

City University of Hong Kong
Course Syllabus

offered by School of Law
with effect from Semester A 2024/25

Part I Course Overview

Course Title:	Intensive Seminar
Course Code:	LW5663*
Course Duration:	From one week to the full duration of a given semester
Credit Units:	1 credit (total contact hours: 13) or 1.5 credits (total contact hours: 19.5) -(only applicable to students who completed the course on Sem A 2021/22 and thereafter) or 2 credits (total contact hours: 26) in Semester A, Semester B or Summer semester
Level:	P5
Medium of Instruction:	English
Medium of Assessment:	English
Prerequisites: <i>(Course Code and Title)</i>	LW5602A Law of Contract I or equivalent. Some courses under this intensive seminar may have specific pre-requisite. Students should refer to the individual course information for details.
Precursors: <i>(Course Code and Title)</i>	Nil
Equivalent Courses: <i>(Course Code and Title)</i>	LW4662 * Intensive Seminar (* This being an umbrella course, the course codes of seminars offered under this course will be labeled as LW4662A, LW4662B and so on.) LW650E* Intensive Seminar (* This being an umbrella course, the course codes of seminars offered under this course will be labeled as LW650AE, LW650AB and so on.)
Exclusive Courses: <i>(Course Code and Title)</i>	Nil

* This being an umbrella course, the course codes of seminars offered under this course will be labeled as LW5663A, LW5663B and so on. The code numbers and the exact title of each seminar will be recorded in Appendix-A to this Form.

Part II Course Details

1. Abstract

This course aims to:

- provide students opportunities to study, on an intensive basis, an existing or emerging area of law so as to meet the challenges of working in a global environment;
- allow students to get exposed to leading foreign legal scholars who might be willing to spend few weeks at our Law School to offer a course;
- offer more flexibility to students to plan and complete their studies; and.
- develop further the research and analytical abilities of students.

2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs [#]	Weighting	DEC related learning outcomes		
			A1	A2	A3
1.	Describe and explain the basic concepts and principles related to the given seminar			✓	
2.	Apply the concepts and principles to solve hypothetical or real situations			✓	✓
3.	Communicate ideas, arguments or advice clearly and coherently both orally and in writing		✓	✓	✓
4.	Critically analyse and evaluate concepts, principles and policy underpinning the area of law covered by the seminar		✓	✓	✓
		100%			

[#] Please specify the alignment of CILOs to the Gateway Education Programme Intended Learning outcomes (PILOs) in Section A of Annex.

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.*

Alignment of CILOs with PILOs:

PILOs		CILOs
1	Explain and assess specified areas of the law and the legal system of Hong Kong, with particular emphasis on the law in action and the dynamic interplay between law and other social phenomena.	1
2	Assess the common law system and its values, and its interaction with the law and legal system of mainland China, the East Asian region and the wider world.	2
3	Explain, interpret and apply main principles of ethics, civil duty, and social and professional responsibility.	
4	Critically assess the strengths and weaknesses of law as a means of regulating society in the context of competing and conflicting interests.	
5	Demonstrate and apply skills of legal analysis and reasoning, of legal research, or problem solving, and of oral and written communication to a level appropriate to a graduate-entry degree in law.	2

3. Learning and Teaching Activities (LTAs)

(LTAs designed to facilitate students' achievement of the CILOs.)

LTA	Brief Description	CILO No.				Hours/week (if applicable)
		1	2	3	4	
1	Lectures or interactive seminars – students will acquire basic knowledge of the relevant concept and principles, including by asking or responding to questions	✓				
2	Group discussions/exercises – students will get an opportunity to apply law or legal principles to practical situations; Tutorials – students will apply their understanding of legal concepts and principles to solve hypothetical situations		✓			
3	Tutorials – oral presentations and written submissions; Consultations			✓		
4	Lectures or interactive seminars – students will develop critical analytical abilities by observing and participating in discussions; Guided reflective pre/post-class reading				✓	

A range of LTAs are likely to be employed to achieve CILOs prescribed for a seminar. The combination and duration of the LTAs will be determined as per the needs of a particular seminar, which might in a given case be taught – wholly or in part – through video-conferencing facilities. Nevertheless, below is an indicative list of LTAs.

4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Again, although precise assessment tasks will be determined the visiting faculty and/or the course leader so as to ensure a proper alignment with CILOs and LATs, few potential assessment tasks are specified below. Taking into account the nature of the subject and the duration of the seminar, the visiting faculty and/or the course leader will decide if the assessment will be wholly by coursework or by a combination of coursework and examination. The nature of examination (whether closed book or open book) will also be determined by the visiting faculty and/or the course leader. The exact assessment tasks will be notified to students at the beginning of the seminar.

Assessment Tasks/Activities	CILO No.				Weighting	Remarks
	1	2	3	4		
Continuous Assessment: to be decided by the individual course leader						
Attendance and participation in tutorials and other exercises	✓	✓	✓	✓		
Coursework and/or End-of-course examination: to be decided by the individual course leader						
					100%	

The courses are assessed on pass/ fail basis, students are required to write an essay of 2,000 (for 1 credit course) or 3,000 (for 1.5 credits course) words or other suggested by the course lecturer of the individual course.

In view of the specific nature of the course, students should have an attendance of 75% or above.

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Assessment Task	Criterion	Pass (P)				Failure (F)
		Excellent	Good	Fair	Marginal	
1. Attendance and participation in tutorials and other exercises presentation)	Demonstration of concentration on tutorials and other exercises. Demonstration of ability and willingness to answer questions in tutorials and to participate in group discussion. Demonstration of oral presentation skills and willingness.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.
2. End-of-course examination	Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

1 credit course: These courses are assessed on pass/fail basis, students are required to write an essay of 2,000 words.

1.5 credits course: These courses are assessed on pass/fail basis, students are required to write an essay of 3,000 words.

In view of the specific nature of the course, students should also have an attendance of 75% or above.

Part III Other Information (more details can be provided separately in the teaching plan)

1. Keyword Syllabus

(An indication of the key topics of the course.)

Nil

2. Reading List

2.1 Compulsory Readings

(Compulsory readings can include books, book chapters, or journal/magazine articles. There are also collections of e-books, e-journals available from the CityU Library.)

Nil

2.2 Additional Readings

(Additional references for students to learn to expand their knowledge about the subject.)

Nil

This is merely an umbrella course and it has no syllabus of its own. The syllabus and the reading list (if any) of each intensive seminar offered under this course will be decided by the visiting staff and/or the course leader and included in Appendices-B to this Form.

