



FACULTY OF LAWS
UNIVERSITY OF MALTA
DEPARTMENT OF INTERNATIONAL LAW
ANNUAL DEPARTMENTAL REPORT – 2014-2015

Articles and Contributions to books:

‘The High Seas’ in *IMLI Manual on International Maritime Law* (OUP, Oxford), Vol I.

‘The Human Element: Stowaways, Human Trafficking and Migrant Smuggling’ – in publication: *IMLI Manual on International Maritime Law* (OUP, Oxford), Vol III (*in publication*, final stages).

Maltese National Report on Migration, International Academy of Comparative Law (IACL), Springer Verlag, *in publication*

‘The Migrant Smuggling Protocol and the Need for a Multi-Faceted Approach: Intersectionality and Multi-Actor Cooperation’, July 2015, in *‘Boat Refugees’ and Migrants at Sea*, Brill Publishers, *in publication*.

‘The Legal Regime Surrounding Irregular Migration and Europe’s Response: A Crisis in Solidarity’, September 2015, in *Benedict’s Maritime Bulletin*, *in publication*.

Textbooks:

‘The Maltese Legal System: Constitutional and Human Rights Law’ Vol II, co-authored with Professor David Attard and Professor Kevin Aquilina (Malta University Press, Malta), *in publication*.

CONFERENCE SUBMISSIONS

Policy Responses to Boat Migration: The Smuggling Protocol, presented at: ‘Boat Refugees and Migrants at Sea’ Conference, London, 23-24 June, 2014; proceedings to be published.

Maltese National Report on Migration, International Academy of Comparative Law (IACL), 19th Congress of Comparative Law, Vienna, July 2014.

Presentation and discussion paper presented at Informal Meeting on Migration organized by the Italian Government at the International Maritime Organization, 'Migrant and Refugee law as relates to the Maritime Realm,' London, September 2015.

Projects

Planning the publication of other volumes in 'Maltese Legal System' series dealing with civil law and international law.

Milieu Ltd – Law and Policy Consulting (www.milieu.be); selected recent projects:

- National expert for Malta: Hate Crimes Project
- National expert for Malta: Legal and Constitutional Affairs; Justice and Home Affairs, Women's Rights and Petitions.
- Senior Expert for Malta re: Legal Issues related to the Petitions received by the European Parliament

COLLABORATION WITH THIRD PARTIES

IMO, International Maritime Law Institute, Guest Lecturer

MEDAC Board, Administrator

People for Change Foundation, Senior Consultant

ASIL International Legal Materials (a publication of the American Society of International Law, Washington DC, USA), Maltese Corresponding Editor.

International Maritime Organization

University of Ferrara and Queen Mary, University of London, coordination of establishment of a Joint MA on the Prevention and Suppression of International Crime at Sea

International Ocean Institute

Malta Maritime Law Association

International Academy of Comparative Law

Ministry of Foreign Affairs, Malta

European Migration Network, Malta.

PROFESSOR DAVID ATTARD

SELECTED RECENT PUBLICATIONS

The Maltese Legal System, Volume II, Part A

Foreword to Professor Bimal Patel's book: ITLOS – Case Commentary, Case-Law Digest and Reference Guide (1994-2014)

IMLI Manual on International Maritime Law Vol I and Vol II

OUTLINE OF COLLABORATION WITH THIRD PARTIES

Lectured at the International Foundation for the Law of the Sea (IFLOS) in Hamburg, and at the Mediterranean Academy of Diplomatic Studies, Malta

Ministry of Foreign Affairs

Office of the Prime Minister

Director, IMO International Maritime Law Institute

Judge, International Tribunal for the Law of the Sea

Member, Seabed Disputes Chamber (ITLOS)

Member, Chamber of Marine Environment Disputes (ITLOS)

PROJECTS INVOLVING MEMBERS OF THE DEPARTMENT

Planning the publication of other volumes in the Maltese Legal System dealing with civil law, criminal law and international law

CONFERENCES ATTENDED ABROAD

Deliberations in the Virginia Case (Panama vs. Equatorial Guinea)

Deliberations in the Enrica Lexie Incident (Italy vs. India)

IFLOS lecture on 'Maritime Zones' (2015), Hamburg

Ocean Policy Research Institute, The Sasakawa Peace Foundation (OPRI-SPF), 23rd Ocean Forum: Lecture entitled: 'The Role of the International Maritime Law Institute (IMLI) and its Contribution', Tokyo

