

**City University of Hong Kong
School of Law**

**Master of Laws in Arbitration and
Dispute Resolution (LLMArbDR)**

**Student Handbook
2021 - 2022**

This Handbook is for LLMArbDR students admitted in 2021 Cohort.

(The information in this handbook is up-to-date in September 2021. Changes of information will be made from time to time without prior notice.)

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DEAN'S WELCOME

It is my pleasure to welcome you to the School of Law of City University of Hong Kong (CityU). You are joining us at an extraordinary time – one of immense uncertainty – yet we are confident that through our rigorous and innovative curricula, you will be well equipped to face the challenges ahead and seize opportunities that will arise.

Established in 1987, the School of Law offers quality education to undergraduate and postgraduate students. We aim at creating a world renowned centre for the research and teaching of law; the fostering of global knowledge, skills and perspectives in our students; and maintaining a close link with local and international legal establishments. These goals are reflected in the composition of our faculty, our curricula and enrichment activities.

Our School is staffed by a stellar international and multicultural faculty that is highly regarded globally, and bring a diversity of expertise and strengths. With the joint efforts of staff and students, our School has established expertise in a wide range of fields including Chinese law, comparative law, Hong Kong Basic Law, commercial law, environmental law, constitutional law, human rights, criminal justice, WTO law, law and technology, international trade and investment law, international economic law, as well as arbitration and alternative dispute resolution.

Distinguished scholars visit each year to teach in core and elective subjects. This broadens the menu of courses available to our students as well as exposing students to a wider group of top legal experts beyond the School's academic faculty.

Our School has developed close links with its counterparts on the Mainland, in Europe, North America and across the Asia-Pacific region. Students have many opportunities to gain a global perspective in the study of law through various activities organized by the School, such as the Global Legal Education and Awareness Project (G-LEAP), Legal Placement, and mooting competitions.

Under G-LEAP, students will study an intensive course for one month at renowned overseas institutions such as University College, Oxford (U.K.)*. The mainland Legal Placement enables our students to study at the Renmin University of China and gain the unique experience of working at the People's Court in various provinces of China. The Legal Placement in Hong Kong provides students with opportunities to work in barristers' chambers, and local and international firms. We also provide specialist support for students taking part in international mooting competitions, which we have a formidable

reputation in. Our mooters have won numerous competitions and are frequent winners of best speaker and best memorial awards.

Furthermore, our School has collaborative programmes with Aix-Marseille University, University Paris 1, Panthéon-Sorbonne in France, and Université de Fribourg in Switzerland. Selected students will study at these partner universities and obtain two postgraduate degrees: one from the partner university and the other from CityU. We also have partnerships with leading institutions or associations such as the Asian Law Schools Association, Center for Transnational Legal Studies, and Private Law Consortium. Our School has also joined the THEMIS network and established student exchange programmes with a number of overseas universities within this network. Future programmes at an advanced stage of discussion involve a collaboration with our College of Business for a JD/MBA Programme, and a joint programme with Georgetown University for our LLB and JD students to read the LLM at Georgetown in their final year. The purpose of these programmes is to provide our students with opportunities for legal study in diverse academic communities in different jurisdictions.

Our PCLL has a long established tradition for producing trainee solicitors and pupil barristers of the highest quality. We have continued to maintain our competitive edge in this field through the use of low staff to student ratios as well as the development of cutting edge IT related learning activities.

In essence, our School is committed to providing you with the best possible legal education so that our graduates will continue to be in demand notwithstanding the profound changes that are taking place within the legal profession. I warmly welcome you to our CityU Law family.

Professor Tan Cheng-Han, SC
Dean & Chair Professor of Commercial Law
School of Law

** To be confirmed*

PROGRAMME DIRECTOR'S WELCOME

It is our great pleasure to welcome you to the Master of Laws in Arbitration and Dispute Resolution (LLMArbDR) Programme at City University of Hong Kong School of Law. The programme was established in 1991 and, at that time, was the first Master's degree programme in arbitration and dispute resolution in Asia. In 2011, it became the first programme recognized by the Chartered Institute of Arbitrators to offer Module 4 – Advanced Award Writing (LW6409B) in Hong Kong. Every year, we receive over 200 applications competing for one of 80 places in the programme. Over 200 students are currently enrolled in this popular programme, one which has acquired an outstanding reputation both within and outside of Hong Kong.

Dispute resolution does not only take place in the courtroom through litigation, but also by arbitration and mediation, which are increasingly popular and well-respected alternative dispute resolution (ADR) techniques.

The programme offers a unique blend of academic and practical training in a broad range of dispute resolution methods, with emphasis on domestic and international arbitration, as well as on mediation, adjudication and negotiation. Many of our graduates have become leading experts in arbitration, mediation and other forms of dispute resolution. The programme inspires leadership in these areas and is taught by highly qualified and experienced professionals.

City University of Hong Kong strives for excellence in preparing students for professional practice and industry. To this end, the School of Law and the LLMArbDR Programme continue to collaborate with a number of leading ADR institutions, including the Hong Kong International Arbitration Centre (HKIAC), the China International Economic and Trade Arbitration Commission (CIETAC), the Chartered Institute of Arbitrators (CIArb), the Hong Kong Institute of Arbitrators (HKI Arb), the Hong Kong Mediation Council (HKMC) and Hong Kong Mediation Accreditation Association Limited (HKMAAL). All of these organisations play an active and pivotal role in supporting the programme, promoting arbitration and mediation services, and maintaining the standards of arbitrators and mediators in Hong Kong.

We look forward to assisting all of you in completing the programme successfully. We hope you enjoy the programme and wish you the best of luck in your endeavours.

LLMArbDR Programme Director
Dr Christopher To

PROGRAMME OUTLINE

This programme is intended for, but not limited to, professionals, executives and others with existing expertise in a broad range of professional, industrial and commercial fields. It offers a blend of academic and practical training in the field of dispute resolution, with emphasis on domestic and international arbitration, mediation, and negotiation.

The objectives of the programme are several, each related to the theory and practice of dispute resolution in Hong Kong and internationally. In the broadest of terms, the programme is intended to support and develop the process of dispute resolution through arbitration and other alternative dispute resolution (ADR) methods. This aim is achieved by employing two strategies. First, the programme will improve and enlarge the pool of dispute resolution expertise in Hong Kong. Second, the programme will advance the dispute resolution process and its effectiveness in Hong Kong by fostering original research which focuses on Hong Kong and China in regional and international contexts.

The first of these strategies involves knowledge and skills. The programme provides legal and general knowledge of arbitration, mediation and other dispute resolution methods. It includes coverage of various kinds of arbitration and mediation, with emphasis upon commercial dispute resolution in Hong Kong and Mainland China. It provides skills training to future graduates so that they may participate more effectively in arbitration, mediation and negotiation. In addition to many core and optional modules relating to arbitration and ADR, since fall 2017, the Programme begins to offer a specialized elective on Construction Law and Dispute Resolution, so as to enhance students' abilities in identifying and evaluating appropriate decision-making strategies within the construction industry. This training is not confined to the role of arbitrator and mediator. It also teaches skills for those who may be called as expert witnesses, act as advocate, or who may become involved as a party to a dispute. The programme does not pretend to train advocates to the standard of a professional legal practitioner, nor does it purport to guarantee any appointments as arbitrator, mediator, or otherwise. However, graduates have the opportunity to gain professional qualifications towards becoming a professional arbitrator or mediator with, the Chartered Institute of Arbitrators (CIArb), the Hong Kong Institute of Arbitrators (HKI Arb), and the Hong Kong Mediation Accreditation Association Limited (HKMAAL).

The Master's level qualification is distinguished by the requirement for scholarly research and a dissertation or its equivalent. This requirement fulfills the second strategy for achieving the broad aims of the programme. In undertaking an academic dissertation, students demonstrate initiative and intellectual rigour, an in-depth understanding of the chosen subject, and a degree of innovation and original achievement.

The introduction of mediation to the wider community, the provision of third party funding for arbitration as well as mediation and the setting up of the Financial Dispute Resolution Centre, are three illustrations of the special potential for dispute resolution outside of the litigation system in Hong Kong. By encouraging and fostering original research, the programme will ensure that this potential is productively explored and developed.

As a major international business and financial centre, Hong Kong must be in a position to offer a sophisticated and effective range of dispute resolution mechanisms. This programme aims to provide Hong Kong with qualified and skilled human resources to meet that need. It will also ensure that Hong Kong remains at the forefront of developments in the field. At the same time, the programme also reaches beyond Hong Kong to attract students and practitioners interested in international arbitration and dispute resolution in China, the Asia-Pacific Region, and around the world.

The Programme is currently taught in combined evening mode. The Programme can be completed in one year with a full-time study load or two and one half years with a part-time study load. Students who have qualified for certain exemptions may complete the Programme in one to two years.

Classes are normally held on weekdays between 7:00 - 9:50 pm, usually for 2-3 evenings per week. If students opt to take the fast-track evening curriculum, the weekday classes will be increased to 4-5 evenings per week. There may be some weekend classes depending on the courses the student undertakes.

Students can enrol in courses to a total between 3 and 18 credit units in each semester without seeking approval from the University. Non-local students who hold student visas should normally enrol on a minimum of 12 credit units in each semester, which is the minimum full-time credit unit load.