**Appendix A: Course Codes and Titles of
Intensive Seminars Offered under LW5663**

<i>Course Code</i>	<i>Course Title</i>	<i>Credit Units</i>
LW5663A	CIF and FOB Contracts	1
LW5663B	Global Class Actions and Collective Redress	1.5
LW5663C	Governing International Contracts: Comparative Conflict of Laws and Uniform Law before Courts and Arbitral Tribunals	1
LW5663D	Dispute Resolution in a Global World	1.5
LW5663E	Comparative Contract Law	1
LW5663F	Introduction to Comparative Corporate Governance	1
LW5663G	Harmonization of Private Law: Legal and Cultural Challenges – The European Example To Be Avoided?	1
LW5663H	Online Platforms	1
LW5663I	International Trade Law	1
LW5663J	Medical Law and Ethics	1
LW5663K	International and Comparative Secured Transaction Law	1
LW5663L	The Law of Family Relations	1
LW5663M	The Regulation of Corporate Social Responsibility	1
LW5663N	Federalism in the United States	1.5
LW5663O	Online Dispute Resolution	1
LW5663P	Legal Regulation in the Fourth Industrial Age	1
LW5663Q	Commercial Criminal Law	1
LW5663R	An Introduction to the Law of Unjust Enrichment	1
LW5663S	Finance Basics for Lawyers	1.5
LW5663T	Interdisciplinary Legal Scholarship	1
LW5663U	Update on public, administrative & constitutional law issues from the UK; Public law drafting WKSH	1
LW5663V	Business Valuation in Practice	1.5
LW5663W	Advanced Trusts Law	1.5
LW5663X	EU Administrative Law	1
LW5663Y	Introduction to the Law and Policy of Artificial Intelligence	1
LW5663Z	Introductory Law and Economics	1

Appendices B: Syllabus of Intensive Seminars Offered under LW5663

LW5663A CIF and FOB Contracts

1. International trade: a legal overview
2. Negotiations and the use of standard forms
3. CIF, C&F and FOB Contracts: carriage and insurance
4. Risk and property
5. The goods
6. The documentary performance
7. The duty to pay, banks and letters of credit
8. The bill of lading as a contract of carriage
9. The bill of lading as a document of title
10. The bill of lading as a receipt
11. Breaches and remedies
12. Force majeure/prohibitions

Pre-requisite: Law of Contract

LW5663B Global Class Actions and Collective Redress

The Global Course on Class Actions and Collective Redress is an in-depth exploration of the legal, social, and economic dimensions of class actions and collective redress mechanisms around the world. In this course we will review the theoretical and practical issues of multiple claims. The question of how mass disputes should be addressed has long puzzled the legal world. Different jurisdictions have adopted different modes of adjudicating such disputes.

The most prominent models are those adopted by the US (opt-out class actions) and the UK (opt-out competition claims and opt-in group litigation as well as the old representative actions) and the recent European Union directive which is now being implemented by the European member states. Why should claims be brought together and what is the effect of amalgamation of claims on access to justice. The representation of the group by one or few representatives is a unique procedure hence standing in this procedure requires special attention in order to secure the rights of the absent class members.

We have seen the rise of class proceedings in recent years as a means of redress of weak populations such as consumers, employees, investors, who are facing the strong business with heavy resources.

Students who participated in this course in the past mentioned that this topic is of great interest to them as it touches international practice and enables them to acquire knowledge on collective proceeding in other leading jurisdictions. Students discuss the most famous international high volume litigation concerning international trade such as Volkswagen (the emission scandal), Facebook (international data breach cases) and the BP Gulf oil spill litigation.

Collective redress of mass disputes is liked by students as sometimes the accumulation of small Negative Expected Value turns weak parts of the population such as consumers to equal parties to the huge and powerful mega companies.

Grading Scheme

- Pass/Fail Grade only
- Good Attendance – 75% plus
- One essay of 3,000 words

LW5663C Governing International Contracts: Comparative Conflict of Laws and Uniform Law before Courts and Arbitral Tribunals

- I) Private International Law and Conflict of Laws
 - a. Subject Matter
 - b. Sources
 - c. Scope
 - d. Objectives
 - e. Comparative Methodologies
 - f. National Courts and Arbitral Tribunals

- II) Comparative Conflict of Laws in Contract
 - a. Distinguishing domestic and international contracts
 - b. Interactions between Jurisdiction and Applicable Law
 - c. Governing International Contracts
 - i. Choice of Law
 - 1. Renvoi
 - 2. Freedom of Contract v. Party Autonomy
 - ii. Absence of Choice of Law
 - 1. General
 - 2. Specific Types
 - iii. Mandatory Rules and Public Policy
 - iv. Overriding Mandatory Rules
 - v. Protection of the Weaker Party

- III) Uniform Tools
 - a. Standard Contracts
 - b. Uniform Terminologies: Incoterms
 - c. Standard Guarantees and other tools

- IV) Uniform Law
 - a. Uniform Conflict of Laws
 - b. Uniform Substantive Law
 - i. Source, Nature, Scope, Objectives
 - ii. Interactions with Conflict of Laws
 - iii. The CISG: Theory and Practice
 - iv. International Transport

- V) Governing International Contracts: Selected Topics and Examples

LW5663D Dispute Resolution in a Global World

For many decades there has been a global sense of crisis in the administration of justice. Most legal systems struggle with how best to adjust their adjudication system to meet the needs of its members. In this course, we will explore the universal principles and values underlying any legal system that seeks to afford effective access to justice and maintain the rule of law. We will also explore the challenges and problems that have preoccupied reformers for more than a century. You will acquire theoretical and practical knowledge of various modes of dispute resolution in a changing global world, and benefit from the experiences of many other jurisdictions. The interdisciplinary and comparative approaches employed in this course will deepen and enrich your understand of the civil justice process in your own jurisdiction.

The general themes that will be covered in this course include the following:

1. Universal Principles of Access to Justice and Fair Trial
2. Rule of Law and Law Enforcement
3. Adversarial, Inquisitorial and Mixed Dispute Resolution Systems
4. Cost Rules (including Costs Shifting)
5. Litigation Funding (and Third Party Funding)
6. Self-Representation, and Lay Representation
7. Settlements, Mediation, and Alternative Dispute Resolution
8. Arbitration
9. Digital Justice and Online Dispute Resolution

LW5663E Comparative Contract Law

The course will look at a number of laws of contract (English/HK, French, German and some of the other contract laws of Asia) and international instruments (such as the Unidroit Principles of International Commercial Contracts, the Principles of European Contract law and, to a lesser extent, the Vienna Convention on the International Sale of Goods). The course starts with a general overview (e.g explaining the relevance of soft law principles, and covering some of the areas in which there is broad similarity between the various laws and instruments) and then, in the remaining classes, looks at a number of key areas in which there are substantial differences (such as breaking off negotiations; pre-contractual information and duties of disclosure; unfair terms; and adjustment for change of circumstances). It will concentrate on business-to-business contracts, though with some comparisons to consumer contract law.

