

L.N. 9 of 1997

**EDUCATION ACT
(CAP. 327)**

The Doctor of Laws – LL.D. Degree Course Regulations, 1997

IN exercise of the powers conferred upon him by sections 30(5) and 31(6) of the Education Act (Cap. 327), the Chancellor of the University of Malta has promulgated the following regulations made by the Senate of the University of Malta by virtue of the powers conferred upon it by sections 31 and 35 of the said Act:

Citation and Interpretation

1. (1) These regulations may be cited as the Doctor of Laws – LL.D. – Degree Course Regulations, 1997.

(2) In these regulations, unless the context otherwise requires —

“the Board” means the Board of the Faculty of Laws;

“the Course” means the Course leading to the Degree of Doctor of Laws;

“the Degree” means the Degree of Doctor of Laws.

Applicability

2. These regulations shall be applicable to courses starting in October 1993 or later.

Eligibility for the Degree

3. To be eligible for the Degree a candidate shall:

(a) be registered as a matriculated student in terms of the Admission Regulations of the University;

(b) complete the course of studies, qualify in the examinations and satisfy any other requirements prescribed in these regulations; and

(c) satisfy any other requirements prescribed in any other relevant statutes and regulations of the University.

Special Course Requirements

4. (1) To be registered for the Course a candidate shall, in addition to satisfying the conditions specified in the Admission Regulations of the University, satisfy the following Special Course Requirements:

(a) have obtained the degree of Bachelor of Arts in Legal and Humanistic Studies with at least category IIB; and

(b) have obtained at least 54 credits in the law area and have at least a Grade C average in the Final Examinations held in that area.

(2) A candidate who is a graduate of a University, or has other qualifications considered to be sufficient, may be exempted by the Admissions Board, on the advice of the Faculty Admissions Committee, from the whole or part of these Special Course Requirements.

Course Structure

5. (1) The programme of studies shall extend over three years, and shall be divided into two parts: Part One and Part Two.

(2) The Board may require candidates to register before each year of the Course for those study-units indicated by it.

(3) The Board shall draw up a schedule of study-units and of the credits assigned to each. The Board may amend such schedule from time to time as it may deem advisable, provided this is done before the beginning of the academic year.

(4) The Board may exempt a candidate from the requirement of obtaining a credit if he has obtained from the University, or an institution recognised by Senate for the purpose, a qualification the study for which is, in the opinion of the Board, at least equivalent in content and standard to that required for the credit concerned.

Part One of Course

6. (1) Part One shall extend over the first four semesters of the Course. To complete Part One of the Course a candidate must obtain a minimum of 55 credits, of which 27 shall be taken in the first two semesters.

(2) A candidate who fails to obtain a minimum number of credits in the first two semesters shall not be allowed to proceed to the next semester.

(3) A candidate who obtains the minimum number of credits prescribed in paragraph (1) of this regulation shall be allowed to sit for the Final Examinations at the end of Part One.

(4) A candidate who fails to obtain the necessary number of credits or fails in the Final Examinations shall not be allowed to proceed to Part Two of the Course, saving the provisions of regulation 12.

Part Two.

7. Part Two shall consist of study-units to which not less than 10 credits shall be assigned, the submission of a thesis and a final oral examination on the subject thereof: provided that no candidate shall be allowed to submit his thesis to the Board before he has been approved in the Final Examinations at the end of Part One of the Course.

Progress

8. (1) Credits shall be assigned according to the following grades in descending order of merit: A, B, C, D and F, where F indicates Failed.

(2) A candidate who fails to obtain a credit for a study-unit is allowed to be re-tested once. In the re-assessment, the student's credit shall be graded either D or F.

Final Examinations

9. (1) Final Examinations shall be held at the end of Part One of the Course and shall consist of one paper and a *viva voce* examination in each of the subjects studied.

(2) To satisfy the Final Examination requirement, a candidate must be successful in each subject.

