



**UNIVERSITY  
OF LONDON**

# Programme Regulations 2025–2026

## Laws

**Master of Laws (LLM)  
Postgraduate Diploma in Laws  
Postgraduate Certificate in Laws  
and Individual modules**

**Important document – please read**  
This document contains important  
information that governs your  
registration, assessment and  
programme of study





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## Important information regarding the Programme Regulations

Last revised 25 March 2025

As a student registered with the University of London, you are governed by the current General Regulations and Programme Regulations associated with your programme of study.

These Programme Regulations are designed and developed by University College London (UCL) and Queen Mary University of London (QMUL) which are responsible for the academic direction of the programme. The regulations take account of any associated arrangements at UCL and QMUL. Programme Regulations, together with the [Programme Handbook](#), will provide the detailed rules and guidance for your programme of study.

In addition to Programme Regulations, you will have to abide by the [General Regulations](#). These apply to all students registered for a programme of study with the University of London and provide the rules governing registration and assessment on all programmes; they also indicate what you may expect on completion of your programme of study and how you may pursue a complaint, should that be necessary. Programme Regulations should be read in conjunction with the General Regulations.

The relevant General Regulations and the Programme Regulations relating to your registration with us are for the current year and not the year in which you initially registered.

On all matters where the regulations are to be interpreted, or are silent, our decision will be final.

Further information about your programme of study is outlined in the Programme Specification which is available on the relevant [Courses page](#) of the website. The Programme Specification gives a broad overview of the structure and content of the programme as well as the learning outcomes students will achieve as they progress.

### For the Postgraduate Laws programme, you should note the following terminology:

**Module:** Individual units of the programme are called modules. Each module is a self-contained, formally-structured learning experience with a coherent and explicit set of learning outcomes and assessment criteria. There are four modules making up each course. A student must pass 16 modules from a maximum of four courses for the award of the LLM.

**Course:** A course is made up of four modules, and students must pass four complete courses for the award of the LLM.

**Specialisation:** A specialisation is a grouping of related courses and their modules. Students may request an award with specialisation by taking a certain number of modules/courses from within the relevant specialisation grouping.

Throughout the Regulations, 'we' 'us' and 'our' mean the University of London; 'you' and 'your' mean the student, or where applicable, all students.

If you have a query about any of the programme information provided, please contact us. You should use the *ask a question* button in the student portal <https://my.london.ac.uk>

## Significant changes to 2025-26 Programme Regulations

**Regulation 1.4**, a note has been added in the context of being examined in a maximum number of modules from no more than four courses: At our discretion, and with compelling justification, you may be permitted to set aside a module already attempted and purchase additional ones, as a means of acquiring the specialisation required by your employer or sponsor.

**Regulation 2.2** has been added noting that when you first register with us, you should register for a minimum of two modules, with the exception of registration on stand-alone Individual modules. Guidance has also been added below the regulation on the number of credits in modules you should normally complete each academic year in order to complete the LLM (or progress through qualifications to complete the LLM) within the maximum period of registration of five years.

Regulations under **Section 5** relating to accessing examination papers and withdrawing from assessments have been updated or removed as no longer relevant. This is because students no longer receive an examination book containing all module A, B, C, D questions respectively, and instead access each module's examination paper individually.

**Regulations 6.9 and 6.13** have been updated with respect to progression between PGCert, PGDip and LLM, to note that you can "request to progress" to the higher award rather than being "automatically" progressed. This is because intermediate qualifications are no longer awarded to students initially registering from 2024-25 onwards. Eligible students can either accept the PGCert or PGDip qualification and exit, or request to progress onto the higher qualification for which they have met the requirements.

**Appendices A and B:** LWM75D module title updated from *The regulation of derivatives, credit derivatives and securitisation* to *Derivatives regulation and bank liability*.

# 1 Structure of the programme

[Appendix A](#) lists the courses (including their constituent modules and their syllabuses) of the Postgraduate Laws programme. For ease of reference, [Appendix B](#) lists the module and course titles. [Appendix C](#) lists the specialisation groupings.

## Qualifications

### 1.1

The following named qualifications are awarded under the Postgraduate Laws programme:

- Master of Laws (LLM)
- Postgraduate Diploma (PGDip) in Laws
- Postgraduate Certificate (PGCert) in Laws

## Qualification structures

### 1.2

The LLM, PGDip Laws and PGCert Laws offer courses divided into four modules. Only [Jurisprudence and legal theory](#) is divided into two double modules.

### 1.3

The following terms are used to describe the structure of the programmes:

- A module is one quarter of a course.
- A double module is half of a course.
- A course is the equivalent of one quarter of the LLM degree.
- A specialisation is a grouping of related courses and their modules.

### 1.4

For each qualification, you may be examined in a maximum number of modules\* from no more than four courses, as follows:

- LLM - 16 modules from four courses.
- PGDip Laws - 10 modules from a maximum of four courses.
- PGCert Laws - 5 modules from a maximum of four courses.

See [section 6](#) for information about progression within the programmes.

\*At our discretion, and with compelling justification, you may be permitted to set aside a module already attempted and purchase additional ones, as a means of acquiring the specialisation required by your employer or sponsor.

### 1.5

In order to sit examinations for a module, you must have registered and paid the relevant module fee. If you have paid the fee for a particular module, you may change your choice of module only if you have not attempted the examination for that module. A non-refundable change-of-module fee is payable.

## Specialisations

### 1.6

You may study for a general award or for a specialist award in one of the areas of law listed in [Appendix C](#). In order to qualify for a specialist award, you must pass the following number of courses or modules from the chosen specialisation (**within your total number of courses or modules for the qualification**) as follows:

	LLM	PGDip Laws	PGCert Laws
Required number of courses or modules from the chosen specialisation	Twelve modules from three complete courses	Eight modules	Four modules*

\* The exception to the rule above is for the PGCert specialisation in *Financial sanctions* for which students are required to study **five** modules from a list of **eight** modules falling under the specialisation.

### 1.7

If you pass more than the required number of modules from within the specialisation, the highest marks will count when assigning the specialisation to the award.

### 1.8

To receive an award with specialisation, you must:

- either, request your chosen specialisation when you enter for your final examinations for the relevant award, or;
- indicate the title of your chosen specialisation when you apply for an intermediate award of PGCert and/or PGDip.

### 1.9

If you do not indicate the title of your chosen specialisation(s), or are awarded the PGCert Laws or PGDip Laws automatically, you receive the award(s) without specialisation.

### 1.10

You cannot change your specialisation once the award has been granted.

### 1.11

You are not permitted to request a specialisation once an award has been granted.

### 1.12

Only one specialisation may be named on the final certificate for any award. Different specialisations, however, may appear on each of the three possible awards.

## Learning materials

### 1.13

Once registered for the Postgraduate Laws programme, you will have access to the Virtual Learning Environment (VLE). During participation in the VLE and during all other online activities, you must observe the [VLE Code of Conduct](#).

### 1.14

Learning materials for new courses are published and made available to you throughout the year as they become available.

You are advised not to sit examinations for any modules if you have had access to the materials for less than six months.

### 1.15

You will receive a notification when new or updated study materials are made available in the VLE. It is your responsibility to ensure that you have up-to-date materials for the modules you are studying each year.

## Individual modules taken on a stand-alone basis

### 1.16

You can study individual modules offered on the programme on a stand-alone basis. You may register for up to four modules on a stand-alone basis without being registered for the LLM, PGDip Laws or PGCert Laws.

### 1.17

The pass mark for an individual module taken on a stand-alone basis is 50%.

### 1.18

A mark or grade awarded for a stand-alone individual module does not replace any mark or grade for a degree or diploma already awarded.

### 1.19

The maximum number of examination attempts permitted for any stand-alone individual modules is two.

### 1.20

If you successfully complete the formal assessment for one or more credit bearing individual module in this programme, you may be considered for progression to the PGCert Laws, PGDip Laws or LLM.

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## 2 Registration

### Effective date of registration

#### 2.1

For the LLM, PGDip Laws and PGCert Laws, your effective date of registration is:

- 1 May – if you enrol by 15 May
- 1 December – if you enrol by 10 December

If you do not meet these enrolment deadlines, you cannot enter examinations until the next examination session.

#### 2.2

When you first register with us, you should register for a minimum of two modules, with the exception of registration on stand-alone Individual modules.

In order to complete the LLM within the maximum period of registration of five years (or progress through qualifications to complete the LLM), you should normally complete at least 36 credits (three 12-credit modules) per academic year. Note that you will need to complete more than 36 credits in at least one of those academic years to bring your total to 192 credits for the LLM.

## Period of registration

See the [Programme Specification](#) for the minimum and maximum periods of registration.

### 2.3

If you progress between the PGCert, PGDip and/or LLM during the course of your studies, the initial date of your registration on the programme is used to determine your period of registration.

### 2.4

If you study for individual modules on a stand-alone basis and then proceed to an award, your effective registration period begins with your initial date of registration for the award.

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## 3 Recognition of prior learning

The rules for recognition of prior learning are described in the [General Regulations](#), Section 3.

### Recognition of prior learning (RPL)

#### 3.1

Prior learning can be recognised for credit obtained from passed postgraduate modules or postgraduate qualifications.

#### 3.2

The maximum credit carried through RPL is:

- for the PGCert Laws, one module; or
- for the PGDip Laws, three modules (normally from the same course); or
- for the LLM, five modules (four of which normally from the same course).

Note that for PGCert/PGDip exit/intermediate qualifications, the maximum credit that can be carried through RPL towards an award applies as above.

#### 3.3

Where prior learning is recognised, you will not be required to undertake the corresponding modules on your programme and the credits will be applied to your record.

Regulations set by Professional and Accrediting Bodies may impose further restrictions on the amount of prior learning that is accredited. You should seek further advice regarding your specific programme.

#### 3.4

You will not be permitted to enter the examination for the module(s) for which prior learning has been accredited.



## 4 Assessment for the programme

### Assessment methods

See [Examinations](#) section on our website for information on entering examinations.

#### 4.1

Each module is assessed individually by one 45-minute unseen written examination.

#### 4.2

Double modules are assessed by one 90-minute unseen written examination.

See [General Regulations](#) Rules for taking written examinations.

#### 4.3

Each module is equally weighted. Double modules are equivalent to two modules.

#### 4.4

Each module is allocated ten minutes reading time and each double module is allocated fifteen minutes reading time.

#### 4.5

Examination questions cover developments within the scope of the syllabus up to **1 January** in the year of the examination.

See Part E of the [Intellectual property policy](#) in relation to work created by students of the University.

### Dates for examinations

#### 4.6

Written examinations take place twice a year, normally in May and October.

### Materials and aids allowed in the examination room

#### 4.7

You may not bring any materials into the examination .

#### 4.8

Any materials identified as permitted on your Admissions Notice/timetable are attached to the examination question in the online assessment platform.

## 5 Number of attempts permitted at an examination

#### 5.1

The maximum number of attempts permitted at any examination is two. You may not make a further attempt at any examination already passed.

#### 5.2

The pass mark for a module is 50%. However, there may be instances when a mark of *40% or greater, but less than 50%* can be condoned for an award.

See [section 7](#), regulations 7.1 to 7.3

### 5.3

If you fail an examination with a mark of *less than 40%*, you **must** make a second attempt at the examination.

### 5.4

If you obtain a mark of *40% or greater, but less than 50%*, in any module at a first attempt (a mark which may be condoned for final award), you **may** make a second attempt at the examination for that module.

Second attempts carry a risk of deregistration from the programme, should you fail the same module twice. In any case, you are advised not to make a second attempt at a failed examination at the next possible sitting. If you fail an examination in May of a given year, you are advised to resit that examination not before the following May. If you fail an examination in October of a given year, you are advised to resit that examination not before the following October.

### 5.5

Accessing the examination paper constitutes an examination attempt. Abstaining from accessing the examination paper does **not** normally count as an attempt.

### 5.6

Accessing the examination paper constitutes a presumed ability to sit the examination. Candidates will be able to rebut this presumption with the submission of compelling evidence only.

### 5.7

If you formally withdraw your examination entry from a module but subsequently sit the examination of that module in the same examination session, the attempt will **not** count and the script will not be marked.

### 5.8

The highest mark achieved for any module, at either the first or second examination attempt, will take precedence (but also see regulation 5.8 below).

### 5.9

If you have completed the requirements of the PGCert Laws or PGDip Laws and you progress to the PGDip Laws or LLM, as appropriate, you may make a further attempt at any module with a mark of *40% or greater, but less than 50%* (a mark which may be condoned for final award), provided you have a remaining attempt. The mark(s) obtained for any module at the second attempt will not be taken into account for the earlier awards and the marks contributing to earlier awards will not be altered under any circumstances.

### 5.10

If your registration for the LLM or PGDip Laws ceases due to exhausting the permitted number of attempts at a module(s), and you are not currently eligible for a lower award, you may complete the credits required for the lower award:

- either by attempting new modules up to the maximum number of modules set out for the lower award in regulation 1.3; or
- by resitting previously failed modules for which you have not exhausted all attempts to which you are entitled.

### 5.11

Your registration will cease if:

- you run out of permitted attempts without completing an award; or
- you run out of permitted attempts in your chosen award and do not transfer to a lower award.

## 5.12

If your registration has been terminated because you have exhausted the permitted number of attempts but have satisfied the requirements for the Postgraduate Certificate in Laws or Postgraduate Diploma in Laws, you will still receive the relevant exit qualification.

## 6 Progression within the programme

See [section 4](#) for method of assessment.

### 6.1

If you initially registered prior to 2024-25, you can progress from the PGCert to the PGDip and then onto the LLM and accumulate these awards as you progress.

### 6.2

If you initially registered from 2024-25 onwards, you can progress from the PGCert to the PGDip and then onto the LLM. However, you may not accumulate these qualifications as you progress or request a lower intermediate qualification if studying on a higher qualification (except as an exit qualification).

If progressing between the qualifications (for example, from the PGCert Laws to the PGDip Laws and then to the LLM), you must ensure you do not select more than the maximum of 16 modules from four courses over the duration of your studies.

### 6.3

If you are registered for the LLM and decide to enter examinations at the first available examination session after registration, you are permitted to attempt a minimum of one module and a maximum of nine modules. At all subsequent examination sessions, a maximum of 16 modules may be attempted.

### 6.4

If you are registered for the LLM and decide not to enter examinations at the first available examination session after registration, you are permitted to attempt a minimum of one module and a maximum of 16 modules at all subsequent examination sessions.

### 6.5

If you are registered for the PGDip Laws and decide to enter examinations at the first available examination session after registration, you are permitted to attempt a minimum of one module and a maximum of nine modules. At all subsequent examination sessions, a maximum of 10 modules may be attempted.

### 6.6

If you are registered for the PGDip Laws and decide not to enter examinations at the first available examination session after registration, you are permitted to attempt a minimum of one module and a maximum of 10 modules at all subsequent examination sessions.

### 6.7

If you are registered for the PGCert Laws, you are permitted to attempt a minimum of one module and a maximum of five modules at any examination session.

## The sequence of assessment of modules

### 6.8

Each course consists of four modules. Whether attempting all four modules of a course at the same examination session, or over more than one examination session, it is strongly recommended that you follow the sequence specified under the individual course/module syllabuses in [Appendix A](#).

Additional advice on the previous knowledge or understanding you are expected to have in order to undertake a particular course/module is given in the syllabuses in [Appendix A](#).

## Progression between the PGCert and the PGDip Laws

### 6.9

If you are registered for the PGCert Laws, you can request to progress to PGDip Laws, provided that:

- you have successfully completed the requirements for the PGCert Laws; or
- you have already satisfied the entrance requirements for the PGDip Laws.

### 6.10

If you progress to the PGDip Laws, you will be required to achieve an average of 50% in any course completed in full, following progression.

See also [section 7](#) for the Schemes of Award

### 6.11

If you progress to the PGDip following successful completion of the PGCert, you will be credited with five modules.

### 6.12

Previous attempts at the examinations for the modules of the PGCert Laws will count towards the number of attempts permitted at each module of the PGDip Laws.

## Progression between the PGDip Laws and the LLM degree

### 6.13

If you are registered for the PGDip Laws, you can request to progress to the LLM, provided that:

- you have successfully completed the requirements for the PGDip Laws; or
- you have already satisfied the entrance requirements for the LLM, as appropriate.

### 6.14

If you progress to the LLM, you will be required to achieve an average of 50% in any course completed in full following progression.

See also [section 7](#), Schemes of award.

### 6.15

If you progress to the LLM following successful completion of the PGDip, you will be credited with 10 modules.

### 6.16

Previous attempts at the examinations for the modules of the PGDip Laws will count towards the number of attempts permitted at each module of the LLM.



## 7 Schemes of award

See [Appendix D](#), Assessment Criteria, for information on how to achieve a particular mark.

### 7.1

To be considered for the award of the LLM, you must have:

- attempted the examinations for four complete courses, comprising a total of 16 modules (or the equivalent where double modules are attempted) **and**
- obtained an overall average mark of at least 50% in each of those four courses **and**
- achieved, in each course, a minimum mark of 50% in three modules and no less than 40% in the remaining module. In all cases where you attempt a double module, a minimum of 50% must be achieved in that double module.

### 7.2

To be considered for the award of the PGDip Laws, you must have:

- attempted the examinations for a total of ten modules (or the equivalent where double modules are attempted) selected from no more than four courses **and**
- obtained an overall average mark of at least 50% over those ten modules **and**
- obtained an overall average mark of at least 50% in each course which is completed in full (i.e. all four modules are attempted) **and**
- achieved, in no more than two modules, not being modules of the same course, a minimum mark of 40% and at least 50% in all other modules attempted. In all cases where you attempt a double module, a minimum of 50% must be achieved in that double module.

### 7.3

To be considered for the award of the PGCert Laws, you must have:

- attempted the examinations for a total of five modules (or the equivalent where double modules are attempted) selected from no more than four courses **and**
- obtained an overall average mark of at least 50% over those five modules **and**
- obtained an overall average mark of at least 50% in each course which is completed in full (i.e. all four modules are attempted) **and**
- achieved, in no more than one module, a minimum mark of 40%, and at least 50% in all other modules attempted. In all cases where you attempt a double module, a minimum of 50% must be achieved in that double module.

Refer to [section 5](#) of the Detailed Regulations.

## Requirements for the award of Merit and Distinction

### 7.4

At the discretion of the Board of Examiners, the LLM, the PGDip Laws and the PGCert Laws may be awarded with Merit or with Distinction.