The maximum study period for full-time students is 2.5 years. For part-time and combined mode students, the maximum study period is 6 years. (The maximum study period is inclusive of programme transfer and any periods of leave of absence and suspension of studies.)

Taught core courses of the Programme include Legal Concepts, Commercial Contracts, Procedure and Proof, Dispute Resolution in Theory and Practice, Mediation Practice, Arbitration Law, Arbitration Practice and Award Writing and International Arbitration. Students are also required to take elective(s) to complete the programme requirements.

Note

This Handbook is intended to provide only general guidance on the content of the LLMArbDR Programme. Detailed information on the programme is contained in the programme documents, which are accessible via <https://www.cityu.edu.hk/catalogue/pg/202122/programme/LLMARBDR.htm>. In the event of any conflict between the Handbook and the programme information, the latter will take precedence.

CURRICULUM, TIMETABLE AND ASSESSMENT METHOD

LLMarbDR Recommended Study Path - Regular Track Evening (Part-time/Combined Mode)

NON- Exempt students

Year	Sem	Courses			Credit Units
1	A	LW5303 Commercial Contracts # (3 Credit Units)	LW5400 Legal Concepts # (3 Credit Units)	LW6401 Dispute Resolution in Theory and Practice (3 Credit Units)	9
	B	LW6402 Procedure and Proof (3 Credit Units)	Elective + (3 Credit Units)		6
	Summer	LW6406 Mediation Practice (Block-mode) (3 Credit Units)			3
2	A	LW6405 Arbitration Law (3 Credit Units)			3
	B	LW6407 Arbitration Practice and Award Writing (3 Credit Units)	LW6408 International Arbitration (3 Credit Units)		6
	Summer	LW6409A Dissertation (3 Credit Units) Δ OR LW6409B Advanced Award Writing (6 Credit Units)Δ			3 / 6
3	A	LW6409A Dissertation (3 Credit Units) Δ			3
Total:					33

Exempt students

Year	Sem	Courses			Credit Units
1	A	LW6401 Dispute Resolution in Theory and Practice (3 Credit Units)	Elective + (3 Credit Units)		6
	B	LW6402 Procedure and Proof (3 Credit Units)	Elective + (3 Credit Units)		6
	Summer	LW6406 Mediation Practice (Block-mode) (3 Credit Units)			3
2	A	LW6405 Arbitration Law (3 Credit Units)			3
	B	LW6407 Arbitration Practice and Award Writing (3 Credit Units)	LW6408 International Arbitration (3 Credit Units)		6

	Summer	LW6409A Dissertation (3 Credit Units) Δ OR LW6409B Advanced Award Writing (6 Credit Units) Δ			3 / 6
3	A	LW6409A Dissertation (3 Credit Units) Δ			3
Total:					30

Note:

Students holding a law degree from a Hong Kong or other common law jurisdiction, or the Postgraduate Certificate in Hong Kong Law (PGCHKL) at City University of Hong Kong, or equivalent are exempted from LW5303 Commercial Contracts and LW5400 Legal Concepts marked (#) above. These students are required to take 6 credit units of electives marked (+) above from an approved list of electives.

Δ In order to get a master award, students are required to take either LW6409A (2-semester course) or LW6409B (1-semester course), subject to fulfillment of the respective prerequisites.

+ Please refer to the following website for the most updated information:

<https://www.cityu.edu.hk/slw/system/files/2021-07/CIR%202.2%20Elective%20List%20%282021.07.29%29.pdf>

** Some modifications of the above may be necessary if the number of hours per semester is in conflict with University regulations as to the number of hours permitted to be taken in each semester.

LLMArbDR Recommended Study Path - Fast Track Evening (Full-time/Combined Mode)

NON- Exempt students

Year	Sem	Courses					Credit Units
1	A	LW5303 Commercial Contracts # (3 Credit Units)	LW5400 Legal Concepts # (3 Credit Units)	LW6401 Dispute Resolution in Theory and Practice (3 Credit Units)	LW6405 Arbitration Law (3 Credit Units)	LW6406 Mediation Practice (Block- mode) (3 Credit Units) OR Elective + (3 Credit Units)	15
	B	LW6402 Procedure and Proof (3 Credit Units)	LW6406 Mediation Practice (Block- mode) (3 Credit Units) OR Elective + (3 Credit Units)	LW6407 Arbitration Practice and Award Writing (3 Credit Units)	LW6408 International Arbitration (3 Credit Units)	LW6409A Dissertation (3 Credit Units) Δ	12 / 15

	Summer	LW6409A Dissertation (3 Credit Units) Δ OR LW6409B Advanced Award Writing (6 Credit Units) Δ					3 / 6
Total:							33

Exempt students

Year	Sem	Courses					Credit Units
1	A	LW6401 Dispute Resolution in Theory and Practice (3 Credit Units)	LW6405 Arbitration Law (3 Credit Units)	LW6406 Mediation Practice (Block- mode) (3 Credit Units)	Elective + (3 Credit Units)		12
	B	LW6402 Procedure and Proof (3 Credit Units)	Elective + (3 Credit Units)	LW6407 Arbitration Practice and Award Writing (3 Credit Units)	LW6408 International Arbitration (3 Credit Units)	LW6409A Dissertation (3 Credit Units) Δ	12 / 15
	Summer	LW6409A Dissertation (3 Credit Units) Δ OR LW6409B Advanced Award Writing (6 Credit Units) Δ					3 / 6
Total:							30

Note:

Students holding a law degree from a Hong Kong or other common law jurisdiction, or the Postgraduate Certificate in Hong Kong Law (PGCHKL) at City University of Hong Kong, or equivalent are exempted from LW5303 Commercial Contracts and LW5400 Legal Concepts marked (#) above. These students are required to take 6 credit units of electives marked (+) above from an approved list of electives.

Δ In order to get a master award, students are required to take either LW6409A (2-semester course) or LW6409B (1-semester course), subject to fulfillment of the respective prerequisites.

+ Please refer to the following website for the most updated information:

<https://www.cityu.edu.hk/slw/system/files/2021-07/CIR%202.2%20Elective%20List%20%282021.07.29%29.pdf>

** Some modifications of the above may be necessary if the number of hours per semester is in conflict with University regulations as to the number of hours permitted to be taken in each semester.

Timetable and Assessment Method

All courses are subject to assessment. The assessments for each course will be communicated to registered students at the beginning of the semester. Please refer to the Academic Regulations for graduation requirements in the e-Portal under “Academic Regulations & Policies”. Students may be granted a taught postgraduate award only if they have achieved a Cumulative Grade Point Average (CGPA) of 2.00 or above.

Courses	Assessment		Semester
	Exam (%)	Coursework (%)	
LW5303 Commercial Contracts #	80	20	A
LW5400 Legal Concepts #	60	40	A
LW6401 Dispute Resolution in Theory and Practice	50	50	A
LW6405 Arbitration Law	60	40	A
^LW6406 Mediation Practice	---	100*	S/A/B
LW6402 Procedure and Proof	60	40	B
LW6407 Arbitration Practice and	40	30® and 30*	B
LW6408 International Arbitration	60	40	B
Electives	Dependent on the assessment method of individual Elective Courses		A/B
LW6409A Dissertation [△]	---	100	S/A/B
^LW6409B Advanced Award Writing [△]	80	20	S

NB: The assessment pattern will be revised if deemed necessary. Please refer to the following website for the most updated information: <http://www.cityu.edu.hk/cityu/prgm/index.htm>.

Students holding a law degree from a Hong Kong or other common law jurisdiction, or the Postgraduate Certificate in Hong Kong Law (PGCHKL) at City University of Hong Kong, or equivalent are exempted from LW5303 Commercial Contracts and LW5400 Legal Concepts marked (#) above. These students are required to take 6 credit units of electives marked (+) above from an approved list of electives.

^ Students must meet the attendance requirement of 100% for this course.

* Class assessment (100%)

® Performance in individual tutorial sessions

♦ Coursework

△ In order to get a master award, students are required to take either LW6409A (2-semester course) or LW6409B (1-semester course), subject to fulfillment of the respective prerequisites. As LW6409A and LW6409B are exclusive courses, students are not allowed to take both courses.

In order to meet the requirements of the CI Arb Fellowship grade, students must obtain a minimum mark of 70% in the assessment (the final exam), which will be by a written report (i.e. a Final Arbitral Award) in LW6409B Advanced Award Writing.

Electives

According to the LLMArbDR programme structure, exempt students are required to complete 6 credit units of electives from an approved list of electives. Non-exempt students are required to complete 3 credit units of electives from an approved list of electives. Students can select 3 or 6 credit units from the offered LLMArbDR courses and/or designed courses from the Juris Doctor (JD) / Master of Laws (LLM) Programmes of the respective academic year (*please refer to the following website for the most updated information:*

<https://www.cityu.edu.hk/slwl/system/files/2021-07/CIR%202.2%20Elective%20List%20%282021.07.29%29.pdf>

Notes to LLMArbDR Students:

1. LLMArbDR students will not receive credit nor be allowed to enroll in co-taught JD/LLB courses under any circumstances.
2. The grades obtained in the approved JD and/or LLM courses will be counted in determining students' LLMArbDR award classifications.
3. The electives offered may vary, email would be sent to confirm electives available each semester. The available courses will depend upon student interest and School resources.
4. There is no guarantee that all the electives will be offered in evening.

