
Course Description

MASTER OF LAW (CHINESE LANGUAGE)

LAWS7101 CONSTITUTIONAL LAW

Theories and current status of contemporary theories of constitutional law; development of basic principles, content and of the functions of constitutional law; comparative studies on the principles, forms, characteristics, content and functions of political systems of the states; comparative studies on the principles, content, procedures and methods of the systems of election; comparative studies on the content, characteristics and development of the systems of human rights; comparative studies on the organization, formation, functions and powers (legislative power and supervisory power) of the system of legislation and the procedure of legislation; comparative studies on the organization, formation, functions and powers (efficiency and legitimacy), principles of operation of the administrative system and the development of political power; comparative studies on the organization, characteristics, independence and functions of the judicial system; comparative studies on the constitutional safeguards, constitutional construction and examination of violation of the constitution.

Pre-requisite: None

LAWS7102 MACAO BASIC LAW

Survey on theory of "One Country and Two Systems" and the Basic Law. Analysis the new issues arising from the practice. Subjects for discussion include relations between Government and the Special Administration regions, political, social, economic and cultural system and the relevant legal system.

Pre-requisite: None

LAWS7103 ADMINISTRATIVE LAW AND ADMINISTRATIVE LITIGATION LAW

I. Historical evolution of administrative law. II. Sources of administrative law. III. Principles of administrative law and their new development. IV. Administrative organizations and civil servants law. V. Administrative act, classification of administrative acts, determinative nature of administrative act and its force of enforcement. VI. Administrative procedure. VII. Effectiveness of administrative act and errors in administrative act. VIII. Administrative litigation, jurisdiction of judicial organs, scope of administrative litigation, adjudication procedure, and remedy mechanism to verdict in administrative litigation.

Pre-requisite: None

LAWS7104 ADMINISTRATIVE LAW AND ADMINISTRATIVE LITIGATION LAW

Many philosophical issues arise in connection with how we solve legal questions. This course introduces students to these issues and encourages critical thinking about them. Several questions are explored, such as: what is law, the types of law, obligation or right, the relationship between law, morality, authority, and politics, and the rule of law.

Pre-requisite: None

LAWS7105 CRIMINAL LAW

I. Historical evolution of criminal law theories in the Continental Legal Family. II. Development and improvement of basic principles of the criminal law. III. Theories and schools of the constituent elements of crime. IV. Theories and laws on inchoate crime. V. Theories and laws on joint crime. VI. Theories and laws on justifications. VII. Evolution, functions and purposes of punishment. VIII. Classification and laws of punishment. IX. Theories and laws on the application of punishment. X. Theories and laws on the execution of punishment. XI. Theories and laws on the system of the specific part of the criminal law.

Pre-requisite: None

LAWS7133 CRIMINAL PROCEDURAL LAW

Provisions in the Code of Criminal Procedure of Macao and theories of criminal procedure, models of criminal procedure, international human rights standards in criminal procedure, the power of investigation and its limits, systems of public prosecution and various models fair trial principles, the rights and responsibilities of the accused person, defense and legal aid, the system of evidence and exclusion of evidence, the rights and status of the victim, international mutual assistance in criminal matters, relevant trends and development in China and other jurisdictions, and other important topics.

Pre-requisite: None

LAWS7107 CRIMINOLOGY AND CRIMINAL JUSTICE

This course is to familiarize students with the major issues in the field of criminology, i.e., various approaches to criminology, concepts of crime and law, theories of crime causation, types of crime, and the criminal justice system. In other words, we are studying the what, why and how of crime and justice. The course is characterized by class discussions, presentations, mini-lectures, guest lectures, field trips, videos, and a major research project.

Pre-requisite: None

LAWS7108 FOREIGN CRIMINAL LAW

I. General theory and principles of comparative criminal law. II. Characteristics of criminal law in Common Law System and Civil Law System. III. Comparative study on crimes and punishments in the main countries around the world. IV. The judicial organizations and its positions, powers and obligations in the main countries in the world. V. The status and rights of the accused, victims, witnesses, lawyers, etc. in the main countries in the world.