(3) A candidate who fails in any one or more of the subjects shall have a supplementary session in the paper or papers and/or in the *viva voce* examination or examinations of that subject: provided that a candidate who has obtained a Grade D in the written paper and has failed the *viva voce* examination shall be required to take the whole examination in that subject.

(4) The mark or grade obtained in a supplementary examination shall either be the minimum pass mark or grade, or Failed.

Thesis

10. (1) The subject of the thesis referred to in regulation 7 shall be submitted by a candidate for the approval of the Board at any time after the candidate has been admitted to the Course but, unless there is a good and sufficient cause to the satisfaction of the Board, not later than the end of the fourth semester of the Course.

(2) The Board shall, after the approval of the subject of the thesis, appoint:

(a) a tutor to direct and supervise the work of the candidate; and

(b) a Board of Examiners composed of three persons to examine the thesis.

(3) A candidate may submit his thesis for the approval of the Faculty Board after he has completed Part One.

(4) A candidate, who, for a reason considered justified by the Faculty Board, does not submit the thesis before the end of the sixth semester of the Course, may submit it for the approval of the Faculty Board within a period of two years following the final year. The said period of two years may be extended further by Senate for a good and sufficient cause.

(5) The thesis shall be an original work on the approved subject or other contribution to the knowledge thereof showing that the candidate has carried out sufficient research therein.

(6) The thesis shall be presented in such format, be of such length and be submitted in such number of copies as the Faculty Board may direct.

(7) The candidate, when submitting his thesis, shall sign a declaration stating that it is his own personal work and specifying expressly if it has been previously submitted or is concurrently being submitted in candidature for another degree or diploma. In such case the student shall also state what part of it has been or is being so submitted and the Faculty Board shall have the right to decide whether to accept or not such thesis.

(8) The Board of Examiners shall, within such time as may be determined by the Faculty Board, submit a report to the Faculty Board on the merits of the thesis and as to whether it satisfies the requirements of paragraph (5) of this regulation.

(9) If the report of the Board of Examiners is favourable, the candidate shall be required to undergo a final oral examination before a Committee of the Faculty Board. The said Committee shall be composed of the members of the Board of Examiners appointed to examine the thesis and the members of the Faculty Board. The quorum at meetings of the said Committee shall consist of two members of the Board of Examiners and two members of the Faculty Board. The said Committee shall be chaired by the Dean of the Faculty and in his absence by a Chairman elected by the Committee.

(10) The Committee shall report to the Faculty Board on the result of the oral examination mentioned in this regulation.

(11) The Faculty Board, shall, after the receipt of such report, cause the names of candidates who qualify for the award of the Degree to be published on the notice board of the University in alphabetical order.

Diploma of Notary Public (N.P.)

11. Candidates who, in accordance with these regulations, during the first two semesters obtain a minimum of 25 credits in the study-units indicated by the Board for the purpose, shall be entitled to register for the examination for the award of the Diploma of Notary Public and if successful shall be entitled to such Diploma. Such examination shall be held at the end of those two semesters and a resit shall be allowed within three months in any subject or subjects failed.

Rejoining of Course

12. (1) A candidate who has interrupted his course of studies or who has failed to obtain the necessary credits in Part One of the Course or failed the Final Examinations at the end of that Part may be allowed by the Board to rejoin the Course in such year as the Board may deem appropriate and in so doing the Board may require such student to sit for such further examinations, besides those specified in paragraph (1) of regulation 9 above, as it may deem necessary.

(2) In no case shall a candidate complete his course of studies in a period longer than five years except with the special permission of Senate, for a good and sufficient cause.

(3) Candidates who were following the LL.D. course under the regulations in force prior to the present regulations and had interrupted their course of studies or failed in a particular year at any time after the third year of that course may be allowed by the Board to join the Course notwithstanding that such candidates have not previously obtained the BA degree specified in regulation 4 hereof, and this in such semester and under such conditions as the Board may deem necessary.