law in East Asia (2 units)

Liabilities in international aviation (1 unit)

***Admiralty and shipping***

Admiralty (2 units)

Shipping law (2 units)

The law of the sea (1 unit)

***Others***

**Advanced research methodology for law  
(1 unit)**

Legal Chinese in commercial transactions  
(1 unit)

Legal fictions: representations of the law in  
literature, philosophy and cinema (1 unit)

Medical law (1 unit)

Postmodern legal theory (1 unit)

**THE MASTER OF LAWS (LLM)  
[SPECIALIST STREAMS]**

***(a) Master of Laws in Chinese  
Commercial Law (LLMPRCCommL)***

The LLM in Chinese Commercial Law has been introduced since the academic year 1998-99. This degree is offered to address an increasing need in Hong Kong and internationally for a more comprehensive understanding of the commercial laws and regulations of the People's Republic of China, particularly as they relate to international business transactions. Hong Kong is perhaps uniquely placed to provide students from Hong Kong and elsewhere courses on contemporary Chinese commercial law developments from an international business perspective which are conducted primarily in English.

The LLM in Chinese Commercial Law is a one-year full-time or two-year part-time curriculum which requires approximately 300 hours of class time. The curriculum is structured to include both one-unit and two-unit courses. A one-unit course of instruction is taught over a period of one semester while a two-unit course of instruction is taught over a period of two semesters. Candidates will be required to complete the equivalent of at least eight credit units. A candidate may elect to submit either a one-unit or two-unit dissertation toward these requirements. At least 25 percent of the final assessment of each course is by written work carried out during the course. The admission requirements for the LLM in Chinese Commercial Law are the same as those for the LLM.

*Two-unit courses:*

**Civil and commercial law in the People's Republic of China (compulsory)**

**Trade and investment in the People's Republic of China**

*One-unit courses:*

**Advanced research methodology for law**

**Company law and securities regulation in the People's Republic of China**

**Current issues in PRC commercial law**

Dispute resolution in the People's Republic of China

Introduction to Chinese law

Legal Chinese in commercial transactions

Legal system of People's Republic of China

**People's Republic of China intellectual property**

**PRC security and insolvency law**

Real estate law in the People's Republic of China

**Taxation in the People's Republic of China**

\*Courses offered in the academic year 1999-2000 are emboldened

*(b) Master of Laws (Corporate and Financial Law) [LLM(CFL)]*

Being a financial centre in Asia, Hong Kong is one of the best places in the World to study its ever vibrant economy and its equally vibrant regulatory regimes. This programme pulls together expertise in the area of corporate and financial law and provides a comprehensive study of the law and problems encountered in a sophisticated commercial and financial community.

Participants will be required to complete a total of eight one-unit courses with at least two units from each of the two groups of courses. Each participant will be required to take five one-unit courses, including the completion of a compulsory one-unit dissertation (although permission may be sought to submit a two-unit dissertation). Participants may choose the remaining three (or in some cases, two) one-unit courses from among the courses offered under this programme or, with the approval of the Faculty Higher Degrees Committee, from other courses offered within the Faculty or by other faculties within the University of Hong Kong.

#### ***COURSE OUTLINES***

(Courses offered in the academic year 1999-2000 are emboldened.)

***Compulsory course (one-unit or two-unit)***  
**Dissertation**

***Optional courses (one-unit)***

*Corporate stream*

Comparative companies law in the Asia-Pacific region

**Corporate governance and shareholder remedies**

Corporate reconstruction

**Current issues in corporate law**

Securities for corporate lending

Takeovers and insider dealing

The corporation and crimes

*Financial stream*

Banking and finance in the PRC

Banking law

Comparative banking law  
 Comparative insurance law and regulation  
 Comparative securities laws  
**Credit and security law**  
 Cross-border insolvency law  
 Currency law/law of money  
**Current issues in insolvency law**  
**Derivatives regulation**  
 East-Asian regional financial regulation  
 Emerging markets:  
     finance and investment  
 Equity finance  
 Equity in commercial law  
**Foundations of international financial law**  
 International financial regulation  
**International financial transaction**  
 International investment law with East  
     Asia focus  
**International tax and tax planning**  
 Pension and investment funds in Hong  
     Kong and the PRC  
**Project finance**  
**Resolution of international financial  
 disputes**  
**Securities regulation**  
 Trade finance law

*(c) Master of Laws (Human Rights) [LLM(HR)]*

The degree of Master of Laws in Human Rights is being offered by the Faculty as a response to the increasing interest in and relevance of human rights standards in Asia and elsewhere. The programme will focus on problems and perspectives which are of particular concern to the Asia-Pacific region, while at the same time ensuring that participants engage with universal human rights issues and the perspectives of other regional systems.