Pre-requisite: Law of Contract

LW5663F Introduction to Comparative Corporate Governance

This course on comparative corporate governance introduces the discipline that deals with social institutions - both legal and extra-legal - that purport to provide social regulation of relationships within the business corporation. The company is a complex mechanism for cooperation with a view to making money and doing other good deeds. Successful operation of the corporation requires overcoming a series of problems stemming from our human nature. While the basic structure of corporations in modern economies is relatively uniform, different countries address these issues in various ways, including through different legal systems, different market structures, and other social institutions such as social norms and culture. This situation presents a challenge to policy-makers, lawyers, and business people. This course provides an introduction to comparative analysis of corporate governance. We will first identify the fundamental problems that every corporate governance system must address. Next, we will point out some prominent examples of the different ways that countries implement for this task, review the reasons for this diversity and will try to get to its roots. The last part of the course deals with special challenges that face emerging markets and with the interaction between legal systems and other social institutions.

Pre-requisite: Company Law

LW5663G Harmonization of Private Law: Legal and Cultural Challenges – The European Example To Be Avoided?

The course explores the tensions that arise between legal integration and cultural diversity in the making of European private law. In the last decades, many have claimed that the European Single Market could not exist without a unified law of obligations, at least. Very few however objected that such law would clash with legal, social, linguistic and cultural diversity across the member States. Today, the attempts to unify the law of obligations have failed, leaving most of the challenges unresolved. While the question of unified regulations will be discussed, the focus will be on the role that the European Court of Justice has played so far to eliminate legal divergences in various fields of private law, especially in the law of contract and tort. By looking at the cultural challenges faced in Europe, the course will also aim to establish comparisons with Asia.

LW5663H Online Platforms

This seminar deals with the law relating to online platforms, in particular those which act as intermediaries between suppliers and customers. It brings together aspects of contract law, tort law, and unfair competition law. Students are also introduced to the Draft Model Rules on Online Intermediary Platforms proposed by the European Law Institute.

Suggested Reading:

Discussion Draft of a Directive on Intermediate Online Platforms, proposed by the Research Group on the Law of Digital Services, 2016 Journal of European and Consumer Market Law 164-169

Lesson 1

What are online platforms and online intermediary platforms

Overview of contract law, tort law, unfair commercial practices law relating to online intermediary platforms

Conflict of law aspects

Listings in online intermediary platforms

Lesson 2

Reputation systems in online platforms

Lesson 3

Duties of online intermediary platforms

Lesson 4

Liability of online intermediary platforms

Pre-requisite:

Knowledge of Law of Contract

LW5663I International Trade Law

This course mainly includes three 3-hour and one 4-hour seminars:

- (1) Introduction to International Trade Law (3 hours).
- (2) International Trade Terms – FOB Contracts (3 hours).
- (3) International Trade Terms – CIF Contracts + Vienna Convention (4 hours).
- (4) Carriage of Goods by Sea (3 hours)

Pre-requisite:

Law of Contract

LW5663J Medical Law and Ethics

Seminar 1: Mental Capacity

- Legal tests for Mental Capacity
- Capacity in Specific Areas: testamentary; marriage, sex, medical
- Substitute Decision Making – how and when can a court decide if someone lacks capacity.
- Procedural aspects of judicial decision making for those who lack capacity
- Evidential Aspects of Mental Capacity Law – the role of psychiatrists and psychologists.

Seminar Two: Medical Law and Human Rights

- Regional and International Instruments for Protection of Human Rights in Medical Law
- UN Convention Protection Rights of the Disabled
- Protection Against torture and inhumane treatment
- Right to respect for a private life
- Right to respect for family life
- How courts balance competing human rights.

Seminar Three: Medical Law and Ethics

- What role do ethics play in medical law decisions?
- The limits of parental decision making on behalf of their children.
- What and how are a child's/ patients' best interests determined by the courts.
- Examples of ethically difficult cases courts have decided and how: conjoined twins; religious belief and blood transfusion.

Seminar Four: Mental Health

- Comparative Approaches to Mental Health Law
- International Instruments to protect the mentally unwell
- Deprivation of Liberty
- Compulsory Treatment

LW5663K International and Comparative Secured Transaction Law

This is an intensive module. It will be providing a comparative analysis of the law of secured transactions in common and civil law jurisdictions with international instruments aiming to modernise secured transactions laws. The module will be divided into three parts. The first part will be introduction. The second part will focus on the principles of the law of secured credit and title financing under common law (English law, UCC Article 9 and PPSAs) and civil law. The third part will focus on the reform of secured transactions law around the world, particularly, in light of the principles of the UNCITRAL Legislative Guide on Secured Transactions Law and the UNCITRAL Model Law on Secured Transactions.

Contact hours: 4 lessons over a week.

Workload: Intensive module.

Mode of assessment: Pass/Fail, Class participation/attendance (75%+); coursework essay of 2000 words to be submitted after completion of the course.

Student eligibility: LLB (Year 3 or above with CGPA 3.1), JD and LLM.

Prerequisites: No prerequisite

Syllabus

Seminar 1: Introduction to secured transactions law, debt vs equity financing, problems with access to finance and financial inclusion, nature of security interest and distinctions, quasi security interests.

Seminar 2: Scope of UCC Article 9, PPSAs, English secured transactions law and Civil Law systems - civil and common law principles governing secured transactions law; Secured Transactions law reform in different jurisdictions, the World Bank Toolkit, UNCITRAL Legislative Guide and UNCITRAL Model Law on Secured Transactions.

Seminar 3: Creation/attachment, registration, perfection requirements, notice filing

Seminar 4: Priority, enforcement, financial collateral and emerging subjects (*e.g.* blockchain and secured transactions).

Preliminary reading

Akseli, *'International Secured Transactions Law: Facilitation of Credit and International Conventions and Instruments'* (Routledge, 2011).

