L.N. 145 of 1989

EDUCATION ACT, 1988

(ACT No. XXIV of 1988)

Regulations for the Degree of Doctor of Laws (LL.D.) and for the Dipolma of Notary Public (N.P.)

IN exercise of the powers conferred upon him by sections 28(5) and 29(6) of the Education Act, 1988, the Chancellor of the University of Malta has promulgated the following regulations made by the Senate of the University of Malta in virtue of the powers conferred upon it by section 33 of the said Act:—

Citation

These regulations may be cited as the Regulations for the Degree of Doctor of Law (LL.D.) and for the Diploma of Notary Public (N.P.) and shall be applicable to courses which started in January, 1985 or later.

REGULATIONS FOR THE DEGREE OF DOCTOR OF LAWS (LL.D.)

Eligibility for Degree

1. To be eligible for the award of the Degree of Doctor of Laws a candidate must:

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

(b) satisfy the Special Course Requirements in accordance with Regulation 3 below;

(c) complete the course of studies, qualify in the examinations and satisfy any other requirements as prescribed in these Regulations;

(d) satisfy any other requirements prescribed in any other relevant Statutes and Regulations of the University.

Duration of Course

2. The Course of Studies leading to the Degree of Doctor of Laws extends over a period of six years as specified in Regulation 4 hereof.

Special Course Requirements

3. To apply for admission to the course leading to the Degree of Doctor of Laws a candidate must, besides satisfying the conditions for admission as a regular student in terms of the Admission Regulations of the University, satisfy the following Special Course Requirements:

passes at Advanced Level (two of which at Grade C or better and the other at Grade D or better) in:

(i) English
(ii) Maltese
(iii) at least one of: Italian, French, Latin, Economics and Philosophy

and, if not already offered at Advanced Level, passes at Ordinary Level in:

(i) Italian
(ii) French or Latin

in the Matriculation Examination of the University, or at corresponding levels of other examinations recognised by the Senate for the purposes of the Admission Regulations:

Provided that 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 Curriculum

4.1 The subjects of the Course of Law shall include the following:

Civil Law
Roman Law
Philosophy of Law
Civil Procedure

Criminal Law
Criminal Procedure

Commercial Law
Commercial Procedure

Public Law, including:
Constitutional Law
Administrative Law
Public International Law
Private International Law
Industrial Law
Fiscal Law

and such other subjects as may be determined from time to time by the Senate on the advice of the Faculty Board. The allocation of the subjects to particular years/semesters shall be made from time to time by the Senate on the advice of the Faculty Board.

4.2 The Faculty Board shall have the power in appropriate cases to exempt a student from one or more subjects in any year, if it is satisfied that the student is already academically qualified in that subject or those subjects on the basis of degrees and diplomas obtained by such student in this or another university:

Provided that the Faculty Board may not, without the approval of the Senate, exempt a student from more than a third part of the subjects in an academic year.

Grades, Assessments and Examinations

5.1 In each year the Faculty Board shall award students grades on the basis of their general performance throughout the year in the subjects taught in that year.

5.2 In the final year of the course, the examination shall be held in two parts:

(a) Part One, which shall consist of the assessments and examinations hereunder referred to and as specified in the syllabus. To this part of the examination all the provisions mentioned in this Regulation shall apply.

(b) Part Two, which shall consist of the submission of a thesis and a final oral examination on the subject thereof — provided that no student shall be allowed to submit his thesis to the Faculty Board before he has been approved in Part One of the examination of the final year of the course.

5.3 The grades mentioned in Regulation 5.1 hereof shall take into account the assessments, and the results of the written and oral examinations as provided for in Regulation 5.6 hereof. In each year, examinations shall be held in every subject taught in that year, unless otherwise provided in the Syllabus.

5.4 Assessments shall be made in each subject taught and shall take into consideration the course work and performance of each student during the year. The assessment shall be made by the Head of Department, or, in the event that he is debarred by the Regulations of the University from being a member of the Board of Examiners, by the Chairman of such Board.

5.5 There shall be a Committee of the Boards of Examiners composed of all the members of the Boards of Examiners examining in a particular year. The Committee shall be chaired by the Dean of the Faculty and, in his absence, by a Head of Department elected to chair the meeting by the Committee meeting. The quorum of the Committee meetings shall consist of one more than a third of the members thereof.