Pre-requisite: None

LAWS7109 PROPERTY LAW

This course discusses the distinctive property law in different legal systems. It contains introduction of property rights in general, internal principles, external principles, characteristics of real property rights, possession systems, special real property rights (ius in rem) (definitive order of dominance), real property rights of use and so on.

Pre-requisite: None

LAWS7110 CONTRACT LAW

This course discusses contract law in different countries and areas. It discusses mainly: general principles, formation, vitiating factors, exemption clauses, performance, discharge, breach, remedies and so on.

Pre-requisite: None

LAWS7111 COPYRIGHT AND INDUSTRIAL PROPERTY LAW

With the rapid development of technologies and international trade, intellectual property (IP) has become one of the most important area in the study of the laws. This course aims to study the IP systems of the four regions and see how each system is similar or different from each other, whether the current IP system serves the need of the area, and how to propose an IP system that will increase the competitiveness for Greater China area.

Pre-requisite: None

LAWS7112 BIOTECHNOLOGY LAW AND POLICY

This course will examine a variety of legal, policy, and ethical issues related to biotechnology and society. Course topics will include examinations of genetically modified organisms, patenting genes, genetic testing, stem cell, and medical tourism from a variety of jurisdictions. The class also discusses the role of social media in informing the public of biotech knowledge and shaping the relevant public debate. This class is informative for anyone who are interested in exploring legal and ethical issues associated with the cutting-edge biotechnology. The issues are examined in a non-technical manner so the class is accessible for students of any backgrounds.

Pre-requisite: None

LAWS7113 TRADE AND INVESTMENT LAW OF CHINA AND PORTUGUESE – SPEAKING COUNTRIES

Combining closely the three engines of cooperation between China and the Portuguese-speaking countries (trade, investment and finance), the course uses a country-specific approach and addresses the real problems encountered by the Chinese enterprises in Brazil, Portugal and other lusophone countries. It scrutinizes the legal issues and risk aversion in the fields of energy and resources, infrastructure construction, agriculture, manufacturing, scientific and technological innovation, and information technologies. Topics cover commercial law, merger and acquisition, fiscal law, environmental law, labor law, energy law, administrative concession, technology transfer and dispute resolutions.

Pre-requisite: None

LAWS7114 INTERNATIONAL PRIVATE LAW

I. General theories of private international law (definitions, scope, origins, nature and history of private international law: subject of private international law, status of aliens in civil and commercial law, etc.). II. Conflict law (conflict of laws, rules of conflict law and application, applicable law and its determination: status and capacity of persons, act in law, agent, limitation, relationship of real right, relationship of intellectual property right, relationship of obligation, family relationship, relationship of succession and application of relevant laws). III. International unified substantial private law (general introduction to international unified substantial private law, international sale of goods, international cargo transportation, international insurance, international payment, international guarantee, international protection of intellectual property rights). IV. Resolution of international civil and commercial disputes (definitions of international civil and commercial disputes, ADR, international civil and commercial conciliation, international civil and commercial mediation, international commercial arbitration and international civil litigation).

Pre-requisite: None

LAWS7115 COMMERCIAL ORGANIZATIONAL LAW

This course focuses on different legal regulation concerning the private companies and public companies in distinctive countries and areas and discusses the major trends in commercial organizational law. All major issues of this course will be covered, including fundamental concepts (types of companies; limited liability; capital maintenance), the creation of companies, the capital, the shares, the organs of companies, the rights and obligations of shareholders, and the dissolution and liquidation of companies.

Pre-requisite: None

LAWS7116 INTERNATIONAL SALE OF GOODS LAW

This course is designed to help students understand the definition and sources of international sale of goods law, and the legal issues arising for the buyers and the sellers, in an international sale of goods transaction. It will examine the laws governing the international sale of goods, such as the Unidroit Principles, the United Nations Convention on the International Sale of Goods (CISG), and the International Chamber of Commerce (ICC).

