

LW5400: LEGAL CONCEPTS

Effective Term

Semester B 2024/25

Part I Course Overview

Course Title

Legal Concepts

Subject Code

LW - Law

Course Number

5400

Academic Unit

School of Law (FL)

College/School

School of Law (FL)

Course Duration

One Semester

Credit Units

3

Level

P5, P6 - Postgraduate Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

Nil

Precursors

Nil

Equivalent Courses

Nil

Exclusive Courses

Nil

Part II Course Details

Abstract

This course aims to provide an introduction to important legal concepts for students starting an LLMArbDR degree who do not have legal background. The course introduces the legal system of Hong Kong, the courts and procedures and the way

statutory instruments and case law are interpreted and used. General introduction to contract and tort law is also provided. The identification of the law applicable to a dispute and the jurisdictional conflicts that may arise in commercial disputes involving international parties are also discussed. International law in general and the way international treaties interact with domestic laws by Hong Kong courts is outlined.

Course Intended Learning Outcomes (CILOs)

CILOs		Weighting (if DEC-A1 DEC-A2 DEC-A3 app.)			
1	Know, explain and critically assess the legal framework in Hong Kong		x	x	x
2	Demonstrate knowledge of the techniques used, and ability to apply such techniques for statutory interpretation and for case law		x	x	x
3	Understand, describe and apply the principles of contract, tort law, and international law.		x	x	x
4	Get a preliminary sense of the world's legal system, as well as the basic concepts and methods of comparative law for dealing with laws from different countries in the future.		x	x	x

A1: Attitude

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

A2: Ability

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

A3: Accomplishments

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

Learning and Teaching Activities (LTAs)

LTAs		Brief Description	CILO No.	Hours/week (if applicable)
1	Seminars	Introduction of the overall framework and in depth analysis of selected aspects.	1, 2, 3, 4	3 hours seminar / tutorial week or a total of 39 hours of block teaching
2	Tutorials	Detailed examination of specific issues as these arise in simplified problems.	1, 2, 3, 4	3 hours seminar / tutorial week or a total of 39 hours of block teaching
3	Guided individual studying	Development of basic independent research and critical assessment skills.	1, 2, 3, 4	3 hours seminar / tutorial week or a total of 39 hours of block teaching
4	Formative work	Application of legal principles and legal knowledge as assessed by quizzes.	1, 2, 3, 4	3 hours seminar / tutorial week or a total of 39 hours of block teaching

Additional Information for LTAs

The use of Generative AI tools is not allowed.

Topics covered by the course:

1. What is law? What types of law exist?
2. The Hong Kong SAR legal system; HK Basic Law.
3. Introduction to the law of tort.
4. Statutory interpretation.
5. Introduction to public law.
6. Common law and civil law.
7. Comparative Law.
8. Introduction to public international law.
9. Introduction to private international law.
10. Adjudication/arbitration within companies.
11. Introduction to legal research and writing.

Assessment Tasks / Activities (ATs)

ATs		CILO No.	Weighting (%)	Remarks (e.g. Parameter for GenAI use)
1	In-class Group Presentation. Students will be divided into several groups. Each group will be required to present in one class. Apart from the traditional slides presentation, students are also encouraged to use other methods, such as interactive dialogues, in-class debates, surveys, and non-generative AI tools.	1, 2, 3, 4	20	The use of Generative AI tools is not allowed.
2	In-class Group Work Students will be divided into several groups. Each group will be assigned some work to finish in class. The work may include answering questions, doing quizzes, or collaborating on small projects.	1, 2, 3, 4	20	The use of Generative AI tools is not allowed.

Continuous Assessment (%)

40

Examination (%)

60

Examination Duration (Hours)

2

Additional Information for ATs

Remarks:

Applicable to students admitted before Semester A 2022/23 or in Semester A 2024/25 & thereafter

- i) 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.
- ii) There is one 2-hour examination that carries the remaining 60% of the final mark. It is an open book examination. Except City University library materials, students may bring into the examination hall such notes, texts, articles, legislation, or other materials as they may wish. The exam will take place in a computer lab, during which students could bring a USB with course materials.