### 7.5

A mark of Merit will normally be awarded if you obtain an average mark of 60-69% in the modules which contribute to the award, with at least half of those modules having a mark of 60% or more.

### 7.6

A mark of Distinction will normally be awarded if you obtain an average mark of 70% or more in the modules which contribute to the award, with at least half of those modules having a mark of 70% or more.

### 7.7

The date of the award will be determined by the date of the last examination that contributes to that award as follows:

- **1 August** if you successfully complete the final examination(s) that contributes to that award in **May**.
- **31 December** if you successfully complete the final examination(s) that contributes to that award in **October**.

### 7.8

If you initially registered for the LLM degree prior to the 2024-25 academic year, you may also receive the awards of the PGDip Laws and PGCert Laws, provided you satisfy the requirements for those awards. Similarly, if you are registered for the PGDip Laws and you satisfy the relevant requirements, you may also receive the award of the PGCert Laws.

### 7.9

The LLM degree will be awarded automatically. The PGDip Laws and PGCert Laws will be awarded upon request only, except in the circumstances of regulations 7.10 and 7.14.

Refer to [section 1](#) of the Detailed Regulations for more information on specialisations.

## Exit qualifications

### 7.10

An exit qualification (i.e. a related PGCert or PGDip) may be granted if you are registered for the LLM or PGDip Laws in the following circumstances:

- If you do not complete the programme of study or you do not satisfy the examiners in all modules required for the award, you may be considered for the award of the PGDip or the PGCert (as appropriate), at the discretion of the Board of Examiners. In such circumstances, you will need to have achieved the credit required for the awards concerned. These awards are made at the discretion of the Board of Examiners.

The award of the PGDip or the PGCert will be with effect from the year in which you satisfied the requirements for that award. Your registration will cease once the exit qualification has been granted.

## Intermediate qualifications

### 7.11

If you initially registered for the LLM or PGDip prior to 2024-25, you may apply for an intermediate qualification:

*Either*

- at the point you make an examination entry for examinations that, if successfully completed, would qualify you for the award

*Or*

- after you have satisfied the requirements for the award but before you make your final examination entry on the Postgraduate Laws programme.

### 7.12

If you initially registered for the LLM or PGDip Laws prior to 2024-25 and you wish to receive the PGDip Laws and/or the PGCert Laws as an intermediate qualification, you **must apply** to be

granted those awards. The PGDip Laws and the PGCert Laws will **not** be awarded automatically as an intermediate qualification except if your registration has been terminated or has expired.

#### 7.13

If you do not request the PGDip Laws and/or the PGCert Laws as an intermediate qualification at, or prior to, your final examination entry for the Postgraduate Laws programme, you will **not** be awarded these qualifications at a later date, except in the circumstances of regulations 7.10 and 7.14.

### **If your registration has been ended or has expired**

#### 7.14

If your registration has been terminated because you have exhausted the permitted number of attempts and you satisfy the requirements for the exit qualification of PGCert Laws or PGDip Laws, you must apply to receive those awards by:

- **1 November** if you sat examinations in May.
- **1 May** if you sat examinations in October.

If you fail to apply by these dates, you will be awarded the relevant awards automatically and without specialisation.

#### 7.15

If your registration has expired and you have satisfied the requirements for the PGCert Laws or PGDip Laws, you will be awarded the relevant qualification automatically if it has not already been granted. The award will be granted without specialisation.

## Appendix A – Syllabuses for all courses of the programme

### Notes:

This Appendix lists the syllabuses for all courses and modules that constitute the Postgraduate Laws programme. For ease of reference, [Appendix B](#) lists the course and module titles only.

Students are advised that examinations in any given year are governed by the Regulations and syllabuses for that year. It is important, therefore, that students always refer to the current version.

### Assessment information:

Advice on the previous knowledge or understanding that a student would be expected to have is given under the relevant syllabuses, as applicable.

Whether attempting all four modules of a course at the same examination session or over more than one examination session, it is strongly recommended that you follow the sequence of examination of modules as given under the syllabuses.

The University will not provide statutes or other documents in the examination room except as specifically stated in the definitive list sent out with the Admission Notice/timetable. Statutes and other materials may not be brought into the examination room unless specifically permitted by the Board of Examiners (refer to [section 4](#) in the Detailed regulations).

The codes are appended to the modules and these codes should be used when entering for an examination.



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## Admiralty law

*It is strongly recommended that you attempt the modules in order*

### Module A [LWM01A]

#### Admiralty jurisdiction and procedure

- The nature of Admiralty jurisdiction
- Enforceability of claims under the Admiralty jurisdiction of the High Court
- Procedure for enforcement of claims in rem
- Ship arrest and jurisdiction on the merits

### Module B [LWM01B]

*Sequence: module A recommended before module B*

#### Acquiring ownership in ships and the ship as property

- Ownership, management and potential liabilities
- Ship mortgages
- Shipbuilding contracts
- Ship sale and purchase

### Module C [LWM01C]

*Sequence: modules A and B recommended before module C*

#### Safety regulations in navigation, liabilities and limitation of liability

- Seamanship and the Collision Regulations
- Criminal liabilities for navigational incidents
- Civil liabilities for collision damage, apportionment of loss and measure of damages
- limitation of liability

### Module D [LWM01D]

*Sequence: modules A, B and C recommended before module D*

#### Assistance at sea and in ports

- The concept of salvage under maritime law and the Salvage Conventions
- Assessment of salvage award and special compensation. Salvage agreements under the 1989 Salvage Convention
- Towage contracts; liabilities to third parties arising from negligence during towage
- Duties and liabilities of ports and pilots

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## Advanced contract law

*It is strongly recommended that you attempt the modules in order*

### Module A [LWM83A]

#### Overview of English contract law

- Definition and formation of contract
- Limits of the contractual obligation

- Terms of a contract
- Vitiating factors
- Discharge of contract
- Remedies for breach of contract

### **Module B [LWM83B]**

*Sequence: module A recommended before module B*

#### **Law of agency**

- What is agency?
- Formation of agency
- The external effects of agency
- Different types of agency
- Relations between a principal and an agent
- Relations with third parties
- Termination of agency

### **Module C [LWM83C]**

*Sequence: modules A and B recommended before module C*

#### **Sale of goods law**

- Introduction to the law relating to the sale of goods
- The types of obligation created
- Passing of property
- *Nemo dat quod non habet* principle and exceptions
- Duties of the seller and the buyer
- Remedies of seller and buyer

### **Module D [LWM83D]**

*Sequence: modules A, B and C recommended before module D*

#### **Insurance**

- Introduction to insurance contracts
- Validity of an insurance contract
- Remedies and rights of insurer, liabilities of insurer, interpretation, making claims and indemnifying policyholders

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## **Advanced torts**

*It is strongly recommended that you attempt the modules in order*

### **Module A [LWM82A]**

#### **Introduction to torts and trespass to the person**

- History of tort law
- Protected interests and fault
- Battery
- Assault

- False imprisonment
- Intentional infliction of harm

### **Module B [LWM82B]**

*Sequence: module A recommended before module B*

#### **The action in negligence**

- Duty of care: general
- Duty of care: psychiatric illness
- Standard of care and breach
- Causation and remoteness
- Defences

### **Module C [LWM82C]**

*Sequence: modules A and B recommended before module C*

#### **The defamation action**

- Introduction
- Defamatory meaning
- Reference
- Publication
- Defences

### **Module D [LWM82D]**

*Sequence: modules A, B and C recommended before module D*

#### **Tort theory**

- Conceptualisation and theory
- Corrective justice
- Rights theory
- Economic theories
- Deterrence
- Pluralism in tort law

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## **Applicable laws and procedures in international commercial arbitration**

*Students wishing to study and be examined in this course are advised to successfully complete Regulation and infrastructure of international commercial arbitration in full before attempting Applicable laws and procedures in international commercial arbitration.*

### **Module A [LWM03A]**

#### **Applicable law issues in arbitration**

- Determination of applicable law
- Applicable substantive law
- Transnational rules, *lex mercatoria* and trade usages
- Arbitration and EU Laws

## Module B [LWM03B]

*Sequence: module A recommended before module B*

### Procedure and evidence in arbitration

- Law governing the arbitration procedure
- Commencement of arbitration; terms of reference/procedural directions
- Procedural issues
- Taking evidence

## Module C [LWM03C]

*Sequence: module A recommended before module C*

### Jurisdictional issues in arbitration

- Arbitrability
- Determination of jurisdiction
- Provisional measures
- Multi-party and multi-contract disputes

## Module D [LWM03D]

*Sequence: module A recommended before module D*

### Arbitration award – form, content, challenge and enforcement

- Form and content
- Finality and challenges to award
- Recognition and enforcement

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## Carriage of goods by sea

*It is strongly recommended that you attempt the modules in order*

## Module A [LWM05A]

### Contracts of affreightment and voyage charter parties

- Owners' implied obligations: seaworthiness, reasonable despatch and no deviation; consequences for breach under common law; conditions, warranties, innominate terms; representations (descriptions of ship, date of arrival, cancelling)
- Charterers' obligations: nomination of safe port, notification of owners of dangerous cargo
- Voyage Charter parties: Owners' obligation as to the ship, readiness to load and cancelling clauses; Charterers' duty to load a full and complete cargo; Loading and discharging; Laytime and demurrage; Freight, lien and cesser clauses

## Module B [LWM05B]

*Sequence: module A recommended before module B*

### Time charter parties

- Nature; description of ship, delivery date and cancelling clause; charter period; early or late redelivery; remedies arising from early or late delivery; payment of hire; off-hire; deductions



from hire; withdrawal of ship for no punctual payment; employment and indemnity clause; owners' liens on freight or sub-freight

### **Module C [LWM05C]**

*Sequence: modules A and B recommended before module C*

#### **The bill of lading contract and functions**

- The bill of lading as a contract; incorporation of charter party terms; identity of carrier; the bill of lading and third parties
- The bill of lading as a receipt; representations as to quantity, condition and identity (leading marks) of cargo; common law and statutory estoppel
- The bill of lading as a document of title and the Carriage of Goods by Sea Act 1992
- Legal functions of other types of transport document: seaway bills, ship's delivery orders and multimodal transport documents

### **Module D [LWM05D]**

*Sequence: modules A, B and C recommended before module D*

#### **International conventions regulating the rights and obligations of the parties to the bill of lading contract**

- The Hague and Hague–Visby Rules; the Hamburg Rules; the Rotterdam Rules; genesis of the Rules and comparison. When do these rules apply? Excluded cases; period covered; no contracting out; the carrier's duties; the carrier's defences; responsibilities of cargo owner or shipper. Freight
- Time limit for making a claim; limitation of liability

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## **Commercial banking law: bank–customer relationship**

*It is strongly recommended that you attempt the modules in order*

### **Module A [LWM72A]**

#### **Banks and customers**

- What is a bank and who is a bank customer?
- The contract: obligations of parties, significance of the mandate, termination of the contract, variation, proper law of the contract
- Duty of confidentiality owed by a bank to its customers and the circumstances in which the duty can, or must, be breached

### **Module B [LWM72B]**

*Sequence: module A recommended before module B*

#### **Duty of care, fiduciary duty, constructive trust and undue influence**

- A bank's duty of care: application and scope of duty
- Fiduciary obligations: when does bank become a fiduciary and how can it limit or exclude its obligations?
- Constructive trust: when does liability as a constructive trustee arise?
- Undue influence: types of undue influence, how can a bank protect its transactions from challenge on the grounds of undue influence?
- Constructive trust: when does liability as a constructive trustee arise?

- Customer's duty of care

### **Module C [LWM72C]**

*Sequence: modules A and B recommended before module C*

#### **Accounts, money, payment and fund transfers**

- What is money, how is its transfer conceptualised legally? Chattel and bank money
- What is payment and how is it made?
- Credit and debit transfers
- Clearing and settlement systems
- Legal relationships
- Accounts and dispute resolution
  - Accounts: types of accounts and their implications
  - Dealing with complaints: Banking Codes, Financial Services Ombudsman Service

### **Module D [LWM72D]**

*Sequence: modules A, B and C recommended before module D*

#### **Cheques and payment cards**

- Cheques
  - What is a cheque, the obligations of, and defences available to, paying and collecting banks
- Payment cards and recovering mistaken payments
  - Payment cards: debit cards, credit cards, charge cards, digital cash cards, etc.
  - Contractual relationships
  - Consumer Credit Act
  - Recovering mistaken payments

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## **Commercial trusts law**

### **Module A [LWM06A]**

#### **The nature of commercial trusts**

- Equity, trusts and commercial expectations
- The constitution of express trusts in commercial transactions
- The contractarian account of trusts
- The commercial use of international trusts

### **Module B [LWM06B]**

*Sequence: module A recommended before module B*

#### **Equitable devices used to take security in commercial contracts**

- Resulting trusts in commercial transactions
- *Quistclose* trusts and taking security in loan contracts
- Taking security: equitable charges
- Establishing title at common law and in equity
- Constructive trusts in commercial transactions

- Lessons from the local authority swaps cases

### **Module C [LWM06C]**

*Sequence: module A recommended before module C*

#### **Breach of trust and tracing in commercial litigation**

- Breach of trust in commercial and investment transactions
- Tracing
- Personal liability to account of commercial intermediaries, 'strangers'

### **Module D [LWM06D]**

*Sequence: module A recommended before module D*

#### **Investment of trust funds**

- The duty to invest under statute
- The duty to invest in the case law
- Principles of the law of finance
- Issues with portfolio investment strategies
- Unit trusts and other financial uses of trusts
- Investment of charities' funds

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## **Comparative criminal justice policy**

*It is strongly recommended that you attempt the modules in order.*

### **Module A [LWM07A]**

#### **Methods of comparative research**

- Approaches to comparisons
- Methods of comparison
- Comparing statistics
- Comparing criminal justice policies

### **Module B [LWM07B]**

*Sequence: module A recommended before module B*

#### **Legal cultures and criminal justice policy**

- Common law
- Civil law
- Socialist law
- Islamic law

### **Module C [LWM07C]**

*Sequence: modules A and B recommended before module C*

#### **Aspects of comparative criminal policy**

- Policing and prosecution
- Trials and sentencing

- Use of imprisonment
- Probation and community punishment

### **Module D [LWM07D]**

*Sequence: modules A, B and C recommended before module D*

#### **Global crime**

- Transnational crime
- Terrorism
- International humanitarian crimes
- International Criminal Court

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## **Constitutional and institutional law of the European Union**

### **Module A [LWM08A]**

#### **The European Union institutional outline**

- The EC/EU distinction
- Institutions: Council, Parliament, Commission, Court (European Court of Justice and the General Court)
- The 'Democratic Deficit' debate
- Subsidiarity
- The European Constitution and its ratification

### **Module B [LWM08B]**

#### **Sources of European Union law**

- Treaties
- Secondary legislation: Regulations, Directives
- Law-making procedures
- Direct effect
- Supremacy
- Agreements with third countries

### **Module C [LWM08C]**

#### **Remedies and procedures in European Union law**

- Enforcement proceedings by the Commission
- Preliminary references
- Direct actions before the ECJ
- Actions for failure to act
- Member State liability for failure to comply with European Union law

### **Module D [LWM08D]**

#### **General principles of European Union law**

- Human rights
- Citizenship



- Rule of law
- Discrimination
- Proportionality

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## Corporate finance and management issues in company law

*Students are advised that the course demands some previous knowledge of English law in general, particularly English law of contract and agency, and of trusts.*

### Module A [LWM09A]

#### Capital I

- Introduction
- Capital
- Class rights

### Module B [LWM09B]

*Sequence: module A recommended before module B*

#### Capital II

- Raising capital: Equity
- Raising capital: Debentures

### Module C [LWM09C]

*Sequence: module A recommended before module C*

#### Corporate management I

- The management of the company
- Directors' duties
- Liquidation (in outline only)

### Module D [LWM09D]

*Sequence: module A recommended before module D*

#### Corporate management II

- Management theory
- Corporate governance

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## Corporate governance and compliance

### Module A [LWM80A]

#### Governance – legal and regulatory framework

- Introduction to corporate governance
  - Corporate governance in the United Kingdom
  - Corporate governance in the United States
- Shareholders
- Board of Directors
  - Key principles and practicalities

- Composition and processes
- Board committees
- International overview of board structures
- Executives
- Sarbanes-Oxley requirements
- Listing requirements: how capital markets impose corporate governance requirements

## **Module B [LWM80B]**

*Sequence: module A recommended before module B*

### **Compliance**

- Introduction to compliance
  - Internal enforcement
  - Whistleblowers
  - Self-reporting
  - Regulators
  - Deferred prosecution agreements
- Information systems: data privacy, data transfers, offshoring and the cloud
- Corporate hospitality
- Ethics, responsibility and social culture

## **Module C [LWM80C]**

*Sequence: modules A and B recommended before module C*

### **Bribery and corruption, money laundering and terror financing**

- Bribery and corruption
  - US Foreign Corrupt Practices Act
  - UK Bribery Act 2010
  - Internationalisation of prohibitions on foreign bribery
- Money laundering
  - UK Proceeds of Crime Act 2002 offences
  - UK Money Laundering Regulations 2017
- Terror financing
  - UK Terrorism Act 2000 offences

## **Module D [LWM80D]**

*Sequence: modules A and B recommended before module D*

### **Regulated industries – compliance and risk management in the financial sector**

- Introduction to risk management
- Approaches to risk management
- Governance in banks and how poor governance can cause systemic financial crises
- Fraud within the banking sector

## Derivatives law

*It is strongly recommended that you attempt the modules in order*

### Module A [LWM75A]

#### Analysing and documenting derivatives transactions

- The nature of financial derivatives
- The International Swaps and Derivatives Association (ISDA) Master Agreement structure
- The provisions of the ISDA master agreement

### Module B [LWM75B]

*Sequence: module A recommended before module B*

#### Terminating derivatives transactions

- The ISDA termination scheme in outline
- Events of default
- Termination events
- The ISDA termination procedure

### Module C [LWM75C]

*Sequence: modules A and B recommended before module C*

#### Legal issues in taking security, collateralisation and the local authority swaps cases

- Taking security under English law
- Collateralisation in general terms
- Standard market documentation for collateral
- Lessons from the local authority swaps cases
- Issues in the creation of financial derivatives

