

By-Laws made by the Council of the University of Colombo under Section 135 of the university Act No. 16 of 1978, as amended by the Universities (Amendment) Act No. 7 of 1985.

THE BACHELOR OF LAWS DEGREE BY-LAWS

These By Laws may be cited as the Bachelor of Laws Degree By-Laws No. 1 of 1997.

PART I – INTRODUCTION

1. The council of the University of Colombo shall have authority to confer the Degree of Bachelor of Laws on a person who has been recommended for the conferment of the said Degree by the Senate of the University.
2. The Senate shall not make such a recommendation unless the person has successfully completed all the requirements, including those relating to the programme of study and assessment, laid down in these By-Laws and has complied with other Rules and regulations of the University.
3. The minimum period for which a person shall be a registered student of the LL.B. Degree programme shall be four years and any person admitted to the Programme shall complete it before the end of ten years from the date of first registration.

PART II – ADMISSION AND REDISTRATION

4. The admission of a person to the LL.B. Degree Programme conducted by the University of Colombo shall be done by the authorized statutory body under the Universities Act No. 16 of 1978 or any other relevant law that replace it.
5. A person who has been admitted to the LL.B. Degree Programme at the Faculty of Law of the University of Colombo by returning the duly perfected registration from and submitting the relevant documents called for the purpose.
6. It shall be the duty and responsibility of the student who is admitted to the Faculty of Law to keep his registration valid by paying the prescribed fees in time until he/she completes the Programme.
7. The registration shall be, unless otherwise decided by the Senate on the recommendation of the Faculty of Law, valid for one academic year at a time and shall be renewed annually subject to the provisions of these By-Laws.

PART III – THE PROGRAMME

8. The LL.B. Degree Programme shall be of four academic years' duration. The four academic years shall be known as the Bachelor of Laws Degree Year I, Bachelor of Laws Degree Year II, Bachelor of Laws Degree Year III, and Bachelor of Laws Degree Year IV respectively.

9.
 - a) Subjects and the number of hours of instruction per subject, for each Year of the Bachelor of laws Degree programme shall be those prescribed in the Schedule. The Senate on the recommendations of the Faculty Board shall have authority to change or amend the subjects and the number of hours and such amendments and changes shall come into effect after due notice is given to the students.
 - b) The syllabuses and reading material of the Bachelor of Laws Degree Programme shall be prescribed by Regulations recommended by the Faculty Board and passed by the Senate. The Senate shall have authority, on the recommendation of the Faculty Board to amend or change the syllabuses and reading material from time to time.
10. Each academic Year shall, unless otherwise decided by the Senate on the recommendation of the Faculty Board, be divided into three terms and the last term shall be followed by a long vacation.
11. Instruction in each subject at each Year of the LL.B. Degree Programme shall take the form of lectures, tutorials, discussions, workshops, seminars, clinical legal education projects, assignments, research, presentation of papers, self-study exercises and/or any other forms approved by the Faculty Board. The Faculty Board shall have authority to decide the methods of imparting instruction in each Year.
12. It shall be the responsibility and duty of the students to attend and participate at not less than that percentage, as decided by the Faculty Board, of all the different forms of instructions employed in a given Year. It shall also be their responsibility and duty to carry out not less than the same percentage to research and other work assigned to the student.
13. No student shall keep away from attending the different forms of instructions for more than three consecutive days without informing and obtaining the written approval of the Head of the Department of Law.
14.
 - a) A student who completes, in accordance with By-Law 12, the Bachelor of Laws Degree year I and either passes the Bachelor of Laws Degree Year I Examination or satisfies the requirements of By-Law 15 shall be admitted to the Bachelor of Laws Degree Year II in the next academic year and he/she shall follow that Course.
 - b) A student who is admitted to the Bachelor of Laws Degree Year II and who completes, in accordance with By-Law12, that Course and either passes the Bachelor of Laws Degree Year II Examination or satisfies the requirements of By-Law 15 shall be admitted in the next academic year to the Bachelor of Laws Degree year III and he/she follow the Course.
 - c) A student who is admitted to the Bachelor of Laws Degree Year III and who completes, in accordance with By-Law12, that Course and either passes the Bachelor of Laws Degree Year III Examination or satisfies the requirements of By-Law 15 shall be admitted in the next academic year to the Bachelor of Laws Degree year IV and he/she shall follow that Course in accordance with By-Law12.
15. A student who fails in one subject at any Year of the LL.B. Degree Programme but receives D grade for that subject shall be allowed to proceed to the next Year of the Programme.