The Nippon Foundation, Speaker at the Special Session entitled “Future Ocean Education by IMO”, Tokyo

DR FELICITY ATTARD

Assistant Lecturer

Selected Recent Publications:

'Maritime Security under the 1982 United Nations Convention on the Law of the Sea', Benedict's Maritime Bulletin, Issue 43, Vol. 12, No. 4 (2014)

'IMO's Contribution to International Law Regulating Maritime Security', Journal of Maritime Law and Commerce, Vol. 45, No.4 (2014)

Seminar and Meeting Submissions:

'Migrant and Refugee Law as Relates to the Maritime Regime' (lead author P. Mallia, contributor F.Attard), Presentation and discussion paper presented at a meeting dealing with the current legal framework regulating rescue of mixed migrants at sea, organized by the Italian Government at the International Maritime Organisation (2015)

'Is the duty to render assistance at sea absolute? A Shipmaster's perspective', Presentation for Malta Maritime Law Association, Seminar on Irregular Migration and Its Impact on International Shipping (2015)

Collaboration with Third Parties:

Tusculum College (Tennessee): Guest Lecturer, International Efforts to Combat the Maritime Security Threats of Piracy and Armed Robbery Against Ships (2015)

Mediterranean Academy of Diplomatic Studies: Guest Lecturer, Mediterranean Academy of Diplomatic Studies Summer School on Human Rights and Migration (2015)

European Law Students Association: Guest lecturer, European Law Students Association Summer School on Maritime Law (2015) and Workshop leader, ELSA Malta, How to Sessions on Assignment Writing and Research (2015)

Malta Model United Nations Society: Syllabus Consultant, Malta Model United Nations 1st Edition, 'Lives Adrift: Fighting the Exploitation of Irregular Immigrants' (2015)

International Ocean Institute: Guest Lecturer, The International Ocean Institute Training Programme on Regional Ocean Governance for the Mediterranean, Black, Baltic and Caspian Seas (2015)

Malta Maritime Law Association: Guest Speaker, Malta Maritime Law Association, Seminar on Irregular Migration and Its Impact on International Shipping (2015)

Projects:

Queen Mary, University of London: Member of Editorial Team to Publish with Oxford University Press the Proceedings of Roundtable Event ‘The Continued Development of Shipping Law: The Role of Arbitration’ (2015)

University of Ferrara and Queen Mary, University of London: Member of organizing committee for the establishment of a joint masters in law programme on the prevention and suppression of international crime at sea (2015)

Conferences, Seminars and Lectures attended:

A Sea of Troubles? Problematising Migration Law, Migration and Law Network in association with Birkbeck College School of Law, held at Birkbeck College, London (2014)

Boat Refugees' and Migrants at Sea: A Comprehensive Approach Integrating Maritime Security with Human Rights, The Refugee Law Initiative and University of London, and the Department of Law at Queen Mary University of London in association with the University Association for Contemporary European Studies and the Human Rights Consortium at the School of Advanced Study, held at the Refugee Initiative, London (2014)

The Continued Development of Shipping Law: The Role of Arbitration, Centre for Commercial Law Studies, Queen Mary, University of London, held at the Baltic Exchange, London (2014)

Lecture on *Issues and Challenges relating to the EEZ*, delivered by Judge Albert Hoffman, held at the IMO International Maritime Law Institute (2015)

Short course on *Law of Treaties*, delivered by Professor Malgosia Fitzmaurice, held at the IMO International Maritime Law Institute (2015)

Short course on *State Responsibility* delivered by Professor Malgosia Fitzmaurice, held at the IMO International Maritime Law Institute (2015)

Short course on *Marine Insurance Law*, delivered by Dr. Miriam Goldby, held at the IMO International Maritime Law Institute (2015)

Symposium on *Maritime Search and Rescue: The Ship and the Shipowner*, organized by the Malta International Shipping Council and the IMO International Maritime Law Institute, held at the IMO International Maritime Law Institute (2015)

Copernicus Lecture Series, *Mutual Recognition and Mutual Trust in European Criminal Law*, delivered by Professor Valasmis Mitsilegas, held at the Department of Law, University of Ferrara (2015)

Lecture on the *Development, Entry into Force and Amendments of IMO Conventions*, delivered by Admiral Frederick Kenney, held at IMO International Maritime Law Institute (2015)

Submitted by: Dr Patricia Vella de Fremeaux



FACULTY OF LAWS

UNIVERSITY OF MALTA

DEPARTMENT OF ENVIRONMENT AND RESOURCES LAW

ANNUAL DEPARTMENTAL REPORT – 2014-2015

1. PURPOSE:

1.1. The department focuses on the lecturing, tutoring and research in:

- Environmental law,
- Law relating to the sustainable development and sustainable resource management
- Development Planning law
- Climate change law,
- Occupational Health and Safety Law
- Food Safety Law
- Heritage law
- Animal Rights law
- Aspects of policy making related thereto.

