

# LT6505: LEGAL TRANSLATION

---

## Effective Term

Semester B 2024/25

## Part I Course Overview

### Course Title

Legal Translation

### Subject Code

LT - Linguistics and Translation

### Course Number

6505

### Academic Unit

Linguistics and Translation (LT)

### College/School

College of Liberal Arts and Social Sciences (CH)

### Course Duration

One Semester

### Credit Units

3

### Level

P5, P6 - Postgraduate Degree

### Medium of Instruction

Other Languages

### Other Languages for Medium of Instruction

English is the primary medium of instruction and assessment, but where necessary, Chinese is used for discussing issues relating to legal translation.

### Medium of Assessment

Other Languages

### Other Languages for Medium of Assessment

English is the primary medium of instruction and assessment, but where necessary, Chinese is used for discussing issues relating to legal translation.

### Prerequisites

Nil

### Precursors

Nil

### Equivalent Courses

CTL6505 Legal Translation

**Exclusive Courses**

Nil

**Part II Course Details****Abstract**

This course aims to engage students in exploring (1) the nature and problems of translation and some of the major approaches to translation; (2) the problems inherent in legal translation with a special emphasis on those in the context of Hong Kong; and (3) the principles and techniques of legal translation. It equips them with the linguistic and conceptual tools for analysing and translating various types of legal texts.

**Course Intended Learning Outcomes (CILOs)**

CILOs		Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Give a clear account the nature of translation in general and the special features of legal translation in particular		x	x	
2	Apply the linguistic and conceptual tools for analyzing legal texts		x	x	
3	Evaluate functional translation principles and apply effective translation techniques when rendering various legal texts into the target language		x	x	x
4	Conduct critical evaluation of legal texts and legal translations		x	x	

**A1: Attitude**

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

**A2: Ability**

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.

**A3: Accomplishments**

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

**Learning and Teaching Activities (LTAs)**

LTAs	Brief Description	CILO No.	Hours/week (if applicable)
1	Lecture Students will learn the features of Chinese/English language used in legal writing	1, 2, 3, 4	3 hours

2	2	Class activities:  Students will engage in small-scale creative translating tasks during class.	1, 2, 3, 4	
---	---	---	------------	--

**Assessment Tasks / Activities (ATs)**

ATs	CILO No.	Weighting (%)	Remarks (e.g. Parameter for GenAI use)	
1	Class participation	1, 2, 3, 4	10	
2	Translation assignment Students will work alone to creatively and effectively produce two pieces of legal translation (in Chinese & English, respectively) in an assignment	1, 2, 3, 4	25	
3	Legal research paper Each student will write a paper, to conduct critical evaluation of the effectiveness of a legal translation in its target language - English).	1, 2, 3, 4	25	

**Continuous Assessment (%)**

60

**Examination (%)**

40

**Examination Duration (Hours)**

2

**Additional Information for ATs**

Exam: 2 pieces of translation and 2 short questions (CILO No. 1-4)

**Assessment Rubrics (AR)****Assessment Task**

1. Class Participation (for students admitted before Semester A 2022/23 and in Semester A 2024/25 &amp; thereafter)

**Criterion**

Engage in class discussion enthusiastically

**Excellent**

(A+, A, A-) Enthusiastic participation in class discussion

**Good**

(B+, B, B-) Active participation in class discussion

**Fair**

(C+, C, C-) Occasionally active participation in class discussion

**Marginal**

(D) Inadequate participation in class discussion

**Failure**

(F) Not reaching marginal level of participation

---

**Assessment Task**

2. Translation assignment (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

**Criterion**

Ability to critically apply skills and techniques for the completion of a translating assignment

**Excellent**

(A+, A, A-) Highly readable and accurate translation

**Good**

(B+, B, B-) Largely readable and accurate translation

**Fair**

(C+, C, C-) Clumsy and/ or occasional inaccuracies

**Marginal**

(D) Clumsy and plenty of mistranslations

**Failure**

(F) Unreadable and inaccurate translation

---

**Assessment Task**

3. Legal Research Paper (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

**Criterion**

A research paper for students to understand how the two legal systems work and how to distinguish quality legal translations from poor renderings

**Excellent**

(A+, A, A-) Excellent research and rich content with coherent writing

**Good**

(B+, B, B-) Good research and rich content with coherent writing

**Fair**

(C+, C, C-) Fair research and content with occasionally incoherent writing

**Marginal**

(D) Marginally adequate research and content with incoherent writing

**Failure**

(F) Inadequate research and content with incoherent writing

---

**Assessment Task**

4. Examination (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

**Criterion**

Ability to master skills and techniques to translating different legal texts; demonstrate subject matter knowledge

**Excellent**

(A+, A, A-) Highly readable and accurate translation; demonstrate excellent command of subject matter