Participants in the course will be required to complete a total of eight one-unit courses. Each participant will be required to take five compulsory one-unit courses, including the completion of a one-unit dissertation or one-unit written project (although permission may be sought to submit a two-unit dissertation or written project in its place). In appropriate circumstances, the Faculty Higher Degrees Committee may permit this written project to be completed in conjunction with an internship with a human rights organisation or other organisation. Participants may choose the remaining three (or in some cases, two) one-unit courses from among the courses offered by the Faculty for the LLM programme in Human Rights or, with the approval of the Faculty Higher Degrees Committee, from other courses offered within the Faculty or by other faculties within the University of Hong Kong.

**COURSE OUTLINES**

(Courses offered in the academic year 1999-2000 are emboldened.)

**Compulsory courses (one-unit)**

**Dissertation**

**Human rights: history, theory and politics**

**International and regional protection of  
 human rights**

**National protection of human rights**

**Seminar in human rights research,  
 sources and methodology**

**Optional courses (one-unit)**

Armed conflict, humanitarian law and  
 human rights

**Criminal justice and human rights**

Development and human rights  
Economic, social and cultural rights

**Equality and non-discrimination**

**Ethnicity, human rights and democracy**

Freedom of speech and the press  
Gender issues in human rights  
Globalisation and human rights

Human rights and governance

**Human rights in China**

**Human rights in Hong Kong**

Indigenous peoples and human rights

**International criminal law**

International protection of refugees and displaced persons

Labour rights and human rights

**Privacy and data protection**

The rights of the child in international and domestic law

another university or comparable institution accepted for this purpose.

- (iv) Applicant may be required to pass a qualifying examination or submit satisfactory evidence of English proficiency if English is not their first language.

A candidate seeking admission under (ii) or (iii) 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 (iii) 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.

**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 good honours or an equivalent qualification; or
- (ii) have been admitted to the professional practice of law in Hong Kong or in a territory or country other than Hong Kong; or
- (iii) 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

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 six with no sub-test 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)**

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 class time. Under the revised regulations, candidates are required to satisfactorily complete courses of instruction equivalent to four credit units. Courses offered include a variety of one-unit or two-unit courses. At least 25 percent of the final assessment of each course is by written work carried out during the course. The admission requirements for the diplomas are the same

as those for the LLM. Students who successfully complete the equivalent of four credit units 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 further courses equivalent to four credit units in their second year of study. The courses for the diplomas are derived from the LLM curriculum. (Please refer to page 88 to 90.)

**POSTGRADUATE DIPLOMA IN COMMON LAW (PDipCL) AND MASTER OF COMMON LAW (MCL)**

The Faculty has introduced a Postgraduate Diploma course in Common Law since 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 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 eight 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 five 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**

**Equity and introduction to trusts**

**Law of contract**

**Law of tort**

**Property law**

*Non-Common Law subject:*

**Law and society**

**One-unit courses**

*Common Law subjects:*

Administrative law

Admiralty

Bank security

**Banking law**

**Business associations**

Civil litigation

Commercial law I and II

**Company law**

Copyright law

**Fundamentals of evidence and trial procedure**

Human rights in Hong Kong

**Insolvency law**

Insurance 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 skills

**Medico-legal issues**

Planning and environmental law

**Principles of family law**

Remedies

Shipping law

Succession

The child and the law

The legal system

**Trusts**

*Non-Common Law subjects:*

**Alternative dispute resolution**

**Criminology**

**Current legal controversies**

Economic analysis of law

Foundations in international financial law

International human rights

International organisations

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

Sociology of law

The Hong Kong Basic Law

The law of the sea

\*Courses offered in the academic year 1999-2000 are emboldened

### ***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 that 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 PROGRAMMES**

### ***Master of Philosophy (MPhil) and Doctor of Philosophy (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 welcomes applications from those wishing to do research under supervision for an MPhil or PhD 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 Graduate School offers a variety of courses and seminars designed to support research students in their work and enhance their personal development.

Candidates for the MPhil should complete coursework which counts towards part of the assessment for the degree. The total period of study is 24 months for full-time candidates and 36 months for part-time candidates.