Provided that no student with more than one D grade in one or more than one LL.B. Year Examination shall be eligible to proceed to the next Year of the LL.B. Degree Programme. He/she be in the same Year of the LL.B. Degree Programme until he/she becomes eligible to go to the next Year by passing and/or securing the required grades in the subjects he/she failed.

16. A student who fails in one subject but passes all other subjects at any Year of the LL.B. Degree Programme and receives E grade for the subject in which he/she failed shall not be admitted to the next year of the Programme.
17. A student who fails in two subjects at any Year of the LL.B. degree Programme shall not be admitted to the next Year of the Programme. He/she shall be in the same year of the LL.B. Degree programme until he/she becomes eligible to go to the next Year by passing and/or securing the required grades in the subjects he/she failed.
18. A student who fails in more than two subjects at any Year of the LL.B. Degree Programme shall not be admitted to the next Year of the Programme. He/she shall be in the same Year of the LL.B. Degree Programme repeating all the subjects of the Year until he/she becomes eligible to go to the next Year by passing and/or securing the required grades in the subjects he/she failed.
19. A student who absents himself/herself for any subject or an examination without a valid reason acceptable to the Senate shall be deemed to have failed that subject or the examination as the case may be.

PART IV – EVALUATION

20. The performance of a student shall be evaluated through a system of Continuous Assessment as well as an Year-end Written Examination in respect of each subject at each Examination.
21. The Continuous Assessment shall be based on the performance of the students at Take-Home Assignments, Term Papers, Class Room Tests, Seminars, Workshops, Tutorials, Clinical Legal Education Projects, Paper-Presentations and/or any other form of exercise decided by the Faculty Board.
22. An Year-end Written Examination shall be conducted in respect of all the subjects at the end of the academic year after the completion of the teaching allocated for that Year.
23. All rules relating to the Examination Procedure, Offences and Punishment Regulation No. I of 1986 shall *mutatis mutandis* apply to, or in relation to, the examinations of the LL.B. Degree Programme.
24. Without prejudice to the generality of the Examination Procedure, Offences and Punishment Regulation No. I of 1986, rules relating to the Class Room Tests, Take-Home Assignments, Term Papers, Seminars, Paper-Presentations and other forms of exercise, shall be formulated and implemented by the Faculty Board and any question relating to formulation and implementation shall be decided by the Faculty Board.

25. Rules relating to the Class Room Test, Take-Home Assignments, Term Papers, Seminars, Paper- Presentations, and other forms of exercise shall be announced, from time to time, by the Dean of the Faculty of Law in consultation with the teacher/s and such rules shall not be changed or revoked unless otherwise decided by the Faculty Board.

PART V - CONTINUOUS ASSESSMENT

26. The Continuous Assessment shall be based on the performance of the students at take-home assignments, term papers, class room tests, seminars, paper presentations and or any other form of exercise decided by the Faculty Board.
27. The Continuous Assessment of a subject shall be carried out by individual teachers of the subject. Provided that when the Continuous Assessment takes the form of seminars, paper-presentations or any other oral form of testing, a panel of teachers of the Faculty shall, as far as possible, assess the performance.