Conditions for Repeating Courses

If a student has previously taken a course in another programme offered by CityU School of Law, e.g. the JD/LLM programme, he/she is not allowed to register for the same course or its equivalent in the LLMArbDR programme. However, in accordance with the University's Academic Regulations, students may repeat a course or its equivalent to recover a failure or to improve a course grade of C or below, subject to the concerned academic unit's course offering schedule and availability.

Please refer to Academic Regulations for Taught Postgraduate Degrees 12.5 and 12.6 for details.

CLASSIFICATION OF AWARD

Students may be granted a taught postgraduate award only if they have achieved a Cumulative Grade Point Average (CGPA) of 2.00 or above (refer to AR13.5).

The Grade Point Average (GPA) is obtained by adding all the quality points (i.e. grade points multiplied by the number of credit units) for all courses taken by the student during a specified period of time, and then dividing the result by the total number of credit units taken. All course grades, unless excluded as approved by Senate, are included in the calculation. The GPA calculation shall not be rounded. Any digits after the second digit to the right of a decimal point shall be truncated.

When calculated for all courses taken at the time of calculation, it is known as the Cumulative GPA (CGPA). When calculated for a given semester, it is known as the Semester GPA (SGPA).

For details, please refer to Academic Regulation 13:

<https://www.sgs.cityu.edu.hk/student/tpg/regulations/acadreg>

PROFESSIONAL RECOGNITION

Upon completion of the LLMArbDR Programme and subject to fulfilling certain requirements, graduates are eligible to apply for Professional Recognition both within and outside of Hong Kong, including:

1. Membership of the Chartered Institute of Arbitrators (MCIArb)[#];
2. Fellowship of the Chartered Institute of Arbitrators (FCIArb)[#];
3. Associateship of the Hong Kong Institute of Arbitrators (AHKIArb)^{*};
4. Fellowship of the Hong Kong Institute of Arbitrators (FHKIArb)^{*};
5. Accredited General Mediator of the Hong Kong Mediation Accreditation Association Limited (HKMAAL)[^] (subject to completing Stage 2 and Stage 3 requirements as stipulated by the HKMAAL Mediation Accreditation Committee);
6. CPD points awarded by the Law Society of Hong Kong.

CIArb Module	Equivalent Module/ Unit
International Arbitration: Module 1	LW5303 Commercial Contracts LW5400 Legal Concepts LW6401 Dispute Resolution in Theory and Practice LW6402 Procedure and Proof LW6405 Arbitration Law LW6407 Arbitration Practice and Award Writing LW6408 International Arbitration
International Arbitration: Module 2, Module 3	LW5303 Commercial Contracts LW5400 Legal Concepts LW6401 Dispute Resolution in Theory and Practice LW6402 Procedure and Proof LW6405 Arbitration Law LW6407 Arbitration Practice and Award Writing LW6408 International Arbitration LW6409B Advanced Award Writing
Mediation:	LW5303 Commercial Contracts LW5400 Legal Concepts

Module 1	LW6401 Dispute Resolution in Theory and Practice LW6402 Procedure and Proof LW6406 Mediation Practice
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Students are eligible to apply for membership of CI Arb only when they reached 55% in both coursework and exam in International Arbitration: Module 1 courses.

In order to meet the requirements of the CI Arb Fellowship grade, students must obtain a minimum mark of 70% in the written assessment.

For students who get 70% in the final exam of LW6409B Advanced Award Writing, they can apply for the fellowship of CI Arb. For students who get below 70% in the final exam of LW6409B thus cannot apply for the fellowship of CI Arb, they can still apply for the membership of CI Arb.

For students who get below 60% (B-) in LW6407 Arbitration Practice and Award Writing thus cannot take LW6409B, they will take LW6409A Dissertation and apply for the membership of CI Arb.

By completing CI Arb Module 1, Module 2 and Module 3 (International Arbitration) will entitle you to become a Member/Fellow of the CI Arb in the Arbitration Stream upon submitting your application and membership dues for the CI Arb to review and approve.

By completing CI Arb Module 1 (Mediation) will entitle you to become a Member of the CI Arb in the Mediation Stream upon submitting your application and membership dues for the CI Arb to review and approve.

* (a) Attendance on the CityU PGD/LLM ArbDR Programme (where the student passes the examination) will qualify for exemption from the Entry Course Examination for Associateship of HKI Arb; and

Successfully passing the CityU PGD/LLM ArbDR examinations will qualify for exemption from all the academic requirements for Fellowship of HKI Arb and will confer eligibility for entry to the Fellowship course of HKI Arb and exemption from taking the award writing part of the said course of HKI Arb.

^ Completion of LW6406 Mediation Practice would lead to stage 1 requirements as stipulated by the HKMAAL Mediation Accreditation Committee.

BONUS FEATURES

Continuing Education Fund (CEF)

The LLMArbDR Programme has been included in the list of reimbursable courses for Continuing Education Fund (CEF) purposes. For application details, please refer to <http://www.wfsfaa.gov.hk/cef> and call CEF at 3142 2277 for enquiry.

Students are recommended to use individual course(s) to claim CEF as soon as they complete the relevant courses.

Institution Code	Institution	Course Code	Course Title (English)
005	City University of Hong Kong	21Z07157-2	LW5303 Commercial Contracts
		21Z07158-0	LW6401 Dispute Resolution in Theory and Practice
		21Z07159-9	LW6405 Arbitration Law
		21Z07160-2	LW6406 Mediation Practice
		21Z07161-0	LW6407 Arbitration Practice and Award Writing

For students who have taken LLM elective(s) to meet the graduation requirement of the programme, only the following 8 LLM electives were approved by CEF under the LLMArbDR Programme:

- Negotiation and Mediation Advocacy
- International and Comparative Mediation
- Online Dispute Resolution
- International Mooting and Advocacy
- Chinese and Comparative Financial Law
- Chinese and Comparative Environmental Law
- Law and Society in China
- Chinese and Comparative Alternative Dispute Resolution

Intermediate Award

This programme is a linked programme. Students who have successfully completed all required taught courses with a CGPA of 2.00 or above but elect not to pursue LW6409A Dissertation or LW6409B Advanced Award Writing for the Master's degree are eligible for the intermediate award of Postgraduate Diploma (PGD) in Arbitration and Dispute Resolution. Students who wish to obtain the Intermediate Award should notify the School of Law and/or the Programme Director as soon as possible.

Please refer to Academic Regulations for Taught Postgraduate Degrees 13.6.

COURSE SYLLABI

The detailed reading lists and updated syllabi are set out in the course manual of each course.

Detailed information on the courses, offered by the School of Law is contained in the “Course Information 202122” accessible via

<https://www.cityu.edu.hk/catalogue/pg/202122/programme/LLMARBDR.htm>

TEACHING, LEARNING AND ASSESSMENT PRINCIPLES

The underlying philosophy for teaching, learning and assessment in the School has developed from the commitment that wherever possible teaching and assessment strategies complement the learning process.

The learning process is more than the acquisition of designated forms of information. Therefore the teaching programme acts as more than a vehicle for the provision of information and the assessment programme is more than a simple measure of information accumulation.

The learning process is, wherever appropriate, critical and varied. It is a shared endeavour and takes place in diverse environments. The stimulus to learn should arise out of an appreciation of the rewards of learning, not so much from the pressures attached to it.

In recognition of the many different requirements which are apparent in a broad based legal education, and the varied demands on and needs of a student who aspires to enter a changing legal system, the development of the learning, teaching and assessment strategies is intended, in content and structure, to be sympathetic to the needs and potentials of this jurisdiction. The Hong Kong community requires dynamic and versatile legal skills. The medium for such a training must not be rigid, traditional or unimaginative.

The first question which was asked prior to the selection of teaching and assessment methods was, "In what way does this advance the learning process?"

Students are expected to arrive with the skills needed to study law as an intellectually demanding discipline. Therefore, the teaching programme which is designed to advance rapidly to reach the specific objectives of each subject, is supported by a team of highly qualified teaching staff including leading practitioners and experts in a particular field. Each student's performance is carefully watched via continuous assessment. Such careful monitoring should reveal the extent to which necessary knowledge and understanding, skills and attitudes are being developed.

Teaching Strategies

The following teaching options have been selected for the LLMArbDR Programme:

- 1) The lecture, in which all students enrolled in a specific course participate. This provides the vehicle for the presentation of information in a critical

setting. Students may be required to participate in the lecture through pre-class reading, selective note taking, answering questions and discussing the issues raised in the lecture in other teaching forums.

- 2) The tutorial discussion amongst a small group of students taking the same course. This provides opportunities for a more personal dialogue between teacher and student. Students are required to bring to the class various forms of knowledge and understanding which may have been through the analysis of related lectures, pre-class reading, the presentation of selected research papers prepared individually or in a collective, and answering questions. The understanding of such information will be analysed through group discussion.
- 3) The simulation of authentic situations requiring the student to apply the knowledge and exercise the complex skills which comprise the content of the programme. These simulations vary in length but often involve extended periods of 2 to 3 hours of teaching time. The student is required to undertake some preparation and the instruction proceeds in cycles of three stages. The first stage involves the presentation of information which confirms and reinforces the student's preparation. The second stage consists of a carefully drafted and scripted exercise for a small group of students in which each student participates and is required to apply the taught knowledge and skills. The third and final stage is a feedback review by staff and students.

