

LAW PRACTITIONERS VOCATIONAL COURSE
(ATTORNEYS, BARRISTERS and NOTARIES)
(SUBJECT TO APPROVAL)

1. Objectives

The Law Practitioners Vocational Course offers high-quality training in legal principles from a practical perspective with an emphasis on legal techniques, reasoning and ethics. It aims at preparing candidates for either of the three streams (Attorneys, Barristers and Notaries) of legal practice existent in Mauritius. It has been designed in compliance with The Law Practitioners (Amendment) Act 2011 (Act No. 30 of 2011). Courses shall be taught in both English and French in line with the hybrid nature of the Mauritian legal system.

2. Course Requirements

Candidates should hold an LLB (Hons) with at least a Second Class, Second Division or a Maitrise en Droit/Masters 1 (Mention: Assez Bien) or a law degree as stipulated in The Law Practitioners (Amendment) Act 2011.

3. Course Duration

The Law Practitioners Vocational Course will be offered on a full-time basis and should be of a maximum of twelve months' duration.

4. Course Conditions

(i) The Law Practitioners Vocational Course shall consist of 3 levels for each stream:

Level 1- Foundation (Initiation)

Level 2- Advanced (Approfondissement)

Level 3- Professional Practice (Pratique Professionnelle)

(ii) Each level is divided into subjects as prescribed by the Second Schedule of The Law Practitioners (Amendment) Act 2011.

5. List of Subjects

PART 1- All prospective law practitioners

CPLS3001-Conferencing

CPLS3002-Drafting of Legal Documents

CPLS3003-Ethics

CPLS3004-Opinion Writing

PART II- Prospective Barristers and Attorneys

CPLS2100 - Administrative and Constitutional Law
CPLS3000- Advocacy
CPLS2101-Arbitration and Mediation
CPLS2102-Civil Procedure
CPLS2103-Commercial and Business Law
CPLS2104-Criminal Procedure
CPLS2105-Evidence
CPLS2106-Family Law

PART III- Prospective Notaries

CPLS2107-Civil Procedure
CPLS2108-Commercial and Business Law
CPLS2109-Practical aspects of Family Law
CPLS2110-Practical aspects of the Law of Immovable Property
CPLS3005-Rédaction des Actes
CPLS3006-Responsabilité Notariale
CPLS2111-Revenue and Taxation Laws
CPLS3007-Tenue de l'Office Notariale

6. Course Plan

PART 1- Prospective law practitioners (Compulsory for all)

Subjects	Hours/ Year		
	Attorneys	Barristers	Notaries
Conferencing	40	40	15
Drafting of Legal Documents	50	30	15
Ethics	30	30	30
Opinion Writing	40	40	15
TOTAL	160	140	75

PART II- Prospective Barristers and Attorneys

Subjects	Hours/ Year	
	Attorneys	Barristers
Administrative and Constitutional Law	30	30
Advocacy	20	40
Arbitration and Mediation	20	20
Civil Procedure	50	40
Commercial and Business Law	60	60
Criminal Procedure	30	40
Evidence	35	35
Family Law	30	30
TOTAL	275	295

PART III- Prospective Notaries

Subjects	Hours/ Year
	Notaries
Civil Procedure	15
Commercial and Business Law	45
Practical Aspects of Family Law	60
Practical Aspects of the Law of Immovable Property	60
Rédaction des Actes	60
Responsabilité Notariale	30
Revenue and Taxation Laws	60
Tenue de l'Office Notariale	30
Total	360

7. Outline Syllabus

ATTORNEYS, BARRISTERS and NOTARIES

Level 1: Foundation (*Initiation*)

CPLS1000-Introduction to Mauritian Legal System (Initiation au Droit Mauricien)

Distinctive features of the Mauritian legal system, Sources of Law, Statutory Interpretation, Legal research skills and reasoning for practitioners, Court Structure and Legal Institutions , Introduction aux Codes, Droit Objectif, Droits Subjectifs, La Preuve, Legal services in Mauritius.

ATTORNEYS AND BARRISTERS

Level 2: Advanced (*Approfondissement*)

CPLS2100 - Administrative and Constitutional Law

Constitution of Mauritius: Constitutional framework and adjudication, Electoral System, Human Rights, Judicial Review Mechanism, Grounds for Judicial Review, Procedure.

CPLS2101-Arbitration and Mediation

Alternative Dispute Resolution and its mechanisms, Negotiation, Mediation and Conciliation, Arbitration: domestic and international, Institutions of ADR, Practical Aspects of ADR Methods, Mauritius as a regional centre for international arbitration and mediation.

CPLS2102 - Civil Procedure

Supreme Court Rules, Intermediate and District Court Rules, Courts Act, Code de Procédure Civile, Courts (Civil Procedure) Act, Appeals, Practical aspects of torts, Droit international privé, Statement of claim, Complaint with summons.

CPLS2103 - Commercial and Business Law

Business Law Practice, Practical aspects of the law of contract, Privilèges et Hypothèques, Tax Law, Corporate law: practice and procedure, Labour Laws, Practical aspects of intellectual property law.

CPLS2104 - Criminal Procedure

Practical aspects of criminal law, Applied criminal procedure: The information, Pre-trial proceedings, Procedure in District Court, Intermediate Court and Supreme Court, Hearings in court, Appeals.