PART VI - YEAR-END WRITTEN EXAMINATIONS

28. Unless the Senate otherwise decides on the recommendation of the Faculty Board, there shall be conducted one Year-end Written Examination (hereinafter referred to as the Examination) for each academic Year of the LL.B. Degree Programme.
29. The examination of each academic Year of the LL.B. Degree Programme shall be as follows:
- a) the Bachelor of Laws Degree Examination Year I;
 - b) the Bachelor of Laws Degree Examination Year II;
 - c) the Bachelor of Laws Degree Examination Year III; and
 - d) the Bachelor of Laws Degree Examination Year IV.
30. The number of question papers and the title of those papers for each Examination of the LL.B. Degree Programme shall be those set out in the Schedule, and the Senate shall have power, on the recommendation of the Faculty Board, to amend them.
31. There shall be constituted by the Senate on the recommendation of the Faculty Board, a Board of Examiners for each Examination of the LL. B. Degree Programme and the Board of Examiners for the LL.B. Degree Examination Year IV shall be the Board of Examiners for the award of the Degree.
- 32.
- a) A student in a particular academic Year of the LL. B. Degree Programme shall take the Examination for that Year on the first occasion on which the Examination is held after the completion of instruction for that Year. Where a student does not apply for and/or take the Examination on the first occasion he/she shall be deemed, unless the Senate determines otherwise on the recommendation of the Faculty Board, to have taken the Examination on that occasion which shall be taken into account in computing the total number of occasions on which an Examination may be taken by a student. A student who

is excused by the Senate on the recommendation of the Faculty Board from taking the Examination on the first occasion shall take the Examination on the very next occasion when it is held and if he/she fails to apply for and/or take the Examination on that occasion he/she shall be deemed, unless the Senate determines otherwise on the recommendation of the Faculty Board, to have taken the Examination on that occasion which shall be taken into account in computing the total number of occasions on which an Examination may be taken by a student.

b) The preceding paragraph of this section shall apply, *mutatis mutandis*, in the case of a student who fails or is referred in an Examination.

33. Each student who is registered for an academic Year shall make an application in the form provided by the Examination Branch for entry to the relevant Examination.
34. No application for an Examination made by any student shall be entertained by the Examination Branch unless the Head of the Department of Law has certified that the student took part in the different forms of instruction provided for each subject in the academic year.
35. A student shall not take any of the Examination on more than three occasions and in computing the total number of occasions there shall be taken into account any occasion on which he/she is deemed to have taken the Examination in terms of these By-laws.
36. A student who Cs an Examination, does not take an Examination or is deemed to have taken an Examination shall not be allowed to follow the course instruction except where the Senate for some specified reason gives him/her permission to do so.
37. A student who has failed in two or more than two subjects in a particular Year of the LL.B. Degree Programme shall not eligible to combine the papers in these subjects with other Examinations.

PART VI - COMPUTATION OF RESULTS AND AWARD OF THE DEGREE

38. For the final evaluation of the performance of a student in a subject in any Year of the LL.B. Degree Programme, 30% of the marks obtained by him/her in Continuous Assessments as well as 70% of the marks obtained by him/her at the Examination shall be taken into account.
39. Each subject at every Examination of the LL.B. Degree Programme shall carry a maximum of 100 marks and be assessed or graded with a mark and a grade according to the following scale:

A	-	75% - 100%	}	PASS
B	-	60% - 74%		
C	-	50% - 59%		
D	-	40% - 49%	}	FAIL
E	-	00% - 39%		

40. The minimum mark for passing a subject is 50%. A student shall be deemed to have passed a subject if he/she obtains a mark of not less than 50% in that subject.

Provided that a student may be exempted from English in accordance with By-Law 41.

41. A student may be exempted from being assessed in the subject of English depending on his/her performance at the Placement Test conducted by the Department of English of the University of Colombo or by virtue of his/her having an equivalent qualification accepted by the Department of English and the Faculty Board.

42. A student shall have passed the Bachelor of Laws Examination Year I, the Bachelor of Laws Examination Year II, the Bachelor of Laws Examination Year III, and the Bachelor of Laws Examination Year IV if he/she has passed in all the subjects of the respective Examination. Provided that the Board of Examiners for the award of the Degree may condone a student and pass him/her if the student has obtained not more than one D Grade for the entire Examinations of the Bachelor of Laws Degree Programme.

43. No student shall become entitled to the degree of Bachelor of Laws if he/she has obtained a Grade E in one or more subjects and/or a Grade D in more than one subject in one or more of the four Examinations of the Bachelor of Laws Degree Programme.