Teaching/Learning Strategies

As for the relationship between teaching strategies and the learning process:

- 1) The lecture ensures that a basic core of information is presented to students. Further, the students' understanding of that information can be tested immediately on reception. The skills of critical reading, note taking and the summarising of discourse can be practised. Finally the ability of students to react to questions in a large group setting may be developed and monitored.
- 2) The tutorial exposes the students to the process of learning through discussion and critical analysis. The tutor will provide knowledge and understanding to the student through the constructive criticism of the student's response to certain enquiry. Students share as a group and with the tutor their appreciation of understanding acquired through various degrees of individual and collective research. They supplement their knowledge by asking questions of the tutor. The skills of argument and of advocacy are practised through both impromptu and structured question and answer sessions.

- 3) The most effective way to learn is by doing. That is the concept of the simulation. The student personally experiences authentic demands for application of knowledge and exercise of skills. This teaching strategy is demanding of resources but especially effective for teaching complex skills such as the programme aims to develop.

Philosophy of Assessment

Assessment's principal goals in these programmes are:

- 1) to provide a means for reviewing the learning achievements and to indicate any specific basis for remedial teaching strategies;
- 2) to judge the extent to which the students are realising the programme's objectives;
- 3) to monitor student progress; and
- 4) to test teaching effectiveness.

The formulation of assessment strategies has been predicated on the view that wherever possible they should complement the learning process. Modes of assessment have not been designed simply to serve as means of measuring student performance.

The modes of assessment for each course have been selected to ensure the learning goals for that course are achieved. The relative weighting of each assessment is an attempt to reflect its significance as an indicator that the learning has taken place, as well as a reflection of the efforts required by the students in evidencing their learning achievements.

Specific teaching and assessment methods are described in the course syllabi. Each student's performance will be carefully assessed at regular intervals. Throughout the programme teachers will give students oral and written criticism.

ASSESSMENT REGULATIONS AND POLICIES

University Academic Regulations for Taught Postgraduate Degrees

The Academic Regulations for Taught Postgraduate Degrees set out important information concerning your study, such as the arrangements for assessment, the GPA system and so on. You are advised to refer to the Academic Regulations available from the Chow Yei Ching School of Graduate Studies website:

<https://www.sgs.cityu.edu.hk/student/tpg/regulations/acadreg>

University Assessment Policies and Principles for Taught Programmes

The University Assessment Policy and Principles for Taught Programmes (“University Assessment Policy”) is available from:

http://www.cityu.edu.hk/qac/assessment_policy/Univeristy_Assessment_Policy_wef_SemA_2017-18.pdf

University’s Policy on Ethical Review

It is the University’s policy that all research and course-based activities involving human and/or animal subjects should be submitted for ethical review. Please visit the following websites for the procedures and guidelines:

Application for human ethical review:

<http://www.cityu.edu.hk/ro/studentlan/dlHuman.htm>

Application for animal ethical review:

<http://www.cityu.edu.hk/ro/studentlan/dlAnimal.htm>

School of Law Policy on (Late) Submission of Assessment Tasks

1. Course leaders, in consultation with the relevant Programme Director, must release an assessment schedule (e.g., nature of assessment tasks, assessment release dates, and submission deadlines) to students not later than the end of the Week 2 of a given semester.
2. A soft copy of the coursework must be uploaded to the Canvas by the specified deadline. If required by the relevant course leader, students must also submit an identical hard copy of the coursework to the Law School General Office by the said deadline.
3. Course leaders should award marks for each assessment task (e.g., examination, coursework and class participation) out of 100. The relative weighting between different assessment tasks should be taken into account only at the time of entering marks in i-Assessment.
4. Unless there are valid extenuating circumstances under Academic Regulations*, late submission of coursework shall attract the following penalty: deduction of 5 marks for every single day (including public holidays) of delay up to maximum 7 days. Papers received later than 7 days of the submission deadline shall not be marked.
5. No penalty for late submission should be imposed in cases where a student could submit only a hard or soft copy of the coursework by the specified deadline and provide an explanation to the course leader.
6. These procedures must be included in the course outline/handbook and distributed to students.

* For postgraduate students, see no.10 of the Academic Regulations for Taught Postgraduate Degrees (<http://www.sgs.cityu.edu.hk/student/tpg/regulations/acadreg>)

August 2019

School of Law Policy on Moderation

1. The Course Leader should attain consistency in marking.
2. An Internal Moderator should be used to ensure the quality of exam papers. The Internal Moderator should be a person who can deal with the relevant subject.
3. Moderation of the exam paper to be done on the basis of:
 - i. clarity of instructions and clarity of the questions;
 - ii. consistency with the course taught;
 - iii. suitability for the level of the students;
 - iv. grammar;
 - v. allocation of marks suitable for the questions asked; and
 - vi. answer guide should be comprehensive and accurate.
4. First marking should preferably be done by the Course Leader. The same questions should be marked consistently by one person for all scripts for that particular course.
5. Second marking is not compulsory but if used in a particular course, it should be done by a person who is familiar with that subject area. The second marker should receive a representative sample of the scripts.
6. If an external marker is being used for a particular course, a representative sample of the scripts should be sent for marking.

November 2019

LLMARBDR PROGRAMME COURSEWORK, EXAMINATIONS AND DISSERTATION

Attendance Requirement

There are 100% attendance requirements for LW6406 Mediation Practice and LW6409B Advanced Award Writing. Failure to meet this requirement may disqualify the student for assessment.

Please note that the HKSAR Government's Continuing Education Fund (CEF) recognizes the LLMArbDR programme both as a whole and as individual courses (i.e. LW5303, LW6401, LW6405, LW6406, LW6407). The minimum attendance requirement for all CEF courses is **70%**. For the purpose of claiming reimbursement of CEF course fee or the professional recognition (i.e. CIArb, CPD), please note that it is the students' own responsibility to attend every class and examination during the teaching and examination periods.

The 70% attendance is calculated on the actual number of classes held. For a course which has a total of 13 classes in a semester, a student is required to attend at least 9 classes; for a course which has a total of 11 or 12 classes, a student is required to attend at least 8 classes.

Class Sit-in

Students are not allowed to sit in any classes if they have not registered in the course(s) concerned.

Coursework and Examinations

It is the general practice to assess a student's performance and attainment by both coursework and traditional examination. Coursework is also regarded as a means whereby a student gains practice in developing relevant skills and generally as a means of assisting the learning process. Depending on the preparation of each assessment task, **a student must obtain a minimum mark of 40% in both coursework and examination and an overall mark of 40% in order to pass a course.** Unseen examinations are less appropriate to postgraduate level studies, especially a programme which includes some emphasis upon practical skills. Therefore, this ratio is weighted in favour of coursework to a greater extent than it is in undergraduate programmes. The suitability of coursework assessment also explains the significant number of courses assessed exclusively by coursework.

Assessment by Coursework

Coursework may take a wide variety of forms, depending on the nature of the course and its objectives. It might consist of writing an essay on a prescribed topic or analysing a legal problem and providing advice. It might involve drafting or a case study. Sometimes an in-class exercise will be regarded as coursework so that performance in it will contribute to the result for the course and the programme. These exercises might be a test or the presentation of a seminar paper or legal argument.

Since coursework assumes such an important role in the assessment of this programme, special arrangements are provided to deal with situations where a student fails to submit a piece of coursework or is absent when the coursework assessment is conducted. This is something which occurs all too frequently with part-time students who are subject to many pressures at work and at home. Sometimes absence is quite unavoidable, through illness or a business trip, for example.

Provided that the circumstances are sufficiently extenuating a student will be allowed to undergo a substitute coursework assessment in place of the one missed.

Late Submission of Coursework

Failure to submit a coursework on time will be penalized. For guidance on the exact penalty, students should note the School of Law Policy on (Late) Submission of Assessment Tasks and consult with the Course Leader.

Failure to Attend a Coursework Exercise

Where a student fails to attend a coursework exercise held in class, with a weighting of 20% or above, has been adversely affected by circumstances beyond his/her control must submit the case, with documentary evidence, to his/her home academic unit following the procedures states on the University website, as soon as possible but no later than 5 working days of the scheduled date for completing the affected examination or assessment.

Failure to attend a coursework exercise, without good reason, will be penalized. For guidance on the exact penalty, students should consult with the Course Leader.

Retention of Coursework

All items of marked coursework must be retained by the student until the results have been promulgated for the particular course. In any event, it is sensible to retain your coursework for revision purposes.

Assessment by Examination

Law examinations may take a variety of forms but the emphasis will tend to be not so much on ascertaining how much information students can demonstrate they remember on the day and can regurgitate and scatter across the script, but rather to discover the extent to which they can apply their knowledge to the solution of legal problems and the performance of practical legal tasks. The common characteristic of examinations is that they are a previously “unseen” exercise which is conducted under rigid constraints of time. However, since analysis, understanding and application, not memory, are the abilities which are mainly being tested the use of reference materials, e.g. ordinances, may be permitted, and in some cases students may be presented with a fairly complicated scenario for study sometime before the examination and then asked questions about it, or given tasks to perform in relation to it in the examination room.