### Module D [LWM75D]

*Sequence: modules A, B, and C recommended before module D*

#### Derivatives regulation and bank liability

- Credit derivatives
- Securitisation
- Stock-lending and repo transactions
- Derivatives and the financial crisis
- Imposing liability on financial institutions for mis-selling derivatives after the financial crisis

## Dispute resolution – resolving civil claims in England and Wales

*It is strongly recommended that you attempt module A of the course before module B*

### Module A [LWM88A]

#### Claims and defences in civil litigation

- Civil litigation in context
- Analysis of merits of claim

## **Module B [LWM88B]**

*Sequence: module A recommended before module B*

### **Stages of a trial in the courts of England and Wales**

- Preparing for trial
- At trial
- Post trial

## **Module C [LWM88C]**

### **The law of evidence**

- Evidence in litigation
- Types of evidence
- Evidence in arbitration

## **Module D [LWM88D]**

### **Alternative dispute resolution**

- Forms of alternative dispute resolution
- Arbitration
- Integration of alternative dispute resolution in civil justice

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## **Equity and trusts in context**

*The modules can be attempted in any order, but students without a firm understanding of the foundations of trust law are advised to attempt Module A first.*

## **Module A [LWM10A]**

### **The constitution of express trusts**

- The intellectual basis of equity and the history of the law of trusts
- The foundations of express trusts
- The constitution of express trusts
- The paradox in express trusts law

## **Module B [LWM10B]**

### **Trusts implied by law**

- Resulting trusts
- Constructive trusts
- Constructive trusts and secret profits
- Constructive trusts and bribes
- Issues with trusts implied by law
- Secret trusts

## **Module C [LWM10C]**

### **Trustees' duties and breach of trust**

- Trustees' duties
- Trustees' liability for breach of trust

- Strangers and breach of trust

## **Module D [LWM10D]**

### **Trusts of homes**

- Establishing rights in the home
- Commonwealth approaches to rights in the home
- Trusts of land
- Proprietary estoppel
- Theoretical perspectives on ownership of the home

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## **European Convention on Human Rights**

### **Module A [LWM12A]**

#### **Context and foundations of the European Convention on Human Rights**

- Background to the adoption of the European Convention on Human Rights
- Development and nature of the Convention system
- The relationship between the Convention and other international and European norms and mechanisms
- Interpreting and limiting Convention rights and freedoms

### **Module B [LWM12B]**

*Sequence: module A recommended before module B*

#### **The European Convention on Human Rights mechanism**

- Admissibility
- Procedure before the European Court of Human Rights
- The nature and effect of Court judgments
- Implementing Court judgments
- The role of the Secretary General of the Council of Europe

### **Module C [LWM12C]**

*Sequence: modules A and B recommended before module C*

#### **European Convention on Human Rights substantive rights (1)**

- The prohibition on discrimination
- The right to life
- The prohibition on torture, inhuman and degrading treatment
- The prohibition on slavery, the right to liberty and security and freedom of movement

### **Module D [LWM12D]**

*Sequence: module A and B recommended before module D*

#### **European Convention on Human Rights substantive rights (2)**

- The right to respect for private and family life and the right to marry
- Freedom of conscience and religion
- Freedom of expression, association and assembly

- The right to a fair hearing and to an effective remedy

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## European internal market

### Module A [LWM13A]

#### The scope of the 'four freedoms'

- Introduction to the four freedoms
- Material scope: notion of economic activity
- Wholly internal situations
- Personal scope: public and private parties
- Personal scope: third country nationals

### Module B [LWM13B]

*Sequence: module A recommended before B*

#### Free movement 1 – Equal treatment and non-discrimination

- Equal treatment and non-discrimination
- Distinctly applicable/directly discriminatory rules
- Indistinctly applicable/indirectly discriminatory rules
- Non-discrimination claims in context: citizenship and fiscal sovereignty issues
- Treaty-based limitations and exceptions to the market freedoms

### Module C [LWM13C]

*Sequence: modules A and B recommended before module C*

#### Free movement 2 – Beyond discrimination

- Restrictions on internal market freedoms
- Mandatory requirements/overriding requirements of the general interest
- Proportionality
- Mandatory requirements and distinctly applicable/discriminatory measures
- Procedural requirements applied to justifications and exceptions
- The limits of a restrictions-based analysis

### Module D [LWM13D]

*Sequence: modules A and B recommended before module D*

#### Regulation of the internal market

- Creating and regulating the internal market – history and overview
- Mutual recognition and co-ordination of national regulatory systems – harmonisation
- Legal basis and legislative procedural issues relating to internal market legislation
- Sectoral examples of harmonising legislation
- Regulatory structures and actors: delegated acts, implementing measures and regulatory agencies – private and self-regulation



## European Union competition law

*Students are not expected to have prior knowledge of European Union competition law but it is desirable that they should be, or become, familiar with the general law and institutions of the European Union law.*

### Module A [LWM11A]

#### Anti-competitive agreements and collusion

- Article 101 Treaty on the Functioning of the European Union (TFEU) - General principles
- Vertical agreements
- Licensing of intellectual property rights
- Cartels
- Horizontal cooperation agreements

### Module B [LWM11B]

*Sequence: module A recommended before module B*

#### Abuse of a dominant position

- Article 102 TFEU - General principles
- Dominance
- Abuse

### Module C [LWM11C]

*Sequence: module A recommended before module C*

#### Merger control

- Regulation 139/2004 - General principles and jurisdiction
- Regulation 139/2004 - Substantive analysis
- Joint ventures

### Module D [LWM11D]

*Sequence: module A recommended before module D*

#### European Union competition law practice and procedure

- Regulation 1/2003
- Enforcement of Articles 101 and 102 in national courts

## External relations law of the European Union

### Module A [LWM55A]

#### Constitutional foundations

- European Union legal order
- International legal personality
- Express competence
- Implied competence

## Module B [LWM55B]

*Sequence: module A recommended before module B*

### International law and European Union law

- Negotiation, conclusion and implementation of international agreements
- Mixed agreements
- Effects of international law in European Union legal order
- Relationship between World Trade Organisation and European Union law

## Module C [LWM55C]

*Sequence: module A recommended before module C*

### External economic relations

- Autonomous measures - Common Commercial policy
- International Agreements: European Economic Area, Partnership and Cooperation agreements, Stabilisation and Association agreements, Euro-Mediterranean agreements
- European neighbourhood policy

## Module D [LWM55D]

*Sequence: module A recommended before module D*

### External political relations

- Common Foreign and Security Policy, including Common Security and Defence Policy
- Relationship between European Union and Common Foreign and Security Policy (sanctions, exports of dual-use goods)

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## FinTech: law and regulation

### Module A [LWM85A]

*Sequence: module A recommended before module B*

#### Payments, alternative financing and cryptoassets

- Introduction: what exactly is FinTech and what problems does it solve?
- New payments landscape
- Alternative financing: crowdfunding platforms
- Cryptoassets and initial coin offerings

### Module B [LWM85B]

*Sequence: module A recommended before module B*

#### Blockchain and distributed ledgers

- Blockchain in financial services
- Smart contracts
- Allocation of liability on distributed ledgers
- Governing the blockchain: how to determine applicable law?

## Module C [LWM85C]

*Sequence: module A recommended before module C*

### Regulatory issues

- Data privacy
- Cybersecurity
- FinTech to TechFin: regulation of data-driven finance
- Regulating robo advice

## Module D [LWM85D]

*Sequence: module A recommended before module D*

### RegTech, SupTech and LegalTech

- RegTech, SupTech and the future of compliance
- Regulatory sandboxes
- Technological innovation in legal services

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## Foundational and constitutional issues in company law

*Students are advised that the course demands some previous knowledge of English law in general, in particular English law of contract and agency, and of trusts.*

## Module A [LWM15A]

### Company law foundational issues I

- Introduction
- Corporate theory
- The types and functions of companies

## Module B [LWM15B]

*Sequence: module A recommended before module B*

### Company law foundational issues II

- Company formation, promoters and pre-incorporation contracts
- Corporate personality and limited liability
- Lifting the veil of incorporation

## Module C [LWM15C]

*Sequence: module A recommended before module C*

### Company law constitutional issues I

- The *ultra vires* doctrine and other attributions issues (tort - corporate crime)
- The articles of association and shareholders agreements

## Module D [LWM15D]

*Sequence: module A recommended before module D*

### Company law constitutional issues II

- Majority rule
- Minority protection

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## Franchising law

### Module A [LWM16A]

#### The business of franchising

- A history of franchising
- Types of franchising
- The franchise model
- Lack of research literature
- How a franchise is established
- Becoming a franchisee

### Module B [LWM16B]

*Sequence: module A recommended before module B*

#### Intellectual property and franchising

- Trade marks and franchising: Part I
- Trade marks and franchising: Part II
- Breach of confidence
- Passing off
- Copyright

### Module C [LWM16C]

*Sequence: module A recommended before module C*

#### The franchising contract

- Regulations of franchising through contract
- Structure of the franchising contract
- The grant
- Brand maintenance
- The 'method' of the franchise
- Law of competition

### Module D [LWM16D]

*Sequence: module A recommended before module D*

#### The regulation of franchising

- What is a franchise?
- The purpose of regulation
- Registration requirements
- Disclosure requirements and cooling off
- Regulation of franchising contracts
- Franchise fraud: pyramid selling

- Renewal and exit rules

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## Human rights of women

*Students are advised to attempt the modules in order but students may, if they wish, attempt modules in the following order: module C, module A, module B and module D or module C, module D, module A and module B.*

### Module A [LWM19A]

**Is the theory underlying human rights law male?**

- Introduction to Human Rights, what is Human Rights law?
- Analysis of the history and philosophy of Human Rights discourse
- Who is included in the “human” of Human Rights?

### Module B [LWM19B]

**Feminist critiques of human rights**

- Feminist theories and critiques of Human Rights law
- The problems and/or virtues of Human Rights law for women on a global scale
- Feminist reconstructions of Human Rights, aiming to ensure the inclusion of women

### Module C [LWM19C]

**Institutional framework, institutions and documents relating to the human rights of women**

- Examination of Human Rights documents and their institutional framework, including: the UN Charter, the “three Generations of Rights”, the Convention on the Elimination of All Forms of Discrimination Against Women; the Declaration on the Elimination of Violence Against Women
- International Courts, human rights and humanitarian law

### Module D [LWM19D]

**Sovereign governments, non-state actors and individual responsibility for human rights violations: linking theory to practice**

- Consideration of the work of non-governmental organisations set up for/by women
- Inter-relationship between sovereign governments, non-state actors and a developing international jurisprudence on Human Rights law investigating how these impact on the lives of women
- Case studies on sexual violence and rape including the International War Crimes Tribunals at The Hague
- Reconnecting feminist legal theory to the Human Rights of women

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## Industrial and intellectual property

### Module A [LWM20A]

**Intellectual property and technology**

- Patents
- Legal status of patents, what might be patented
- The process of obtaining and enforcing a patent
- Trade secrets and the action for breach of confidence

## Module B [LWM20B]

### Copyright law

- Copyright and related rights
- Introduction to copyright law, forms of copyright works, ownership of copyright, duration, infringement, enforcement of copyright.

## Module C [LWM20C]

### The law of trade marks and passing off

- Introduction to trade mark law
- Registered trade marks: registration and subject matter
- Forms of trade marks
- Trade mark infringement, remedies and revocation
- Passing off

## Module D [LWM20D]

*Sequence: module A, B and C recommended before module D*

### Intellectual property – integrated topics

- Justifications for intellectual property
- Sanctions for misuse of intellectual property, including civil remedies and criminal sanctions
- Legal protection of designs in the UK: overlap with other rights
- Dealing with intellectual property rights

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## Insurance law (excluding Marine insurance law)

## Module A [LWM22A]

### Elements of insurance

- The insurance contract?
- Insurance regulation in the United Kingdom
- Insurance intermediaries

## Module B [LWM22B]

*Sequence: module A recommended before module B*

### Insurance contract formation

- Non-disclosure and misrepresentation; remedies for breach
- Formation of the contract: including, offer, acceptance, premiums

## Module C [LWM22C]

*Sequence: module A recommended before module C*

### The insurance contract and its terms

- Insurable interest in property insurance and life assurance
- Terms of the contract
- Construing the insurance contract



## Module D [LWM22D]

*Sequence: modules A, B and C recommended before module D*

### Claims process

- Causation: determining the cause of the loss; losses caused by the insured
- Claims: the claims process, the requirement of good faith
- Subrogation: the insurer's, the insured's and the other parties' rights
- Abandonment
- Double insurance and contribution between insurers
- Indemnity and reinstatement, mitigation of loss, reinstatement under contract and under statute
- Alternative dispute resolution mechanisms: the ombudsman

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## Intellectual property and medicine

### Module A [LWM23A]

#### Intellectual property of medicine and its sources

- International framework and history of intellectual property relevant to medicine
- Categories of intellectual property relevant to medicine
- European and national systems (UK and designated jurisdictions)
- Applications of intellectual property in medical and pharmaceutical industries

### Module B [LWM23B]

*Sequence: module A recommended before module B*

#### Access to medicines

- Overview of the issues and history of the campaign
- Human right to health and the ethics of patents
- Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement
- Doha Development Round (Ministerial Declaration; Declaration on TRIPS and Public Health; Decision on Paragraph 6)
- Paragraph 6 System

### Module C [LWM23C]

*Sequence: module A recommended before module C*

#### Patents and life forms

- Legal and socio-legal concept of life form
- Ethical considerations and exceptions
- Medical biotechnologies
- International, European and designated domestic frameworks (including European Biotechnology Directive)
- Genes and gene sequences
- Cloning
- Germ-line modification technology
- Embryos

## Module D [LWM23D]

*Sequence: module A recommended before module D*

### Property in the person

- Medical and genetic privacy and intellectual property
- Genetic privacy
- Genetic sampling and collection; genomic libraries and databases
- Traditional medicine and genetic resources

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## Intellectual property and sport

### Module A [LWM63A]

#### Branding in sports

- Introduction to sporting brands
- Trade mark protection for sports events and sports stars
- Using copyright to protect imagery and sounds in sport
- Using design rights to protect images, mascots and brands
- Passing off and endorsement of events and stars
- Sports celebrities' image rights

### Module B [LWM63B]

#### Sponsorship in sports

- The sponsorship market in sport
- The different types of sponsorship available
- The sorts of rights granted in sponsorship agreements
- The responsibilities of both sponsors and the sponsored party
- The sponsorship contract

### Module C [LWM63C]

*Sequence: modules A and B recommended before module C*

#### Ambush marketing

- Introduction to ambush marketing
- Protection of special event symbols (for example, the Olympics)
- Anti-ambush marketing Laws
- The use of domain names to ambush an event
- The internationalisation of ambush marketing norms
- Preventing ambush marketing: the toolkit

### Module D [LWM63D]

*Sequence: modules A and B recommended before module D*

#### Special topics in sports

- Broadcasting rights
- Ticketing restrictions

- Advertising Laws and sports branding
- Counterfeiting and merchandising

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## Intellectual property on the internet

### Module A [LWM24A]

#### Digital copyright

- The scope of copyright law
- Principles of copyright law
- Copyright infringement
- Software-specific issues
- Enforcement of copyright

### Module B [LWM24B]

#### Trade marks

- Introduction to trade marks
- Categories of trade marks
- Trade marks and the internet
- Internet market places and trade marks
- The doctrine of passing off

### Module C [LWM24C]

#### Domain names

- Domain names
- The emergence of Internet Corporation for Assigned Names and Numbers (ICANN)
- The Uniform Dispute Resolution Rules

### Module D [LWM24D]

#### Computer-related patents

- The basics of patent law and its relationship with the computer and the internet
- Patents, software and the internet

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## International and comparative bank regulation

### Module A [LWM64A]

#### Risk, banks and the principles of bank regulation

- Banks and risk: what is a bank, why are banks important, what is risk?
- Principles of regulation: what is regulation and what is its purpose(s)?

### Module B [LWM64B]

*Sequence: module A recommended before module B*

#### Basel Committee and the regulation of international banks

- Issues in international bank regulation: what are the problems?
- Basel Committee on Banking Supervision: its structure, soft law

- The Concordat 1975, Revised Concordat 1983, Core Principles
- Capital Adequacy: Basel I, II and III
- The impact of the banking crisis on Basel

### **Module C [LWM64C]**

*Sequence: modules A and B recommended before module C*

#### **European Union regulation and who should regulate banks**

- EU banking regulation law
- Who should regulate banks? Single financial regulator, multiple regulators?

### **Module D [LWM64D]**

*Sequence: modules A and B recommended before module D*

#### **United Kingdom bank regulation law**

- The development of UK bank regulation
- Financial Services and Markets Act 2000 and the structure of regulation

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## **International and comparative competition law**

### **Module A [LWM25A]**

#### **The internationalisation of competition policy**

- Globalisation and actors in the process of internationalisation
- Organisation for Economic Cooperation and Development (OECD)
- World Trade Organization (WTO)
- United Nations Conference on Trade and Development (UNCTAD)
- Multinational enterprises (MNEs)
- International Competition Network (ICN)

### **Module B [LWM25B]**

*Sequence: module A recommended before module B*

#### **Unilateral, bilateral and multilateral strategies**

- Extraterritoriality and principles of public international law
- United States antitrust law
- European Union competition law
- Bilateral cooperation and agreements
- Multilateral cooperation: A global competition regime?