- 44.
- a) A student who receives a mark of less than 50% in a subject or absents himself/herself from the Examination in a subject without a valid excuse accepted by the Senate, shall be deemed to have failed in , the subject.
 - b) A student who absents himself/herself from the Examination in a subject without a valid excuse acceptable to the Senate on the recommendation of the Faculty Board shall be deemed to have failed in the subject and, for the purpose of computation of results shall be deemed to have received zero marks for the subject.

45. A student who fails or is deemed to have failed in more than two subjects shall be considered to have failed the Examination.

46. A student who fails or is deemed to have failed in two subjects of an Examination shall re-take those two subjects only.

47. A student who fails in one subject having obtained a Grade D for that subject shall be referred in that subject and shall take that subject while in the next academic Year of the Programme. Provided that a student who wishes to stay in the same Year and complete the subject may be permitted to do so without being admitted to the next Year of the Bachelor of Laws Degree Programme.

48. For the purpose of computation of marks, where a student re-takes an Examination or a subject thirty percent of his/her marks obtained for the Continuous Assessment at the time in which he/she failed in the Examination or subject as the case may be, shall be taken into consideration along with seventy percent of his/her actual marks obtained at the subsequent Examination.

Provided that a student who fails, an Examination is granted permission to repeat the course instruction in terms of By-Law 36, he/she would be subject to Continuous Assessment and Examination while repeating the course and the computation of marks will be done taking those marks into consideration.

49. A student who has passed the Bachelor of Laws Examination Year I, the Bachelor of Laws Examination Year II, the Bachelor of Laws Examination Year III and the Bachelor of Laws Examination Year IV without being referred in any subject at any time may be awarded First Class Honours, Second Class (Upper Division) Honours or Second Class (Lower Division) Honours, as the case may be on his/her performance at all those four Examinations taken together if he/she satisfies the requirements set out in these By-Laws.
50. A student shall be eligible for the award of First Class or Second Class Honours only where he/she has taken all four Examinations of the Bachelor of Laws Degree Programme on the first occasion on which he/she was qualified to take each of those Examinations in terms of By-Law 32. Provided that the Senate may, on the recommendation of the Faculty Board, for some specified reason determine that he/she is eligible for the award of Honours although he/she has not taken any of those Examinations on the first occasion.
51. The marks in all the papers on English of the Bachelor of Laws Examinations and the marks in the paper on Legal Method at the Bachelor of Laws Examination Year I shall not be taken into account for the award of First Class or Second Class Honours or for the award of prizes, scholarships and exhibitions.
52. a) Subject to By-Laws 49, 50 and 51 a student shall be deemed to have qualified for the award of First Class Honours, Second Class (Upper Division) Honours or Second Class (Lower Division) Honours on the basis of the following scheme:
- First Class Honours:
- The Grades in at least half the number of papers are 'A's with an average mark of not less than 70% for all the papers;
- Second Class (Upper Division) Honours:
- The Grades in at least half the number of papers are 'A's or 'B's with an average mark of not less than 65% for all the papers;
- Second-Class (Lower Division) Honours:
- The Grades in at least half the number of papers are 'A's or 'B's with an average mark of not less than 60% for all the papers.
- b) For the above purposes "half the number of papers" shall mean half of the total number of papers of all the Bachelor of Laws Examinations excluding the four papers on English and the paper on Legal Method of the Bachelor of Laws Examination Year I and the "average mark" shall be arrived at by dividing the total of the student's marks in all the eighteen papers given in the Schedule divided by eighteen.

PART VII- TRANSITIONAL PROVISIONS

53. Subject to By-Law 54, the Degree of Bachelor of Laws By-Laws No. 1 of 1987 and its subsequent amendments are hereby repealed without any prejudice to anything already done under the said By-Laws.
54. The students who are registered under the Degree of Bachelor of Laws By-Laws No. I of 1987 shall be given reasonable opportunity to take the examinations of the LL. B. Degree Programme under those By-Laws and for that purpose the said By-Laws shall have operation in respect of those students only.
55. The students who were admitted to the Faculty under the Degree of Bachelor of Laws By-Laws, No. I of 1987 and who are still in the Faculty may be given an opportunity to come under these new By-Laws.