1.2. Affiliations and Achievements:

- Acts as the representative of the Academy of Environmental law and the Environmental law Commission of the International Union for the Conservation of Nature in Malta of which the Unit is already a member.

- Co Chairs the Pan European Academic Forum of Legal Experts on Climate Change Adaptation

- Coordinates the International Master Programme in Ocean Governance launched in September 2013

- Coordinates the International Master in Laws in Energy Law, Environmental Law and Climate Change Law

- Benefits from an ERASMUS mobility programme with the Catholic University of Leuven, Belgium in lecturing and research on Environmental and Energy Law.

- Regularly publishes legal works in Malta and abroad on legal research carried out.

- Seeks internship programmes as practical legal training for students specializing in the legal fields above mentioned at both public and private entities that have an interest in the topics. A list of potential candidates is referred to below. The Department strives to academically address and in so doing promote legal research that may be commissioned by the same.

The Environment and Resources law Department was set up just before the beginning of the academic year 2010/2011. The decision to set up this new Department within the Faculty of Laws has been prompted by the vast developments on a national, European and International level in the legal framework addressing the topics mentioned above. The regulation of these sectors is horizontal in nature and impinges upon all of the major legal streams and human activities. The entire mass of norms that fall under Environment and Development Planning law has introduced specialized legal regimes that complement and at times supersede the *lex generalis* under which, they originated. This enables the Faculty of Laws to keep abreast with the demand for legal learning and research in these legal fields, as they evolve from statutory sources as well as case law. This would

consequently benefit and contribute to the development of the other existing Departments. There is a strong and steady demand for academic learning in the legal fields mentioned in 1.1. not only within the Faculty of Laws, where the subject has been offered since 1994, but also from other faculties and institutes at University as the subject is essentially horizontal. A list of the said University of Malta institutions that request such services is included below.

The proliferation of national legislation on environment and planning law reflects the changes the country is undergoing as a Member of the European Union. The environmental *acquis communautaire* is the second largest chapter constituting 22% of the whole *acquis* not including related legal instruments addressing for example energy issues. Apart from the bulk of laws involved, most of these laws are subject to specialized legal regimes that have no link with other legal fields.

The Strategic Educational Pathway Scholarships (STEPS) Programme, has identified environmental studies as one of its priority areas. Indeed environmental studies particularly *in the field of renewable energy resources, the earth sciences and planning development* are on the increase in Malta as everywhere else in the world. The Department is gearing itself up to support this influx of interested applicants by offering study units that train students in understanding the legal framework that supports innovation and developments in this field of academic study.

2. LECTURING

2.1. Study Units the ERL Department is Responsible for either in Full or in Part.

- ERL2000 - Principles of Environmental Law (4 ECTS)
- ERL2001 - Development Planning Legislation (4 ECTS)
- ERL3000 - Principles of International Environmental Law (4 ECTS)
- ERL5000 - Climate Change and International Law (5 ECTS)
- ERL3004 - Occupational Health and Safety Law (2 ECTS)

- INL 3001- Principles of International Law (10 ECTS)
- ECL 5010 - Environmental Policy of the European Union (2 ECTS)
- SERM - Joint Masters in Sustainable Resource Management (Shared)
- EST 3130 - European Environmental law and Policy (EDRC) (4 ECTS)
- OHSA – CLS1309 Environmental Health Management Policy: Legislation and Supervisory Skills (4 ECTS)
- MSC 5202 – Sustainable development, Law and Policy (Shared)
- ISS 5004 - International Environmental law and Environmental Diplomacy (ECTS 8)
- ISS 5012 – Environmental law and Environmental Diplomacy (ECTS 6)
- IEN 5019- The Science and Management of Climate Change (shared)
- EMP 2002 The Law of the Sea and the Regulation of Oceans (shared)
- EMP 2003 Environmental Law and Policy (shared)
- EMP 2007 Waste Management: Key Concepts (shared)
- EMP 2008 Waste Management: Key Concepts and Challenges in the Maltese Context (shared)
- EER 5203 Sustainable Development Law and Policy (CEER)