**Good**

(B+, B, B-) Largely readable and accurate translation; demonstrate good command of subject matter

**Fair**

(C+, C, C-) Clumsy and/ or occasional inaccuracies; demonstrate fair command of subject matter

**Marginal**

(D) Clumsy and plenty of mistranslations; demonstrate marginal command of subject matter

**Failure**

(F) Unreadable and inaccurate translation; demonstrate poor command of subject matter

---

**Assessment Task**

1. Class Participation (for students admitted from Semester A 2022/23 to Summer Term 2024)

**Criterion**

Engage in class discussion enthusiastically

**Excellent**

(A+, A, A-) Enthusiastic participation in class discussion

**Good**

(B+, B) Active participation in class discussion

**Marginal**

(B-, C+, C) Inadequate participation in class discussion

**Failure**

(F) Not reaching marginal level of participation

---

**Assessment Task**

2. Translation assignments (for students admitted from Semester A 2022/23 to Summer Term 2024)

**Criterion**

Ability to critically apply skills and techniques for the completion of a translating assignment

**Excellent**

(A+, A, A-) Highly readable and accurate translation

**Good**

(B+, B) Largely readable and accurate translation

**Marginal**

(B-, C+, C) Clumsy and occasional inaccuracies

**Failure**

(F) Unreadable and inaccurate translation

---

**Assessment Task**

3. Legal Research Paper (for students admitted from Semester A 2022/23 to Summer Term 2024)

**Criterion**

A research paper for students to understand how the two legal systems work and how to distinguish quality legal translations from poor renderings

**Excellent**

(A+, A, A-) Excellent research and rich content with coherent writing

**Good**

(B+, B) Good research and rich content with coherent writing

**Marginal**

(B-, C+, C) Marginally adequate research and content with incoherent writing

**Failure**

(F) Inadequate research and content with incoherent writing

---

**Assessment Task**

4. Examination (for students admitted from Semester A 2022/23 to Summer Term 2024)

**Criterion**

Ability to master skills and techniques to translating different legal texts; demonstrate subject matter knowledge

**Excellent**

(A+, A, A-) Highly readable and accurate translation; demonstrate excellent command of the subject matter

**Good**

(B+, B) Largely readable and accurate translation; demonstrate good command of the subject matter

**Marginal**

(B-, C+, C) Clumsy and occasional inaccuracies; demonstrate marginal command of the subject matter

**Failure**

(F) Unreadable and inaccurate translation; demonstrate poor command of the subject matter

---

## Part III Other Information

**Keyword Syllabus**

The nature of translation; problems of legal translation; principles of legal translation; methods of legal translation; translation of legislation; translation of private legal documents