Akseli (ed), *'Availability of Credit and Secured Transactions in a Time of Crisis'* (Cambridge University Press, 2013)

Bazinas and Akseli (eds) *'International and Comparative Secured Transactions Law'* (Hart, 2017) – for model law and legislative guide

Beale, Bridge, Gullifer & Lomnicka *'The Law of Security and Title Financing'* (3rd edn 2018)

Goode: *Legal Problems of Credit and Security* (L. Gullifer ed., 6th edn, 2017)

Goode, *Commercial Law*, (Penguin, 5th ed., 2017)

Gullifer and Akseli (eds) ‘*Secured Transactions Law Reform: Principles, Policies and Practice*’ (Hart, 2016) – for civil law comparisons and reform

Gullifer and Payne, ‘*Corporate Finance Law: Principles and Policies*’ (2nd ed)

McCormack, ‘American private law writ large? The UNCITRAL secured transactions guide’, *International and Comparative Law Quarterly* [2011] 597-625

<http://securedtransactionslawreformproject.org/reform-in-the-uk/recent-reform/>

<https://securedtransactionslawreformproject.org/reform-in-other-jurisdictions/>

http://www.uncitral.org/pdf/english/texts/security-1g/e/09-82670_Ebook-Guide_09-04-10English.pdf

<https://securedtransactionslawreformproject.org/policy-documents/>

<https://securedtransactionslawreformproject.org/draft-policy-paper/>

http://www.uncitral.org/pdf/english/texts/security/ML_ST_E_ebook.pdf

http://www.uncitral.org/pdf/english/texts/security/MLST_Guide_to_enactment_E.pdf

<https://www.ebrd.com/news/publications/guides/model-law-on-secured-transactions.html>

<https://www.ifc.org/wps/wcm/connect/c5be2a0049586021a20ab719583b6d16/SecuredTransactionsSystems.pdf?MOD=AJPERES>

<http://www.worldbank.org/en/topic/financialsector/brief/collateral-registries>

UCC Article 9 <https://www.law.cornell.edu/ucc/9/>

Saskatchewan PPSA <http://www.publications.gov.sk.ca/details.cfm?p=803>

Ontario PPSA <https://www.ontario.ca/laws/statute/90p10>

Australian PPSA <https://www.comlaw.gov.au/Details/C2016C00073>

New Zealand PPSA <http://www.legislation.govt.nz/act/public/1999/0126/latest/versions.aspx>

LW5663L The Law of Family Relations

Overview: This course works mostly but not entirely with American materials in an exploration of how the law regulates dealings and conflicts that arise among couples, parents, and children. It focuses more closely on problems that arise all over the world than on United States doctrine: Cases are here to illustrate scenarios rather than deliver announcements by courts about how they ruled on the law and why. To support this emphasis, students will read excerpts of case law that focus on the family problem and exclude much of what the judge-authors wrote. (Full cases are available in PDF should you want to read any of them, but only short versions are assigned.)

Requirements: Classes Two, Three, and Four feature mandatory participation in which each student will cover a share of the readings as a classroom discussion leader. (Professor Bernstein will be the discussion leader for all materials covered in Class One.) The second course requirement is a paper of at least 2000 words that reflects on material the student-author covered in class and the experience of discussion leadership. Notes and other preparation for these presentations will provide a starting point for the paper.

LW5663M The Regulation of Corporate Social Responsibility

The course looks particularly at how regulation has evolved to promote CSR issues. This purpose of this course is to consider how regulation can influence CSR. In doing this, it draws upon a large and diverse body of ideas, as well as a range of theories and debates, concerning the importance of regulation and governance to the modern business and regulatory environment.

Pre-requisite: for 3rd year students and postgraduates

LW5663N Federalism in the United States

This course focuses on the allocation of authority between the states and the national government in the United States. Topics include the history, structure, and function of federalism. Attention is given to the allocation of fiscal authority among the national and state governments. The course draws on accounts of federalism developed by economists and political theorists, as well as legal scholars, and offers comparisons to federal systems in other countries.

LW5663O Online Dispute Resolution

This short course provides an overview of developments in the use of technology in dispute resolution processes. It focuses especially on “online dispute resolution” (ODR). Various government and industry bodies around the world have been actively working to develop a policy and practice framework for ODR, but it remains in its early stages. Further research and lessons learnt from practice will be required before ODR can be used confidently while avoiding potential risks. Covered in this course are: the nature of the new technologies that enable ODR, the advantages and disadvantages of applying technology in this context, and the policy and regulatory issues associated with ODR.

Learning outcomes for the unit

On successful completion of this unit students will be able to:

No	Unit Learning Outcome
1	demonstrate cognitive knowledge of nature of ODR; nature of ODR processes, advantages and disadvantages of ODR and international developments seeking to develop a common ODR standard
2	evidence an ability to analyze legal, ethical and practical issues in connection with ODR and the diverse range of contexts in which it is being used.
3	develop research skills related to ODR and ability to use research, and analytical skills to solve a legally related problems and challenges.
4	Show an awareness of ethical and philosophical issues related to ODR
5	demonstrate global awareness through the study of comparative developments in various countries and contexts of use and future potential of ODR.
6	evidence a high level written and oral communication skills

Topics included in the unit

1	Introduction to and Overview of Online Dispute Resolution (ODR)
1.1	Administrative: How this course will work
1.2	The ODR Process
1.3	Advantages of ODR
1.4	Disadvantages of ODR
2.	The Many Practice contexts of ODR
2.1	Use of ODR by Courts; Jurisdiction; ODR; Enforcement of Judgments; Enhancing Access to Justice’ How Technology is Impacting Litigation and Administration of Justice
2.2	Enforceability of ODR/ADR agreements
2.3	ODR in Commercial World
2.4	Dispute Prevention
3.	Problems and Challenges related to the Practice of ODR
4.	International Standards and ODR
4.1	EU Regulation and Directive on ODR
4.2	UNCITRAL and ODR
4.3	The Future of ODR

Assessment Method (decided by School of Law)

Pass/Fail Grade only

1. Good attendance (75% plus) and active participation
2. One essay of 2,000 words to be submitted after completion of the course