2.2. Lecturing Load for members of the ERL Department in the different Study units.

Faculty of Laws

ERL 2000 Principles of Environmental Law – 4 ECTS
42 hrs

ERL 2001 Development Planning Legislation – 4 ECTS
28 hrs

ERL 3000 Principles of International Environmental Law - 4 ECTS
42 hrs

ERL 5000 Climate Change and International Law – 5 ECTS
35 hrs

ERL 3004 Occupational Health and Safety Law – 2 ECTS
14 hrs

INL 3010 Principles of International Law
16 hrs

ECL 5010 Environmental Policy of the European Union
14 hrs

Other Faculties and Institutes

UM/JM: Joint Masters SERM – International Environmental Law (Shared Credit)
8hrs

EDRC: EST 3130 European Environmental law and Policy (4 ECTS)
28 hrs

OHSA: CLS1309 Environmental Health Management Policy -
10 hrs
(shared)

CEER: MSC 5202 Sustainable development, Law and Policy –
10 hrs
(Shared)

ISSI: ISS 5004 Int. Env. law and Env. Diplomacy (ECTS 8)
56 hrs

ISSI: ISS 5012 – Environmental law and Environmental Diplomacy
42 hrs

IES: IEN 5019 The Science and Management of Climate Change
8 hrs

EMP 2002 The Law of the Sea and the Regulation of Oceans	2 hours
EMP 2003 Environmental Law and Policy (shared)	7 hours
EMP 2007 Waste Management: Key Concepts (shared)	4 hours
EMP 2008 Waste Management: Key Concepts and Challenges in the Maltese Context (shared)	4 hours
EER 5203 Sustainable Development Law and Policy (CEER)	12 hours

3. RESEARCH

3.1. List of Research Projects

Research within the Forum of European Legal Experts on Adaptation to Climate Change supported by the University of Leuven Belgium and the European Commission DG CLIMATE ACTION. Role of the Forum is to provide a think tank amongst leading academics in European Universities to build a legal framework on climate change adaptation.

Research within the Climate Change Platform at the University of Malta. The role of the platform is to identify any research and studies being carried out by the Universities Faculties, Institutes and Centres to promote collaboration and coherence.

A Legal Assessment on the Ownership of Waste for WASTESERV.

A Policy Paper on Noise Pollution for the Ministry for Tourism, Culture and the Environment

A Programme for Estate Management and its Legal Implications, Institute for Sustainable Development

A Programme for a Masters on Ocean Governance in Collaboration with Institute for Earth Systems and International Oceanographic Institute

A Study on the Regulation of Reprotoxins under Malta's Occupational Health and Safety Law
(EU Commission)

A Study on Ship Source Pollution in Malta for DG ENV of the EU

A study on Eco Crime Directive in Malta for DG ENV of the EU

A study on Access to Justice and Citizens Rights in Malta for DG ENV of the EU

A study on Sulphur Emissions for DG ENV of the EU

A Study on Energy efficiency: the verification of compliance of national legislative measures for DG ENV of the EU

A Study on Development of a multilingual campaign toolkit for raising awareness and motivation to manage psychosocial risks in Europe's micro and small enterprises for DG ENV of the EU

A Study on Radio active Waste Legislation and Implementation in Malta for DG ENV of the EU

A Study on Greenhouse Gas Emissions Legislation in Malta for DGENV of the EU.

3.2. List of Thesis Supervised By the Department for 2014/2015

Barbara Yanica	The Legal Relationship between the 1982 UNCLOS and the 1992 Convention on Biological Diversity in the Conservation of the Marine Environment
Ming Min Chen	Marine Pollution from Oil Spills at Sea - The Role of International Regulation in its Prevention
Wie Huang	A Study of the South China Sea Disputes - An International Law Perspective
Isabelle Karin Romedahl	Governing Bottom trawling in the Mediterranean Sea - A Maltese Case Study
Ratchanock Towong	Absence of the Genuine Link between the Flag State and the Vessels in Thailand, with Emphasized on Fisheries
Yimin Wang	Are the Fish Stocks Agreement and the FAO Compliance Agreement Adequate Tools for Implementing UNCLOS Provisions for Better Ocean Governance?
Xi Xhaoyang	Comparative Analysis of Marine Spatial Planning Provisions in the EU, the US, Australia and China
Pashala Denise Yates	Seeking Solutions for Irregular Migration by Sea in the Mediterranean - Balancing National Security and Human Rights Concerns

4. PUBLICATIONS.

Simone Borg, *Noise Policy and Legislation*, (2012), Ministry for Tourism, Culture and the Environment, Government of Malta

Simone Borg, *Conservation on the High Seas, Harmonizing Fragmented Regimes*, New Horizons in Environmental law and Energy law Series, Edward Elgar Publications, Cheltenham, UK.