Pre-requisite: None

LAWS7198 PROJECT REPORT

The Project Report serves the purpose of demonstrating the ability to identify, discuss and summarize any legal topic, ideally of present practical relevance, as well as to evidence basic writing skills and in-depth knowledge in the selected legal field. To successfully complete the Project Report, a Faculty member competent in the selected legal field tutors the progress and finally approves the report.

Pre-requisite: None

LAWS7117 CLASSICS IN LAW

This course introduces students to great books, articles or judicial decisions in legal history. The students are required to read closely and critically one or two texts for each class. These classics

will include, but not limited to: Hobbes, Rousseau, Hume, Bentham, Mill, Kelsen, Hart, Rawls, Dworkin. The course may also discuss Kant, Schmitt, Hayek, and other authors; or great judicial decisions in history.

Pre-requisite: None

LAWS7118 ECONOMIC AND TRADE LAW OF EUROPE

General Theories of Regional Economic Integration, Custom Unions of the EU, Free Movement of Persons within the EU, Freedom of Establishment and Services in the EU, European Monetary Union, Common Competition Rules of the EU, the EU Competences in Its External Economic and Trade Cooperation, Anti-Dumping and countervailing Rules of the EU, Safeguard Measures of the EU, Economic and Trade Relations between the EU and China as well as Macao.

Pre-requisite: None

LAWS7119 WORLD TRADE ORGANIZATION LAW

The course is designed to offer an opportunity to students to pursue further studies in the area of WTO law. Contemporary legal issues of WTO law, in particular those which may have significant implications to Macao, Mainland China, Hong Kong and Taiwan are analyzed and discussed. Students' participation in class discussions is expected and encouraged.

Pre-requisite: None

LAWS7120 MARITIME LAW

The course is designed to offer an opportunity to students to pursue further studies in the area of maritime law and shipping law. Contemporary legal issues and recent developments in the area of maritime law are discussed. Case study and class discussion are emphasized during the seminars. Special reference are to be made to Macao, Mainland China, Hong Kong, Taiwan and other neighboring economies, when appropriate.

Pre-requisite: None

LAWS7121 SEMINAR OF THE SPECIAL ADMINISTRATIVE REGION AND PUBLIC INTERNATIONAL LAW

I. History of international law and theories of international law; historical evolution of international law; compilation of international law; theoretical schools of international law. II. Theories on the law of treaties and international treaties. III. Theories on the subjects in international law; theories and practice of recognition and succession in international law. IV. Issues in international law on Macao. China's Sovereignty and Macao Special Administrative Region. The differences between treaties signed by central government and Macao. The status of Macao SAR in international organizations. V. International human rights law; development of international human rights law; influence of international human rights law on traditional international law. VI. New development in contemporary law of the sea. VII. Territorial air and the law of outer space. VIII. Diplomatic law and consular law. IX. Law on international organizations: the role of the United Nations, issues in amending the Charter of the United Nations. China and the United Nations and other international organizations. X. Resolution of international disputes, analyses of judgment on cases by the United Nations International Court.

Pre-requisite: None

LAWS7122 INTERNATIONAL ARBITRATION

This course addresses arbitration as an alternative means to resolve international commercial disputes, and introduce some important organizations involved in the international arbitration, as well as their arbitration procedure issues, respectively.

Pre-requisite: None

LAWS7123 CIVIL PROCEDURE LAW

This course discusses the different system of civil procedure law in different countries and areas. It includes the introduction of civil procedure law, general frame of the action in civil jurisdiction, the right to a legal action, legal classification of the actions, concepts and features, interpretation and integration. Application in time and in space, theory and structure of procedural relation, the

procedural act, dynamics of the procedural relation, formalities of the Ordinary Declaratory Process and so on.