Grading Scale for LLMArbDR Programme

Final Marks	Grade
85 and above	A+
80-84	A
75-79	A-
70-74	B+
65-69	B
60-64	B-
55-59	C+
50-54	C
45-49	C-
40-44	D
39 and below	F

Proposed schedule for the process of LW6409A Dissertation

Students are advised to meet/contact their supervisors at least once each month when they enrolled in LW6409A and start the dissertation.

The programme administration team will provide a checklist with the proposed schedule for students at the beginning of the course. Students have to ask their supervisors to sign on the checklist after they have met/contacted them.

Students should return the checklist to the programme administration team when they submit their dissertations.

Submission of LW6409A Dissertation

Students are required to submit your dissertation in PDF Format through Turnitin via Canvas, failing of which will result a deduction of 5 marks in the final marks.

Please make sure that the soft copy of your dissertation must be submitted together with the declaration sheet as the front cover.

Please refer to the Library Guidelines for Electronic Theses to create the soft copy of your dissertation in PDF format as instructed.

Guidelines:

<http://www.cityu.edu.hk/lib/digital/thesis/guideline/research/format.htm>

Please DO NOT put your student ID number or telephone number anywhere in the soft copy of your dissertation.

You should follow the School of Law regulations to name the soft copy of your dissertation in the following format:

Student Number_Date of submission

e.g. your student number is 12345678 and submit file date is 17 September 2021, then the file name will be: **12345678_20210917.pdf**

Please make sure that you read the School of Law Policy on (Late) Submission of Assessment Tasks. In particular, please note that, unless there are valid extenuating circumstances under Academic Regulation No.10, late submission of coursework will attract the following penalty: deduction of 5 marks for every single day (including public holidays) of delay up to maximum 7 days. Papers received later than 7 days of the submission deadline will not be marked.

With requisite approvals, students may apply for a one-week extension only from the original LW6409A submission deadline.

PLAGIARISM

Plagiarism is not tolerated. Plagiarism simply means the taking and using as one's own of the thoughts and writings of another. The Oxford English Dictionary defines plagiarism as the wrongful appropriation or purloining, and publication as one's own, of the ideas, or the expression of the ideas (literary, artistic, musical, mechanical, etc.) of another.

This can take two forms. Firstly, presenting as your own work that which is the result of another person's (whether student or not) labour. Secondly, copying or paraphrasing from text books, articles or other materials from which no acknowledgement of the source you have taken is provided and where quote marks have not been used for direct quotation. This School views with the gravest concern the action of a student who plagiarises the work of another person. To indulge in literary theft of this kind is highly unethical and ultimately self-defeating.

Both of these activities are unacceptable and will be heavily penalised.

Fair competition is a normal part of academic life. It is, however, grossly unfair to seek advantage over classmates through dirty tricks like cheating in examinations or hiding an essential library book or destroying all or part of key study material. These and similar practices are unethical and will be punished.

Of course, we expect you to discuss assignments with your fellow students. Indeed, in some cases you will be assigned work in a small group. Learning to work together is an important skill in itself. However, in the case of an individual assignment the final product submitted must be your own work. Similarly, we expect you to refer extensively to text books, articles and other materials when writing essays but you must acknowledge sources when you copy directly from a written text. It is very easy for the marker to spot direct copying from a standard text or article. This is particularly the case when you are writing in a second language. You are allowed to paraphrase an author's ideas or put them into your own words so long as you acknowledge the source.

In other words, plagiarism means "dishonest copying". The plagiarizer takes someone else's ideas or words and, without crediting the source, passes them off as his or her own. There can be dishonest copying from a published source like a printed book or from unpublished material like another student's coursework. Plagiarism is a serious academic offence which may lead to expulsion and other heavy penalties. Law students should take special pains to master the academic conventions surrounding quotations, citations and attributions. Although students are encouraged to work cooperatively, there must

be individual authorship of written assignments. Students are asked to make sure that their coursework is not copied by others. Also, each student's assignment should be individually written to avoid any suspicion that it has been dishonestly copied from someone else's work.

If a student submits a law assignment that contains direct and unacknowledged transcription from one or more sources then that student will receive no marks for that assignment and, in all probability, a fail grade for the relevant course. Other possible penalties include suspension or expulsion from the University.

Thus:

- + If you use the exact words of another author you must acknowledge this by the appropriate use of quotation marks and by citing the reference.
- + If you use the ideas of another author you must clearly acknowledge that.
- + Use of unpublished or unreported material, other students' papers and research must be acknowledged.
- + If the paper, or any part of it, is the result of collective research and compilation, this must also be clearly acknowledged.

For more details, please visit the "Rules on Academic Honesty" at http://www.cityu.edu.hk/provost/academic_honesty/rules_on_academic_honesty.htm

Guidance Notes, intended to help CityU students familiarize themselves with the Rules on Academic Honesty (Rules) are at http://www.cityu.edu.hk/provost/academic_honesty/guidance_notes.htm

To enhance students' understanding of academic honesty, all students are required to complete an online tutorial (Link: <http://www.cityu.edu.hk/ah/>) and make a declaration of their understanding of this core academic principle. Students must complete this requirement by 30 November for Semester A of the academic year in which the student is admitted to the programme. Students who do not complete the online Academic Honesty tutorial will not be able to access their course grades.

Detailed information will be provided at the beginning of Semester A.

DUTIES OF THE ASSESSMENT PANEL

Under the Credit Unit System, the Assessment Panel is established to approve assessment results. Its terms of reference are:

1. To maintain the academic standards of assessment in courses for which they are responsible.
2. To determine the final grades for students in courses and report them to ARRO and SGS.
3. To decide what action to take as a result of a substantiated claim for mitigation notified to them, any changes made by the Course Leader on the examination questions during an examination and/or errors found on the examination questions.
4. To ensure the grading of each course is fair and transparent and does not discriminate according to gender, sexual orientation, ethnicity, religion or belief, age, social origin or disability.
5. To ensure grade descriptors are applied consistently.
6. To consider the implications of any variation of grades in the courses under consideration and the implications of variations between the grades on courses currently under consideration and grades on those courses in previous years.
7. To award 'I' or 'X' grade to students or adjust the grade awarded, where mitigation circumstances have been established.
8. To ensure the discussions at the Assessment Panel are confidential.
9. To ensure meetings be held prior to the release of grades to students in accordance with schedule announced by ARRO or SGS.

LIBRARY

Established in 1988, the Law Collection and Services Section of the Run Run Shaw Library provides an excellent collection of law materials including print and electronic resources as well as an extensive array of research support services and facilities.

Materials in the Law Collection and Services Section cover not only Hong Kong and English law, but also Chinese law and the law of other major common law jurisdictions. The collection of law books, bound law reports, statutes and law journals now reaches 127,000 volumes. There are 237 subscriptions of print journals, statutes, law reports and digests. Also available are 25 electronic databases and a wide selection of electronic journals and electronic books. The majority of these electronic resources can be accessed throughout the campus as well as remotely. The media resources in the Library touch on a diverse range of legal subjects, from advocacy, civil evidence to international mooting.

In addition, there are two special collections. Housed in the Shatin Storage, the English Law Special Collection consists of about 1,800 volumes on English legal history. Some publications were published as early as the 16th century. It is considered one of the best collections of its kind in Asia. The Chinese Legal History Special Collection is made up of over 3,200 volumes of print materials, covering the period of Ancient China to 1949. It is kept on campus.

To help users make good use of the Library for teaching, learning and research purposes, the Law Collection and Services Section offers a variety of services, from reference enquiry, library workshops to research guides and more.

On the facilities and equipment side, there is a multi-media meeting room for law faculty members and two discussion rooms for law students, one of which is designated for mooting preparation. Computer workstations, printers and photocopiers are also available in this part of the Library. Besides these, law students can enjoy the full range of collections, services, facilities and equipment in other parts of the Library as well.

Visit the library website <http://www.cityu.edu.hk/lib/collect/law/index.htm> to explore further the law collection and services.

HOW TO WRITE A LAW PAPER

In order to give you an appreciation of the many and varied problems confronted by legal personnel, you will be required in the programme of your studies to present a variety of written work in different forms. Skills of written expression, and the ability to determine what is the appropriate drafting form for a given situation, are amongst the most essential abilities which a law student needs to acquire quickly and competently.

Because of the variety of forms of legal writing, and the general absence of any detailed consensus regarding what is good legal writing, it is difficult to provide a brief guide for the student starting out on his/her legal writing career. Therefore all we will attempt to do in this part is to put forward some general suggestions concerning the preparation of a law essay and written answers to legal problems. However whatever the form of legal writing on which one embarks, it is worth remembering the advice that, "those who write clearly have readers, and those who write obscurely have commentators."

Writing a Law Essay

Follow the Instructions

The instructions for every assignment will be different, making the assignment more or less demanding. Marks will not be awarded to a student who does more than the instructions required.

Focus Directly on the Set Topic

The key to writing success in law is to be direct. What is most important is your own substantiated ideas and argued opinion on what the topic is about. Keep an essay linked to specific pieces of evidence and remember that your writing needs always to be relevant.