Simone Borg, *The Conservation of Living Resources on the High Seas*, IMLI Handbook on Maritime Law, in publication in 2013..

Simone Borg and Peter Grima, *Renewable Energy: Legal Challenges to address an Alternative Investment*, id *Dritt Law Journal*, 2012.

Simone Borg *Oxford Yearbook of International Environmental Law, The Role of the ICJ and other International Adjudicating Bodies in the Conservation of Living Marine Resources on the High Seas, 2014*

Simone Borg, *Energy Law in Malta, for Series, Delivering Energy Law and Policy in the EU and the US*, Heffron and Little, 2014.

Simone Borg, *Malta Legal Update: Issue 6: IUCN Academy of Environmental Law eJournal*, 2014.

5. STAFF

Dr Chris Attard

Dr Antoine Grima.

Dr Louise Spiteri

Drs Grima, Attard and Dr Spiteri are pursuing their PhD studies.

The staff of the ERL dept is now composed of:

Prof Simone Borg, Lecturer Head of Department, Full Time

Dr Louise Farrugia, Asst Lecturer Full Time

Dr Chris Attard, Asst Lecturer Full Time

Dr Martin Fenech, Part Time

Dr Jotham Scerri Diacono Part Time

Submitted by: Professor Simone Borg, Head of Department



FACULTY OF LAWS

UNIVERSITY OF MALTA

DEPARTMENT OF EUROPEAN AND COMPARATIVE LAW

ANNUAL DEPARTMENTAL REPORT – 2014-2015

The Department has continued to consolidate and move forward. In 2014 it worked for the introduction of a new additional LLM programme in European Business Law, which commenced in September 2014. Members were active in research and participation in conferences and network meetings in Malta and abroad. The Department continues to run two LLM programmes and a significant range of electives at LLB and LLD level in addition to the compulsory courses in European Union Law. It also services other Faculty of Laws programmes as well as other Faculties and Institutes.

Professor Peter G Xuereb

Research:

1. Professor Xuereb worked on three forthcoming publications:

Xuereb, P.G., 'Malta', forthcoming in Albi, A. (ed) *The Role of National Constitutions in European and Global Governance* (T.M.C. Asser Press 2016)

Peter.G.Xuereb (with Dr Mireille Caruana), in Stefan Griller (ed), *Member States' Constitutions and EU Integration* (to be published in 2016).

Peter G Xuereb, *Commentary on Articles 49 – 52 of the Treaty on the Functioning of the European Union*, to appear in Blanke and Mangiameli (eds): *Commentary on the Treaty on the Functioning of the European Union*, (in progress).

Of these, the first two publications are scheduled to be published early in 2016. The third will be published later in 2016 or in 2017.

2. He also contributed four thematic reports as Malta Expert to the Gender Equality Law Network of the European Commission.
3. He is also Senior Expert for Malta, for the Fundamental Rights Agency project coordinated by Aditus Malta, which has produced six reports this last year.

Teaching and Examining: Professor Xuereb taught at undergraduate and postgraduate level, the following subjects: EU Law, EU Company Law, EU and Comparative Company Law, EU Constitutional law, The EU Constitution and National Constitutions, EU Financial Services Law. Supervised LLD, MA, LL.M, theses, examiner and chairman of several boards of examiners.

Administration: He served as Chairman, Institute for European Studies. Also, Head of Department of European and Comparative Law, and on the Editorial Board of Malta University Press. He is a member of the Board of the Human Rights Programme of the University of Malta. He represented the Faculty at the annual FIDE meeting in Budapest in April, the meeting of the steering committee of the European Association of Law faculties in Turkey in May. He attended and spoke at the meeting of the national groups working on the Griller Project in June in Thessaloniki. He continues to be a member of the Academy of Law of the Malta Chamber of Advocates. President of Assocjazzjoni Maltija Ghall-Istudji tad-Dritt Ewropew (AMSDE).

