

# BA (Hons) Legal Studies and Management Top-Up Programme (2 Years P/T) – LM312

## 1. Objectives

The programme is designed for students to:

- further their knowledge of law,
- equip them with managerial skills in order to allow them to progress in their career,
- better perform their duties, and
- widen their career prospects.

## 2. General Entry Requirements

As per General Entry Requirements for admission to the University for Undergraduate Degrees O'Level in French

## 3. Programme requirements

A Diploma in either:

- (i) Legal studies, or
- (ii) Legal studies with Court Administration, or
- (iii) Law with Management

Or

Any other Diploma/equivalent qualification acceptable to the University Senate.

## 4. Programme Duration

	<b>Normal (Years)</b>	<b>Maximum (Years)</b>
Degree:	2	5

## 5. Credits per semester

Each module is a 3 credit module. Minimum: 9, maximum: 12

## 6. Minimum Credits Required for Award of Undergraduate Degree: 42

Breakdown as follows:

<b>Degree (2 years)</b>	<i>(Minimum)</i> <b>Core Taught Modules</b>	<i>Dissertation</i> <b>(equivalent to 2 modules)</b>	<b>Elective (In lieu of Dissertation)</b>	<b>Total</b>
	36	6	-	42
	36	-	6	42

## 7. Assessment

Each module will carry 100 marks and will be assessed as follows (unless otherwise specified): Assessment will be based on a written examination of 2-hour duration and continuous assessment carrying a range of 20% to 30% of total marks.

Continuous assessment may be based on 2 assignments and /or one class test per module per year.

For a student to pass a module, an overall total of 40% for combined continuous assessment and written examination components would be required without minimum thresholds within the individual continuous assessment and written examination.

Dissertation will carry 6 credits

## 8. List of Modules

Code	Module Name	Hrs/Wk L+P	Credits
<b>CORE MODULES</b>			
LAWS 1107(1)	Administrative Law	3+0	3
LAWS 1204(1)	General Principles of Public International Law	3+0	3
MGT 3265 (5)	Economics for Business Decisions	3+0	3
LAWS 3220	Corporate Governance	3+0	3
LAWS 2203(3)	Intellectual Property Law	3+0	3
MGT 3266 (3)	Human Resource Management for Legal Executives	3+0	3
LAWS 4101	Droit des Affaires 1	3+0	3
MGT 4116 (5)	Marketing Legal Services	3+0	3
MGT 4117 (5)	Business Ethics	3+0	3
LAWS 2205(3)	Law of Insolvency and Corporate Reorganisation	3+0	3
LAWS 4206	Droit des Affaires 2	3+0	3
MGT4118 (5)	Strategic Management for Legal Services	3+0	3
LAWS 4000Y(5)	Dissertation	6	6
<b>ELECTIVE MODULES</b>			
LAWS 3204(5)	Industrial Relations Law	3+0	3
LAWS 4102	Anti Corruption Law		
LAWS 4103	Criminology	3+0	3
LAWS 4104	Environmental Law	3+0	3
ACF 1302(1)	Introduction to Finance	3+0	3
LAWS 3208(5)	Alternative Dispute Resolution	3+0	3
LAWS 2104(3)	Company Law	3+0	3
LAWS 2204(3)	Revenue Law	3+0	3
LAWS 2103(3)	Law of Trusts	3+0	3
DFA 3104I(3)	Principles & Applications of Business Tax	3+0	3

## 9. Programme Plan

### YEAR I

Semester I Code	Module Name	Hrs/Wk L+P	Credits
<b>CORE</b>			
LAWS 1107(1)	Administrative Law	3+0	3
LAWS 1204(1)	General Principles of Public International Law	3+0	3
MGT 3265 (5)	Economics for Business Decisions	3+0	3

Semester II Code	Module Name	Hrs/Wk L+P	Credits
<b>CORE</b>			
LAWS 3220	Corporate Governance	3+0	3
LAWS 2203(3)	Intellectual Property Law	3+0	3
MGT 3266 (3)	Human Resource Management for Legal Executives	3+0	3