Candidates for the PhD 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 the minimum and maximum periods of study as follows:

	<b>Full-time</b>	<b>Part-time</b>
<b>Probation</b>	<b>12 months</b>	<b>18 months</b>
<b>Minimum</b>	<b>36 months</b>	<b>54 months</b>
<b>Maximum</b>	<b>60 months</b>	<b>72 months</b>

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:*

- Commercial law
- Company law
- Conflict of laws
- Constitutional and administrative law
- Criminal law and criminology
- Environmental law
- Family law
- Hong Kong legal history and legal system
- Human rights law

Insolvency law  
International trade law  
Jurisprudence and legal theory  
Land law  
Law of the People's Republic of China  
Legal education  
Medico-legal issues  
Privacy law  
Public international law  
Revenue law  
Tort law

*Current and recent MPhil and PhD research topics include:*

Civil jurisdiction of the Hong Kong courts  
Commercial and company laws of China  
Company law  
Comparative environmental law  
Comparative study of the legal aspects of credit security in the Asian region  
Constitutional law  
Constitutional law (Chinese and comparative)  
Consumer protection: a study of the PRC consumer protection law  
Critical theories of law with a critical analysis of American constitutional law  
Death penalty, the right to life and human rights in China  
Environmental law/tourism/Pacific island states  
Future relations between the laws of Hong Kong Special Administrative Region and mainland China  
Human rights law  
Intellectual property and comparative law  
Interpretation and implementation of China's national labour health and

safety regime at the local level: a comparison of Shanghai and Beijing  
Jurilinguistics  
Justification of punishment  
Legal protection of intellectual property in international trade  
Medico-legal issues  
Pre-1949 Communist legal history in China  
Public policies, infrastructural development and the law in China and Hong Kong  
Securities regulation  
Tax law and policy in Hong Kong

### **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 six with no sub-test 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.

### **DOCTOR OF LEGAL SCIENCE (SJD)**

The SJD (Doctor of the Science of Law) Degree has been introduced since the academic year 1998-99. This is a degree which combines course-work with a dissertation. It is mainly intended for students who have a limited background in research, but wish to embark on studies leading ultimately to a doctorate. It is modelled on new developments in Australian universities (themselves emulating US law schools). Students are required to take a one-unit course on research methodology, and other LLM courses taken from the post-graduate LLM and diploma courses on offer in the Faculty to the value of seven units. A student may be permitted to take some courses from the LLB degree. A factor in course selection must be preparation for the student's area of research.

In the first instance, registration for this degree will be provisional. If the student obtains sufficiently high grades in his or her courses, registration for the degree will be confirmed. The student may then proceed to the dissertation, which is to be between 50,000 and 60,000 words long. This is shorter than normally expected for a doctorate degree by research alone, but is nonetheless required to be an original piece of research of publishable standard.

The minimum period of registration for the degree is three years full-time or 54 months part-time, the same as for a PhD.

### **HOUSING**

Overseas students are eligible for accommodation in the University's 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: (852) 2859 2305 Fax: (852) 2546 0184).

### **FINANCIAL SUPPORT**

For students pursuing their studies full time as MPhil, PhD or SJD candidates, there are a limited number of Studentships offered for the minimum period of study. Each Postgraduate Studentship carries a stipend of approximately HK\$15,500 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, Pokfulam Road, Hong Kong. PhD 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 Professor Johannes M M Chan, Head of Department of Law on matters pertaining to their proposed field of research. Application forms for SJD, MPhil, the LLM, LLMPRCCommL, LLM(CFL), LLM(HR), MCL and Postgraduate Diploma programmes will be available by December 1999 from the Academic Services Enquiry Office. Enquiries about these programmes should be addressed to the Faculty Secretary.

Applications are welcome from overseas students. Past postgraduate students have come from Australia, Belgium, Canada, Germany, Japan, Macau, Malaysia, the Netherlands, New Zealand, Norway, Pakistan, the PRC, Singapore, South Africa, Sri Lanka, Sweden, Switzerland, the United Kingdom, and the United States and have included students holding Commonwealth Scholarships.