Dr. Natasha Buontempo, Assistant Lecturer

Teaching duties 2014/2015

A. Lectures

ECL5058-SEM2-A: Fundamental Rights in the European Union, EST1020-YR-A: The Legal Order of the European Union, EST1022-SEM1-A: Law of the Institutions: General Principles of European Union Law, EST1023-SEM2-A: Enforcement of European Union Law, ECL4001-SEM1-A: EU Labour Law and Policy.

B. Tutorials: EU Law

C. Dissertations

2. Ph.D Progress

Currently in third year (part-time). In 2014/5 focused on refining chapters one and two of her thesis and researched chapter three on the principle of proportionality as interpreted and applied by the Maltese Constitutional Court. Currently considering publishing this. Successfully obtained 20 credits as part of Ph.D training at Strathclyde.

3. Papers written/being worked on:

- Collaborated on a research project with Dr. A. Eleveld (Assistant Professor Social Law, VU University Amsterdam), Dr. O.P. van Vliet (Assistant Professor economics and Public Administration, Leiden University), Y. Wang (PhD Researcher Economics, Leiden University) on social security law in Malta and the level of sanctioning in the

social assistance law of Malta. Apart from legal research, this project involved interviewing officers in the Social Security Department. The project is a study of all the EU Member States' sanctioning in social security law and a database will be compiled and available to all the academics who contributed to the project.

- Dr Buontempo was invited to publish an adaptation of my MA thesis on judicial review in French administrative law and EU administrative law. I am currently working on the adaptation.
- Submitted a paper to GHSL publications entitled 'Stages in the Principle of Proportionality'.

4. Seminar/Conference Attendance:

- Attended a three day seminar entitled 'Writing and Presenting Research' offered by the Researcher Development Programme at Strathclyde University (Glasgow) UK (13-15 January 2015) and successfully submitted two written assignments.
- Attended a conference organised by the Department of Public Law at the Faculty of Laws entitled 'The Constitution: Fifty Years of Proposals and Counter Proposals' on 10 December 2014;
- Attended ERA Conference entitled 'The Charter of Fundamental Rights of the EU in Practice' with special reference to Employment Law, in Barcelona, Spain, on 22-23 October 2015.

Dr Ivan Sammut

Participation in Networks and Projects

Active member in SECOLA

Fellow of European Law Institute

- a) Member of EU Administrative Law Committee – European Law Institute 2013
- b) Member of the Committee dealing with Prevention and Settlement of Conflicts of Exercise of Jurisdiction in Criminal Law - European Law Institute 2013

JUST/2012/EVAL/CT/0123/A4 conducting comparative law analysis of national consumer protection measures of 14 Members States with the corresponding provisions

in the proposal for the Regulation on Common European Sales Law (COM(2011) 635) - Ecole de droit de la Sorbonne (Université Paris 1, Panthéon-Sorbonne) -2015

Participation in conferences

Presented a paper on Malta and EU Migration on 11/06/15 at the University of Cagliari, Italy

Presented a paper on mixed jurisdictions in the EU on 25/06/15 at McGill University, Montreal Canada

Research at IALS September 2015

Publications, Reports

Sammut I. 'Legal Engineering at the services of European Private Law (EPL), International Journal of International Law, ISSN : 2394-2622 Volume 1 Issue 1

Sammut I. 'Malta: At the Crossroads of Immigration' in Medved F. (ed.) Proliferation of Migration Transition: Selected New EU Member States, ELF Brussels, p. 212

Works in progress – monograph on EU Private law – Cambridge Scholars Publishing

Other activities

Award of Jean Monnet Module – EU Legal Drafting & Translation

Committee Member of the Assoċjazzjoni Maltija Għall-Istudji tad-Dritt Ewropew (AMSDE).

Teaching

Taught a range of subjects at undergraduate, LLD, and Masters level.

Supervised LLD, MA, LL.M, theses, examiner and chairman of several boards of examiners.

Dr Mireille Martine Caruana

Teaching:

Over the course of the past year Dr. Caruana developed and is currently running new courses on the law of e-Commerce at both undergraduate (LLB) and masters (LLM) level.

She is sole lecturer on the following undergraduate courses: EU Consumer Law and E-Commerce Law in the EU. She also delivers tutorials to undergraduate students in general EU Law. She runs the seminars on the Master level course: E-Commerce Law and Policy in the EU.

