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

   (b) 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 or the degree of Bachelor of Laws with at least Second Class (Honours);

   (b) (i) for courses commencing prior to and in October 2010, have obtained at least a 53% average in the study-units assigned to the compulsory programme of studies of the Laws main area of study in the Bachelor of Laws course; or in the case of students who were awarded the degree of Bachelor of Arts in Legal and Humanistic Studies have obtained at least 54 UoM/108 ECTS credits in the Laws main area of study and have at least a Grade C average in the Final Examinations held in that area of study, provided that the examinations and the credits for study-units in the Laws main area must be those indicated by the Board as necessary for a student to proceed to the LL.D. course, and provided further that the Faculty Admissions Committee shall still allow a student to proceed to the LL.D. course if he has obtained an overall mark of 52% in the compulsory programme of studies of the Laws main area of study in the Bachelor of Laws course, if the student has obtained an overall mark of at least 53% in the compulsory programme of studies of the Laws main area of study in the Bachelor of
Laws course, in each of the second and third years of the course mentioned in sub-
paragraph (a) above;

or

(ii) for courses commencing from October 2011 onwards, have obtained at least
a 55% average in the study-units assigned to the compulsory programme of studies of
the Laws main area of study in the Bachelor of Laws course; or in the case of students
who were awarded the degree of Bachelor of Arts in Legal and Humanistic Studies have
obtained at least 54 UoM/108 ECTS credits in the Laws main area of study and have at
least a Grade C average in the Final Examinations held in that area of study,
provided that the examinations and the credits for study-units in the Laws main area of
study shall be those indicated by the Board as necessary for a student to proceed to the
LL.D. course, and
provided further that the Faculty Admissions Committee shall still allow a student to
proceed to the LL.D. course if he has obtained an overall mark of 54% in the
compulsory programme of studies of the Laws main area of study in the Bachelor of
Laws course, if the student has obtained an overall mark of at least 55% in the
compulsory programme of studies of the Laws main area of study in the Bachelor of
Laws course, in each of the second and third years of the course mentioned in sub-
paragraph (a) above, and
provided further that the provisions of this sub-paragraph shall not apply to students
who commenced the Bachelor of Laws course on 1st October 2007 or earlier, and to
students who obtained the Bachelor of Arts in Legal and Humanistic Studies degree
and, in both these cases, the matter shall continue to be regulated by the provisions of
regulation 4 (1) (b) (i).

(c) have obtained passes in English and in Maltese at Intermediate Level or
higher,

provided that students who had commenced their studies for the Matriculation
Certificate Examination in October 2001 shall not be required to be in possession of
these passes; and
provided that non-Maltese citizens may offer their own language instead of Maltese;
and
provided further that mature students not in possession of these passes shall be
exempted from this requirement if they were already so exempted from similar special
course requirements upon entry into the Bachelor of Arts in Legal and Humanistic
Studies or the Bachelor of Laws course.

(2) The Board may recommend the admission of an applicant who is not a
citizen of Malta and who is not in possession of passes in English and/or in Maltese at
Intermediate Level or higher,
provided that it is satisfied that the applicant is proficient in the English language to an equivalent level.

(3) 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.

(4) Candidates in possession of the degrees of Bachelor of Arts in Legal and Humanistic Studies or the Bachelor of Laws who do not have the necessary requirements to register for the Course in terms of sub-paragraphs (a) and (b) of paragraph (1) of this regulation, as well as candidates in possession of a degree in law other than the Bachelor of Arts in Legal and Humanistic Studies and the Bachelor of Laws that is considered by the Board to be of an equivalent standard, may be allowed by the Board to register for a qualifying year of studies made up of Law subjects as determined by the Board. Such candidates shall become eligible to be admitted to the Course leading to the Degree if they obtain 53% average or, in the case of candidates who will commence the Doctor of Laws course from October 2011 onwards, if they obtain a 55% average in the qualifying programme, provided that the provisions of this paragraph shall not apply to students who commenced the Bachelor of Laws course on 1st October 2007 or earlier, and to students who obtained the Bachelor of Arts in Legal and Humanistic Studies degree and, in both these cases, the matter shall continue to be regulated by the requirement of obtaining at least 53% average in the study-units assigned to the compulsory programme of studies of the Laws main area of study.

Course Structure

5. (1) The Course 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 publish the programme of studies for the Course which shall contain a schedule of study-units and of the credits assigned to each after approval by Senate. The Board may amend such programme of studies from time to time as it may deem advisable, provided this is done before the beginning of the academic year and after approval by Senate.

(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 successfully complete Part One of the Course, a candidate must obtain a minimum of 110 credits (including the credits for all compulsory study-units), of which a minimum of 54 credits (including the credits for the compulsory study-units) shall be taken in the first two semesters.

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

(3) A candidate who fails to obtain the necessary number of credits as well as a pass grade in all the compulsory study-units in Part One of the Course shall not be allowed to proceed to Part Two of the Course, saving the provisions of regulation 11.

**Part Two**

7. Part Two shall consist of study-units to which not less than 20 credits shall be assigned, the submission of a thesis to which 40 credits shall be assigned 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 obtained a pass grade in all the compulsory study-units taught in Part One of the Course; and provided that if a student obtains more than 110 ECTS credits in Part One of the Course, he may carry over the extra credits so obtained in Part One of the Course to Part Two of the Course on account of the study-units to which not less than 20 credits are assigned in this part. The compulsory units indicated for Part Two of the course shall have to be taken by the student independently of the number of credits obtained as a result of such carrying over.

**Progress**

8. (1) Marks/grades shall be awarded according to the General Regulations for University Postgraduate and Undergraduate Awards, as applicable.

(2) A candidate who fails to obtain a credit for a study-unit shall be allowed to refer it to the following year of studies or to an additional year of study if the unit is a final year unit.

**Thesis**
9. (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. The Faculty Board may also require students to submit a copy of the thesis in an agreed electronically readable format.

(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 Board, submit a report to the Board on the merits of the thesis and as to whether it satisfies the requirements of paragraph (5) of this regulation and shall also proceed to
mark and grade the thesis according to the provisions of the General Regulations for University Postgraduate Awards.

(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.)**

10. Candidates who, in accordance with these regulations, during the first two semesters of Part One of the Course obtain the minimum number of credits mentioned in regulation 6(1) and obtain a pass in all the compulsory study-units shall be entitled to be awarded the Diploma of Notary Public.

**Rejoining of Course**

11. (1) A candidate who has interrupted his course of studies and/or who has failed to obtain the necessary number of credits, and/or failed to obtain a pass grade in all the compulsory study-units in Part One of the Course, may be allowed by the Board to rejoin or continue the Course in such year as the Board may deem appropriate and in so doing the Board may require such a candidate to obtain a pass grade in such study-units as it may deem necessary.

(2) In no case shall a candidate complete his course of studies in a period longer than four 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.