### **Module C [LWM25C]**

*Sequence: module A recommended before module C*

#### **The competition rules of developing and developed countries**

- United States antitrust law
- European Union competition law
- Competition rules in Germany
- Japanese anti-monopoly law

- Competition law and policy in developing countries: Asia, Africa and the Middle East

## **Module D [LWM25D]**

*Sequence: module A recommended before module D*

### **Competition and trade policy**

- Aims and objectives
- Similarities and differences
- World Trade Organization

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## **International and comparative law of copyright and related rights**

*From the 2024-25 academic year, the modules of this course are no longer available for new registrations. Students currently registered on module(s) of this course can register for any remaining modules they are yet to register for, and to enter for the examination of these modules, up to the end of 2026-27.*

*Modules of LWM26 International and comparative law of copyright and related rights cannot be taken in conjunction with modules of LWM90 Copyright law.*

## **Module A [LWM26A]**

### **Copyright law in the United Kingdom and United States**

- Introduction and protectable subject matter
- Protection criteria
- Ownership and duration
- Economic and moral rights
- Infringement and limitations to protection

## **Module B [LWM26B]**

### **French and German copyright law and related rights**

- Introduction and protected subject matter
- Economic and moral rights
- Authorship, transfer of rights and duration
- Limitations and exceptions

## **Module C [LWM26C]**

*Sequence: modules A and B recommended before module C*

### **International copyright law – international conventions and aspects of private international law**

- General Concepts
- The Berne Convention
- The Universal Copyright Convention
- The Rome Convention on the Protection of Phonograms and Performing Artists
- Copyright and the TRIPs Agreement
- The WIPO “Internet Treaties”
- Private International Law Aspects

## Module D [LWM26D]

*Sequence: modules A and B recommended before module D*

### Copyright law in the European Community

- Introduction to copyright law in the European Community
- Computer programs and database protection
- Rental and lending rights, satellite, broadcasting and cable
- Copyright term and artist's resale right
- Copyright in the information society and enforcement

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## International and comparative law of patents, trade secrets and related rights

### Module A [LWM27A]

#### Comparative law of patents

- Introduction to patents: history, justifications, agreements
- Methods of applying for a patent
- Patentability
- The person skilled in the art, priority and grace periods
- Infringement and exceptions to infringement
- Entitlement/ownership of patents

### Module B [LWM27B]

*Sequence: module A recommended before module B*

#### Comparative law of trade secrets

- Why protect trade secrets?
- The distinction between commercial trade secrets and privacy
- Relationship between trade secrets and patenting
- Trade secrets law in England, the United States, Germany and France

### Module C [LWM27C]

*Sequence: module A recommended before module C*

#### International agreements on patent law

- Paris Convention
- TRIPS Agreement
- European Patent Convention
- Other regional patent agreements
- Patent Cooperation Treaty
- The Convention on Biodiversity
- Patent Law Treaty
- Budapest Treaty
- Locarno Agreement on Classification
- Supplementary Protection Certificates



- Enforcement Directive (2004/48/EC).

### **Module D [LWM27D]**

*Sequence: modules A, B and C recommended before module D*

#### **Current issues in international patent law and policy**

- Utility models and petty patents
- Biotechnological patenting (so-called life patents and gene patents)
- Plant variety protection
- Patenting of computer software and business methods
- “Patent quality” and Peer-to-patent

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## **International and comparative law of trade marks, designs and unfair competition**

### **Module A [LWM28A]**

#### **The concepts of trade marks, designs and unfair competition**

- Introduction to the concept of trade marks: a functional, legal, and economic analysis
- Introduction to unfair competition
- The history of trade marks
- Systems of protection; registered and unregistered trade marks
- International agreements: the Paris Convention; the World Trade Organization; International Registrations; regional agreements; the European Union Trade Mark (introduction); classification treaties; Trademark Law Treaty; appellations of origin; the Olympic symbols

### **Module B [LWM28B]**

*Sequence: module A recommended before module B*

#### **Unfair competition**

- Systems of unfair competition: a comparative perspective
- Misrepresentation and misappropriation
- Unfair competition in the United Kingdom
- Unfair competition in the United States
- Unfair competition in France
- Unfair competition in Germany
- Other jurisdictions

### **Module C [LWM28C]**

*Sequence: module A recommended before module C*

#### **Registered trade marks**

- Registered trade marks: a comparative perspective
- Systems of registration: first to file v. first to use
- Registered trade marks in Europe: the European Union Trade Mark; national registrations (United Kingdom; France; Germany); the role of the European Court of Justice
- Registered trade marks in the United States

## Module D [LWM28D]

*Sequence: modules A, B and C recommended before module D*

### Special topics in trade marks

- Trade marks and domain names
- Industrial designs; relationship to other forms of protection; design rights; Hague Agreement Concerning the International Deposit of Industrial Designs, as amended
- Appellations of origin
- Trade marks and competition: parallel imports; functionality and the interface between trade marks and other intellectual property rights; comparative advertising
- Trade marks and society: advertising; parody; symbols of indigenous communities

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## International and comparative trust law

*Students are not required to have studied the Law of trusts at undergraduate level. However, it is advisable to have done so, for this course assumes that students are familiar with, and have an understanding of, the Law of trusts and the standard works on the subject up to LLB level or its equivalent. Knowledge of the relevant principles of the Conflict of Laws is useful, though not essential.*

## Module A [LWM29A]

### The nature of the English trust

- Survey of the English law of trusts
- Shams
- The trust as property-holding vehicle and as obligation
- The core content of a trust
- The Beneficiary Principle: trusts for non-charitable purposes

## Module B [LWM29B]

*Sequence: module A recommended before module B*

### Offshore purpose trusts

- Introduction to offshore non-charitable purpose trusts
- The Bahamas
- Belize
- Bermuda
- The British Virgin Islands
- The Cook Islands
- Cyprus
- Guernsey
- Isle of Man
- Jersey
- Labuan
- The STAR trust of the Cayman Islands
- The British Virgin Islands' Vista Trusts

## Module C [LWM29C]

*Sequence: modules A and B recommended before module C*

### Asset protection trusts

- Asset protection trusts in a commercial and trading context
- Introduction to offshore asset protection trusts
- The pre-Insolvency Act 1986 and current position under English law
- The Bahamas
- The Cayman Islands
- The Cook Islands
- Cyprus
- The Isle of Man
- Jersey
- Avoidance of forced heirship

## Module D [LWM29D]

*Sequence: modules A and B recommended before module D*

### Special issues in international and comparative trust law

(Part One)

- Choice of law; jurisdiction; recognition; enforcement
- General principles of choice of law
- The Hague Trusts Convention
- The jurisdiction and remedies of the English courts over foreign trusts
- Recognition and enforcement of foreign judgments in England

(Part Two)

- The reception of the trust or trust-like devices in civil law jurisdictions
- The trust and the civil law
- The trust from a worldwide perspective: The trust's future

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## International commercial insurance law

### Module A [LWM70A]

#### The contract of reinsurance

- The definition of reinsurance
- Regulation of reinsurance business
- Forms of reinsurance: facultative contracts; treaties
- Relationship between assured, insurer and reinsurer
- Formation and insurable interest
- Utmost good faith
- Express, implied and incorporated terms

## Module B [LWM70B]

*Sequence: module A recommended before module B.*

### Reinsurance losses and claims

- Back to back cover
- Follow the settlements and follow the fortunes
- Claims cooperation and claims control clauses
- Aggregation of losses
- Post-loss allocation
- Inspection clauses

## Module C [LWM70C]

### Liability insurance

- Forms of liability insurance: event, injury, claims made
- Compulsory insurance regimes: motor; employers' liability; maritime law
- Professional indemnity insurance
- Directors' and Officers' insurance
- Product liability insurance
- Defence costs
- Third party rights

## Module D [LWM70D]

### Conflict of laws in insurance

- Jurisdiction of the English courts
- Law applicable to insurance and reinsurance contracts
- Operation of the applicable law rules

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## International criminal law

*From the 2024-25 academic year, the modules of this course are no longer available for new registrations. Students currently registered on module(s) of this course can register for any remaining modules they are yet to register for, and to enter for the examination of these modules, up to the end of 2026-27.*

*Modules of LWM30 International criminal law cannot be taken in conjunction with modules of LWM87 International criminal law and procedure.*

*Students are advised that the course demands some previous knowledge of public international law.*

## Module A [LWM30A]

### General context and international crimes before national courts

- International law principles of State jurisdiction
- Customary international law and treaty law
- Direct criminal responsibility under international law
- Treaty provisions requiring States to criminalise conduct (including terrorism and torture)
- Piracy

## Module B [LWM30B]

*Sequence: module A recommended before module B*

### International criminal courts and tribunals

- Jurisdiction and structure of international criminal courts and tribunals
- Cooperation with international criminal courts and tribunals
- Investigations, prosecutions, evidence and procedure before international criminal courts and tribunals
- Fair trial rights appeals, revision and enforcement of sentences before international criminal courts and tribunals

## Module C [LWM30C]

*Sequence: module A recommended before module C*

### The core international crimes (crimes within the jurisdiction of international tribunals)

- The elements of international crimes
- War crimes
- Crimes against humanity
- Genocide
- Aggression and crimes against peace

## Module D [LWM30D]

*Sequence: modules A and C recommended before module D*

### General principles of international criminal law

- *Aut dedere aut judicare* (“extradite or prosecute”) and unlawful abductions
- Jurisdictional immunities
- Modes of participation in crimes, and concurrence of crimes
- Defences

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## International criminal law and procedure

*Modules of LWM87 International criminal law and procedure cannot be taken in conjunction with modules of LWM30 International criminal law.*

*Students are advised that the course demands some previous knowledge of public international law.*

## Module A [LWM87A]

### History and institutions of international criminal law

- History and purpose of international criminal law
- Jurisdiction and structure of international criminal courts and tribunals
- Sources of international criminal law
- Relationship between national and international systems

## Module B [LWM87B]

*Sequence: module A recommended before module B*

### Genocide, crimes against humanity, and modes of liability

- The elements of international crimes

- Genocide
- Crimes against humanity
- Modes of liability in international crimes and concurrence of crimes

### **Module C [LWM87C]**

*Sequence: modules A and B recommended before module C*

#### **War crimes, the crime of aggression, and grounds for excluding criminal responsibility**

- War crimes
- Aggression and crimes against peace
- Defences or grounds excluding criminal responsibility

### **Module D [LWM87D]**

*Sequence: modules A, B and C recommended before module D*

#### **International criminal procedure, sentencing, and immunities**

- International criminal procedure and evidence
- Sentencing
- Jurisdictional immunities

---

## **International economic law**

### **Module A [LWM31A]**

#### **Evolution and principles of international economic law**

- Evolution of the law and economic policy
- Evolution of international economic law
- Fundamental principles of international economic law
- Institutional structure of international economic law

### **Module B [LWM31B]**

*Sequence: module A recommended before module B*

#### **International monetary and development law and policy**

- The law and practice of the World Bank
- The law and practice of the International Monetary Fund
- Financing for Development
- The Millennium Development Goals

### **Module C [LWM31C]**

*Sequence: module A recommended before module C*

#### **Regulation of foreign investment**

- International efforts to regulate foreign investment
- Foreign investment and labour
- The notion of corporate social responsibility
- Multinational enterprises and human rights



## Module D [LWM31D]

*Sequence: module A recommended before module D*

### Public international law of trade

- Substantive rules of the General Agreement on Tariffs and Trade (GATT)/World Trade Organization (WTO) system
- Institutional overview of the WTO
- International economic law and the environment
- Current trade agenda and the Doha Development Round

---

## International environmental law

### Module A [LWM32A]

#### General aspects of international environmental law I

- Introduction
- Development and sources of international environmental law
- Jurisdictional and institutional aspects of environmental governance
- General principles of international environmental law
- Sustainable development

### Module B [LWM32B]

*Sequence: module A recommended before module B*

#### General aspects of international environmental law II

- State responsibility for environmental damage
- Civil liability regimes
- Environmental dispute resolution
- Human rights and the environment

### Module C [LWM32C]

*Sequence: modules A and B recommended before module C*

#### Particular subjects of international environmental law I

- Protection of the marine environment
- General principles of the conservation of biological diversity
- Management of hazardous substances and wastes
- Climate change protection
- Protection of the ozone layer

### Module D [LWM32D]

*Sequence: modules A and B recommended before module D*

#### Particular subjects of international environmental law II

- Trade and the environment
- Financial resources, technology and intellectual property
- War and armed conflict in relation to the environment

- Nuclear energy and the environment
- Freshwater resources
- Transboundary air pollution
- Polar regions

---

## International investment law

### Module A [LWM33A]

#### Evolution of the law of foreign investment

- Origins of the law of foreign investment: the early years
- National treatment v. international minimum standard
- National treatment and the Calvo doctrine
- The duty to compensate and the Hull formula

### Module B [LWM33B]

*Sequence: module A recommended before module B*

#### International efforts to regulate foreign investment

- United Nations efforts
- Efforts made by the World Bank
- OECD efforts
- The role of the WTO

### Module C [LWM33C]

*Sequence: modules A and B recommended before module C*

#### Regulation under bilateral and regional investment treaties (BITs)

- Origins of BITs
- The content of BITs
- Significance of BITs
- Regional treaties: North American Free Trade Agreement (NAFTA)/United States–Mexico–Canada Agreement (USMCA)

### Module D [LWM33D]

*Sequence: modules A and B recommended before module D*

#### The case-law on the treatment of foreign investment

- Fleshing out of the provisions for protecting foreign investment
- Definition of expropriation and nationalization
- Determination of the quantum of compensation
- Extending the frontiers of expropriation

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## International law of the sea

*Modules of this course cannot be taken in conjunction with modules of the Maritime dispute settlement course (LWM84)*

## **Module A [LWM34A]**

### **Evolution of the law of the sea**

- Pre-UN developments
- First United Nations Conference on the Law of the Sea
- The four Geneva Conventions on the law of the sea
- Third United Nations Conference on the Law of the Sea

## **Module B [LWM34B]**

*Sequence: module A recommended before module B*

### **Baselines, the territorial sea and the contiguous zone**

- The law on drawing baselines
- The rights of states in their territorial sea
- The right of innocent passage of other states
- Rights and duties in the contiguous zone

## **Module C [LWM34C]**

*Sequence: module A recommended before module C*

### **The continental shelf and the exclusive economic zone (EEZ)**

- Definition and drawing of the continental shelf
- Rights of States in the continental shelf
- The concept of the EEZ
- Rights and duties of States in the EEZ and its delimitation

## **Module D [LWM34D]**

*Sequence: module A recommended before module D*

### **The high seas, the seabed and dispute resolution**

- The notion of the freedoms of the high seas
- The legal status of the seabed and its resources
- The International Seabed Authority
- Dispute settlement mechanism in the law of the sea

---

## **International merger control**

### **Module A [LWM57A]**

#### **Introduction to merger control**

- Concepts and ideas
- Economic analysis and market definition
- The regulation of merger operations
- Multinational enterprises and their concerns

### **Module B [LWM57B]**

*Sequence: module A recommended before module B*

### **Merger control regimes 1**

- European Union merger control
- European Economic Area merger control
- United States merger control

### **Module C [LWM57C]**

*Sequence: module A recommended before module C*

### **Merger control regimes 2**

- United Kingdom merger control
- Merger control in Germany

### **Module D [LWM57D]**

*Sequence: module A recommended before module D*

### **Unilateral, bilateral and multilateral merger control strategies**

- Unilateral strategy: the doctrine of extraterritoriality
- Bilateral strategy
- Multilateral strategy
- International organisations and bodies

---

## **International natural resources law**

### **Module A [LWM74A]**

#### **General aspects of international natural resources law**

- The development of the notion of permanent sovereignty and sustainable development
- International governance and management of natural resources
- Property rights and natural resources
- Nationalisation and expropriation of foreign-owned property

### **Module B [LWM74B]**

*Sequence: module A recommended before module B*

#### **Specific issues relating to the management of natural resources**

- Transboundary freshwater management
- International law of the sea and natural resources conservation and management
- Fisheries management
- General principles of the conservation of biological diversity
- Dispute resolution

### **Module C [LWM74C]**

*Sequence: module A recommended before module C*

#### **International energy law**

- International organisations in the energy sector
- Climate change law
- The regime for exploration and exploitation of offshore energy resources

- Energy law and the environment

## **Module D [LWM74D]**

*Sequence: module A recommended before module D*

### **Energy law in Europe**

- The Energy Charter Treaty
- EU energy law (I) – market liberalisation and regional cooperation
- EU energy law (II) – sustainable energy
- EU climate change law

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## **International refugee law**

*Students should have some previous knowledge of public international law.*

### **Module A [LWM60A]**

#### **The development of, and responsibility for, international protection of refugees**

- Historical perspective
- The legal framework: The 1951 Refugee Convention and other instruments
- Who is a refugee?
- Assessment in refugee status determination procedures
- Regional approaches to refugee protection

### **Module B [LWM60B]**

*Sequence: module A recommended before module B*

#### **The EU dimension of refugee law**

- Europe and asylum: the history
- The Common European Asylum System
- Asylum rights in the EU
- The EU New Pact on Migration and Asylum

### **Module C [LWM60C]**

*Sequence: module A recommended before module C*

#### **International law instruments and rights in depth**

- The rights of refugees – introduction
- Other rights of refugees and asylum seekers
- Solutions for refugees put forward by the UNHCR
- Pushbacks of refugees at sea

### **Module D [LWM60D]**

*Sequence: module A recommended before module D*

#### **Contemporary issues in refugee law**

- Internally displaced persons and victims of trafficking and smuggling
- Specific categories of people applying for asylum

- Refugees from armed conflicts and temporary protection
- Policies externalising asylum procedures

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## International rights of the child

*It is strongly recommended that you attempt the modules in order.*

### Module A [LWM35A]

#### Theoretical issues and children's rights mechanisms

- An introduction to children's rights and constructions of 'the child'
- The theoretical basis of children's rights
- The UN Convention on the Rights of the Child 1989
- Regional children's rights mechanisms
- Children's rights in English domestic law

### Module B [LWM35B]

*Sequence: module A recommended before module B*

#### The core principles of children's rights mechanisms

- The best interests principle
- The right to life, survival and development
- Children's participation rights (1) – general principles
- Children's participation rights (2) – case studies
- Non-discrimination

### Module C [LWM35C]

*Sequence: modules A and B recommended before module C*

#### Specific issues in children's rights (1)

- The child, the family and identity
- Children and the labour market
- The right to education
- Children and religion

### Module D [LWM35D]

*Sequence: modules A, B and C recommended before module D*

#### Specific issues in children's rights (2)

- Child justice
- Exploitation, sale of children and child pornography
- Street children
- Refugee and asylum-seeking children
- Children and armed conflict

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## International trade law

*It is strongly recommended that you attempt the modules in order.*

## Module A [LWM36A]

### Export sales on English law terms

- Nature of free on board (FOB) and cost, insurance and freight (CIF) contracts
- Formation of contracts of sale
- Contractual arrangements for transportation of the goods
- The seller's obligations as regards the goods
- Delivery of the goods
- Responsibility for loading and discharge operations
- Passing of property
- Passing of risk

## Module B [LWM36B]

*Sequence: module A recommended before module B*

### Carriage of goods by sea in international trade law

- The shipping background
- The Hague-Visby Rules
- Transfer of the contract of carriage

## Module C [LWM36C]

*Sequence: modules A and B recommended before module C*

### Bankers' letters of credit

- Documentary credits and the sale contract
- Documentary credits: fundamental principles
- Fraud and forgery
- Stand-by letters of credit and first demand guarantees