Present a Logical Argument within a Clear Structure

An essay should fall into three major segments - an introduction, a central core, and a conclusion. The introduction should set the scene. The central core is where you develop the argument clearly and logically. A conclusion section is not simply a resume of the essay but a set of statements that derive logically from what has gone before.

Careful attention to the design of the essay will pay off: you will know more clearly what you are talking about, and so will the person who has to read it. Before actually writing the essay you will probably find it helpful first to work out a point by point summary. This helps ensure that the essay has a definite and logical structure, and that you will discuss all the major points which you consider to be worth raising.

Drafting and redrafting plays a significant role in essay writing. It is one of the best means of achieving a logical argument and clear structure. Even the most competent writers first prepare drafts. The first draft will contain a variety of ideas as you try to come to grips with all the relevant material. The second draft pays much more attention to the argument as a whole as well as to matters of clarity and style.

Use of Sources and Authorities

The impact of your legal argument will only be as strong as the authorities on which you base your opinion. Unless the instructions call for the use of limited and identified authorities, you will be required to read widely and to consult as many relevant sources as you can so that you can be confident that the law on which you rely is both complete and current.

Remember to Identify Primary and Secondary Sources

Note arguments and information while you are reading. However there is no point in taking down large chunks of a book or report – you're not a photocopy machine! Once you have identified the issues and the problems, collect authorities and critical opinions relevant to them. The material which you collect can be used to illustrate and validate your argument.

Citation of Legal Authorities

As a style guide, you are required to use:

OSCOLA (4th Edition), The Oxford Standard for Citation of Legal Authorities, Faculty of Law, University of Oxford. Available from

<https://www.law.ox.ac.uk/research-subject-groups/publications/oscola>

Since the Fourth Edition of OSCOLA does not contain citation advice for International Law Sources, please visit the same website for the OSCOLA 2006: Citing International Law.

Consult carefully the instructions given in the OSCOLA (4th Edition), and in your Course Manuals, as they refer to the preferred presentation, style and referencing for particular types of legal writing. Above all else be accurate and consistent with your citations and referencing. Where necessary include the

appropriate footnotes in the designated form, and always include at the end of the essay a complete bibliography of references referred to.

Plagiarism

Plagiarism is a serious academic offence which may lead to expulsion and other heavy penalties. Please refer to a detailed discussion on Plagiarism in the sections above for further details.

Writing an Answer to a Legal Problem

Legal problems presented as part of your law studies will usually appear as a factual situation which raises certain issues. You may be asked to adopt a particular position with respect to a person referred to in these facts, or you may be requested to advise a party on his/her legal position (or options) which arise out of the problem. In all cases you will be expected to apply relevant legal principles and authorities in order to provide solutions to the problems.

The first thing to remember about a legal problem is that every fact may be of some bearing. Therefore it is essential to read every word of the problem carefully.

Students should assume that unless otherwise told, the facts as presented in the problem have been proved. Do not assume facts contrary to those stated in the problem. This is said not with the intention of precluding the student from commenting on facts which appear to be omitted from the problem and which would, in the student's opinion have some bearing on alternative solutions. The mark of a competent lawyer is the ability to spot the gaps in the facts of the case.

Be particularly careful to understand the words of instruction which follow the set of facts, and act on these specifically as requested. The legal advice which you give in your answer will be generally the same whichever party you are supposed to be advising. However, there may be some practical advice to be given to one party, as well as some preferred legal authorities on which you may choose to rely in order to advance your side of the case. This will obviously depend on the side you are given, if any.

Always, where they exist and are appropriate, give reasons and authorities for your opinions. These are usually legislation, cases or legal authors. A bald answer to a legal problem, though correct, may not gain many marks. The marker wants to be able to see how you argued your way to the right answer and therefore the logic and process of your argument needs to be clearly set out. A lawyer needs to be able to resolve facts into their legal categories. In order to practise this skill the student should argue in terms of legal rules and concepts.

In commencing your answer, you should firstly address yourself to the specifics of the problem, stating what is at issue and briefly outlining how you intend to perform the task that has been asked of you. If the law is clear on a particular point, first state the law and then give the most appropriate authorities to support your statement. If the law is not clear, set out the possible legal positions and the authorities which may have a bearing on them. It is far more useful to pose difficult and unsettled legal issues even if you are unable to advance an opinion

on which line of authority or principle is to be preferred, rather than simply to ignore the complexity of the law as it relates to a particular problem.

Cite only the most relevant and authoritative cases supporting a proposition or your argument and be prepared to discuss cases which go against your argument. You will not, however, gain marks merely for citing a string of cases, especially cases which add little or nothing to the overall discussion.

In attempting to answer a legal problem one may be confronted with several possible answers to the same issue of fact or law. Therefore, be creative and don't be afraid to argue.

When faced with a conflict of authorities it may be necessary to isolate the legal principle on which each case rested, briefly discuss the judicial reasoning behind the decisions, and hold that one was wrongly decided. If on the other hand one of the authorities is possibly distinguishable, then the possible point of distinction should be pointed out. If it is possible that the authority in question could be overruled, it is important to mention its status in the legal hierarchy as well as the objections which might be urged against it.

If the problem raises an issue of statute law there may be questions of interpretation involved. You may need to act as if you were a judge being asked to rule on a question of meaning and therefore bear in mind, and apply any suitable intrinsic or extrinsic aids to interpretation.

Apply the law you know which directly relates to the problem. Marks will not be gained, rather they will be lost, by irrelevant padding or by putting down all you know about a single issue which might be touched on in the set of facts.

If the problem facts are divided into several parts, or raise a number of distinct sub-problems, then you must be careful to cover all the issues. It is often best to order your discussion of separate matters in their ranking of importance for the overall solution of the problem.

Although legal problems often raise overlapping issues, you are usually advised to stick to that topic area of substantive law which designates the course in which the problem was set.

Keep your sentences short, your expression concise, and the logical development of your argument clear. Remember, when your tutors mark your answers to legal problems, they will be equally interested in what you say and how you say it.

ETHICS FOR LAW STUDENTS

Ethics means "a set of moral principles or values." Developing a high standard of personal ethics has always been one of the main goals of both Chinese and Western education. All students should be encouraged in their ability to distinguish good from bad and to think about questions of moral duty and obligation. But, law students should be particularly concerned about ethics because most of them will wish to practice in a demanding profession in which they may be exposed to temptation. For this reason, both the Bar Association and the Law Society place special emphasis on integrity, defined as soundness of moral principle, sincerity, honesty, uprightness, fair dealing and obedience to the law.

Integrity is also the requirement for everyone at the City University Law School. From admission to graduation, each student is expected to behave in a way consistent with the ethical values of both scholarship and the legal profession.

Attention is directed to the City University's Code of Student Conduct. This states that "Students are expected to act in accordance and comply with the law" (clause 2.3.2). This requirement applies to everyone everywhere, but the obligation to be law abiding is especially important for law students because conviction for a serious criminal offence may prevent them from being admitted to the practice of law. Students are therefore reminded to comply with the letter and the spirit of the law in every aspect of their private and public lives.

Plagiarism is a serious academic offence which may lead to expulsion and other heavy penalties. Law students should take special pains to master the academic conventions surrounding quotations, citations and attributions.

Fair competition is a normal part of academic life. But, it is grossly unfair to seek advantage over classmates through dirty tricks like cheating in examinations or hiding essential library books or destroying all or part of key study material. These and similar practices are unethical and will be punished.

City University law students are expected to study hard, cultivate their own identity and increase their ability to think critically. But, developing individualism should not be at the expense of collegiality and cooperation. Gaining personal advancement by helping others is also an important preparation for the practice of law. Students must therefore use the law school's facilities and resources in a way that takes into account the rights and needs of others.

PROGRAMME COMMITTEE

An LLMArbDR Programme Committee exists in order to maintain the academic quality of the programme and to ensure the attainment of its aims and objectives. These responsibilities include systematic monitoring and evaluation, future development of the programme as well as consideration of student feedback. The constitution of the LLMArbDR Programme Committee includes five or above student representatives.

LIST OF ACADEMIC STAFF

For the list and telephone numbers and e-mail addresses of academic staff, please refer to the School of Law Staff Telephone Directory. For the details of each academic staff, please refer to School of Law website <https://www.cityu.edu.hk/slw/about-school/our-people>

GOFF ARBITRATION LECTURE

The Goff Lecture series was inaugurated by City University of Hong Kong in 1990. Lord Goff of Chieveley, then Lord of Appeal, initiated the series. He has been followed by an illustrious list of some of the world's most renowned experts in the field.