Applicable to students admitted in Semester A 2022/23 to Summer Term 2024

- i) A student must obtain a minimum mark of 50% in both coursework and examination and an overall mark of 50% in order to pass a course.
- ii) There is one 2-hour examination that carries the remaining 60% of the final mark. It is an open book examination. Except City University library materials, students may bring into the examination hall such notes, texts, articles, legislation, or other materials as they may wish. The exam will take place in a computer lab, during which students could bring a USB with course materials.

The HKSAR Government's Continuing Education Fund (CEF) recognizes the LLMArbDR 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, please note that it is the students' own responsibility to attend every class and examination during the teaching and examination periods.

Assessment Rubrics (AR)

Assessment Task

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

Criterion

Demonstration of ability to identify issues, current trends and practices.

Excellent

(A+, A, A-) Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good

(B+, B, B-) Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair

(C+, C, C-) Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal

(D) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure

(F) Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

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

Criterion

Demonstration of ability to identify issues, current trends and practices.

Excellent

(A+, A, A-) Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.

Good

(B+, B, B-) Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair

(C+, C, C-) Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal

(D) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure

(F) Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

Coursework (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

Demonstration of ability to identify issues, current trends and practices.

Excellent

(A+, A, A-) High

Good

(B+, B) Significant

Marginal

(B-, C+, C) Moderate

Failure

(F) Inadequate

Assessment Task

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

Criterion

Demonstration of ability to identify issues, current trends and practices.

Excellent

(A+, A, A-) High

Good

(B+, B) Significant

Marginal

(B-, C+, C) Moderate

Failure

(F) Inadequate

Part III Other Information

Keyword Syllabus

Legal system. Statutory interpretation. Public and private law. Law of tort. Comparative law. International law.

Reading List

Compulsory Readings

Title	
1	There is no single textbook that is comprehensive enough for the purpose of this course. A reading list will be provided for each seminar. The reading list will include chapters or sections in various books together with the required case law which must be read before the seminar. Students are expected to read widely from various sources. The following list of reading materials is indicative. Online sources available for CityU students have been included and they are adequate for following the course together with the materials provided in the reading list.:
2	Stefan H. C. Lo , Kevin Kwok-yin Cheng, Wing Hong Chui (2020) The Hong Kong Legal System, Cambridge University Press.
3	Charu Sharma (2020). The Law of Tort in Hong Kong, 4th Edition (Student Edition)
4	Bokhary, K., Sarony, N. & Srivastava, D. K. (2014) Tort Law and Practice in Hong Kong (Third ed.). Hong Kong : Sweet & Maxwell/Thomson Reuters.(URL: https://julac.hosted.exlibrisgroup.com/permalink/f/1m6et4p/CUH_IZ21386957910003408)
5	Stephen D. Mau Contract Law in Hong Kong: Introductory Guide (online access through the library).
6	Fisher M.J. and D.G Greenwood (2018) Contract Law in Hong Kong, 3rd edition.
7	Brown, L., & Liang, K. (2013). Butterworths Hong Kong contract law handbook (Third ed.). Hong Kong: LexisNexis Butterworths. (URL: https://julac.hosted.exlibrisgroup.com/permalink/f/iffgrl/CUH_IZ21408665560003408)
8	Mau, S., & Ebrary, Inc. (2010). Contract law in Hong Kong: An introductory guide. Hong Kong: Hong Kong University Press. (URL: https://julac.hosted.exlibrisgroup.com/permalink/f/1m6et4p/CUH_IZ21388705010003408) (N.B. There is a 2nd edition, but in print format only.)
9	Johnstone G and J Harris (2017) The Conflict of Laws in Hong Kong, Third Edition, (available online through the library)
10	Shaw M. (2017) International Law International law Malcolm N. Shaw QC. Eighth edition. Cambridge, United Kingdom: Cambridge University Press,
11	http://www.gov.hk (Hong Kong Government)
12	http://www.basiclaw.gov.hk (Basic Law Online)
13	http://www.legco.gov.hk (Hong Kong Legislative Council)
14	http://www.hkreform.gov.hk (Hong Kong Law Reform Commission)
15	http://www.judiciary.gov.hk (Hong Kong Judiciary)
16	http://legislation.gov.hk (Bilingual Legal Information System)
17	http://www.hklii.hk (Hong Kong Legal Information Institute)
18	http://www.hkba.org/ (Hong Kong Bar Association)
19	http://www.hklawsoc.org.hk (Hong Kong Law Society)

Additional Readings

Title	
1	Nil