## Module D [LWM36D]

*Sequence: Section A, B and C recommended before module D*

### United Nations Sales Convention 1980 (CISG)

- Scope and application of the Convention
- General principles of uniformity in the Convention
- Buyers' and sellers' duties
- Avoidance, exemption and remedies for breach

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## Jurisprudence and legal theory

*From the 2024-25 academic year, the modules of this course are no longer available for new registrations. Students currently registered on module(s) of this course can register for any remaining modules they are yet to register for, and to enter for the examination of these modules, up to the end of 2026-27.*

LWM7AB/CD Jurisprudence and legal theory *cannot be taken in conjunction with modules of LWM41 Jurisprudence and legal theory – a new approach.*



*Students are not required to have taken an undergraduate course in Jurisprudence, but it will be assumed that students will have some familiarity with standard works in the field up to LLB standard.*

*The double modules can be attempted in either order.*

### **Double Module A/B [LWM7AB]**

#### **Modern legal theory**

- Selected topics in the development of Anglo-American legal philosophy from the origins of utilitarianism to the present day, including contemporary debates on philosophical method and the nature of law

### **Double Module C/D [LWM7CD]**

#### **Liberty, equality and law**

- Selected topics in the development of liberalism, including the ideas of liberty and equality and their relevance in the present day to our understanding of community, economics, cultural diversity and feminism

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## **Jurisprudence and legal theory – a new approach**

*Modules of LWM41 Jurisprudence and legal theory – a new approach cannot be taken in conjunction with modules LWM7AB/CD Jurisprudence and legal theory.*

*It is strongly recommended that you attempt the modules in order.*

### **Module A [LWM41A]**

#### **The nature of law, Part I**

- Theorising about the nature of law
- Austin's command theory of law
- Hart on the explanatory shortcomings of command theories of law
- Hart's dynamic theory of law
- Dworkin on discretion, principles and rules of recognition
- Dworkin on the soundest theory of law

### **Module B [LWM41B]**

*Sequence: module A recommended before module B*

#### **The nature of law, Part II**

- Dworkin on theoretical disagreements and wicked legal systems
- Some recent natural law theories
- Raz on authority and law
- Raz on precedent and statutory interpretation

### **Module C [LWM41C]**

*Sequence: modules A and B recommended before module C*

#### **Philosophy of tort law**

- Theorising about the purpose of tort law
- Wealth maximisation

- Corrective justice
- Incompleteness and autonomy
- Luck, wager and liability
- Risk-distributive justice and other modifiers of corrective justice

### **Module D [LWM41D]**

*Sequence: modules A, B and C recommended before module D*

#### **Causation in the law**

- Two types of causal minimalism
- Hart and Honoré's common-sense conception of causation in the law
- Factual causation and overdetermination cases
- Stapleton's neo-minimalism

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## **Law and policy of international courts and tribunals**

*It is strongly recommended that you attempt the modules in order*

### **Module A [LWM38A]**

#### **Introduction to international dispute resolution**

- International dispute resolution: historical background and overview
- Introduction to the International Court of Justice and to dispute settlement under the 1982 UN Convention on the Law of the Sea (UNCLOS)
- Human rights courts and treaty bodies
- International courts and tribunals and international economic disputes, including trade and investment issues
- International criminal courts and tribunals
- Overview of the 'system' of international courts and tribunals

### **Module B [LWM38B]**

*Sequence: module A recommended before module B*

#### **Non-adjudicatory dispute resolution processes**

- Inter-state arbitration
- Mixed international arbitration
- Diplomatic means of dispute settlement
- Compliance mechanisms in multilateral environmental agreements
- Inspection mechanisms in international development banks

### **Module C [LWM38C]**

*Sequence: modules A and B recommended before module C*

#### **Role and functioning of international courts and tribunals: institutional aspects**

- The organisation and financing of international courts and tribunals
- The appointment of international judges

- The independence and impartiality of the international judiciary
- Jurisdiction
- Admissibility
- Applicable law

### **Module D [LWM38D]**

*Sequence: modules A, B and C recommended before module D*

#### **Role and functioning of international courts and tribunals: procedural aspects**

- Proceedings before international courts and tribunals
- Incidental proceedings
- Provisional measures
- Evidence before international courts and tribunals
- Remedies
- Interpretation, appeal and review

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## **Law of financial crime**

### **Module A [LWM17A]**

#### **Insider dealing and market abuse**

- The principal offence of insider dealing
- Other insider dealing offences
- The regulation of market abuse by the Financial Conduct Authority (FCA)
- The rationale for criminalising insider dealing

### **Module B [LWM17B]**

*Sequence: module A recommended before module B.*

#### **Fraud and market manipulation**

- Market manipulation
- Fraud under the Fraud Act 2006
- Theft in financial transactions
- The practical difficulties of policing fraud in financial markets
- Case studies in fraud

### **Module C [LWM17C]**

*Sequence: module A recommended before module C.*

#### **Money laundering**

- Money laundering under the Proceeds of Crime Act 2002
- Other money-laundering offences
- The regulation of money laundering
- The policy underpinning money-laundering law
- Bribery, sanctions, corruption and money laundering

## Module D [LWM17D]

*Sequence: module A, B and C recommended before module D.*

### The nature of the law on financial crime

- The objectives of the law on financial crime
- The criminal law and financial regulation
- Theoretical justifications for recovery of property derived from crime
- Offshoring and international financial crime

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## Law of international finance: syndicated loans

*It is strongly recommended that you attempt the modules in order*

## Module A [LWM66A]

### Capital markets, finance and the loan contract

- Raising finance, the nature of international finance
- The nature of the loan contract and its objectives
- The different types of loan contract, the use of security and guarantees, conflict of Laws and choice of forum
- The loan contract: contractual capacity, formalities, term sheets, commitment letters and mandates, syndication of loans, the model contract, construing the terms of the contract

## Module B [LWM66B]

*Sequence: module A recommended before module B*

### Terms of the contract Part I

- Interest on the loan, adjusting the interest rate
- Stipulating the purpose of the loan
- Utilisation request
- Conditions precedent
- Representations and warranties

## Module C [LWM66C]

*Sequence: modules A and B recommended before module C*

### Terms of the contract Part II

- Financial covenants
- Asset disposals and change of business clauses
- Negative pledge clause

## Module D [LWM66D]

*Sequence: modules A, B and C recommended before module D*

### Syndicate management and loan transfer

- Syndicate management, the duties and rights of the arranger and agent banks
- Transferring the rights and obligations under a loan contract

## Law of international project finance

### Module A [LWM78A]

#### Loan facilities

- Term sheets and commitment letters
- The overall structure and contents of a loan facility agreement (based on the standard (Loan Market Association) form of loan agreement)
- Financial and operative provisions; issues arising from the 2012 London Interbank Offered Rate (LIBOR) scandal
- Implications of a wrongful refusal to lend
- Conditions precedent
- Representations and warranties
- Covenants and undertakings
- Events of default and acceleration

### Module B [LWM78B]

*Sequence: module A recommended before module B*

#### An introduction to project finance

- Approaching legal issues in a project finance structure
- Outline of a typical project finance structure (parties and their objectives, contractual framework and typical project financing steps)
- Sources of funding
- Export credit agencies and multilateral development banks
- The license and state aid issues

### Module C [LWM78C]

*Sequence: module A recommended before module C*

#### Risk identification, allocation and mitigation in project finance transactions

- Cross-border risks
- Commercial risks
- Risk allocation in project documentation
- Insurance issues

### Module D [LWM78D]

*Sequence: module A recommended before module D*

#### Project finance documentation

- Negotiating finance documents
- Sponsor support, security and related issues
- Construction contracts
- Operation and maintenance agreements
- Offtake sales contracts
- Direct agreements

## Law of international taxation

*Students are advised that Law of International Taxation is an advanced course and as such demands some understanding or previous knowledge of tax law. If students have not previously studied tax law at undergraduate level or have no experience of it in practice, it is advised that they undertake the Taxation principles and policy course prior to undertaking Law of international taxation.*

*It is strongly recommended that you attempt the modules in order*

### Module A [LWM81A]

#### Introduction to international tax law

- International tax law
- Jurisdiction to tax
- Residence and source
- Methods of relief from double taxation
- History of international tax law

### Module B [LWM81B]

*Sequence: module A recommended before module B*

#### Double taxation conventions I

- Types of double taxation convention
- Interpretation of double taxation agreements
- Key provisions of the OECD Model Tax Convention (MTC)
- Individuals

### Module C [LWM81C]

*Sequence: modules A and B recommended before module C*

#### Double taxation conventions II

- Businesses
- Passive income
- Non-discrimination
- Cooperation between revenue authorities

### Module D [LWM81D]

*Sequence: modules A, B and C recommended before module D*

#### Transfer pricing

- Legal framework
- Applying the arm's-length principle (ALP)
- Comparability
- Transfer pricing methods
- Special considerations and global formulary apportionment
- Dispute resolution and documentation

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## Law of treaties

### Module A [LWM54A]

#### Introduction to the law of treaties

- Introduction to the law of treaties
- Sources of international law with a particular focus on treaties
- Concept of a treaty in international law
- Treaty-making process
- Depositaries, registration and publication of treaties
- Consent to be bound by a treaty

### Module B [LWM54B]

*Sequence: module A recommended before module B*

#### Entry into force and the scope of treaty obligations

- Entry into force and obligations prior to entry into force
- Reservations to treaties
- Application of treaties (*pacta sunt servanda*; observance of treaties and internal law; effect on third states)

### Module C [LWM54C]

*Sequence: module A recommended before module C*

#### Legal aspects of the working of treaties

- Interpretation of treaties
- Conflict of treaties
- Revision, amendment and modification of treaties
- Succession to treaty obligations

### Module D [LWM54D]

*Sequence: module A recommended before module D*

#### Legal aspects of invalidity, termination and suspension of treaty obligations

- Termination and suspension of treaties
- Invalidity of treaties
- Procedural aspects of the Vienna Convention on the Law of Treaties, 1969
- Miscellaneous provisions of the Vienna Convention on the Law of Treaties, 1969

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## Law on investment entities

*It is strongly recommended that you attempt the modules in order*

### Module A [LWM77A]

#### The legal nature of investment entities

- The meaning of "investment" and related concepts
- Trusts as investment entities



- Companies as investment entities
- Duties of company directors

### **Module B [LWM77B]**

*Sequence: module A recommended before module B*

#### **Collective investment schemes**

- The fundamentals of collective investment schemes
- Unit trusts
- Open-ended investment companies
- Pension funds and investment trust companies

### **Module C [LWM77C]**

*Sequence: modules A and B recommended before module C*

#### **Communal investment schemes**

- The history of communal investment models
- Friendly societies
- Cooperatives
- Public sector investment models

### **Module D [LWM77D]**

*Sequence: modules A, B and C recommended before module D*

#### **Investor protection**

- The fundamentals of financial regulation in the UK
- The conduct of business and investor protection
- Financial promotion
- Themes in the law on investor protection
- The liability of financial institutions for mis-selling complex investments

---

## **Legislation and statutory interpretation**

### **Module A [LWM79A]**

#### **Introduction to legislation**

- Legislation as a tool for regulation
- Nature and types of legislation
- Geographical extent of legislation
- Temporal extent of legislation
- Supranational legislation

### **Module B [LWM79B]**

*Sequence: module A recommended before module B*

#### **Making legislation**

- Policy process

- Legislative process
- Drafting process
- Legislative impact assessment

### **Module C [LWM79C]**

*Sequence: module A recommended before module C*

#### **Statutory interpretation**

- Interpretation of legislation
- Literal rule
- Mischief rule
- Purposive rule
- Presumptions and maxims of interpretation

### **Module D [LWM79D]**

*Sequence: module A recommended before module D*

#### **Tests for quality of legislation**

- Rule of law test
- Human rights and constitutionality test
- Good law test
- Functionality test – effectiveness

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## **Marine insurance law**

*It is strongly recommended that you attempt the modules in order*

### **Module A [LWM39A]**

#### **The contract of marine insurance**

- The nature of a marine insurance contract
- The Marine Insurance Act 1906
- The requirement of insurable interest
- Wagering and gaming contracts
- The formation of a marine insurance contract
- The construction of a marine insurance contract
- The policy
- Types of marine insurance policies (time/voyage policies; floating policies/open covers; valued/unvalued policies; composite/joint policies)
- The assignment of rights under a marine insurance policy

### **Module B [LWM39B]**

*Sequence: module A recommended before module B*

#### **The doctrine of utmost good faith and insurance contracts**

- Nature of the duty of utmost good faith
- The assured's pre-contractual duty of good faith: misrepresentation and non-disclosure
- The assured's post-contractual duty of good faith and the duty in respect of claims

- The insurer's duty
- Remedies
- The role of the broker

### **Module C [LWM39C]**

*Sequence: modules A and B recommended before module C*

#### **The terms of the contract; risks; and causation**

- Terms:
  - Premium
  - The assured and the subject-matter of the insurance
  - The attachment, duration, alteration and termination of the insured risk (including change of voyage, deviation and delay)
  - Warranties (express and implied)
  - Conditions and other terms
  - The Institute Clauses
- Risks:
  - Marine risks
  - War risks
  - Excepted risks
- Causation
- Burden of proof
- The sue and labour clause (mitigation of loss)

### **Module D [LWM39D]**

*Sequence: modules A, B and C recommended before module D*

#### **Indemnity, subrogation and contribution**

- The principle of indemnity
- The measure of indemnity:
  - Partial loss
  - Actual total loss
  - Constructive total loss
- Insurer's right of subrogation upon payment
- Contribution between multiple underwriters
- Third parties' rights against insurers

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## **Maritime dispute settlement**

*It is strongly recommended that you attempt the modules in order*

*Modules of this course cannot be taken in conjunction with modules of the LWM34 International law of the sea course (LWM34).*

### **Module A [LWM84A]**

#### **General dispute settlement in international law**

- Peaceful settlement of disputes

- Standing before international courts and tribunals
- Sources of public international law
- The organisation and functioning of International Tribunal for the Law of the Sea (ITLOS)

### **Module B [LWM84B]**

*Sequence: module A recommended before module B*

#### **Introduction to the law of the sea**

- General background to the law of the sea
- Sources of the law of the sea
- Principal functions of the law of the sea
- The law of the sea in relation to general international law

### **Module C [LWM84C]**

*Sequence: modules A and B recommended before module C*

#### **Maritime dispute settlement procedures**

- Settlement of dispute procedures for the law of the sea
- Part XV of the United Nations Convention on the Law of the Sea
- Procedures of international courts and tribunals
- Law of the sea and proliferation of courts and tribunals

### **Module D [LWM84D]**

*Sequence: modules A, B and C recommended before module D*

#### **Dispute settlement in certain areas of the law of the sea**

- Delimitation
- Marine resources and marine biodiversity
- Marine environmental protection
- Analytical comparison of jurisprudence of courts and tribunals

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## **Medical law and ethics**

*It is strongly recommended that you attempt the modules in order*

### **Module A [LWM56A]**

#### **Basic concepts in medical law**

- Bioethics
- Consent
- Capacity
- Confidentiality

## **Module B [LWM56B]**

*Sequence: module A recommended before B*

### **Access to treatment and malpractice litigation**

- Resource allocation
- Medical malpractice
- Product liability and the regulation of medicines
- Liability for occurrences before birth

## **Module C [LWM56C]**

*Sequence: modules A and B recommended before C*

### **Legal and ethical issues in medical practice**

- Mental health law
- Clinical research
- Organ transplantation
- End of life decisions

## **Module D [LWM56D]**

*Sequence: modules A, B and C recommended before D*

### **Legal and ethical issues in reproduction**

- Abortion
- Embryo and stem cell research
- Assisted conception
- Surrogacy

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## **Modern copyright law**

*Modules of LWM90 Modern copyright law cannot be taken in conjunction with modules of LWM26 International and comparative law of copyright and related rights.*

*It is strongly recommended that you attempt the modules in order*

## **Module A [LWM90A]**

### **Principles, subject matter and international copyright convention law**

- Introduction to copyright
- International conventions
- The EU copyright framework
- Subsistence, originality and subject matter
- Originality and specific types of works

## **Module B [LWM90B]**

*Sequence: module A recommended before B*

### **Ownership, transfers, rights**

- Ownership and transfer of rights
- Economic rights
- Moral (personality) rights

- Technological enforcement: digital rights management

### **Module C [LWM90C]**

*Sequence: modules A and B recommended before C*

#### **The public domain, limitations, exceptions and fundamental rights**

- Legal nature and current debates
- Fairness in common law jurisdictions
- Limitations and exceptions in the European Union Copyright Directive
- Exceptions for transformative and referential uses and the impact of the EU Charter
- Compulsory licenses and abuse of rights

### **Module D [LWM90D]**

*Sequence: modules A, B and C recommended before D*

#### **Enforcement: intermediary liability, privacy and private international law**

- Liability of intermediaries: overview
- Platform liability under Article 17 Digital Single Market Directive
- Strategic enforcement and disclosure of user data
- Cross-border enforcement: jurisdiction and applicable law

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## **Multinational enterprises and the law**

*It is strongly recommended that you attempt the modules in order*

### **Module A [LWM40A]**

#### **Multinational enterprises in context**

- Globalisation and the rise of the multinational enterprise (MNE)
- Company and international law
- State-MNE-civil society relations
- MNEs and the creation and convergence of law
- 'Effective' legal systems for investment
- Culture, foreign investment and the law

### **Module B [LWM40B]**

*Sequence: module A recommended before module B*

#### **National regulation of multinational enterprises**

- Keeping MNEs out, and drawing them in
- Legislating over MNEs
- Enforcing law against MNEs
- Extending liability to MNEs groups and directors

### **Module C [LWM40C]**

*Sequence: modules A and B recommended before module C*

#### **International regulation and protection of multinational enterprises**

- Bilateral investment treaties

- Multilateral standards for treatment and behaviour of MNEs
- Renegotiation and expropriation
- Settling disputes between states and MNEs

### **Module D [LWM40D]**

*Sequence: modules A, B and C recommended before module D*

#### **Fields of concern for multinational enterprises**

- Corporate governance, accounting and disclosure
- Taxation and transfer pricing
- Technology transfer and intellectual property rights
- Labour standards and human rights
- Corruption

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## **Private international law in international commercial litigation**