**Reading List**

**Compulsory Readings**

	Title
1	Cheung, Anne S. Y. (1997). Towards a Bilingual Legal System: The Development of Chinese Legal Language. HeinOnline: <a href="https://heinonline.org/HOL/Page?handle=hein.journals/loyint19&amp;div=18&amp;g_sent=1&amp;casa_token=&amp;collection=journals">https://heinonline.org/HOL/Page?handle=hein.journals/loyint19&amp;div=18&amp;g_sent=1&amp;casa_token=&amp;collection=journals</a>
2	Frandsberg, Ake (1998). Legal Concepts. In Routledge Encyclopaedia of Philosophy (Edward Craig Ed.). London/New York: Routledge.
3	Haas, W. (1968). The Theory of Translation. In G.H.R. (Ed.). The Theory of Meaning. Oxford: Oxford University Press, pp.86-108.
4	Nida, Eugene A. (1971). Semantic components in translation theory. In Applications of Linguistics: Selected Papers of the Second International Congress of Applied Linguistics (G.E. Perren & J.L.M. Trun Eds.). Cambridge: Cambridge University Press, pp.341-348.
5	Nida, Eugene A. and Taber, Charles R. (1982). The Theory and Practice of Translation. Leiden: Brill.
6	Sarcevic, Susan (1997). New Approaches to Legal Translation. Hague: Kluwer Law.
7	Sin, King-kui (1989). Meaning, Translation and Bilingual Legislation. In Proceedings of First International Conference on Language and Law (Paul Puper and Jose Woehrling Eds.). Montreal: Wilson & Lafleur Ltd, pp. 509-515.
8	_____ (1992). The Translatability of Law. In Research on Chinese Linguistics in Hong Kong Thomas (H.T. Leed Ed.). Hong Kong: The Linguistic Society of Hong, pp.86-100.
9	_____ (1998). The Common Law in Uncommon Chinese: Linguistic Anomalies and Cultural Shock. Journal of Translation, No. 2, pp.127-140.
10	Sin, King-kui and Roebuck (1993). The Ego and I and Ngo: Theoretical Problems in the Translation of the Common Law into Chinese. In Hong Kong, China and 1997: Essays in Legal Theory (Raymond Wacks Ed.). Hong Kong: Hong Kong University Press, pp.185-209.
11	_____ (1996). Language Engineering for Legal Transplantation: Conceptual Problems in Creating Common Law Chinese. Language and Communication, Vol. 16, No.3, pp.235-254.
12	Smith, A.L. (1994). Foreign Law in Translation: Problems and Sources. In Introduction to Foreign Legal Systems (Richard A. Danner and Marie-Louise H. Bernal Eds.). New York: Oceana Publications, Inc., pp. 268-271.
13	Zhao, Yuhong. 2000. "Legal Translation in the Legislative Genre." Journal of Translation Studies. No. 4, March 2000. 19 – 44.
14	Chan, Clara Ho-yan (2014). 《法律翻譯系列：兩岸三地合約法主要詞彙》 (Legal Translation Series: Key Terms in Contract Law of Hong Kong, Mainland China and Taiwan). Hong Kong: City University of Hong Kong Press.
15	_____ (2015). 《法律翻譯系列：兩岸三地侵權法主要詞彙》 (Legal Translation Series: Key Terms in Tort Law of Hong Kong, Mainland China and Taiwan). Hong Kong: City University of Hong Kong Press.
16	陳忠誠 1992 法窗譯話 北京: 中國對外翻譯出版公司
17	季益廣、喬金祥 2000 「法律文本翻譯中詞語詞義的選擇和確立」 上海科技翻譯 2000 No.3. 34 – 37
18	李克興 1997 「論法律翻譯的基本原則」 載於香港翻譯學會翻譯季刊 第3&4期. 176 – 202
19	陸汶遜 1998 「法律詞彙翻譯切戒望文生義」 上海科技翻譯 1998 No. 2. 32 – 33
20	陸文慧 1991 「基本法的英譯問題」 載於劉靖之編翻譯新論集」 香港: 商務印書館 319 – 334
21	_____ (編) 2002 法律翻譯: 從實踐出發 香港: 中華書局
22	孫萬彪 2003 英漢法律翻譯教程 上海: 上海外語教育
23	蕭雲樞 2001 「英漢法律術語的特點、詞源及翻譯」 中國翻譯 第22卷 第3期. 44 – 47
24	王道庚 2006 《法律翻譯: 理論與實踐》, 香港, 香港城市大學出版社
25	Online Resources 雙語法例資料系統 (Bilingual Laws Information System) ( <a href="http://www.justice.gov.hk">http://www.justice.gov.hk</a> ) <a href="http://www.justice.gov.hk/homeglos">www.justice.gov.hk/homeglos</a> <a href="http://www.qis.net/chinalaw/lawchinl.htm">www.qis.net/chinalaw/lawchinl.htm</a>

### Additional Readings

	Title
1	Coode, George. 1852. Legislative Expression or The Language of the Written Law. In Appendix to Stanley Robinson, Drafting: its applications to conveyancing and commercial documents. London: Butterworths, 1980.
2	De Leo, David. 1998. "Pitfalls in Legal Translation." Translation Journal URL: <a href="http://accurapid.com/journal/09legal/1.htm">http://accurapid.com/journal/09legal/1.htm</a> .
3	Li, Zong E. (n.d.). Notes on Legal Translation. Unpublished lecture notes.
4	Madsen, Dorte. "A model for translation of legal texts." In Marry Snell-Hornby, Zuzana Jettmarova and Klaus Kaindl (Eds.), Translation As Intercultural Communication: Selected Papers from the EST Congress – Prague 1995. Amsterdam: John Benjamins. 291 – 299.
5	Meredith, R. Clive. 1970. "Some Notes on English Legal Translation." META XXIV, 1. 54 – 67.
6	Schulte, Rainer and Biguemet. Eds. 1992. Theories of Translation. Chicago: The University of Chicago Press.
7	李文陽 1994 「淺論法律英語的語言特點及翻譯」 中國翻譯 1994年第6期. 13 – 16
8	歐成威 1991 「雙語立法在香港的發展」 載於劉靖之編翻譯新論集. 香港: 商務印書
9	屈成熹 1968 「從語言學觀點看翻譯問題」 載於殷張蘭熙等著翻譯藝術. 台北: 國際文化事業有限公司 99 – 119
10	宋雷 1998 「涉外合同翻譯常見錯誤評析」 中國翻譯 1998年第6期 22 – 25
11	宋小莊 1997 「從‘和’、‘及’譯為‘or’看基本法英文文本對中文本的解釋」 載於香港翻譯學會翻譯季刊 第3&4期 84 – 89