### YEAR II

Semester I Code	Module Name	Hrs/Wk L+P	Credits
<b>CORE</b>			
LAWS 4101	Droit des Affaires 1	3+0	3
MGT 4116 (5)	Marketing Legal Services	3+0	3
MGT 4117 (5)	Business Ethics	3+0	3
LAWS 3000Y(5)	Dissertation ( <b>OR</b> two electives. Choose ONE of the two electives from below)**	-	-

<b>ELECTIVES**</b>			
LAWS 3204(5)	Industrial Relations Law	3+0	3
LAWS 4102	Anti Corruption Law	3+0	3
LAWS 4103	Criminology	3+0	3
LAWS 4104	Environmental Law *	3+0	3
ACF 1302(1)	Introduction to Finance	3+0	3

Semester II Code	Module Name	Hrs/Wk L+P	Credits
<b>CORE</b>			
LAWS 2205(3)	Law of Insolvency and Corporate Reorganisation	3+0	3
LAWS 4206	Droit des Affaires 2	3+0	3
MGT4118 (5)	Strategic Management for Legal Services	3+0	3
LAWS 4000Y(5)	Dissertation ( <b>OR</b> two electives. Choose ONE of the two electives from below)**	-	6

**ELECTIVES\*\***

LAWS 3208(5)	Alternative Dispute Resolution	3+0	3
LAWS 2104(3)	Company Law*	3+0	3
LAWS 2204(3)	Revenue Law *	3+0	3
LAWS 2103(3)	Law of Trusts*	3+0	3
DFA 3104I(3)	Principles and Application of Business Taxation	3+0	3

**NOTE:**

\* Students having previously completed the same module, or a module which is partly similar to this module, will not be allowed to choose this module as an elective.

Dissertation (LAWS 4000Y(5) is a 6-credit module taken over Semester 1 and Semester 2 of Year 2.

\*\*Students may either choose Dissertation (LAWS 4000Y(5) as a 6-credit module for Year 2 or one elective module from Year 2 Semester 1 and another elective module from Year 2 Semester 2.

**10. Outline Syllabus****CORE MODULES****LAWS 1107(1) - ADMINISTRATIVE LAW**

Nature, Availability and Scope of Judicial Review; Review for Errors of Law and Jurisdictional Defects; Exercise of Discretion; Procedural Impropriety; Validity of Unlawful Administrative Action; Remedies; Decisions of the Service Commissions; Liability of Public Authorities and Public Officers; Redress for the Citizen; Administrative Law and Principles of Good Administration.

**LAWS 1204(1) - GENERAL PRINCIPLES OF PUBLIC INTERNATIONAL LAW**

Introduction à l'histoire du droit International depuis sa formation jusqu'à maintenant; les sources du Droit International; les Sujets du Droit International; le mécanisme juridictionnel International. Droit Humanitaire Internationale.

**MGT 3265 (5) – ECONOMICS FOR BUSINESS DECISIONS**

Economic approaches to Business performance and Strategy; Internal economics of firms; Basic economic concepts; Costs, productivity and profitability in the short run; Firms and Consumers in the market place. Demand; Price elasticity for the firm and the market; Application of elasticity concepts to business decisions; Income elasticity; Equilibrium in markets; Equilibrium and disequilibrium; The impact on the firm's costs, revenues and profits; Structure under which business operates; Exposure and the Macro economy : Trends in national and international economic environments; The circular flow of income and aggregate demand of consumers and firm; Overseas trade ,aggregate demand and capital flows; Exchange rates determination and implication for business decision

**LAWS 3220 – CORPORATE GOVERNANCE**

Historical Background and Evolution of Corporate Governance; The Role of Legislation and Regulation in Corporate Governance; the Concept of best practice in Governance; board Compositions and Control; Corporate Governance and the Chief Executive Officers (CEOs); Corporate Governance and the Auditors; Corporate Governance and the Company Secretary; International Governance; Corporate Governance Codes; The Mauritian Code of Corporate Governance.