*(Note: This course does not cover family law or the law of succession.)*

### **Module A [LWM67A]**

#### **Introduction to private international law in international commercial litigation**

- History of private international law
- The individualist theories of private international law
- The state theories of private international law
- The economic theories of private international law

### **Module B [LWM67B]**

*Sequence: module A recommended before module B.*

#### **Jurisdiction and competence of courts in private international law**

- Introduction to the jurisdiction and competence of courts
- The Brussels Regulation (No. 44/2001) system
- The rules of jurisdiction in England and Wales
- The rules and restrictions on jurisdiction in the United States
- Insolvency under Regulation (EC) No. 1346/2000

### **Module C [LWM67C]**

*Sequence: module A recommended before module C.*

#### **Applicable law in private international law**

- Introduction to applicable law
- Rome I Regulation and the Rome Convention
- Rome II Regulation
- Other choice of law rules in England and Wales
- The rule for applicable law under the Insolvency Regulation
- Choice of law in the United States



## Module D [LWM67D]

*Sequence: module A recommended before module D.*

### Recognition and enforcement of judgments in private international law

- Introduction and consideration for the enforcement of foreign judgments
- The recognition and enforcement of judgments under the Brussels Regulation
- Other European regimes
- The enforcement of judgments in England and Wales
- The approach of the United States to the enforcement of judgments

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## Private law aspects of the law of finance

### Module A [LWM69A]

#### Fiduciary liability in finance

- Background: finance law
- The role of fiduciaries in finance law
- Liability for misfeasance in a fiduciary office
- The overlap between fiduciary duties and financial regulation
- The limits on a financial institution's fiduciary duties

### Module B [LWM69B]

*Sequence: module A recommended before module B.*

#### Stranger liability in finance

- Dishonest assistance
- Knowing receipt
- The commercial context of stranger liability
- The overlap between substantive law and regulation

### Module C [LWM69C]

*Sequence: module A recommended before module C.*

#### Issues in the creation of financial contracts

- Issues with the creation of contracts
- The structure of master agreements
- Default protection in master agreements
- Security structures in financial contracts

### Module D [LWM69D]

*Sequence: module A recommended before module D.*

#### Suitable conduct and unconscionable conduct in financial transactions

- Undue influence in financial transactions
- Suitable conduct of business
- The overlap between conduct of business regulation and substantive law
- Unfair contract terms

- The liability of financial institutions for mis-selling financial instruments

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## Regulation and infrastructure of international commercial arbitration

*Students are advised to successfully complete Regulation and infrastructure of international commercial arbitration in full before attempting **Applicable laws and procedures in international commercial arbitration***

### Module A [LWM42A]

#### Regulation and infrastructure of arbitration

- Delimitation, definition and juridical nature
- Institutional and regulatory infrastructure
- Constitution, Human Rights and Arbitration
- Arbitration and the courts

### Module B [LWM42B]

*Sequence: module A recommended before module B*

#### Arbitration agreement

- Autonomy, types, and applicable Law
- Formal and substantive validity
- Interpretation of agreements
- Drafting arbitration clauses

### Module C [LWM42C]

*Sequence: module A recommended before module C*

#### Arbitration tribunal

- Selection and appointment of arbitrators
- Rights and duties of arbitrators
- Independence and impartiality of arbitrators
- Challenge and removal of arbitrators

### Module D [LWM42D]

*Sequence: module A recommended before module D*

#### Investment arbitration and specialist arbitration

- Arbitration with states and state owned entities
- Arbitration of investment disputes
- Specialist and mixed arbitration
- Online dispute resolution

## Russian law and legal institutions

### Module A [LWM44A]

#### Russian legal system in context

- Introduction
- Russian legal system in context of comparative legal studies
- Legal terminology, legal translation, and Russian law
- Russian legal heritage

### Module B [LWM44B]

*Sequence: module A recommended before module B*

#### Foundations of Russian law

- Jurisprudential foundations of Russian law
- Towards a rule of law state
- Sources of Russian law
- Legal profession (advocates, jurisconsults)

### Module C [LWM44C]

*Sequence: module A recommended before module C*

#### Administration of Russian legality

- The Administration of Russian legality
- Ministries of justice and courts
- Judicial system
- Arbitration
- Procuracy
- Notariat
- Administrative tribunals
- Registry for acts of civil states
- Law enforcement agencies
- Role of non-state entities in the administration of legality

### Module D [LWM44D]

*Sequence: module A recommended before module D*

#### State structure of Russia

- Concepts of Russian federalism
- Presidency
- Parliament
- Government
- The role of judges
- Subjects of the Russian federation
- Municipal government

## Securities law

*It is strongly recommended that you attempt the modules in order*

### Module A [LWM71A]

#### The foundations of securities regulation

- Background – finance law and securities
- The Lamfalussy Process
- The EU securities legislation
- Securities regulation in the UK
- Implementation in the United Kingdom

### Module B [LWM71B]

*Sequence: module A recommended before module B.*

#### Prospectus and transparency regulation of securities

- Fundamentals of prospectus regulation
- The process of preparing a prospectus
- Procedure once the prospectus has been prepared
- Transparency obligations
- The duty of disclosure in prospectuses

### Module C [LWM71C]

*Sequence: module A and B recommended before module C.*

#### Liability for misstatements in a prospectus

- Sources of law governing liability for misstatements
- The golden legacy in nineteenth-century case law
- Liability in tort for misrepresentations
- Compensation under s.90 Financial Services and Markets Act 2000

### Module D [LWM71D]

*Sequence: module A, B and C recommended before module D.*

#### The Listing Rules and the Model Code

- The regulation of listed securities and the Listing Principles
- Corporate governance and the Listing Rules
- Admission to listing
- Maintenance of listing and penalties

## Taxation principles and policy

### Module A [LWM47A]

#### Underlying principles, themes and ideals in taxation

- Survey of United Kingdom taxes
- The nature of tax and the aims of a successful tax system

- Principles of direct and indirect taxation
- Comparative elements of taxation

### **Module B [LWM47B]**

*Sequence: module A recommended before module B*

#### **Issues in modern taxation**

- Tax and economic attitudes
- Tax and political attitudes
- Statutory interpretation
- Tax avoidance

### **Module C [LWM47C]**

*Sequence: modules A and B recommended before module C*

#### **United Kingdom taxes I: taxes on income**

- Employment income
- Business/trading income
- Corporation tax
- Countering avoidance in the provision of personal services: the IR35 legislation and debate

### **Module D [LWM47D]**

*Sequence: modules A and B recommended before module D*

#### **United Kingdom taxes II: additional tax bases**

- Capital Gains Tax
- Inheritance tax and wealth
- Taxation of land and property
- Value Added Tax

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## **Telecommunications law**

### **Module A [LWM48A]**

#### **The purpose and experience of telecommunications regulation**

- Telecommunications law: introduction
- Evolution of telecommunications regulation: models of regulation and market structures
- Technology: a foundation
- Competition, interconnection and pricing: the economic background of telecommunications law
- Social policy and regulation: universal service, consumer protection and privacy

### **Module B [LWM48B]**

*Sequence: module A recommended before module B*

#### **Telecommunications liberalization in Europe**

- The European Union institutions and sources of law
- Competition law: *ex ante* and *ex post*, the tools of the regulator

- Liberalisation and harmonisation: from opening the market to full competition
- The New Framework Overview: the 2002 Directives and regulating for convergence
- Authorisation and licensing: of networks and services, spectrum and rights of way
- Access and interconnection
- Universal service
- Telecommunications privacy

### **Module C [LWM48C]**

*Sequence: modules A and B recommended before module C*

#### **Telecommunications contracts**

- Access and interconnection agreements: terms and conditions, peering and transit
- Mobile agreements
- Telecommunications outsourcing contracts
- Consumer contracts and protection

### **Module D [LWM48D]**

*Sequence: module A recommended before module D*

#### **Telecommunications: the international view**

- United States telecommunications law and regulation
- The International Telecommunication Union (ITU) and WTO: the international framework from tradition to trade
- Submarines and satellites: the international regulation of outer space and underwater cabling
- Regulatory issues in developing markets
- The Asian experience

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## **Transfer of technology law**

### **Module A [LWM49A]**

#### **Intellectual property and technology transfer**

- Background to technology transfer
- Patents
- Breach of confidence
- Copyright
- Designs

### **Module B [LWM49B]**

*Sequence: module A recommended before module B*

#### **Licensing of intellectual property**

- The interests in intellectual property
- Ownership
- General contractual principles
- Assignment

- Licences
- Licence terms
- Royalties

### **Module C [LWM49C]**

*Sequence: module A recommended before module C*

#### **Competition law and technology transfer**

- Introduction to competition law
- Market definition and exempt agreement
- Technology Transfer Block Exemption
- Research and development and specialisation block exemptions
- Licence agreements outside a block exemption
- Abuse of dominant position
- Patent pooling

### **Module D [LWM49D]**

*Sequence: module A recommended before module D*

#### **Border issues in technology transfer**

- Exhaustion
- Border controls
- Export control
- Taxation
- Compulsory licences

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## **United Nations protection of human rights**

*Students are advised that this course demands some previous knowledge of public international law.*

### **Module A [LWM61A]**

#### **Mechanisms for human rights protection by United Nations bodies**

- Historical development of international human rights law
- Mechanisms established by UN human rights treaties: general comments by treaty bodies; reporting system and concluding observations; individual complaints; inter-state complaints; visits
- Special Procedures established by the UN Commission on Human Rights: country mandates and thematic mandates
- Mechanisms under UN Economic and Social Council (ECOSOC) resolution 1235 and ECOSOC resolution 1503

### **Module B [LWM61B]**

*Sequence: module A recommended before module B*

#### **Substantive rights under United Nations human rights treaties 1**

- International Covenant on Civil and Political Rights (ICCPR)

- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

### **Module C [LWM61C]**

*Sequence: module A recommended before module C*

#### **Substantive rights under United Nations human rights treaties 2**

- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

### **Module D [LWM61D]**

*Sequence: module A recommended before module D*

#### **Selected United Nations human rights bodies and specialised agencies**

- United Nations High Commissioner for Human Rights (OHCHR)
- International Labour Organization (ILO)
- World Health Organization (WHO)
- United Nations Educational, Scientific and Cultural Organization (UNESCO)

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## **Western European legal history**

*It is strongly recommended that you attempt the modules in order*

### **Module A [LWM50A]**

#### **The foundation: Roman and Canon law 500–1100**

- The *Corpus Juris Civilis* and its survival until the eleventh century
- Roman law outside the Justinianic tradition: Visigothic and Frankish law
- The Canon law in the West: Canon law collections before Gratian
- Feudal law and Roman law in Italy
- The revival of the study of Roman law

### **Module B [LWM50B]**

*Sequence: module A recommended before module B*

#### **Interactions of Roman and local law: twelfth–sixteenth centuries**

- Gratian and the formation of the learned Canon law
- The consolidation of Roman law: the Glossators
- The expansion of Roman law: the Commentators
- Canon law scholarship, practice and influence
- Roman law and political thought

### **Module C [LWM50C]**

*Sequence: module A and B recommended before module C*

#### **National laws and codification: sixteenth–nineteenth centuries**



- The renaissance of Roman law: humanism in Rome and France
- The *droit écrit* and *droit coutumier* in France
- *Mos italicus* and *mos gallicus*
- The reception in Germany
- The Dutch elegant school and the Natural Law movement

### Module D [LWM50D]

*Sequence: module A, B and C recommended before module D*

#### Modern perspectives on the *Ius Commune*

- Early Natural law codifications
- Codification in France and its empire
- German romanticism: Savigny vs Thibault
- *Pandektenrecht* and Mommsen: German codification and scholarly reaction in Roman law
- Survival and continuity
  - Andorra, San Marino and the Channel Islands
  - Scottish amalgam of feudal and Roman law
  - South African blend of Common law procedure and Roman law substance

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## World trade law

### Module A [LWM51A]

#### World Trade Organization institutions and dispute settlement

- From GATT 1947 to the WTO. History, objectives and framework
- Institutional aspects of the WTO
- Dispute settlement: basic principles and panel proceedings
- Dispute settlement: appellate review and implementation

### Module B [LWM51B]

*Sequence: module A recommended before module B*

#### Basic principles of trade in goods

- Introduction to GATT 1994. Tariffs and quantitative restrictions
- The most favoured nation and national treatment principles
- Safeguards
- Exceptions to GATT obligations (with special focus on environmental protection)

### Module C [LWM51C]

*Sequence: modules A and B recommended before module C*

#### Specific regulations of trade in goods

- The Antidumping Agreement
- The Agreement on Subsidies and Countervailing Duties
- The Technical Barriers to Trade Agreement
- The WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement)

## **Module D [LWM51D]**

*Sequence: modules A and B recommended before module D*

### **Special World Trade Organization regulations**

- General Agreement on Trade in Services
- Intellectual property (TRIPs)
- Regional trade arrangements
- Investment and competition policy

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## **Youth justice**

*It is strongly recommended that you attempt the modules in order*

### **Module A [LWM52A]**

#### **Introduction to youth justice: history and theory**

- History of youth justice
- The welfare and retributive models
- The restorative model

### **Module B [LWM52B]**

*Sequence: module A recommended before module B*

#### **Youth justice law in England and Wales I: the internal dimension**

- Definitions, trends and youth justice legislation
- Sentencing young offenders
- Challenges and proposals for reform

### **Module C [LWM52C]**

*Sequence: modules A and B recommended before module C*

#### **Youth justice law in England and Wales II: the external dimension**

- Definitions, trends and international youth justice law
- Sentencing young offenders
- Challenges and proposals for reform

### **Module D [LWM52D]**

*Sequence: modules A, B and C recommended before module D*

#### **Comparative youth justice law**

- The Nordic social democratic model
- The liberal Anglo-Saxon model
- The Western European model

## Appendix B – List of course and module titles

This Appendix lists the titles of all courses and modules of the Postgraduate Laws programme.

Where ♦ appears, this indicates it is recommended to follow a sequence of examination of modules which is further detailed in the syllabus appearing under [Appendix A](#).

### Admiralty law

[LWM01A] Admiralty jurisdiction and procedure

[LWM01B] Acquiring ownership in ships and the ship as property ♦

[LWM01C] Safety regulations in navigation, liabilities and limitation of liability ♦

[LWM01D] Assistance at sea and in ports ♦

### Advanced contract law

[LWM83A] Overview of English contract law

[LWM83B] Law of agency ♦

[LWM83C] Sale of goods law ♦

[LWM83D] Insurance ♦

### Advanced torts

[LWM82A] Introduction to torts and trespass to the person

[LWM82B] The action in negligence ♦

[LWM82C] The defamation action ♦

[LWM82D] Tort theory ♦

### Applicable laws and procedures in international commercial arbitration

[LWM03A] Applicable law issues in arbitration

[LWM03B] Procedure and evidence in arbitration ♦

[LWM03C] Jurisdictional issues in arbitration ♦

[LWM03D] Arbitration award – form, content, challenge and enforcement ♦

### Carriage of goods by sea

[LWM05A] Contracts of affreightment and voyage charter parties

[LWM05B] Time charter parties ♦

[LWM05C] The bill of lading contract and functions ♦

[LWM05D] International conventions regulating the rights and obligations of the parties to the bill of lading contract ♦

### Commercial banking law: bank–customer relationship

[LWM72A] Banks and customers

[LWM72B] Duty of care, fiduciary duty, constructive trust and undue influence ♦

[LWM72C] Accounts, money, payment and fund transfers ♦

[LWM72D] Cheques and payment cards ♦

### Commercial trusts law

[LWM06A] The nature of commercial trusts

[LWM06B] Equitable devices used to take security in commercial contracts ♦

[LWM06C] The recovery of property in commercial litigation ♦

[LWM06D] Investment of trust funds ♦

### Comparative criminal justice policy

[LWM07A] Methods of comparative research

[LWM07B] Legal cultures and criminal justice policy ♦

[LWM07C] Aspects of comparative criminal policy ♦

[LWM07D] Global crime ♦

### Constitutional and institutional law of the European Union

[LWM08A] The European Union institutional outline

[LWM08B] Sources of European Union law

[LWM08C] Remedies and procedures in European Union law

[LWM08D] General principles of European Union law

### Corporate finance and management issues in company law

[LWM09A] Capital I

[LWM09B] Capital II ♦

[LWM09C] Corporate management I ♦

[LWM09D] Corporate management II ♦

### Corporate governance and compliance

[LWM80A] Governance – legal and regulatory framework

[LWM80B] Compliance ♦

[LWM80C] Bribery and corruption, money laundering and terror financing ♦

[LWM80D] Regulated industries – compliance and risk management in the financial sector ♦

### Derivatives law

[LWM75A] Analysing and documenting derivatives transactions

[LWM75B] Terminating derivatives transactions ♦

[LWM75C] Legal issues in taking security, collateralisation and the local authority swaps cases ♦

[LWM75D] Derivatives regulation and bank liability ♦

### Dispute resolution – resolving civil claims in England and Wales

[LWM88A] Claims and defences in civil litigation

[LWM88B] Stages of a trial in the courts of England and Wales ♦

[LWM88C] The law of evidence

[LWM88D] Alternative dispute resolution

### Equity and trusts in context

[LWM10A] The constitution of express trusts

[LWM10B] Trusts implied by law ♦

[LWM10C] Trustees' duties and breach of trust ♦

[LWM10D] Trusts of homes ♦

### European Convention on Human Rights

[LWM12A] Context and foundations of the European Convention on Human Rights

[LWM12B] The European Convention on Human Rights mechanism ♦

[LWM12C] European Convention on Human Rights substantive rights (1) ♦

[LWM12D] European Convention on Human Rights substantive rights (2) ♦

### European internal market

[LWM13A] The scope of the 'four freedoms'