5.6 It shall be the function of the Committee of the Boards of Examiners to consolidate the results obtained by each student in assessments and examinations and to make recommendations to the Faculty Board regarding the grading and/or the referral of students in the written and/or oral examinations of any subject, and this in accordance with guidelines laid down by the Faculty Board.

5.7 A student who is graded Failed in a particular year, and remains so graded even after the referral referred to above, shall not be allowed to proceed to the next year of the course. Such student may, however, be allowed by the Faculty Board to rejoin the Course once only in terms of Regulation 8 hereafter.

Thesis

6.1 The subject of the thesis referred to in Regulaton 5.2(b) hereof shall be submitted by a candidate for the approval of the Faculty Board at any time after the candidate has been approved in the examinations held in the third year of the course but, without a good and sufficient cause, not later than the end of the fourth year of the Course.

6.2 The Faculty Board shall, after approval of the subject of the thesis, appoint:

i. a tutor to direct and supervise the work of the candidate;

ii. a Board of Examiners composed of the tutor and two other examiners to examine the thesis.

6.3 A candidate may submit his thesis for the approval of the Faculty Board in the sixth year of the course after he has been approved in all subjects of the Course.

6.4 A candidate, who, for a reason considered justified by the Faculty Board, does not submit the thesis during the Sixth Year 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.

6.5 The thesis is to be an original work on the approved subject or other contribution to the knowledge thereof showing that the student has carried out sufficient research therein.

6.6 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, in guidelines, direct.

6.7 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 a thesis.

6.8 The Board of Examiners shall within such time as may be determined by the Faculty Board submit a report to the said Faculty Board on the merits of the thesis and as to whether it satisfies the requirements of Regulation 6.5 hereof.

6.9 If the report of the Board of Examiners is favourable, the student 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.

6.10 The Faculty Board shall lay down guidelines for the holding of the abovementioned oral examination.

6.11 (i) The Committee shall report to the Faculty Board on the result of the oral examination mentioned in this Regulation.

(ii) The Faculty Board shall after the receipt of such report submit a final report to the Rector stating whether a student should be admitted to the Degree of Doctor of Laws.

Non-Attendance

7. A student who, after due warning given in writing, persistently fails to attend lectures and/or tutorials without adequate justification may be debarred by the Faculty Board from sitting for any or all of the examinations.

Rejoining of Course

8. A student who has interrupted his course of studies or who has failed in a particular year may be allowed by the Faculty Board to rejoin the Course in such year as

the Faculty Board may deem appropriate, and in so doing the Faculty Board may require such student to sit for such further examinations, besides those specified in the syllabus, as it may deem necessary:

Provided that in no case shall a student complete his course of studies in a period longer than eight years, apart from the period for the submission of the thesis as indicated in Regulation 6.4 hereof, except with the special permission of Senate for a good and sufficient cause.

Transitory Provision

9. These Regulations shall apply to students admitted to courses commencing on or after the 1st January, 1985:

Provided that students who were admitted to a course leading to the Degree of Doctor of Laws before the coming into force of these Regulations shall, for the purposes of Regulation 8 hereof, be deemed to have commenced the said course in the year in which the course they rejoined actually commenced.

REGULATIONS FOR THE DIPLOMA OF NOTARY PUBLIC (N.P.)

Applicable Regulations

1. The Regulations applicable for the Degree of Doctor of Laws shall apply to students who take the Course leading to the Diploma of Notary Public (N.P.) with the following exceptions and variations:

i. The Course shall extend only over the first four years of the Course for the Degree of Doctor of Laws.

ii. The student following the Course for the Diploma of Notary Public (N.P.) may be required by the Faculty Board to sit for such additional examinations as may be specified by it.

iii. The students following the Course for the Diploma of Notary Public (N.P.) need not submit a thesis before obtaining their Diploma.

Transitory Provision

2. These Regulations shall apply to students admitted to courses commencing on or after the 1st of January, 1985:

Provided that students who were admitted to a course leading to the Degree of Doctor of Laws before the coming into force of these Regulations shall, for the purposes of Regulation 8 of the Regulations for the Degree of Doctor of Laws and for the present Regulations, be deemed to have commenced the said course in the year in which the Course they rejoined actually commenced.

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