PART VIII-INTERPRETATION

56. In these By-Laws unless it is specifically stated otherwise,

the "University" means the University of Colombo established in terms of the Universities Act No. 16 of 1978 as amended subsequently.

the "Senate" means the Senate of the University of Colombo constituted under the Universities Act No. 16 of 1978 as amended subsequently..

the "Faculty Board" means the Faculty Board of the Faculty of Law of the University of Colombo constituted under the Universities Act No. 16 of 1978 as amended subsequently,
57. Any question regarding the interpretation of this By-Law shall be referred to the Council of the University of Colombo which shall act on the recommendation of the Senate. The decision of the Council thereon shall be final.

THE SCHEDULE

Bachelor of Laws Degree Year I

- (1) The following are the subjects of the Bachelor of Laws Degree Year I and the number of hours allocated for the course as given against each subject.

Title	Hours of Instruction
Constitutional Law I	84 hours
Criminal Law	84 hours
Legal Method	42 hours
Legal Systems	42 hours
Roman Law	42 hours

Bachelor of Laws Examination Year I

- (2) The following are the titles of the Question Papers at the Year-end Written Examination for the Bachelor of Laws Examination Year I:

Title of Question Paper

Constitutional Law I
Criminal Law
Legal Method
Legal Systems
Roman Law

Bachelor of Laws Degree Year II

- (3) The following are the subjects of the Bachelor of Laws Degree Year II and the number of hours allocated for the course as given against each subject

Title	Hours of Instruction
Constitutional Law II	60 hours
Family Law	84 hours
Law of Contract	60 hours
Land Law	84 hours
Equity & Trusts	60 hours

Bachelor of Laws Examination Year II

- (4) The following are the titles of the Question Papers at the Year-end Written Examination for the Bachelor of Laws Examination Year II:

Title of Question Paper

Constitutional Law II
Family Law
Law of Contract
Land Law
Law of Equity and Trusts

Bachelor of Laws Degree Year III

- (5) There shall be offered Compulsory and Elective Subjects at the Bachelor of Laws Degree Year III and a student shall study all the Compulsory Subjects and one of the Elective Subjects. The Faculty Board may decide not to provide course on any of the Elective Subjects in a given year.

The following are the titles of the Compulsory and Elective Subjects and the number of hours allocated for the course as given against each subject:

Title	Hours of Instruction
Compulsory	
Law of Delict	60 hours
Administrative Law	60 hours
Public International Law	60 hours
Evidence and Procedure* OR	60 hours
Interpretation of Statutes*	60 hours
Elective	
Conflict of Laws	42 hours
Law of the Sea	42 hours
Humanitarian Law	42 hours
International Organizations	42 hours
Business Law	42 hours
International Investment Law	42 hours

*A student who offers Evidence and Procedure may select Interpretation of Statutes as an Elective Subject and likewise a student who offers Interpretation of Statutes may select Evidence and Procedure as an Elective Subject.

Bachelor of Laws Examination Year III

- (6) Where no course is provided for any Elective Subject in a particular year, the Faculty Board may decide not to hold a question paper on the Elective Subject/s in that year. The

following are the titles of the Question Papers at the Year-end Written Examination for the Bachelor of Laws Examination Year III:

Title of Question Paper

Compulsory

Law of Delict
Administrative Law
Public International Law
Evidence and Procedure OR
Interpretation of Statutes

Elective

Conflict of Laws
Law of the Sea
Humanitarian Law
International Organizations
Business Law
International Investment Law

Bachelor of Laws Degree Year IV

- (7) There shall be offered Compulsory and Elective Subjects at the Bachelor of Laws Degree Year IV and a student shall study all the Compulsory Subjects and two of the Elective Subjects. The Faculty Board may decide not to provide course on any of the Elective Subjects in a given year.