CPLS2105 - Evidence

Preliminary evidential matters, Types of Evidence, Burden and Standard of Proof, Competence and Compellability, Examination of Witness, Opinion evidence, Confessions, Corroboration, Hearsay evidence.

CPLS2106 - Family Law

Etat des Personnes, Incapacités, Filiation, Mariage, Nullité et Divorce, Protection from Domestic Violence, Régimes Matrimoniaux, Successions et Libéralités.

Level 3: Professional Practice (*Pratique Professionnelle*)

CPLS3000 - Advocacy

Preparation of case, Presentation and modes of address, Speeches, Effective communication, Examination-in-chief, Cross-examination, Re-examination, Bail application, Plea in mitigation.

CPLS3001 - Conferencing

General conference skills, Conducting a conference with a client, Questioning techniques, Advice, Interpersonal skills.

CPLS3002 - Drafting of Legal Documents

General drafting, Skills, Pleadings, Style and terminology, Drafting of legal documents.

CPLS3003 - Ethics

Professional relationships, Etiquette, Professional misconduct, Ethical issues in legal practice, Personal attributes and skills, Codes of Ethics: practice and application.

CPLS3004 - Opinion Writing

Good legal writing skills, Opinion writing process, Use of law in an opinion, Advice on evidence.

NOTARIES

Level 1: Foundation (*Initiation*)

CPLS1001 - Introduction to Mauritian Legal System (Initiation au Droit Mauricien)

Distinctive features of the Mauritian legal system, Sources of Law, Statutory Interpretation, Legal research skills and reasoning for practitioners, Court Structure and Legal Institutions, Introduction aux Codes, Droit Objectif, Droits Subjectifs, La Preuve, Legal services in Mauritius.

Level 2: Advanced (*Approfondissement*)

CPLS 2107 - Civil Procedure

Les Personnes (Famille, Filiation, Incapacités), Responsabilité contractuelle et délictuelle, Sûretés réelles et personnelles (Privilèges, Hypothèques, Sûretés fixes et flottantes, Nantissement), Droit international privé, Sécurité Juridique: spécificité de la pratique notariale.

CPLS2108 - Commercial and Business Law

Les personnes morales: sociétés, *limited companies*, Autres personnes morales: Global Business Licence holders, Protected Cell Companies, Limited Partnerships, Associations, Trusts, Fiducies et Foundations.

CPLS2109 - Practical aspects of Family Law

Droit patrimonial de la famille, Régimes Matrimoniaux, Successions, Libéralités, Partage, La communauté, La réserve, Techniques de Liquidation.

CPLS2110 - Practical aspects of the Law of Immovable Property

Techniques du Droit immobilier, Le conseil patrimonial, Urbanisme (morcellements, réglementation des autorités locales), Les baux de Pas Géométriques et de biens de l'Etat, Droit de la Construction, La copropriété des immeubles bâtis et les associations syndicales, *Non Citizens Property (Restriction) Act*.

CPLS2111 - Revenue and Taxation Laws

La Conservation des Hypothèques (Registrar-General's Department), Les lois sur la publicité foncière (*Land Duties and Taxes Act, Registration Duty Act*), Fiscalité (Droits d'enregistrement et taxes de la publicité foncière), Le Cadastre, Fiscalité de l'Etude Notariale: *income tax* et TVA.

Level 3: Professional Practice (*Pratique Professionnelle*)

CPLS3005 - Rédaction des actes

Rédaction d'avis juridiques, d'attestations et de certificats, Rédaction de testaments et autres actes, Actes courants et techniques contractuelles.

CPLS3006 - Responsabilité notariale

Lois sur le notariat (*Law Practitioners Act, Notaries Act*), Code de Déontologie, Détournement de biens ou d'actes, Escroquerie, Abus de confiance, Faux en écriture publique ou authentique, La lutte contre le blanchiment d'argent, la fraude fiscale et les pratiques illicites: *Financial Intelligence and Anti-Money Laundering Act* et autres dispositions de même nature.

CPLS3007 - Tenue de l'Office Notarial

Comptabilité Notariale (comptes de l'Office et compte clients), Tenue pratique de l'Office, La responsabilité du notaire.

CPLS3001 - Conferencing

General conference skills, Conducting a conference with a client, Questioning techniques, Advice, Interpersonal skills.

CPLS3002 - Drafting of Legal Documents

General drafting, Skills, Pleadings, Style and terminology, Practical aspects pertaining to drafting of legal documents.

CPLS3003 - Ethics

Professional relationships, Etiquette, Professional misconduct, Ethical issues in legal practice, Personal attributes and skills, Code of Ethics: practice and application.

CPLS3004 - Opinion Writing

Good writing skills, Opinion writing process, Use of law in an opinion, Advice on evidence.

8. Disclaimer

After completion of the Law Practitioners Vocational Course, candidates will obtain a Certificate of Attendance of the University of Mauritius. However, in order to be qualified as a professional Attorney, Barrister of Notary, candidates will need to satisfy the requirements as prescribed by the Council for Vocational Legal Education.

ANNEX A- SUBJECT SCHEMA