4. Rubric for Attendance/Class Participation

Task Description: Includes attendance; preparation, quality of questions, respect for others, quality and quantity of participation on Discussion Lists for this unit					
Criteria		Exemplary	Effective	Pass	Fail
Level of Engagement	50P Pass FaF Fail	<ul style="list-style-type: none"> ▪ Contributes to class activities by offering quality ideas and asking appropriate questions on a regular basis ▪ Actively engages others in class discussions by inviting their comments ▪ Constructively challenges the accuracy and relevance of statements made ▪ Effectively identifies and summarises main points 	<ul style="list-style-type: none"> ▪ Contributes to class activities by offering ideas and asking questions on a regular basis ▪ Often engages others in class discussions by inviting their comments ▪ Challenges the accuracy and relevance of statements made ▪ Identifies and summarises main points 	<ul style="list-style-type: none"> ▪ Occasionally contributes to class activities by offering ideas and asking questions ▪ Sometimes engages others in class discussions ▪ Sometimes has an understanding of main points ▪ Identifies and summarises some of the main points 	<ul style="list-style-type: none"> ▪ Fails to contribute to class activities ▪ Fails to invite comment/opinions from other students ▪ Demonstrates little understanding of main points ▪ Does not identify or summarise main points ▪ Shows up for 50% or less of classes
Preparedness	25 Pass FaF Fail	<ul style="list-style-type: none"> ▪ Always prepared for class with assignments and required materials ▪ Accurately expresses foundational knowledge pertaining to issues raised during the discussion 	<ul style="list-style-type: none"> ▪ Usually prepared with assignments and required materials ▪ Expresses basic foundational knowledge pertaining to class discussions 	<ul style="list-style-type: none"> ▪ Seldom prepared with assignments and required materials ▪ Expresses limited foundational knowledge pertaining to class discussions 	<ul style="list-style-type: none"> ▪ Consistently unprepared for class ▪ Expresses no relevant foundational knowledge
Attitude	25 Pass FaF Fail	<ul style="list-style-type: none"> ▪ Consistently positive, cooperative attitude during class ▪ Always supportive of other students' ideas 	<ul style="list-style-type: none"> ▪ Usually positive and cooperative with classroom projects and discussions ▪ Often supportive of other students' ideas 	<ul style="list-style-type: none"> ▪ Seldom actively participates in classroom projects and discussions ▪ Sometimes supportive of other students' ideas 	<ul style="list-style-type: none"> ▪ Rarely if ever participates in classroom projects and discussions ▪ Occasional disruptive behaviour

2000 Word Assignment

Students are free to choose the topic of their papers themselves, provided that it relates to some aspect of ODR. Students are expected for the final paper to discuss their chosen topic in a well-researched and well-reasoned manner. It should not be longer than 2000 words, not counting footnotes and bibliography. The submission date will be announced in the first class, but will be AFTER the class sessions.

For written assignments, students need to check that the pages are numbered.

Students must retain a copy of their research assignment in paper and electronic copy.

Note the 2000-word limit means that the topic must be specific and able to be covered adequately within that word limit. Students are encouraged to consult with me regarding their topic.

Key areas the research assignment will be assessed on include:

1. Development and articulation of a precise thesis the paper, clearly articulated and with appropriate evidence;
2. Research methodology – evidence of an understanding of key primary and secondary sources in support of the arguments made.
3. Legal research – demonstrates breadth and depth in the use of US legal and, where relevant, non-legal resources;
4. Substantive knowledge – shows in-depth understanding of the legal topic area, and strongly comprehends the perspectives of the main commentators and in the main cases and statutes (where relevant);
5. Critical analysis – engaged with the material in an insightful manner, examining key arguments for relevance and logic, identifies gaps and inconsistencies, as well as underlying policy imperatives;
6. Contribution – develops a sound argument which demonstrates creativity and innovation.
7. Presentation – appropriate logical structure including a title page, expressed clearly and precisely, without grammar or typographical errors, with adequate and compliant referencing including a bibliography

Prescribed and recommended reading

Provide below, in formal reference format, a list of the prescribed and recommended reading for the unit.

Prescribed text: None

- Readings will be posted prior to each class session.

Recommended reading

- For purposes of your research assignment and select and random/order bibliography related to ODR:

Ethan Katsh and Colin Rule, 'What we Know and Need to Know About Online Dispute Resolution' (2016) 67 *South Carolina Law Review* 329

B L Mann, *Smoothing Some Wrinkles in Online Dispute Resolution* (2009) (Spring) *International Journal of Law and Information Technology* 83.

A Lodder and J Zeleznikow, *Developing an Online Dispute Resolution Environment: Dialogue Tools and Negotiation Support Systems in a Three-Step Model* (2005) 10 *Harvard Negotiations Law Review* 287.

M C Tyler and D Bretherton, *Online Alternative Dispute Resolution in E-commerce Dispute Settlement* (2003) 7 *Vindobona Journal of International Commercial Law and Arbitration* 199 at 201:
<http://www.odr.info/unece2003/pdf/Tyler.pdf>.

F Galves, *Virtual Justice as Reality: Making the Resolution of E-commerce Disputes More Convenient, Legitimate, Efficient, and Secure* (2009) 1 *University of Illinois Journal of Law, Technology and Policy* 1

H Perritt, *Resolution Cyberspace: Demand for New Forms of ADR* (2000) 15 *Ohio State Journal on Dispute Resolution* 675

E Katsh and J Rifkin, *Online Dispute Resolution: Conflict Resolution in Cyberspace* (Jossey-Bass, San Francisco, 2001);

M Schellekens and L van der Wees, *ADR and ODR in Electronic Commerce* in J E J Prins, P M A Ribbers, H C A van Tilborg, A F L Veth and J G L van der Wees (eds), *Trust in Electronic Commerce* (Kluwer Law International, The Hague, 2002) Ch 10, pp 271-300.

L J Gibbons, R M Kennedy and J M Gibbs, *Frontiers of Law and Internet and Cyberspace: Cybermediation Communications Medium Messaging the Message* (2002) 32 *New Mexico Law Review* 27.

David Carneiro, Paulo Novais, Francisco Andrade, John Zeleznikow and Jose Neves, 'Online Dispute Resolution: an Artificial Intelligence Perspective' (2014) 41 *Artificial Intelligence Review* 211, 215

I Q Hang, *Online Dispute Resolution Systems: The Future of Cyberspace Law* (2001) 41 *Santa Clara Law Review* 837.

Ethan Katsh and Colin Rule, 'What we Know and Need to Know About Online Dispute Resolution' (2016) 67 *South Carolina Law Review* 329

B L Mann, *Smoothing Some Wrinkles in Online/Dispute Resolution* (2009) 17(1) *International Journal of Law and Information Technology* 83.

Sourdin T, *Alternative Dispute Resolution* (2016) (Sydney: Thomson-Reuters Co)

Ben Martin 'Modra and the Future of Dispute Resolution' (1 October 2015):

<https://biglawbusiness.com/modria-and-the-future-of-dispute-resolution/>

Roger Sidaway, *Resolving Environmental Disputes: From Conflict to Consensus* (NY: Routledge 2013)

E. Clark. 'Achieving regulatory compliance in a digital world' *China.org.cn* (4 October 2017):

http://www.china.org.cn/opinion/2017-10/04/content_41666311.htm

National Center for Preventive Law: <http://www.preventivelawyer.org/>

[<http://www.preventivelawyer.org/>].