<u>Year</u>	<u>Speaker</u>	<u>Topic</u>
1990	The Right Honourable, The Lord Goff of Chieveley, Lord of Appeal in Ordinary	"Commercial Arbitration"
1991	Mr Justice Andrew Rogers, Chief Justice of the Commercial Division Supreme Court of New South Wales	"Arbitrability"
1992	Sir Thomas Bingham, Master of the Rolls	"1979 and All That"
1993	Mr Arthur Marriott of Wilmer, Cutler and Pickering Solicitors, London	"The Role of ADR in the Settlement of Commercial Disputes"
1994	Judge Stephen Schwebel of the ICJ	"The Validity of An Arbitral Award Rendered by A Truncated Tribunal"
1995	Professor Neil Kaplan, Q.C.	"Is the Need for Writing, as Expressed in the New York Convention and the Model Law, Out of Step with Commercial Practice?"
1996	The Rt Hon The Lord Mustill President, The Chartered Institute of Arbitrators	"Too Many Laws?"
1997	Mr Jan Paulsson, Partner, Freshfields – Paris, Vice-President, London Court of International Arbitration	"Enforcement – is there an international standard?"
1998	Professor Pierre Lalive Lalive & Associés, Geneva, Switzerland	"Irresponsibility in International Commercial Arbitration"
2000	Mr Fali Nariman, President of ICCA	"The Spirit of Arbitration"
2001	Mr V. V. Veeder, Q.C.	"The Paramount Objective of Fairness: The Duty to Arbitrate in

<u>Year</u>	<u>Speaker</u>	<u>Topic</u>
2004	Mr Yves Fortier, Q.C.	Good Faith” “Caveat Investor: The Emerging Law of Foreign Investment and the Settlement of Disputes under Investment Treaties”
2005	Prof. Karl-Heinz Böckstiegel President of the International Law Association (ILA)	“The Role of Arbitration within Today’s Challenges to the World Community and to International Law”
2007	The Honorable Charles N. Brower Judge of the Iran-United States Claims Tribunal	“W(h)ither International Commercial Arbitration?”
2008	Professor Michael Reisman Myres S. McDougal Professor of International Law Yale Law School	“National Emergencies and Necessities: Do They and Should They Relieve States of Their Investment Obligations?”
2009	Professor David D Caron, C. William Maxeiner Distinguished Professor of International Law, School of Law, University of California at Berkeley	“The Small, The Useful and The Impossible: The Experience of UNCITRAL in Revising Its Rules”
2010	Justice Michael Hwang, S.C. Chief Justice of Dubai International Financial Centre Courts	“A Model Form of Procedural Order Relating to Confidentiality in Arbitration”
2011	Dr Jacques Werner Founder and Chairman of the Geneva Global Arbitration Forum	“The Case for Better, and Better-armed, Arbitrators”
2013	Professor Kaj Hobér Partner, Mannheimer Swartling	“The Rise of Treaty-based Investment Arbitration in Asia”
2015	Professor Gray Born Partner, Wilmer Cutler Pickering Hale and Dorr LLP Chair, International Arbitration Practice Group	“The Right to Arbitrate: Historical and Contemporary Perspectives”
2016	Robert French AC Chief Justice of the High Court of Australia	”Arbitration- Private and Public Interest Dimensions”
2018 (Feb)	Rt Hon. The Lord Hope of Craighead KT	“Making the Best of Arbitration”

<u>Year</u>	<u>Speaker</u>	<u>Topic</u>
2018 (Jul)	Rt Hon. The Lord Jonathan Mance	“Arbitral Autonomy and Applicable and Overriding Law”
2019	Mr Neil Kaplan, CBE QC SBS, International Arbitrator	“Isn’t 700 Years Long Enough? - Time to Think Again about Costs”
2020	Ms Lucy Reed	“Arbitrator ‘Temperance’: David Caron’s Rule of X”
2021	Chief Justice Sundaresh Menon of Singapore	The Complexification of Disputes in the Digital Age

WILLEM C. VIS INTERNATIONAL COMMERCIAL ARBITRATION MOOT

The Willem C. Vis International Commercial Arbitration Moot is a competition for law students. Students from all countries are eligible and the Finals take place in Vienna, Austria. The Moot involves a dispute arising out of a contract of sale of goods between two countries that are parties to the United Nations Convention on Contracts for the International Sale of Goods. CityU hosts the annual Willem C. Vis (East) International Commercial Arbitration Moot in Hong Kong.

INTERNATIONAL ADR MOOT

The International ADR Mooting Competition* is a truly innovative and exciting initiative of the China International Economic and Trade Arbitration Commission (CIETAC), and the School of Law of City University of Hong Kong (CityU), in association with UNCITRAL - Regional Centre for Asia and the Pacific. It combines both mediation and arbitration in one competition and gives students the opportunity to act as arbitrator and mediator in addition to the roles of advocates in the arbitral hearing immediately followed by mediation proceedings.

** Whether the event will be held in the future is subject to review and confirmation.*

ADMINISTRATIVE AFFAIRS

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Hong Kong

Enquiry

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Fax: (852) 3442 0190

E-mail: llmarb@cityu.edu.hk

Web Site: <http://www.cityu.edu.hk/slw>

Communication Channels

The School communicates with students through one or more of the following channels:

- E-mail
- Telephone
- Fax
- Post
- SMS Messages (in urgent cases)
- Canvas

E-mail

An e-mail account will be allocated to each student upon enrolment. Please check your e-mail account regularly. Space in the e-mail account is limited. If your e-mail account is not checked regularly and surplus/unwanted e-mails are not deleted, the account will become full and further e-mails will not be accepted.

Telephone/Fax/Post/SMS Messages (in urgent cases)

The School also communicates with students by telephone, fax, post and SMS messages (in urgent cases).

Canvas

Make sure you learn to use *Canvas* as you will need to submit your assignments online and access the course materials from your course leaders via this platform.

You may visit http://www.cityu.edu.hk/elearn/elearn_st_canvas-faq.html for more details.

e-Learning Support

- [e-Learning for Students](#)
- [General Enquiry:](#)
 - Email: elearn@cityu.edu.hk
 - Phone: (852) 3442 6727
 - Fax: (852) 3442 2651

Change of Contact Information

To facilitate communication between the University and its students, it is important for students to keep the University informed of any changes to their contact information (e.g. telephone number, correspondence address, emergency contact information, etc.). Notification of such changes can be made by following the procedures given below:

- Login to the “e-Portal” with EID and password
- Click “AIMS” at the navigation panel on the left
- Select “Personal Information” menu
- Select “Personal Data for Communication”
- Update your address or contact phone number as appropriate and click “Save”
- An automatic email will be sent to you to acknowledge receipt of your updates
- To protect your own privacy, please make sure that you have logout from the “e-Portal” before leaving your terminal

If you encountered any problems during the process, please contact the Chow Yei Ching School of Graduate Studies (SGS) or the Computing Services Centre (CSC) (for technical problems) at 3442 8340.

Information Relevant to Your Studies

Please check the following information, which is relevant to your studies, in the e-Portal (<http://eportal.cityu.edu.hk>):

Academic Regulations & Policies

- Academic Regulations for Taught Postgraduate Degrees
 - (<https://www.sgs.cityu.edu.hk/student/tpg/regulations/acadreg>)
- CGPA Banding for Taught Postgraduate Award Classifications
 - (<https://www.sgs.cityu.edu.hk/student/tpg/regulations/cgpabanding>)
- Code of Student Conduct and Disciplinary Procedure
 - (<https://www.cityu.edu.hk/vpsa/cscdp/>)
- Normal & Maximum Study Period for Taught Postgraduate Programmes
 - (<https://www.sgs.cityu.edu.hk/student/tpg/regulations/maxstudyperiod>)
- Policy on Intellectual Property
 - (<https://wikisites.cityu.edu.hk/sites/upolicies/ippolicy/Wiki%20Pages/Home.aspx>)
- Regulations on Tuition Fees
 - (<https://www.sgs.cityu.edu.hk/student/tpg/regulations/tuitionfees>)
- Rules Governing Enrolment of Local and Non-local Students
 - (<https://www.sgs.cityu.edu.hk/student/tpg/regulations/enrolment>)
- Rules on Academic Honesty
 - (http://www.cityu.edu.hk/provost/academic_honesty/rules_on_academic_honesty.htm)
- Rules on Student Identity Card
 - (<https://www.sgs.cityu.edu.hk/student/tpg/regulations/sidrules>)
- The Structure of University Academic Programmes
 - (<https://www.sgs.cityu.edu.hk/student/tpg/regulations/structure>)
- Student Complaints Procedure
 - (<http://www.cityu.edu.hk/stdcomplaint/>)
- University Assessment Policy and Principles for Taught Programmes
 - (http://www.cityu.edu.hk/qac/assessment_policy/university_assessment_policy.htm)

Chow Yei Ching School of Graduate Studies [SGS]

(<http://www.sgs.cityu.edu.hk/>)

- Programmes & Courses
- Master Class Schedule
- Course Registration
- Examinations
- Assessment
- Degree Evaluation
- Tuition Fees
- Student Services

Finance Office [FO] (<http://www.cityu.edu.hk/fo/index.htm>)

- Fee and Charges
- Payment Schedule
- Payment Methods to Settle Your Account

Other information is also available in the e-Portal and University websites.