Research: Dr Caruana has contributed to a co-authored (together with Prof Xuereb) research paper as a contribution to the Member States' Constitutions and EU Integration Project coordinated by Professor Stefan Griller of the University of Salzburg (publication forthcoming in 2016).

Submitted by: Professor Peter. G. Xuereb, Head of Department



FACULTY OF LAWS
UNIVERSITY OF MALTA
DEPARTMENT OF COMMERCIAL LAW
ANNUAL DEPARTMENTAL REPORT – 2014-2015

Introduction and preliminary matters

The Department of Commercial Law is an important component of the Faculty of Law and has been so for many years. The Department has once again had a very busy and challenging year the changes decided in previous years to the law course structure and to the study units offered by the Faculty and the Department are now being implemented.

The Department academic programmes cover the various legal frameworks under which business activities are carried out and regulated in Malta and elsewhere: from basic notions of commercial law such as traders and acts of trade, to company law financial services aircraft and shipping law and financing as well as consumer protection and fair competition. Some subjects are fairly traditional and well-established while others are relatively new and only recently introduced. Study units are regularly revised and refreshed to reflect changes in law and international developments. The Department remains vigilant to update its programmes as commercial law evolves and changes and as new laws are passed by Parliament and to introduce fresh teaching capabilities. Luckily, the Department retains and engages lecturers enjoying ample relevant professional, practical, teaching expertise and experience.

The Commercial Law Department is a major player in the teaching of law at the University and it will remain so. The Department seeks to preserve the good reputation built over so many by illustrious predecessors in office and to maintain high standards of teaching. The good standing of the Department is often recognized by the law students themselves, past and present, and by the external examiners. However, certain deficiencies need to be addressed and certain lecturing staff need to engage and to participate more intensively in Departmental and Faculty affairs. The Department as a whole can do more and do better.

It will be able to do this because the Departmental academic staff includes the leading professionals and recognized experts in their respective fields, be it shipping or company law, and they ensure that students receive top academic preparation backed by practical experience at the highest level. This has not happened by accident. Where felt appropriate, study units are created

to introduce new identified areas of business law deemed to warrant academic attention. Where appropriate old study units deemed to have passed their usefulness are either refreshed (where possible) or stopped. New expert resources are recruited to meet the on-going and new teaching challenges as necessary. Naturally the Department relies on the able University administrative staff led by the Faculty Office for its day to day management.

During the year, the Department provided lecturing programmes at both under-graduate and Masters levels as has been the case for the past ten years or so now.

Objectives and relevance

The Department seeks to be relevant to students, to society and to the University generally. Wherever possible, it collaborates with other Departments and Faculties through lecturing and participation at seminars. The Department strives to provide teaching at very high standards and to analyse and promote initiatives aimed for the country's development and to inform the general public on commercial law issues. Not enough has been done and the initiatives need to be improved in quantity and amplified in scope. More staff participation in this area is called for.

Over the past few years, Department has gradually been asserting itself and has assumed a higher profile within University life and outside the University campus; in the past, the Department had a very low public profile generally. During these past years, high-level talks, seminars and conferences involving participation by Department members and other experts in the field, have regularly been organized. The subjects covered were principally current topics and issues in financial services, consumer protection and business regulation in general. Members of the Department have been regularly invited to address other seminars and conferences organized by various professional entities and associations on various commercial law subjects and developments.

Conferences

Two important and successful conferences were held during the current year in conjunction with the Chamber of Advocates.

The first conference was held in February on the subject of "*Recent developments and challenges in consumer law and consumer protection in Malta and the EU*". The speakers were the Head of Department, Annalies Azzopardi, Tonio Borg, Conrad Portanier, Antonio Ghio, Antoine Grima and Lorna Mifsud Cachia.

The second conference was held in May on the 20th anniversary of the Companies Act: the full title was "*20 years after the Companies Act: Company law and beyond and recent developments*". The participants were the undersigned, Dr Kris Borg, Joseph Borg, Richard Camilleri, Joseph Giglio. Justice J Zammit McKeon.

In November 2015, Richard Camilleri and the undersigned addressed an important conference on the private enforcement of competition law organized in Malta by the European Lawyers Union.

Teaching staff resources and Commitments

During 2015, two formerly part-time members of the academic staff raised their level of commitment with the University and are now engaged on a full-time basis. These are the undersigned and Dr Joseph Borg, who was appointed the Department's representative on the Faculty Board similarly. This should be good news for a Department which has for many years had only part-time academic staff. Two full timers should help to better serve the needs and objectives of the Department and of the Faculty more generally.