## SCHEDULE OF FEES (FOR 1999-2000 IN HK\$)

(Subject to confirmation)

Application fee (for all applicants)	\$150
Caution money (for all applicants)	\$350
<b>Composition fee</b>	
LLB, LLM (full-time), LLMPRCCommL (full-time), LLM(CFL) (full-time), LLM(HR) (full-time), PCLL (full-time), MPhil/PhD/SJD (full-time), PDip (full-time)	\$42,100 p.a. (indicative) [subject to annual review]
LLM (part-time), LLMPRCCommL (part-time), LLM(CFL) (part-time), LLM(HR) (part-time), PDipCommL (part-time), PDipLPRC (part-time), PDipPubL(part-time)	\$21,050 p.a. (indicative) [subject to annual review]
MPhil/PhD/SJD (part-time)	\$28,070 p.a.(indicative) [subject to annual review]
<b>Continuation fee</b> (for MPhil and PhD candidates)	\$4,250 for 3 months, or part thereof [subject to annual review]
<b>Examination fee</b>	
MPhil	\$1,000
PhD	\$1,500
Repeating each course (for LLB, LLM, LLMPRCCommL, LLM(CFL), LLM(HR), PCLL, and Postgraduate Diplomas)	25% of the composition fee for the 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

VISIT US AT <http://www.hku.hk/law/law.html>

*What you can find in our homepage:*

**ABOUT**

History of the Faculty  
Message from the Dean

**DEPARTMENTS**

Department of Law  
Department of Professional Legal Education

**STAFF**

Administrative Staff  
Academic Staff  
Staff Email List

**PROGRAMMES**

Bachelor of Laws  
The Postgraduate Certificate in Laws  
Postgraduate Programmes

**PUBLICATIONS**

Hong Kong Law Journal  
Bill of Rights Bulletin  
Faculty Publications

**RELATED LINKS**

Law Library  
Students' Area  
Law Association  
Other Legal Links

**Centre for Comparative and Public Law**  
**Asia America Institute in Transnational Law**  
**LLM in Corporate and Financial Law**  
**LLM in Human Rights**  
**List of Faculty members' publications since 1996**

# ACADEMIC CALENDAR 1999-2000

(subject to confirmation)

<b>LLB</b>		<u>1st and 2nd years</u>	<u>3rd year</u>
	1st Semester:	8 Sep to 4 Dec 1999	8 Sep to 4 Dec 1999
	Reading Weeks:	18-23 Oct 1999	18-23 Oct 1999
	Examination Weeks:	13-23 Dec 1999	13-23 Dec 1999
	2nd Semester:	24 Jan to 27 Apr 2000	24 Jan to 27 Apr 2000
	Examination Weeks:	12-31 May 2000	5-31 May 2000
<b>PCLL</b>	1st Semester:	8 Sep to 4 Dec 1999	
	Examination Weeks:	6 Dec 1999 to 8 Jan 2000	
	2nd Semester:	10 Jan to 2 May 2000	
	Examination Weeks:	2-20 May 2000	
<b>LLM/ PDips</b>	1st Semester:	8 Sep to 4 Dec 1999	
	Examination Weeks:	13-23 Dec 1999	
	2nd Semester:	24 Jan to 2 May 2000	
	Examination Weeks:	5-31 May 2000	
University Holiday	24 Dec 1999	Christmas Eve	
	16 Mar 2000	Foundation Day	
Suspension of Classes	5-9 Feb 2000	Suspension of classes for Lunar New Year	
Designated Vacations	23-30 Apr 2000		
	1 Jul to 31 Aug 2000		
<b>General Holidays</b>			
25 Sep 1999	The day following the Mid-Autumn Festival		
1 Oct 1999	National Day		
18 Oct 1999	The day following Chung Yeung Festival		
25, 27 Dec 1999	Christmas		
31 Dec 1999	New Year's Eve		
1 Jan 2000	New Year's Day		
4, 5, 7 Feb 2000	Lunar New Year		
4 Apr 2000	Ching Ming Festival		
21, 22, 24 Apr 2000	Easter		
1 May 2000	International Labour Day		
11 May 2000	Buddhist Festival		
6 Jun 2000	Tuen Ng Festival		
1 Jul 2000	Hong Kong Special Administrative Region Establishment Day		







FACULTY OF LAW THE UNIVERSITY OF HONG KONG  
香港大學 法律學院

香港薄扶林道 4th floor, KK Leung Building  
梁詠瑤樓四樓 Pokfulam Road, Hong Kong

Tel> (852) 2859 2951 <電話> E-mail> [hrxvltk@hkucc.hku.hk](mailto:hrxvltk@hkucc.hku.hk) <電郵>  
Fax> (852) 2559 3543 <傳真>





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