**LAWS 2203(3) – INTELLECTUAL PROPERTY LAW**

Copyrights, Patents; Trademarks; Concurrence Déloyale; Passing Off; Industrial Design.

### **MGT 3266 (3) – HUMAN RESOURCE MANAGEMENT FOR LEGAL EXECUTIVES**

Human Capital in knowledge intensive firms, Flexibility, managing culture, emotional management, talent management, strategic HRM, HRD, gender issues in organisations, organisation citizenship, motivation, retention, training and development, career management, counselling, managing professionals, employee relations.

### **LAWS 4112 – DROIT DES AFFAIRES 1**

Introduction au droit commercial: Actes de commerce; statut de commerçant; le commissionnaire; le gage commercial; le droit des sociétés à Maurice.

Law relating to Banking, Insurance and Trade Finance. Legal Aspects of e-Banking. Legal Framework of Banking Transactions: Definition of Bank and Customer, Banker-Customer relationship, The Scope of Confidentiality; Data Protection Act. Bills of Exchange: Definition, Characteristics, Types and Use. Parties to a Bill. Elements of the statutory definition. Negotiation. Indorsement. Holder. Acceptance, Qualified Acceptance and non-Acceptance. Discharge, Dishonour, Liabilities of Parties to a Bill. Rights of Holder of a Dishonoured bill. Forgery. Lost or Stolen bills. Promissory Notes: Statutory definition; History and Uses of Notes. Cheques: Definition, Crossing, Presentment, Dishonour, Rights of Holder; Liabilities and Statutory Protection of Collecting Bank and Paying Bank Payment by Transfer of Funds. Recovery of Money mistakenly paid. E-payments and Electronic Settlement Systems: ATM Cards: Charge Cards, Credit Cards; Electronic Fund Transfers, Smart Cards, Electronic Cash.

Letters of credit

### **MGT 4116 (5) – MARKETING LEGAL SERVICES**

Nature and Scope of Marketing, The Marketing Environment, Marketing Research and Marketing Information Systems, Consumer Buying Behaviour, Segmentation, Targeting and Positioning Framework, Marketing Mix: Product and Services, Place, Price, Promotion, Nature of Legal Services, Role of Legal Practitioners and Social Responsibility, Importance of Ethics in Legal Services & Broadening the Scope of Legal Services with Customer Relationship Management. Relevant Tutorials and Case Studies will be used to consolidate relevance of marketing.

### **MGT 4117 (5) BUSINESS ETHICS**

Ethics in practice – role of culture – stakeholder theory – individual vs. corporate ethics – social duty of business – implications of Friedman’s theory – ethical decision making at national level – ethics and good governance.

### **LAWS 2205(3) - LAW OF INSOLVENCY & CORPORATE REORGANISATION**

Sources and Objectives of Insolvency Law; Causes of Corporate Failure; General Principles of Winding Up. The Appointment, Control, Powers, Duties and Release of the Liquidator; Contributories; The Special Manager; Powers of the Court, Voluntary Winding Up; Members’ and Creditors’ Winding Up; Declaration of Solvency; Meetings of Members and Creditors; Dissolution; Defunct Companies; Outstanding Assets; The Official Receiver; Receivers and Managers. Arrangement and Reconstruction; Compromise; Amalgamation; Take Over Schemes; Protection of Rights; Acquisition of Shares of Dissenting Members.

### **LAWS 4113 – DROIT DES AFFAIRES 2**

Le droit de la concurrence, Laws regulating competition in Mauritius, The Competition Act, Le droit penal et le droit des affaires, Le régime matrimonial et les commerçants, le droit des successions et les commerçants.

### **MGT4118 (5)- STRATEGIC MANAGEMENT FOR LEGAL SERVICES**

Understanding the strategic Management process, The Three strategy-making tasks strategic Legal planning - SLP), Importance of mission, vision and setting of objectives to improve efficiency in legal services, evaluating company resources and competitive capabilities for more profitability in legal services, Strategies and competitive advantage for law firms, Implementing and executing strategy, Building resource capabilities and organizing the work effort for legal services, Strategic control.