[LWM13B] Free movement 1 – Equal treatment and non-discrimination ♦

[LWM13C] Free movement 2 – Beyond discrimination ♦

[LWM13D] Regulation of the internal market ♦

### European Union competition law

[LWM11A] Anti-competitive agreements and collusion

[LWM11B] Abuse of a dominant position ♦

[LWM11C] Merger control ♦

[LWM11D] European Union competition law practice and procedure ♦

### External relations law of the European Union

[LWM55A] Constitutional foundations

[LWM55B] International law and European Union law ♦

[LWM55C] External economic relations ♦

[LWM55D] External political relations ♦

### FinTech: law and regulation

[LWM85A] Payments, alternative financing and cryptoassets

[LWM85B] Blockchain and distributed ledgers ♦

[LWM85C] Regulatory issues ♦

[LWM85D] RegTech, SupTech and LegalTech ♦

### Foundational and constitutional issues in company law

[LWM15A] Company law foundational issues I

[LWM15B] Company law foundational issues II ♦

[LWM15C] Company law constitutional issues I ♦

[LWM15D] Company law constitutional issues II ♦

### Franchising law

[LWM16A] The business of franchising

[LWM16B] Intellectual property and franchising ♦

[LWM16C] The franchising contract ♦

[LWM16D] The regulation of franchising ♦

### Human rights of women

[LWM19A] Is the theory underlying human rights law male? ♦

[LWM19B] Feminist critiques of human rights ♦

[LWM19C] Institutional framework, institutions and documents relating to the human rights of women ♦

[LWM19D] Sovereign governments, non-state actors and individual responsibility for human rights violations: linking theory to practice ♦

### Industrial and intellectual property

[LWM20A] Intellectual property and technology

[LWM20B] Copyright law

[LWM20C] The law of trade marks and passing off

[LWM20D] Intellectual property – integrated topics ♦

### Insurance law (excluding Marine insurance law)

(formerly known as Insurance (excluding Marine insurance))

[LWM22A] Elements of insurance

[LWM22B] Insurance contract formation ♦

[LWM22C] The insurance contract and its terms ♦

[LWM22D] Claims process ♦

### Intellectual property and medicine

[LWM23A] Intellectual property of medicine and its sources

[LWM23B] Access to medicines ♦

[LWM23C] Patents and life forms ♦

[LWM23D] Property in the person ♦

### Intellectual property and sport

[LWM63A] Branding in sports

[LWM63B] Sponsorship in sports

[LWM63C] Ambush marketing ♦

[LWM63D] Special topics in sports ♦

### Intellectual property on the internet

[LWM24A] Digital copyright

[LWM24B] Trade marks

[LWM24C] Domain names

[LWM24D] Computer-related patents

### International and comparative bank regulation

[LWM64A] Risk, banks and the principles of bank regulation

[LWM64B] Basel Committee and the regulation of international banks ♦

[LWM64C] European Union regulation and who should regulate banks ♦

[LWM64D] United Kingdom bank regulation law ♦

### International and comparative competition law

[LWM25A] The internationalisation of competition policy

[LWM25B] Unilateral, bilateral and multilateral strategies ♦

[LWM25C] The competition rules of developing and developed countries ♦

[LWM25D] Competition and trade policy ♦

### International and comparative law of copyright and related rights

[LWM26A] Copyright law in the United Kingdom and United States

[LWM26B] French and German copyright law and related rights

[LWM26C] International copyright law – international conventions and aspects of private international law ♦

[LWM26D] Copyright law in the European Community ♦

### International and comparative law of patents, trade secrets and related rights

[LWM27A] Comparative law of patents

[LWM27B] Comparative law of trade secrets ♦

[LWM27C] International agreements on patent law ♦

[LWM27D] Current issues in international patent law and policy ♦

### International and comparative law of trade marks, designs and unfair competition

[LWM28A] The concepts of trade marks, designs and unfair competition

[LWM28B] Unfair competition ♦

[LWM28C] Registered trade marks ♦

[LWM28D] Special topics in trade marks ♦

### International and comparative trust law

[LWM29A] The nature of the English trust

[LWM29B] Offshore purpose trusts ♦

[LWM29C] Asset protection trusts ♦

[LWM29D] Special issues in international and comparative trust law ♦

### International commercial insurance law

[LWM70A] The contract of reinsurance

[LWM70B] Reinsurance losses and claims ♦

[LWM70C] Liability insurance

[LWM70D] Conflict of laws in insurance

### International criminal law

[LWM30A] General context and international crimes before national courts

[LWM30B] International criminal courts and tribunals ♦

[LWM30C] The core international crimes (crimes within the jurisdiction of international tribunals) ♦

[LWM30D] General principles of international criminal law ♦

### International criminal law and procedure

[LWM87A] History and institutions of international criminal law

[LWM87B] Genocide, crimes against humanity, and modes of liability ♦

[LWM87C] War crimes, the crime of aggression, and grounds for excluding criminal responsibility ♦

[LWM87D] International criminal procedure, sentencing, and immunities ♦

### International economic law

[LWM31A] Evolution and principles of international economic law

[LWM31B] International monetary and development law and policy ♦

[LWM31C] Regulation of foreign investment ♦

[LWM31D] Public international law of trade ♦



### International environmental law

[LWM32A] General aspects of international environmental law I

[LWM32B] General aspects of international environmental law II ♦

[LWM32C] Particular subjects of international environmental law I ♦

[LWM32D] Particular subjects of international environmental law II ♦

### International investment law

[LWM33A] Evolution of the law of foreign investment

[LWM33B] International efforts to regulate foreign investment ♦

[LWM33C] Regulation under bilateral and regional investment treaties (BITs) ♦

[LWM33D] The case-law on the treatment of foreign investment ♦

### International law of the sea

[LWM34A] Evolution of the law of the sea

[LWM34B] Baselines, the territorial sea and the contiguous zone ♦

[LWM34C] The continental shelf and the exclusive economic zone ♦

[LWM34D] The high seas, the seabed and dispute resolution ♦

### International merger control

[LWM57A] Introduction to merger control

[LWM57B] Merger control regimes 1 ♦

[LWM57C] Merger control regimes 2 ♦

[LWM57D] Unilateral, bilateral and multilateral merger control strategies ♦

### International natural resources law

[LWM74A] General aspects of international natural resources law

[LWM74B] Specific issues relating to the management of natural resources ♦

[LWM74C] International energy law ♦

[LWM74D] Energy law in Europe ♦

### International refugee law

[LWM60A] The development of, and responsibility for, international protection of refugees

[LWM60B] The EU dimension of refugee law ♦

[LWM60C] International law instruments and rights in depth ♦

[LWM60D] Contemporary issues in refugee law ♦

### International rights of the child

[LWM35A] Theoretical issues and children's rights mechanisms

[LWM35B] The core principles of children's rights mechanisms ♦

[LWM35C] Specific issues in children's rights (1) ♦

[LWM35D] Specific issues in children's rights (2) ♦

### International trade law

[LWM36A] Export sales on English law terms

[LWM36B] Carriage of goods by sea in international trade law ♦

[LWM36C] Bankers' letters of credit ♦

[LWM36D] United Nations Sales Convention 1980 (CISG) ♦

### Jurisprudence and legal theory

[LWM7AB] Modern legal theory

[LWM7CD] Liberty, equality and law

### Jurisprudence and legal theory – a new approach

[LWM41A] The nature of law, Part I

[LWM41B] The nature of law, Part II ♦

[LWM41C] Philosophy of tort law ♦

[LWM41D] Causation in the law ♦

### Law and policy of international courts and tribunals

[LWM38A] Introduction to international dispute resolution

[LWM38B] Non-adjudicatory dispute resolution processes ♦

[LWM38C] Role and functioning of international courts and tribunals: institutional aspects ♦

[LWM38D] Role and functioning of international courts and tribunals: procedural aspects ♦

### Law of financial crime

[LWM17A] Insider dealing and market abuse

[LWM17B] Fraud and market manipulation ♦

[LWM17C] Money laundering ♦

[LWM17D] The nature of the law on financial crime ♦

### Law of international finance: syndicated loans

[LWM66A] Capital markets, finance and the loan contract

[LWM66B] Terms of the contract Part I ♦

[LWM66C] Terms of the contract Part II ♦

[LWM66D] Syndicate management and loan transfer ♦

### Law of international project finance

[LWM78A] Loan facilities

[LWM78B] An introduction to project finance ♦

[LWM78C] Risk identification, allocation and mitigation in project finance transactions ♦

[LWM78D] Project finance documentation ♦

### Law of international taxation

[LWM81A] Introduction to international tax law

[LWM81B] Double taxation conventions I ♦

[LWM81C] Double taxation conventions II ♦

[LWM81D] Transfer pricing ♦

### Law of treaties

[LWM54A] Introduction to the law of treaties

[LWM54B] Entry into force and the scope of treaty obligations ♦

[LWM54C] Legal aspects of the working of treaties ♦

[LWM54D] Legal aspects of invalidity, termination and suspension of treaty obligations ♦

### Law on investment entities

[LWM77A] The legal nature of investment entities

[LWM77B] Collective investment schemes ♦

[LWM77C] Communal investment schemes ♦

[LWM77D] Investor protection ♦

### Legislation and statutory interpretation

[LWM79A] Introduction to legislation

[LWM79B] Making legislation ♦

[LWM79C] Statutory interpretation ♦

[LWM79D] Tests for quality of legislation ♦

### Marine insurance law

[LWM39A] The contract of marine insurance

[LWM39B] The doctrine of utmost good faith and insurance contracts ♦

[LWM39C] The terms of the contract; risks; and causation ♦

[LWM39D] Indemnity, subrogation and contribution ♦

### Maritime dispute settlement

[LWM84A] General dispute settlement in international law

[LWM84B] Introduction to the law of the sea ♦

[LWM84C] Maritime dispute settlement procedures ♦

[LWM84D] Dispute settlement in certain areas of the law of the sea ♦

### Medical law and ethics

[LWM56A] Basic concepts in medical law

[LWM56B] Access to treatment and malpractice litigation ♦

[LWM56C] Legal and ethical issues in medical practice ♦

[LWM56D] Legal and ethical issues in reproduction ♦

### Modern copyright law

[LWM90A] Principles, subject matter and international copyright convention law

[LWM90B] Ownership, transfers, rights ♦

[LWM90C] The public domain, limitations, exceptions and fundamental rights ♦

[LWM90D] Enforcement: intermediary liability, privacy and private international law ♦

### Multinational enterprises and the law

[LWM40A] Multinational enterprises in context

[LWM40B] National regulation of multinational enterprises ♦

[LWM40C] International regulation and protection of multinational enterprises ♦

[LWM40D] Fields of concern for multinational enterprises ♦

### Private international law in international commercial litigation

[LWM67A] Introduction to private international law in international commercial litigation

[LWM67B] Jurisdiction and competence of courts in private international law ♦

[LWM67C] Applicable law in private international law ♦

[LWM67D] Recognition and enforcement of judgments in private international law ♦

### Private law aspects of the law of finance

[LWM69A] Fiduciary liability in finance

[LWM69B] Stranger liability in finance ♦

[LWM69C] Issues in the creation of financial contracts ♦

[LWM69D] Suitable conduct and unconscionable conduct in financial transactions ♦

### Regulation and infrastructure of international commercial arbitration

[LWM42A] Regulation and infrastructure of arbitration

[LWM42B] Arbitration agreement ♦

[LWM42C] Arbitration tribunal ♦

[LWM42D] Investment arbitration and specialist arbitration ♦

### Russian law and legal institutions

[LWM44A] Russian legal system in context

[LWM44B] Foundations of Russian law ♦

[LWM44C] Administration of Russian legality ♦

[LWM44D] State structure of Russia ♦

### Securities law

[LWM71A] The foundations of securities regulation

[LWM71B] Prospectus and transparency regulation of securities ♦

[LWM71C] Liability for misstatements in a prospectus ♦

[LWM71D] The Listing Rules and the Model Code ♦

### Taxation principles and policy

[LWM47A] Underlying principles, themes and ideals in taxation

[LWM47B] Issues in modern taxation ♦

[LWM47C] United Kingdom taxes I: taxes on income ♦

[LWM47D] United Kingdom taxes II: additional tax bases ♦

### Telecommunications law

[LWM48A] The purpose and experience of telecommunications regulation

[LWM48B] Telecommunications liberalization in Europe ♦

[LWM48C] Telecommunications contracts ♦

[LWM48D] Telecommunications: the international view ♦

### Transfer of technology law

[LWM49A] Intellectual property and technology transfer

[LWM49B] Licensing of intellectual property ♦

[LWM49C] Competition law and technology transfer ♦

[LWM49D] Border issues in technology transfer ♦

### United Nations protection of human rights

[LWM61A] Mechanisms for human rights protection by United Nations bodies

[LWM61B] Substantive rights under United Nations human rights treaties 1 ♦

[LWM61C] Substantive rights under United Nations human rights treaties 2 ♦

[LWM61D] Selected United Nations human rights bodies and specialised agencies ♦

### Western European legal history

[LWM50A] The foundation: Roman and Canon law 500–1100

[LWM50B] Interactions of Roman and local law: twelfth–sixteenth centuries ♦

[LWM50C] National laws and codification: sixteenth–nineteenth centuries ♦

[LWM50D] Modern perspectives on the *Ius Commune* ♦

### World trade law

[LWM51A] World Trade Organization institutions and dispute settlement

[LWM51B] Basic principles of trade in goods ♦

[LWM51C] Specific regulations of trade in goods ♦

[LWM51D] Special World Trade Organization regulations ♦

### Youth justice

[LWM52A] Introduction to youth justice: history and theory

[LWM52B] Youth justice law in England and Wales I: the internal dimension ♦

[LWM52C] Youth justice law in England and Wales II: the external dimension ♦

[LWM52D] Comparative youth justice law ♦

## Appendix C – Specialisations

This Appendix lists the areas of law in which students may specialise.

Students who wish to specialise in an area of the law and who wish the specialisation to be named on the final certificate for the award are required to select and satisfy the Examiners in a certain number of courses or modules (as appropriate) from their chosen specialisation (see [section 1](#)).

In order for the specialisation to appear on the certificate for the LLM, PGDip or PGCert, students must indicate the title of their chosen specialisation when they enter for their final examinations for the relevant award.

Students must indicate the title of their chosen specialisation when they apply for an intermediate award of PGCert and/or PGDip in order for the specialisation to appear on the certificate (see [section 1](#)).

A student who fails to indicate the title of their chosen specialisation(s), or who is awarded the PGCert Laws or PGDip Laws automatically will receive the award(s) without specialisation.

A student will not be permitted to change their choice of specialisation once the specialisation has been requested and the award given. A student who is awarded an award without specialisation will not be permitted to request a specialisation at a later date.

### Students may choose the following:

LLM students are required to study, be assessed and satisfy the examiners in **three** complete courses chosen from **one** specialisation (out of their four complete courses for the LLM).

PGDip\* students are required to study, be assessed and satisfy the examiners in any **eight** modules chosen from **one** specialisation (out of their ten modules from a maximum of four courses for the PGDip).

PGCert\* students are required to study, be assessed and satisfy the examiners in any **four** modules chosen from **one** specialisation (out of their five modules from a maximum of four courses for the PGCert).

\*The exception to the rules above is for the *Financial sanctions* specialisation:

For the PGCert *Financial sanctions* specialisation, students must take five modules from the eight modules listed.

For the PGDip *Financial sanctions*, students must take all eight modules listed for the specialisation, plus any other two modules from LWM72, LWM36, LWM80 and/or LWM17 for a total of ten modules on the PGDip from no more than four courses.

### Specialisations:

#### Notes:

No more than one course for the LLM, two modules for the PGDip or one module for the PGCert may be chosen from the courses marked  $\diamond$  for the Specialisation in Common Law.

The examination numbers are appended to the modules in Appendix A. These numbers should be used when completing the examination entry forms.

The *Sports law* specialisation is only available with the PGCert.

The *Financial sanctions* specialisation and *Media law* specialisation are only available with the PGDip or PGCert.

## **Banking and finance law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Commercial banking law: bank–customer relationship
- Commercial trusts law
- Corporate finance and management issues in company law
- Corporate governance and compliance
- Derivatives law
- FinTech: law and regulation
- International and comparative bank regulation
- International and comparative trust law
- International economic law
- International trade law
- Law of financial crime
- Law of international finance: syndicated loans
- Law of international project finance
- Law on investment entities
- Private law aspects of the law of finance
- Securities law

## **Commercial and corporate law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Advanced contract law
- Applicable laws and procedures in international commercial arbitration
- Carriage of goods by sea
- Commercial banking law: bank-customer relationship
- Commercial trusts law
- Corporate finance and management issues in company law
- Corporate governance and compliance
- Derivatives law
- European internal market
- European Union competition law
- FinTech: law and regulation
- Foundational and constitutional issues in company law
- Franchising law
- Industrial and intellectual property
- Insurance law (excluding Marine insurance law)
- Intellectual property and medicine
- Intellectual property and sport
- Intellectual property on the internet
- International and comparative bank regulation
- International and comparative competition law



- International and comparative law of copyright and related rights
- International and comparative law of patents, trade secrets and related rights
- International and comparative law of trade marks, designs and unfair competition
- International and comparative trust law
- International commercial insurance law
- International economic law
- International investment law
- International merger control
- International natural resources law
- International trade law
- Law of financial crime
- Law of international finance: syndicated loans
- Law of international project finance
- Law of international taxation
- Law on investment entities
- Marine insurance law
- Modern copyright law
- Multinational enterprises and the law
- Private international law in international commercial litigation
- Private law aspects of the law of finance
- Regulation and infrastructure of international commercial arbitration
- Securities law
- Taxation principles and policy
- Telecommunications law
- Transfer of technology law
- World trade law

## Common law

**No more than one course for the LLM degree, two modules for the Postgraduate Diploma or one module for the Postgraduate Certificate may be chosen from the courses marked  $\diamond$  for this Specialisation.**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Admiralty law
- Advanced contract law
- Advanced torts
- Carriage of goods by sea
- Commercial trusts law
- Comparative criminal justice policy
- Corporate finance and management issues in company law
- Derivatives law
- Dispute resolution – resolving civil claims in England and Wales
- Equity and trusts in context

- Foundational and constitutional issues in company law
- Franchising law
- Industrial and intellectual property
- Insurance law (excluding Marine insurance law)
- Intellectual property and medicine
- Intellectual property and sport
- Intellectual property on the internet
- International and comparative bank regulation ◇
- International and comparative competition law ◇
- International and comparative law of copyright and related rights
- International and comparative law of patents, trade secrets and related rights
- International and comparative law of trade marks, designs and unfair competition
- International and comparative trust law
- International commercial insurance law
- Jurisprudence and legal theory
- Jurisprudence and legal theory – a new approach
- Law of financial crime
- Law on investment entities
- Legislation and statutory interpretation
- Marine insurance law
- Medical law and ethics
- Modern copyright law
- Private law aspects of the law of finance
- Securities law
- Taxation principles and policy
- Telecommunications law
- Transfer of technology law
- Youth justice