M Castellanos, U Dayal and T Sellis, *Business Intelligence for the Real-Time Enterprise*, Revised Selected Papers, Second International Workshop, BIRTE 2008, Auckland, New Zealand, 24 August 2008);

M. Legg, The Future of Dispute Resolution: Online ADR and Online Courts, [2016] *UNSWLRS* 71:

<http://138.25.65.17/au/journals/UNSWLRS/2016/71.pdf>

Maurits Barendrecht et al, *Trend Report 4 - ODR and the courts: The promise of 100% access to justice?* (The Hague Institute for Innovation of Law, 2016).

R Magnes, *The Confluence of Law and Policy in Leveraging Technology: Singapore's Judiciary's Experience* (2004) 12(3) *William & Mary Bill of Rights Journal* 661.

Jin Ho Verdonschot, 'In The Netherlands, Online Application Helps Divorcing Couples in Their Own Words, on Their Own Time' (2015) 21 (2) *Dispute Resolution Magazine* 19'

http://www.rvr.org/binaries/content/assets/rvrorg/informatie-over-de-raad/legalaid-brochure_online-2015.pdf

E Cunha, *The Potential Importance of Incorporating Online Dispute Resolution Into a Universal Mediation Model for International Child Abduction Cases* (2008) 24 *Connecticut Journal of International Law and Commerce* 117.

Rafal Morek, 'The Regulatory Framework for Online Dispute Resolution: A Critical View' (2006) 38 *University of Toledo Law Review* 163;

Scott Shackelford and Anjanette Raymond, 'Building the Virtual Courthouse: Ethical Considerations for Design, Implementation, and Regulation in the World of ODR' (2014) *Wisconsin Law Review* 615

Thomas Schultz, 'Does Online Dispute Resolution Need Governmental Intervention? The Case for

Architectures of Control and Trust' (2004) 6 *North Carolina Journal of Law & Technology* 71, 73 n 4.

Elisabeth Wentworth, 'Online Dispute Resolution: Global Issues and Australian Standards' (2002) 21(2) *The Arbitrator & Mediator* 21.

European Commission, **Alternative and Online Dispute Resolution (ADR/ODR)**
http://ec.europa.eu/consumers/solving_consumer_disputes/non-judicial_redress/adr-odr/index_en.htm

K. C. Liyanage, 'Online consumer protection, Deakin Law Review, Vol 16, no 2, pp 251-82 (2012)

UNCITRAL website at:

http://www.uncitral.org/uncitral/en/uncitral_texts/odr/2016Technical_notes.html

¹ The Technical Notes as well as Bibliography and other resources on ODR are available at:

http://www.uncitral.org/uncitral/en/uncitral_texts/odr/2016Technical_notes.html

José Edgardo Muñoz-López, 'Internet Conflict of Laws: A Space of Opportunities for ODR' (2009) 14 *International Law, Revista Colombiana de Derecho Internacional* 163, 182.

<http://scholar.google.com/scholar?q=+Internet+Conflict+of+Laws%3A+A+Space+of+Opportunities+for+ODR%2C+&hl=en&as_sdt=0%2C5>.

S Shoshray, *Charting the Future of Online Dispute Resolution: An Analysis of the Constitutional and Jurisdictional Quandary* (2006) 38 *University of Toledo Law Review* 317.

Marita Shelly and Professor Margaret Jackson, 'Doing Business with Consumers Online: Privacy, Security and the Law' (2008) 17(2) *International Journal of Law and Information Technology* 180, 186.

H Haloush and B H Malkawi, *The Liberty of Participation in Online Alternative Dispute Resolution Schemes* (2007) 11 *SMU Science and Technology Law Review* 119.

Building Trust in the Online Environment: Business-to-Consumer Dispute Resolution:
http://www.oecd.org/document/22/0,3746,en_21571361_34590630_1864982_1_1_1_1,00.html.

Regulation EC No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European small claims procedure.

P Cortés, *Does the Proposed European Procedure Enhance the Resolution of Small Claims?* (2008) 27(1) *Civil Justice Quarterly* 94.

LW5663P Legal Regulation in the Fourth Industrial Age

We are entering into an era of new technological possibilities. Many benefits will be derived for consumers from the development of data and computer driven innovation. We will have new products and services and new ways of making and supplying goods and services. This course will assess how without unduly inhibiting innovation this course explores how, if at all, in this new environment the legal system can remain committed to a legal framework that supports consumer protection. It will explore how the technology and legal agendas interface, and explore if mere adaptations should be made or if there is a need for a critical review of whether traditional forms of regulation are needed in the Fourth Industrial Age. Topics studies may include inter alia, smart contracts, personalised contracting, the Internet of Things, AI and driverless cars, 3D printing, platform liability, the sharing economy and crypto-currencies.

Pre-requisite: Contract Law

LW5663Q Commercial Criminal Law

This course will review some of the main issues that arise when considering the regulation of commercial activity through the criminal law:

- i) the rules relating to corporate and vicarious liability for criminal activity,
- ii) property offending in the commercial context (including such questions as when breaching a shareholders' agreement may be criminal, when breaching intellectual property rights is criminal, when deception in a commercial context is criminal, money laundering offences and so on),
- iii) offences relating to the running of companies,
- iv) offences relating to corporate fund-raising and share markets,
- v) offences arising out of trading by companies (unfair competition, misleading advertising etc),
- vi) offences relating to payments to government (customs and taxes),
- vii) an overview of the range of other regulatory offending,
- viii) investigative powers,
- ix) sentencing of corporations and white collar criminals, and
- x) consideration of the extent to which it is proper to make use of the criminal law in the commercial setting.

LW5663R An Introduction to the Law of Unjust Enrichment

Course Objectives

Achieve a basic understanding of all major aspects of the law of Unjust Enrichment.

Develop an understanding of the theories of Unjust Enrichment and its controversial areas.

Course description

This course is concerned with the question how and when a plaintiff can compel a defendant to surrender an enrichment gained at the plaintiff's expense. The paradigm case is money paid by mistake. Long neglected in the common law, the subject has in recent years become one of the most exciting in the legal curriculum. It draws its cases from areas of the law which have resisted rational analysis, largely because they have tenaciously preserved the language of an earlier age.

More specifically, it asks when a defendant will be seen to be enriched, when that enrichment will be at the plaintiff's expense, and what reasons justify the court ordering the reversal of that enrichment. It also examines possible defences to such claims, such as change of position.

This course is only concerned with restitution of unjust enrichment. Wrongful Enrichment is not part of the course, though it will be introduced briefly. Most of the case-law and literature discussed is English, though Hong Kong material will be introduced where appropriate.