## **ELECTIVE MODULES:**

### **LAWS 3000Y(5) – DISSERTATION**

Dissertation (equivalent to 2 modules) between 8000 and 12000 words on an approved relevant topic.

### **LAWS 3204(5) - INDUSTRIAL RELATIONS LAW**

History of Industrial Relations Law in Mauritius; The Institutional; Right to join Union; Collective Bargaining; Collective Agreement; Industrial Disputes.

### **LAWS – ANTI CORRUPTION LAWS**

Definition of corruption; Definition of Money Laundering; Analysing laws which prevent corruption and money laundering; Prevention of Corruption Act 2002, The Financial Intelligence and Anti Money Laundering Act 2002; Implementation of the United Nations Convention against corruption in Mauritius.

### **LAWS 4114 - CRIMINOLOGY**

Introduction to Criminology, the definition of criminology, the historical background, the key issues in Criminology, measuring crime, the extent of crime, sources of crime information, research methods in Criminology, Psychological theories of crime, nature v/s nurture debate, feminist perspective and criminology, victimology, theories of criminology, the classical school, positivism, anomie and strain theory, labelling theory, control theory

### **LAWS 4104 - ENVIRONMENTAL LAW**

International sources of environmental law ; conventions, principles and caselaw ; biosecurity issues ; climate change issues, depletion of the ozone layer, biodiversity issues, implementation and enforcement issues ; Sources of local environmental law, health and safety laws (Occupational Safety and Health Act, Public Health Act) and institutions responsible for the protection of the environment and their effectiveness; framework of the Environment Impact Assessment system ; sanction of violations of environmental law ; Prohibition notices, Variation notices, Enforcement notices, Stop orders ; Recourse mechanism, Environment Appeal Tribunal, mauritian caselaw.

### **ACF 1302(1) - INTRODUCTION TO FINANCE**

The Economic, Productive and Financial Systems; Capital Markets; An Analysis of the Mechanisms of the Financial System in the Economy: Theory and Current Statistics; Time Value of Money; Capital Budgeting: An Introduction; Valuation of Financial Assets; Bond Analysis: An Introduction; Risk, Return and Diversification; Efficient Market Hypothesis; Multinational Finance: An Introduction.

### **LAWS 3208(5) - ALTERNATIVE DISPUTE RESOLUTION**

Arbitration, Conciliation, Mediation and Negotiation; Advantages of Alternative Dispute Resolution; The Arbitral Agreement; Arbitral Award and Enforcement; Arbitral Tribunal and Proceedings; Appeals.

### **LAWS 2104(3) - COMPANY LAW**

Incorporation, lifting the corporate veil; Promoters, Pre-Incorporation Contracts; Memorandum of Association; Articles of Association; Share Capital; Shares; Dividends; Debentures and Loan Capital; Management of Companies; Duties of Directors; Meetings; Minority Protection.

### **LAWS 2204(3) - REVENUE LAW**

Definition of Notion of Taxation – Types of Taxes: Income Tax – Business Tax – Customs Tax, VAT – Types of Payment Systems – Institutional Aspect of Tax: The Mauritius Revenue Authority, Powers and Duties of the Director General, Recovery of Tax – Tax Avoidance and Tax Evasion.

### **LAWS 2103(3) - LAW OF TRUSTS**

Creation and Nature of Trusts; Appointment of Trustees; Charitable Trusts; Duties of Trustees; Powers of Investment and General Powers; Breach of Trust; Liabilities, Indemnities and Remuneration of Trustees; Rights and Liabilities of Beneficiaries; Maintenance, Advancement and Protective Trusts; Jurisdiction of Court to make Orders; Termination of Trusteeship.

**DFA 3104I(3) - PRINCIPLES AND APPLICATION OF BUSINESS TAXATION**

Tax computations of Income from various sources; Taxation of Individuals; Partnerships, Estates, Trusts and Companies; Capital Allowances computation; Application of Tax Incentives; Anti-Avoidance Provisions; Value Added Tax; Customs & Registration Duties.

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