### **Comparative and foreign law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Comparative criminal justice policy
- International and comparative bank regulation
- International and comparative competition law
- International and comparative law of copyright and related rights
- International and comparative law of patents, trade secrets and related rights
- International and comparative law of trade marks, designs and unfair competition
- International and comparative trust law
- Law of international taxation
- Modern copyright law
- Private international law in international commercial litigation
- Russian law and legal institutions

- Western European legal history

### **Competition law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- European Union competition law
- International and comparative competition law
- International merger control

### **Computer and communications law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- FinTech: law and regulation
- Industrial and intellectual property
- Intellectual property on the internet
- Telecommunications law

### **Corporate and securities law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Commercial trusts law
- Corporate finance and management issues in company law
- Corporate governance and compliance
- Derivatives law
- International merger control
- Law of financial crime
- Law of international finance: syndicated loans
- Law of international project finance
- Law of international taxation
- Law on investment entities
- Private international law in international commercial litigation
- Private law aspects of the law of finance
- Securities law
- Taxation principles and policy

### **Criminology and criminal justice**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Comparative criminal justice policy
- International criminal law
- International criminal law and procedure
- Jurisprudence and legal theory
- Jurisprudence and legal theory – a new approach
- Law of financial crime
- Youth justice

## **Economic regulation**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Corporate governance and compliance
- European internal market
- European Union competition law
- FinTech: law and regulation
- International and comparative bank regulation
- International and comparative competition law
- International economic law
- International investment law
- International law of the sea
- International merger control
- International natural resources law
- Law of financial crime
- Law of international taxation
- Legislation and statutory interpretation
- Taxation principles and policy
- Telecommunications law
- Transfer of technology law

## **Environmental and natural resources law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- International environmental law
- International natural resources law

Either

- International law of the sea

Or

- Maritime dispute settlement

## **Equity and trusts**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Commercial trusts law
- Equity and trusts in context
- International and comparative trust law
- Law on investment entities
- Private law aspects of the law of finance

## **European law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Constitutional and institutional law of the European Union
- European Convention on Human Rights

- European internal market
- European Union competition law
- External relations law of the European Union
- Russian law and legal institutions
- Western European legal history

### Family law

*Students should ensure they take sufficient modules or courses from the following courses:*

- Equity and trusts in context
- Human rights of women
- International rights of the child
- Youth justice

### Financial sanctions

**Only available with the PGCert and PGDip**

*For the **PGCert** specialisation, students must take **five** modules from the **eight** modules listed below.*

*For the **PGDip**, students must take all **eight** modules listed below for the specialisation, plus any other two modules from LWM72, LWM36, LWM80 and/or LWM17 for a total of ten modules on the PGDip from no more than four courses.*

- [LWM72A] Banks and customers
- [LWM72C] Accounts, money, payment and fund transfers
- [LWM36A] Export sales on English law terms
- [LWM36C] Bankers' letters of credit
- [LWM80C] Bribery and corruption, money laundering and terror financing
- [LWM80D] Regulated industries – compliance and risk management in the financial sector
- [LWM17C] Money laundering
- [LWM17D] The nature of the law on financial crime

### Financial services law

*Students should ensure they take sufficient modules or courses from the following courses:*

- Commercial banking law: bank–customer relationship
- Commercial trusts law
- Corporate governance and compliance
- Derivatives law
- FinTech: law and regulation
- Insurance law (excluding Marine insurance law)
- International and comparative bank regulation
- International and comparative trust law
- International commercial insurance law
- Law of financial crime
- Law of international finance: syndicated loans
- Law of international project finance

- Law on investment entities
- Marine insurance law
- Private law aspects of the law of finance
- Securities law

### **Human rights law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- European Convention on Human Rights
- Human rights of women
- International criminal law
- International criminal law and procedure
- International refugee law
- International rights of the child
- Jurisprudence and legal theory
- Jurisprudence and legal theory – a new approach
- Law of treaties
- Medical law and ethics
- United Nations protection of human rights

### **Insurance law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Insurance law (excluding Marine insurance law)
- International commercial insurance law
- Marine insurance law

### **Intellectual property law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Franchising law
- Industrial and intellectual property
- Intellectual property and medicine
- Intellectual property and sport
- Intellectual property on the internet
- International and comparative law of copyright and related rights
- International and comparative law of patents, trade secrets and related rights
- International and comparative law of trade marks, designs and unfair competition
- Modern copyright law
- Transfer of technology law

### **International business law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Admiralty law
- Applicable laws and procedures in international commercial arbitration

- Carriage of goods by sea
- Commercial banking law: bank–customer relationship
- Commercial trusts law
- Corporate finance and management issues in company law
- Corporate governance and compliance
- Derivatives law
- European internal market
- European Union competition law
- Foundational and constitutional issues in company law
- Franchising law
- Industrial and intellectual property
- Insurance law (excluding Marine insurance law)
- Intellectual property and medicine
- Intellectual property and sport
- Intellectual property on the internet
- International and comparative bank regulation
- International and comparative competition law
- International and comparative law of copyright and related rights
- International and comparative law of patents, trade secrets and related rights
- International and comparative law of trade marks, designs and unfair competition
- International and comparative trust law
- International commercial insurance law
- International economic law
- International investment law
- International merger control
- International natural resources law
- International trade law
- Law of financial crime
- Law of international finance: syndicated loans
- Law of international project finance
- Law of international taxation
- Law on investment entities
- Marine insurance law
- Modern copyright law
- Multinational enterprises and the law
- Private international law in international commercial litigation
- Private law aspects of the law of finance
- Regulation and infrastructure of international commercial arbitration
- Securities law
- Taxation principles and policy
- Telecommunications law

- Transfer of technology law
- World trade law

### **International criminal justice**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Comparative criminal justice policy
- International criminal law
- International criminal law and procedure
- Law and policy of international courts and tribunals
- Law of financial crime
- Law of treaties

### **International dispute resolution**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Applicable laws and procedures in international commercial arbitration
- European Convention on Human Rights
- International criminal law
- International criminal law and procedure
- International economic law
- International investment law
- International natural resources law
- International rights of the child
- International trade law
- Law and policy of international courts and tribunals
- Law of treaties
- Private international law in international commercial litigation
- Regulation and infrastructure of international commercial arbitration
- United Nations protection of human rights
- World trade law

Either

- International law of the sea

Or

- Maritime dispute settlement

### **International intellectual property law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Franchising law
- Intellectual property and medicine
- Intellectual property and sport
- Intellectual property on the internet
- International and comparative law of copyright and related rights
- International and comparative law of patents, trade secrets and related rights



- International and comparative law of trade marks, designs and unfair competition
- Modern copyright law
- Transfer of technology law

### **International justice**

*Students should ensure they take sufficient modules or courses from the following courses:*

- European Convention on Human Rights
- International criminal law
- International criminal law and procedure
- International law of the sea
- International refugee law
- Jurisprudence and legal theory
- Jurisprudence and legal theory – a new approach
- Law and policy of international courts and tribunals
- Law of treaties
- United Nations protection of human rights

### **Law and development**

*Students should ensure they take sufficient modules or courses from the following courses:*

- European Convention on Human Rights
- Human rights of women
- International economic law
- International environmental law
- International investment law
- International law of the sea
- International natural resources law
- International refugee law
- International rights of the child
- Law of treaties
- Multinational enterprises and the law
- Transfer of technology law
- United Nations protection of human rights
- World trade law

### **Legal theory and history**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Human rights of women
- Jurisprudence and legal theory
- Jurisprudence and legal theory – a new approach
- Legislation and statutory interpretation
- Medical law and ethics
- Russian law and legal institutions

- Western European legal history

### **Maritime law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Admiralty law
- Carriage of goods by sea
- International environmental law
- International trade law
- Marine insurance law

Either

- Applicable Laws and procedures in international commercial arbitration

Or

- Regulation and infrastructure of international commercial arbitration

Either

- International law of the sea

Or

- Maritime dispute settlement

### **Media law**

**Only available with the PGDip and PGCert**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Intellectual property on the internet
- Intellectual property and sport

### **Medicine and the law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Advanced torts
- Intellectual property and medicine
- Medical law and ethics

### **Procedural law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Applicable laws and procedures in international commercial arbitration
- Dispute resolution – resolving civil claims in England and Wales
- Law and policy of international courts and tribunals
- Legislation and statutory interpretation
- Private international law in international commercial litigation
- Regulation and infrastructure of international commercial arbitration

## Public international law

*Students should ensure they take sufficient modules or courses from the following courses:*

- Constitutional and institutional law of the European Union
- European Convention on Human Rights
- External relations law of the European Union
- Human rights of women
- International criminal law
- International criminal law and procedure
- International economic law
- International environmental law
- International investment law
- International natural resources law
- International refugee law
- International rights of the child
- Law and policy of international courts and tribunals
- Law of treaties
- United Nations protection of human rights
- World trade law

Either

- International law of the sea

Or

- Maritime dispute settlement

## Public law

*Students should ensure they take sufficient modules or courses from the following courses:*

- Constitutional and institutional law of the European Union
- European Convention on Human Rights
- European internal market
- European Union competition law
- External relations law of the European Union
- Human rights of women
- International and comparative bank regulation
- International and comparative competition law
- International merger control
- Jurisprudence and legal theory
- Jurisprudence and legal theory – a new approach
- Law and policy of international courts and tribunals
- Legislation and statutory interpretation
- Russian law and legal institutions
- Telecommunications law
- Western European legal history

## **Sports law**

**Only available with the PGCert**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Intellectual property and sport

## **Tax law**

*Students should ensure they take sufficient modules or courses from the following courses:*

- Law of financial crime
- Law of international taxation
- Taxation principles and policy

## Appendix D – Assessment criteria

The following table provides an indication of what is expected for a mark to be given at each class band for the assessment of a module, as part of a stepped marking scheme.

Class	Mark	Descriptor
Exceptional Distinction: High	88-100	<p><b>Exceptional Distinction</b></p> <p>Exceptional Distinction answers are ones that are outstanding for a postgraduate student and which excel in all or almost all of the following criteria, in addition to the qualities expected of a Distinction answer:</p> <ul style="list-style-type: none"> <li>• comprehensiveness and accuracy;</li> <li>• clarity of argument and expression;</li> <li>• integration of a range of materials;</li> <li>• evidence of wider reading;</li> <li>• insight into the theoretical issues.</li> </ul> <p>Exceptional first class answers will also have high levels of methodological rigour, and originality in methodology, analysis or exposition.</p> <p>A grade of 85 or 88+ may be of publishable quality in an appropriate medium.</p>
Exceptional Distinction: Middle	85	
Exceptional Distinction: Low	82	
Distinction: High	78	<p><b>Distinction</b></p> <p>A Distinction answer has a thoughtful structure, a clear message displaying personal reflection informed by wider reading or articles and/or other commentaries and a good grasp of detail (as evidenced by the choice of relevant examples which are well integrated into the answer's structure).</p> <p>Distinction answers are ones that are exceptionally good for a postgraduate student and which excel in at least one and probably several of the following criteria, in addition to the qualities expected of a Merit answer:</p> <ul style="list-style-type: none"> <li>• comprehensiveness and accuracy;</li> <li>• clarity of argument and expression;</li> <li>• integration of a range of materials;</li> <li>• evidence of wider reading;</li> <li>• insight into the theoretical issues.</li> </ul> <p>A high Distinction is expected to excel in most of the aforementioned criteria.</p> <p>Although there is no expectation of originality of exposition or treatment, a Distinction class answer is generally expected to spot points rarely seen.</p>
Distinction: Middle	75	
Distinction: Low	72	
Merit: High	68	<p><b>High Merit</b></p> <p>A high Merit answer generally shows, in addition to the other requirements of a standard Merit, a very sound understanding of both the principles and relevant details of the law, supported by examples which are demonstrably well understood and which are presented in a coherent and logical fashion.</p>

		<p>The answer should be well presented, display very good analytical ability at postgraduate level and contain no major errors or omissions. A high merit answer will fall just short of the requirements of a Distinction.</p> <p>In exam questions for a high Merit mark:</p> <ul style="list-style-type: none"> <li>• all of the major issues and most of the minor issues must have been spotted; however, in exceptional cases the omission of a major issue may be compensated by excellence on another dimension;</li> <li>• the application of the legal rules must be accurate and comprehensive;</li> <li>• the application of the legal rules must be insightful (e.g., the answer must demonstrate the ability to distinguish cases on their facts and argue by analogy, and/or that policy implications are particularly well understood);</li> <li>• the legal position of the relevant parties must be made clear.</li> </ul>
Merit: Middle	65	<p><b>Middle Merit</b></p> <p>All Merit answers are clearly highly competent on a postgraduate level and typically possess the following qualities:</p> <ul style="list-style-type: none"> <li>• generally accurate and well-informed;</li> <li>• reasonably comprehensive;</li> <li>• well-organised and structured;</li> <li>• provide evidence of general reading;</li> <li>• demonstrating a sound grasp of basic principles;</li> <li>• demonstrating a good understanding of the relevant details;</li> <li>• succinctly and cogently presented;</li> <li>• displaying some evidence of insight.</li> </ul> <p>One essential aspect of any Merit answer is that it must have competently dealt with the question asked. A middle Merit is not necessarily excellent in any area, but demonstrates good knowledge and a solid understanding of the law and policy.</p>
Merit: Low	62	<p><b>Low Merit</b></p> <p>Lower Merit answers display a competent level of competence at a postgraduate level, as indicated by the following qualities:</p> <ul style="list-style-type: none"> <li>• generally accurate;</li> <li>• providing a good answer to the question, although it may be based largely on the required reading and lecture notes;</li> <li>• clearly presented;</li> <li>• may contain some error or omissions.</li> </ul>
Pass: High	58	<p><b>Pass</b></p> <p>A basic understanding of the main issues but not coherently or correctly presently throughout the answer.</p> <p>Pass answers demonstrate adequate knowledge and understanding of the general area at a postgraduate level, but a pass answer tends to be weak in the following ways:</p>
Pass: Middle	55	

		<ul style="list-style-type: none"> <li>• too descriptive;</li> <li>• no real development of arguments;</li> <li>• does not answer the question directly;</li> <li>• misses key points;</li> <li>• contains important inaccuracies;</li> <li>• covers material sparsely, possibly in note form;</li> <li>• assertions not supported by authority or evidence.</li> </ul> <p>A good pass may also be a good answer (i.e. a Merit standard answer) to a closely related question but not the one set by the examiner.</p>
Pass: Low	52	<p><b>Pass</b></p> <p>Answers at the bottom of the Pass category represent the minimum acceptable standard to pass at a postgraduate level. These answers show a general familiarity with the subject area.</p> <p>Such answers typically:</p> <ul style="list-style-type: none"> <li>• contain too little appropriate or accurate material;</li> <li>• cover only the basic material;</li> <li>• are poorly presented without development of arguments.</li> </ul>
Fail	48	<p><b>Fail</b></p> <p>An answer just below the minimum acceptable standard to pass at a postgraduate level.</p> <p>These answers show some limited familiarity with the subject area at a postgraduate level. That familiarity is undermined by confusion and/or lack of understanding about one or more key concepts.</p>
Fail	45	<p><b>Clear Fail</b></p> <p>Too little by way of information or analysis to pass.</p> <p>Clear Fail answers show some limited familiarity with the subject area. That familiarity is either at a very basic level or undermined by significant confusion or lack of understanding.</p> <p><b>Examiners are aware that a mark below 40 for an assessment cannot be condoned.</b></p>
Fail	42	
Fail	35	
Low fail	25	<p><b>Low Fail</b></p> <p>In exam questions, the mark to be given for:</p> <p>(i) answers which show very limited familiarity with the subject area. That familiarity is at a very basic level and undermined by significant confusion or lack of understanding;</p> <p>(ii) an answer which, typically for lack of time, consists of a comprehensible answer plan for the question which suggests a Pass standard or better answer would have been written.</p> <p><b>Examiners are aware that a low fail mark for an assessment cannot be condoned.</b></p>

Very low fail	15	<p><b>Very low fail</b></p> <p>A mark to be given to an answer which, under examination conditions, typically for lack of time, consists of a paragraph or two or an answer plan relevant to the question but not more.</p> <p><b>Examiners are aware that a very low fail mark for an assessment cannot be condoned.</b></p>
No marks awarded	0	<p><b>No marks awarded</b></p> <p>In examinations, no marks to be given for:</p> <p>(i) an answer which, typically for lack of time, consists of a paragraph or two or an answer plan which does not suggest a Pass standard answer would have been written;</p> <p>(ii) unanswered questions; or</p> <p>(iii) answers which are wholly irrelevant to the question set.</p> <p><b>Examiners are aware that No Marks Awarded for an assessment cannot be condoned.</b></p>



## Appendix E – Qualification descriptor

To graduate with a Postgraduate Laws qualification, you will be expected to meet FHEQ level 7 attainment laid out in the Framework for Higher Education Qualifications in England, Wales and Northern Ireland.

Note that the title 'degree' is used only in respect of qualifications at FHEQ level 7 which achieve the full outcomes set out in the descriptors below. A qualification from an advanced short non-degree programme, having outcomes that correspond to some aspects of a descriptor, with the title 'Postgraduate Diploma' or 'Postgraduate Certificate', can be placed at the same level as the main qualification to which that descriptor refers.

*Masters degrees are awarded to students who have demonstrated:*

- a systematic understanding of knowledge, and a critical awareness of current problems and/or new insights, much of which is at, or informed by, the forefront of their academic discipline, field of study, or area of professional practice;
- a comprehensive understanding of techniques applicable to their own research or advanced scholarship;
- originality in the application of knowledge, together with a practical understanding of how established techniques of research and enquiry are used to create and interpret knowledge in the discipline;
- conceptual understanding that enables the student:
- to evaluate critically current research and advanced scholarship in the discipline; and
- to evaluate methodologies and develop critiques of them and, where appropriate, to propose new hypotheses.

*Typically, holders of the qualification will be able to:*

- deal with complex issues both systematically and creatively, make sound judgements in the absence of complete data, and communicate their conclusions clearly to specialist and non-specialist audiences;
- demonstrate self-direction and originality in tackling and solving problems, and act autonomously in planning and implementing tasks at a professional or equivalent level;
- continue to advance their knowledge and understanding, and to develop new skills to a high level;

*and will have:*

- the qualities and transferable skills necessary for employment requiring:
- the exercise of initiative and personal responsibility;
- decision-making in complex and unpredictable situations; and
- the independent learning ability required for continuing professional development.