Services Provided by Other Centres and Offices

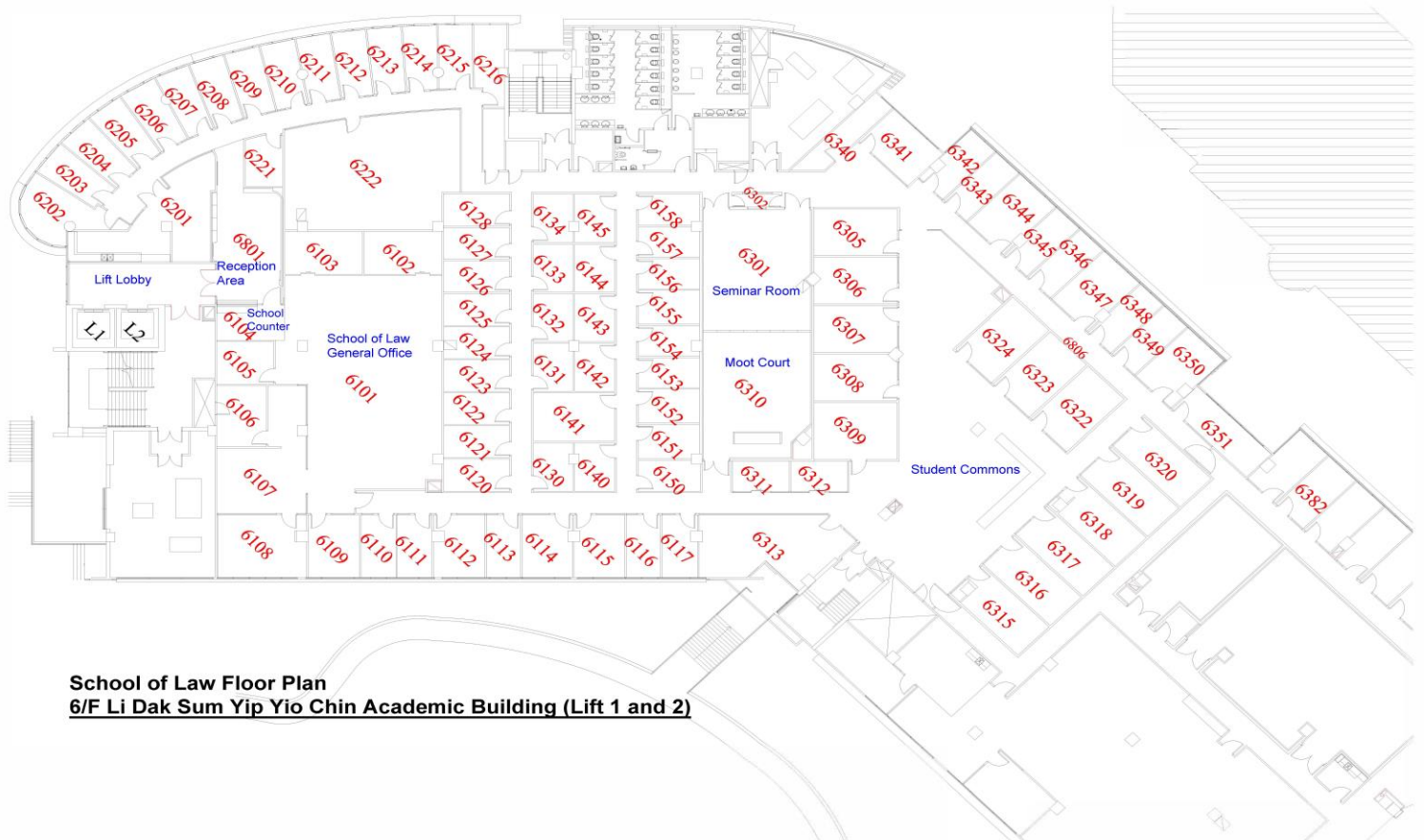
From time to time you may receive information on the services provided by different centres or offices in our University. Please note that the services offered for students in non-UGC funded programmes may be different than the services offered for students in UGC-funded programmes. You are advised to check with individual centre/office for details such as scope of service, fees, regulations etc.

Adverse Weather Arrangements

The arrangements for classes and activities due to adverse weather conditions can be found from the following website:

<http://www.cityu.edu.hk/fmo/awa>

SCHOOL OF LAW FLOOR PLAN



School of Law Floor Plan
6/F Li Dak Sum Yip Yio Chin Academic Building (Lift 1 and 2)

SCHOOL OF LAW STAFF TELEPHONE DIRECTORY

Post/Section	Name	姓名	E-mail (@cityu.edu.hk)	Ext. #	LI Bldg Room
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Associate Dean / Professor	Prof LIN Feng	林峰	LWLIN	7400	6351
Associate Dean / Professor	Prof WAN Wai Yee	溫慧儀	WAIYWAN	9111	6109
Associate Dean / Associate Professor	Dr DING Chunyan	丁春艷	CHUNDING	7678	6348
Professor	Prof CHAISSE Julien	夏竹立	JULIEN.CHAISSE	6594	6115
Professor	Prof CROFTS Thomas		TCROFTS	8184	6344
Professor	Prof LIN Feng	林峰	LWLIN	7400	6351
Professor	Prof LIU Qiao	劉橋	QLIU5	7366	6202
Professor	Prof LOKE Fay Hoong Alexander	陸飛鴻	ALEX.LOKE	8175	6350
Professor	Prof TSIMPLIS Michael		MTSIMPLI	9133	6112
Professor	Prof WAN Wai Yee	溫慧儀	WAIYWAN	9111	6109
Professor	Prof WANG Jiangyu	王江雨	JIANGYU.WANG	7026	6114
Professor	Prof ZHU Guobin	朱國斌	LWZHUGB	7288	6347
Associate Professor	Dr DING Chunyan	丁春艷	CHUNDING	7678	6348
Associate Professor	Dr GUAN Wenwei	關文偉	W.GUAN	6101	6117
Associate Professor	Dr KIELSGARD Mark		MKIELSGA	7624	6216
Associate Professor	Dr LEUNG Mei Fun Priscilla	梁美芬	LWLMF	8176	6349
Associate Professor	Dr LIN Yu-Hsin Lauren	林郁馨	YUHLIN	7672	6111
Associate Professor	Dr LONE Fozaia	霍詩姪	FNLONE	7430	6116
Associate Professor	Dr ONG Rebecca		LWONG	8171	6346
Associate Professor	Dr PASCOE Daniel		DCPASCOE	7029	6205
Associate Professor	Dr WANG Shucheng	王書成	SHUCWANG	7388	6203
Assistant Professor	Dr CHAN Chi Hin Peter	陳志軒	PCHCHAN	4156	6110
Assistant Professor	Dr CHOW Pok Yin Stephenson	周博研	STEPHENSON.CHOW	7387	6212
Assistant Professor	Dr FANG Meng Mandy	方萌	MENGFANG	7884	6211
Assistant Professor	Dr HE Tianxiang	何天翔	TIANXHE2	7384	6113
Assistant Professor	Dr JING Hui	景輝	HUIJING	6593	6342
Assistant Professor	Dr LAI Sin Chit Martin	黎善喆	MARTIN.LAI	7398	6204
Assistant Professor	Dr LANDO Massimo		MFLANDO	6411	6345
Assistant Professor	Dr SHERSTOBOEVA Elena		ESHERSTO	2203	6150
Assistant Professor	Dr TOMASSETTI Julia		JTOMASSE	7636	6213
Senior Teaching Fellow	Mr BURKE John		JASBURKE	7675	6207
Senior Teaching Fellow	Mrs KWAN-STEPHENSON Wan Chee Alisa	施關韻姿	LWALISA	7268	6206
Teaching Fellow	Ms LUI Hoi Yan Anna	呂凱恩	ANNALUI	8191	6210
Teaching Fellow	Dr TSUI Fung Ling Sara	徐鳳翎	LWSARA	7162	6215
Senior Teaching Consultant	Ms LEUNG Suk Yee Stella	梁淑儀	SSYLEUNG	7390	6209
Senior Teaching Consultant	Ms LOW Fung Kee Theresa	羅鳳姬	THERELOW	4180	6214
Teaching Consultant	Ms BAUTISTA Josefina		JBAUTIST	6719	6120
Teaching Consultant	Ms CHAN Ka Ying Carrie	陳嘉盈	CARRIE.CHAN-PCLL	4964	6128
Teaching Consultant	Ms MAHTANI Laveena		LMAHTANI	7883	6125
Teaching Consultant	Mr REHMAN Ubaid	魏大偉	UUREHMAN	4963	6122
Visiting Fellow	Ms CHEUNG Sai Ying Athena	張西凝	SYCHEUN	7581	6124
Visiting Fellow	Mr CHI Kee Ming	戚啟明	KEEMCHI	7677	6123
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Adjunct Professor	Mr IU Ting Kwok	姚定國	TINGKI2222		
Adjunct Professor	Mr LEUNG Wing Keung Albert	梁永強	ALBERL2223		
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Adjunct Professor	Dr TO Wing Christopher	陶榮	CHRISTO	7639	6126
Adjunct Professor	Mr ZHANG Yi	張毅	YZHAN34		

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JD (法律博士)	3442 7367 / 3442 8187	SLWJDP
LLM (法學碩士)	3442 7921 / 3442 7470	LWLLM
LLMArbDR (法學碩士(仲裁及爭議解決學))	3442 7680 / 3442 7782	LLMARB
PCLL (法學專業證書)	3442 7223 / 3442 7203 / 3442 7098	LWPCLL
JSD (法學博士)	3442 7470 / 3442 7921	SLWJSD
Fax (General Office)	3442 0190	

*Please add the suffix "@cityu.edu.hk" to all e-mail addresses listed above.

#Please add 3442 before the ext. xxxx listed above.