Outline of course

Seminar 1 – Structure of the Law of Restitution

Seminar 2 – Enrichment at the Plaintiff's Expense

Seminar 3 – Unjust Factors

Seminar 4 – Defences

LW5663S Finance Basics for Lawyers

This one and a half credit (1.5 credit point) course is intended to provide law students who are not from accounting background with sufficient financial accounting knowledge to (1) understand and interpret financial statements; and (2) appreciate the current regulatory framework relating to financial reporting and the associated issues in Hong Kong. Financial accounting is the process of recording, summarizing and reporting daily business transactions over a period of time, usually one year. The course emphasizes the understanding of the accounting framework, preparation and analysis of financial statements. Students will also be introduced to regulatory concepts, the framework on financial reporting and the consideration of laws and regulations in the audit of financial statements. Students will learn the basic principles of accounting and how to interpret financial statements so as to equip them with the skills to work smoothly on Initial Public Offerings and Merger & Acquisition deals, as well as litigation concerning accounting fraud.

This course will be conducted through five 4-hour seminars. Each seminar covers one of the five key topics of the Syllabus. Student learning will be assessed through one research essay (no more than 3,000 words) to be submitted after completion of the course.

Keyword Syllabus (*An indication of the key topics of the course*)

- 1) Accounting Concepts and Framework
 - Introduce and define basic accounting terms (E.g. assets, liabilities and equity)
 - Understand the relationships between assets, liabilities, and equity (The accounting equation: $\text{Assets} = \text{Liabilities} + \text{Owners' Equity}$)
 - Trial Balance: a list of all the general ledger accounts
 - Generally accepted accounting principles (GAAP)
 - Basic accounting presumptions and concepts
 - Accounting judgements and estimate made in the preparation of financial statements
- 2) Financial Statements
 - Read and have a basic understanding of the four key financial statements:
 - Statement of Financial Position or Balance Sheet
 - Statement of Comprehensive Income or Income statement
 - Statement of Changes in Equity, and
 - Statement of Cash Flows (operating, investing and financing activities)
 - Notes to the financial statements: disclosure of additional information about items that are reported or not reported in the financial statements
 - Management discussion and analysis
- 3) Financial Ratio Analysis
 - Use of annual statements and financial ratios to evaluate a company's performance in the following categories: Profitability, Operating Efficiency, Liquidity, Leverage and Investment
 - Interpretation and analysis of financial statements for evaluation of corporate performance and investment decisions
- 4) Regulatory Framework of Financial Reporting
 - Duties and responsibilities of the company, its management, and the external auditor in financial reporting
 - Responsibility of management for the compliance with laws and regulations

- The Auditor's consideration of compliance with laws and regulations
 - Roles of the Financial Reporting Council
 - The potential liabilities arising from inaccurate or fraudulent reporting
 - Effect of financial reporting after Companies Ordinance Rewrite
- 5) Contemporary Issues with Financial Reporting
- Corporate Governance
 - ESG Reporting
 - Money Laundering

Other Information (more details can be provided separately in the teaching plan)

1. Reading List

1.1 Compulsory Readings (*Compulsory readings can include books, book chapters, or journal/magazine articles.*

There are also collections of e-books, e-journals available from the CityU Library)

Bowers, Stacey L. (2018). *Accounting and Corporate Finance for Lawyers*, Aspen Publishers.

Spiceland, J. D., Thomas, W. M., Hermmann, D. (2018). *Financial Accounting* (5th ed.). Columbus, OH: McGraw-Hill Education.

1.2 Additional Readings (*Additional references for students to expand their knowledge on the subject*)

Wood, F., Lewis, G. & Sangster, A. (2021). *Frank Wood's Business Accounting Volume 1* (15th ed.).

Harlow, Essex: Pearson Education Ltd.

Wild, J. (2019). *Financial Accounting: Information for Decisions* (9th ed.). Columbus, OH: McGraw-Hill Education.

Williams, J., Haka, S. F., Bettner, M. S., Carcello, J. V. (2018). *Financial Accounting*. (17th ed.). New York, NY: McGraw-Hill/Irwin.

Hong Kong Institute of Certified Public Accountants, HKSA 250 (Revised), Consideration of Laws and Regulations in an Audit of Financial Statements

Companies Ordinance (Cap 622) – Part 9 Accounts and Audit

LW5663T Interdisciplinary Legal Scholarship

Course plan

<u>Lesson</u>	<u>Subject</u>	<u>Issues</u>
1.	Introduction to empirical analysis and critical thinking	<ul style="list-style-type: none">• Causation and correlation• RCT and research design
2.	The ABCs of law & economics	<ul style="list-style-type: none">• Incentives & cost-benefit analysis• Market failures and regulatory interventions
3.	Introduction to law & behavioral economics	<ul style="list-style-type: none">• Prospect theory, decision making & judgment• Social norms & market norms
4.	Law, behavioral economics & public policy	<ul style="list-style-type: none">• Heuristics/biases• Paternalism, anti-paternalism, anti-anti paternalism

The course will introduce students to interdisciplinary legal approaches and its value to legal analysis, scholarship and practice. The first lesson will discuss the fundamentals of empirical analysis while exercising critical thinking. The second lesson will survey the basics of the economic approach to law. We will discuss the assumptions around human rationality and utility maximization. We will then assess how the economic approach has been applied to various legal issues, and how it has been shaping [or is reflected in] a variety of legal rules. The third lesson will present the behavioral approach to legal analysis, which is based on the understanding of relevant patterns of human behavior. Among other things, we will examine the ways in which the empirical study of human judgment and decision making can inform the creation and modification of legal rules and legal policy. The course concludes by surveying additional cognitive biases and addressing the debate around paternalism and legal policy.