Pre-requisite: None

LAWS7124 TORT LAW

This course will attempt to explain some of the basic rules which under the law of tort. First of all, the students shall have a critical knowledge of the general principles such as the constituting liability and methods of assuming liability after finishing this course. Meanwhile, this course shall introduce some specific areas of tort law, including the product liability, liability for motor vehicle traffic accident, liability for medical malpractice, liability for environmental pollution, liability for ultrahazardous activity, liability for harm caused by domestic animal, liability for harm caused by object, etc.

Pre-requisite: None

LAWS7125 INTERNET AND DATA LAW

This course mainly focuses on two overlapping areas from the comparative law perspective: Internet law and Data law. Internet Law is also known as Cyber Law, referring to the area of law that deals with the Internet's relationship to technological and electronic elements. Data Law is also named as Data Protection Law, teaching students the hybrid nature of data protection, data security, data exports, the rights of individuals, sensitive personal data, outsourcing personal data processing, and so on.

Pre-requisite: None

LAWS7126 SEMINAR OF CIVIL ADJUDICATION

The mission of this course is to build a bridge from the knowledge and principles in textbooks to the effective practice of law. As a training course, the teachers aim to help postgraduate students enrich their ability of legal analysis. The course shall offer students hands-on experience with analyzing the civil cases. Through the training of doing research in 'hard cases', students could advance their skills in theoretical debate, as well as extracurricular clinic training.

Pre-requisite: None

LAWS7127 SEMINAR OF CIVIL ADJUDICATION

In light of the growing global concern for a sustainable development, this course covers the central laws and international bodies concerning the protection of the environment. As a cross-sectional problem the protection of the environment poses a multidisciplinary challenge of both local and global relevance. Therefore, this course discusses several urgent environmental problems, such as climate change, exhausting of nature resources, pollution of the air, water and the sea, and identifies the relevant legal responses to them and critically connects them to the global institutional framework set since the adoption of the United Nations Charter.

Pre-requisite: None

LAWS7128 INTERNATIONAL INVESTMENT LAW

The course is designed to offer an opportunity to students to pursue further studies in the area of investment law, which is one of important subjects in legal studies today. Contemporary legal issues and important cases of foreign investment law are discussed. Some references are to be made, where appropriate, to those issues and new developments which are of special interests to students from the Greater China Area.

Pre-requisite: None

LAWS7129 LEGAL ISSUES ON "BELT AND ROAD"

OBOR Initiative involves many legal issues which may not be placed easily under the present category of trade law, investment law, commercial law, or contract law and etc. This course is designed to give students an opportunity to see many of international trade and commercial law problems in the practical context of the OBOR initiative. Cases and most recent materials will be shared and studied during the course. Students are expected to participate in the class discussions in various forms, including project presentation, and case discussions.

Pre-requisite: None

LAWS7130 SEMINAR OF HONG KONG BASIC LAW AND HONG KONG LAW

The Hong Kong Basic Law gives survey on theory and practice of "One Country and Two Systems" and the Hong Kong Basic Law, subjects for discussion include relations between the Central Government and the Special Administration regions, political, social, economic and cultural system and the relevant. The Hong Kong Law addresses the legal system in Hong Kong, it includes common law concepts and principles in Hong Kong's law, such as the sources of law in Hong Kong, the rule of law, and the related regulations and systems in specific legal departments.

Pre-requisite: None

LAWS7131 LEGAL SYSTEM OF THE EAST ASIA

Studies in legal systems of the East Asia including Chinese Mainland, the districts of Hong Kong, Macao and Taiwan, South Korea and Japan.

Pre-requisite: None

LAWS7132 CASE STUDIES FOR GERMAN CLASSIC PRIVATE LAW

In this course, the professor will give students various classic cases in civil law. Students can discuss with each other and try to solve problems. However, the professor will give his detailed studies, comments and conclusions. Students will learn how to analyze a case in German way. It will help students lay the foundation for becoming a lawyer or a judge in the future.

Pre-requisite: None