The following are the titles of the Compulsory and Elective Subjects and the number of hours allocated for the course as given against each subject:

Title	Hours of Instruction
Compulsory	
Jurisprudence	84 hours
Human Rights Law* OR	60 hours
Environmental Law*	60 hours
Elective	
Company Law	60 hours
Tax Law	60 hours
Labour Law	60 hours
Intellectual Property Law	60 hours
Law and Medicine	60 hours

*A student who offers Human Rights Law may select Environmental Law as one of the Elective Subjects and likewise a student who offers Environmental Law may select Human Rights Law as one of the Elective Subjects.

Bachelor of Laws Examination Year IV

- (8) Where no course is provided for any Elective Subject in a particular year, the Faculty Board may decide not to hold a question paper on the Elective Subject/s in that year. The following are the titles of the Question Papers at the Year-end Written Examination for the Bachelor of Laws Examination Year IV:

Title of Question Paper

Compulsory

Jurisprudence
Human Rights Law OR
Environmental Law

Elective

Company Law
Tax Law
Labour Law
Intellectual Property Law
Law and Medicine

New Examination Criteria.

Background

The Faculty Board of the Faculty of Law considered the new implications of the scheme introduced in 1996/97, the representations made by the student body, the position existing in the other faculties and, the general view expressed by the Senate and the other faculty members. Having discussed various aspects relating to the scheme and considered various options the Faculty Board has now proposed a new scheme which would, while maintaining the standard of the degree conferred by the University, permit some flexibility in order to reduce some harshness in the present system.

New Scheme

Under the new scheme proposed by the Faculty Board, any student who passes in a specified number of subjects at an examination will be eligible to go up to the next Level and need not repeat the subjects in which he has already passed. He could complete the subjects which he has not satisfactorily completed along with the next year's examination. To avail himself of this opportunity a student should have passed at least in 50% of the subjects of that year's examination. The threshold for going up as well as not repeating the subjects passed is 50%. Therefore, a student should have passed in at least 3 subjects in an examination to be eligible to go up and to be exempted from sitting the subjects which he has passed. A student who fails in more than 50% of subjects of an year can neither go to the next year nor be exempt from any subjects. He has to repeat the entire examination while being in the same year.

Rationale

As the Faculty Board considers that allowing students to pile up subjects and to combine them in one year to be a very unhealthy practice, it is of the view that the maximum number of subjects a student can offer at a given point of time should be stipulated. The Faculty Board was also of the view that a student must demonstrate a minimum degree of skills and motivation in a given year before being allowed to proceed to next year. Therefore, it was decided that no student will be permitted to combine more than nine subjects at a given point of time in an academic year. This nine-subject limitation will be applied strictly so that the student will not be permitted to combine more than two years' examinations, if its effect would be sitting for more than nine subjects. For example, a student who fails in two subjects in the year I Examination and two subjects in the year II Examination will not be permitted to go up to year III; nor will he be permitted to combine those subjects because, it would have amounted to more than nine subjects.

Effect

The above changes will have the following effects from the point of view of the students.

1. A student who passes in a minimum of three subjects could go to the next level. Earlier, only a student who passed in a minimum of four subjects enjoyed this facility.
2. The nature/degree of a student's performance in the subjects in which he fails does not make any difference with regard to his going up or repeating the papers. Earlier this was not the case. Depending on the nature/degree of a student's performance whether a D or E, a student could either go up or stay behind as well as not repeat or repeat the subjects. For instance, a student who obtains more than 2 Ds or 1 E will have to repeat even the subjects in which he has already obtained a pass grade.
3. A student who claims that he could combine and sit more than one part is given an opportunity to combine a maximum of nine subjects. If he fails to complete satisfactorily the nine subjects, his claim that he could sit for more than nine subjects and pass cannot be supported.

Conclusions

The Faculty Board noted that this criteria is in keeping with the objectives laid down by the Faculty of Law in its Position paper adopted by the Faculty Board on 6th March 1997 (Document attached). In summary the Faculty remains committed to providing "legal education which maintains standards of academic excellence"