LW5663U Update on public, administrative & constitutional law issues from the UK; Public law drafting WKSH

A) Update on topical public, administrative and constitutional issues from the UK:

Brexit and UK constitutional cases/reform (Exit from the European Union and retained European law, recent Supreme Court decisions, Parliamentary sovereignty, separation of powers, judicial review reforms);

Tribunal service reform (growth and operation of the Tribunal Service as a substitute for courts, digital/online tribunal reforms);

Accountability and transparency in the public sector (freedom of information laws, mechanisms for Parliamentary and executive transparency and accountability)

B) Public law drafting workshop (public law case scenario, analysis, drafting of pre-action documents/court pleadings)

1. Brexit and UK constitutional law:

Implications of period of profound constitutional change

- Supreme Court decisions: Miller & Cherry: Parliamentary decision making on Brexit and challenge to Government's use of prorogation of Parliament
- Government response to court decisions: Looking at the 'broader aspects' of Constitution – including the relationship between Government, Parliament and the courts, the functioning of the royal prerogative, and access to justice.
- The Queens Speech announced a Constitution, Democracy and Rights Commission, to further Government views
- confirmation that the Government was considering giving ministers the powers to vet judicial appointments – possibly following Canadian model
- 'Update' the Human Rights Act and administrative law in the context of national security.
- Examine the process of judicial review, to make sure it fits its purpose, and does not 'conduct politics by another means' .
- Brexit and constitutional implications: Close the gate through which EU law flows into to the UK: European Union (Withdrawal) Act 2018 repeals the European Communities Act 1972 on exit day
- Preserve domestic implementing measures (broadly defined EU-derived domestic legislation): snapshot of EU law immediately before exit day and incorporate as a new category of 'retained EU law
- A power to make statutory instruments to remedy/mitigate deficiencies arising from withdrawal from EU
- Constitutional concerns over use of delegated legislation – some say untrammelled, undemocratic use of secondary legislation, pushing at the boundaries of the powers in the Act: Contains 19 delegated powers, many of which are Henry VIII powers

- Over 600 'Brexit' SIs to date (Feb 2020): argument over whether levels of consultation, errors, adequate of explanatory material and most importantly whether SIs being used to make significant policy changes,
- Parliamentary Scrutiny of powers: novel 'sifting' mechanism

2. Tribunal and courts reform:

Pros and cons of Tribunal Service – a good substitute for courts?

Introduction of Tribunal Service in place of courts (2006)
 Over 100 different specialised UK Tribunals cf Hong Kong Tribunals (Land, Labour, Small claims, Competition and Obscene Articles Tribunals)
 First Tier, Upper Tier relationship with superior courts
 New Tribunal judiciary
 Next step digital transformation: pilot programme
 Experience of remote hearings during coronavirus pandemic

3. Transparency and Accountability in the public sector:

To what extent does the UK have a transparent and accountable public sector?

Role of Judicial review
 Kennedy Supreme Court decision
 Freedom of Information Act
 Environmental Information Regulations
 Local and Central Government
 National Audit Office
 Select Committees inc Public Accounts Committee
 Independent Office for Budget Responsibility

4. Practical workshop: drafting judicial review pleadings and decision:

Analytic and drafting skills in public & administrative law

- a) Case scenario discussion
- b) Drafting of pre-action letter, pre-action response, Grounds for judicial review, Summary grounds of defence

5. Essay titles (tbc) for one of topics 1-3

Course Description

This course is developed for the students to acquire knowledge relating to the practical aspects of business valuation. It will commence with an introduction to the key concepts of accounting and finance relating to business valuation. It will then provide an insight into the valuation landscape and the standards adopted internationally and across various jurisdictions. It will cover the valuation context and areas pertaining to the fundamental concepts and principles of valuation, which include an in-depth discussion on the premise and definitions of values used commonly in the financial and corporate world. It will also cover the valuation approaches/methodologies commonly used to value business and equity, as well as the valuation parameters under the respective approaches. Students will learn of the pros and cons of these approaches/methodologies and the circumstances in which they can be applied and adopted. Additionally, issues and challenges surrounding business valuation will also be discussed at length. Last but not least, the course will also map out the details of the valuation process adopted by practitioners and the key components of a quality business valuation report.

This course will be conducted over 4 sessions and include a combination of lectures, interactive discussions and analysis of cases involving business valuation.

Learning Objectives

The main objectives are to develop the ability to:

- understand the key concepts of accounting and finance relating to business valuation;
- understand and explain the important role that valuation plays in the financial and corporate world;
- differentiate various definitions of value and their implication to the valuation outcome;
- understand and explain international valuation standards, concept of value, principles of valuation, and their application to the conduct of valuations;
- adopt a valuation process which is undertaken in a transactional and/or financial reporting environment;
- perform business valuation through the application of the various valuation approaches/methodologies commonly used by practitioners and arrive at an outcome that is theoretically sound and defensible in practice;
- identify and address the issues and challenges surrounding business valuation such as the application of various discounts and premiums etc.; and
- identify the key components of a business valuation report.

LW5663W Advanced Trusts Law

Course Outline

This course will provide the opportunity for students to explore in depth the theoretical and practical issues concerning trusts law. It will focus in particular on two specific contexts: the private estate planning context and the commercial context.

Topics which may be explored include:

- Beneficiaries' right to information and letters of wishes
- Shams and illusory trusts
- Protectors and asset protection trusts
- Unit trusts
- Bonds
- Intermediated holding of securities
- Creditor trusts

Pre-requisite

Contracts

Equity and Trusts

LW5663X EU Administrative Law

The course will cover the origins of EU Administrative law; its institutional dimension, including the role played by EU agencies; the precepts of judicial review developed by the EU courts; and the relationship between EU administrative law and the administrative law of the Member States

Pre-requisite

Study of HK Administrative law

LW5663Y Introduction to the Law and Policy of Artificial Intelligence

Artificial intelligence is poised to become the fourth industrial revolution, fundamentally changing the way we live, work, and learn. This course seeks to explore the legal and policy aspects of artificial intelligence. In particular, the course will introduce the concepts of machine learning and artificial intelligence, examine how artificial intelligence changes the ways in which legal services are delivered and policy decisions are made, and evaluate the wider legal and policy issues created by the use of artificial intelligence.

Syllabus

This course will cover the following topics:

- History and philosophy of artificial intelligence
- The basic concepts of machine learning and neural network
- Overview of artificial intelligence in scientific research, education, finance, marketing, transportation and other sectors
- Artificial intelligence in law: legal research, legal reasoning and robot lawyers
- The law of artificial intelligence: private law issues
- Predications, decisions and judicial review
- AI and the concept of law

Objectives

On completion of this course students should be able to:

- appreciate the importance of artificial intelligence as a subject for law and regulation
- have a general understanding of machine learning and artificial intelligence
- have a detailed knowledge of the current and emerging legal and policy issues created by applications of artificial intelligence
- understand the legal responses under the current legislation and case law
- provide suggestions as to the direction and approaches of future law reform.

LW5663Z Introductory Law and Economics

This course introduces students to the economic analysis of law as a set of tools for analyzing laws and understanding the effect legal rules have on the way people behave. This course also explores the extent to which the principles of economics can be used to explain the workings of the legal system and political institutions. Particular attention is paid to apply economic analysis to contemporaneous law and policy controversies in Hong Kong and East Asia.

The course neither presumes nor requires a background in economics.