Previously and for many years, the Department was composed exclusively of part-timers and had no full-time academics within its ranks. This had a negative side certainly by way of physical presence on the campus. The positive aspect of the part-time academic staff and visiting lecturers is that students meet and engage with true experts of experience who offer to University their services on their areas of interest. Most lecturers are committed and conscientious professionals who provide an ongoing excellent service to students, through lecturing. Lecturers who operate under a formal Council appointment are expected to play a stronger role in the Department's affairs. No new permanent staff was recruited under a Council appointment during this last year.

The Students

The considerable increase of students may, as already reported in previous years, be having negative impacts on the quality of the relationship between lecturers and students. Students are still largely passive and lack confidence to participate more actively in the lecture-room. Valid lecturers from continuing to teach as they are put off by the collateral obligation to correct hundreds of scripts. Examining is largely seen as a tedious and thankless task. There may be direct and indirect consequences flowing from the large number of students attending the Law course and stronger efforts to stop standards from falling as a result must be exerted. Student participation should be further encouraged. For this to happen, students desperately need to read more and to immerse in cultural activities rather than restrict themselves to attending lectures and preparing class notes.

Money Matters

Once again the Department is proud that it manages to operate and undertake initiatives practically without spending a single euro, in line with the aim not to be a financial burden on University finances. In agreement with the Dean, and as in previous years, the surplus remaining

from the University budget allocation to the Department was ceded to cover the general needs of the Faculty office. Various Faculty needs were paid for out of Departmental funds even this year.

Teaching activities

During 2014, the Department's lecturing commitments were fulfilled in line with the respective University course descriptions. A small number of cancellations of lectures were recorded and action was taken to reduce the possible inconvenience to students. Substantial work load exists at under-graduate level where the greatest number of students are engaged notably in the examination phase. Problems have sometimes been encountered in securing examiners willing to undertake such a commitment. This point has already been made above.

Various revisions of the law course at LLB and LLD levels continued to be further refined during the year under review and the newly designated and refreshed study-units have gradually slowly come on stream.

The Masters in Financial Services programme

The Masters programme is separate and is accorded special attention to ensure continued high levels. The Head of Department has served on this Programme for the past eight years.

The evening Masters programme in financial services was originally launched in 1996 and has continued to be offered without any major hitches. The undersigned acts as the lead course coordinator assisted by a co-ordinator from the FEMA faculty which also contributes to the programme and with which the Department enjoys excellent relations. Mr Peter J Baldacchino who also heads the Department of Accountancy continues to be a very valid, reliable and supportive FEMA programme co-ordinator on the Board of Studies. An average of 20 students usually enrol in the programme every year, without any form of advertising. Regrettably this year the number has fallen considerably possibly due mainly to the high fees and new competition by Masters programmes offered both by the University itself as well as by other foreign institutions. This new challenge needs to be carefully addressed.

The programme greatly benefits from the services of Mrs Elisa Attard who acts as the point of reference for both students and lecturers. The Board of Studies meets regularly and minutes are kept by Mrs Attard.

Disciplinary and plagiarism cases

No material cases involving disciplinary issues or plagiarism within the Department's remit were reported during the year.

Commitments

In the past year, the Head continued serving actively on the Senate-appointed University Research Ethics Committee and he continued assisting the Faculty of Theology and FEMA as necessary, including participation in annual seminars on business ethics as has been the case since 1996. He teaches and coordinates a study unit on 'Ethical Issues arising from the Regulation of Business' in its MA in Business Ethics programme offered by the Faculty of Theology. A fresh in-take will start in 2016

During 2014, the Head of Department and Dr Borg attended practically all meetings of the Faculty Board and served as necessary in meetings and on Faculty sub-committees, including the Dissertations Committee.

Dr Borg played an important role in the recent re-structuring of the revised law course and in the necessary adjustments of the study units offered by the Department. Other lecturers played their useful part in this exercise.

Some difficulties and misunderstandings have regrettably been encountered even between lecturers teaching in the same study-unit where better coordination and liaison should become the rule rather than the exception. In some instances, the Dean's intervention became necessary to adequately resolve the deficiencies. Hopefully matters will improve in the future in the best interest of students.

Research

During the year under review, one member of the academic staff, the head of the Department, was awarded the post-graduate (PHD) thesis by the University. The thesis presented by the undersigned analysed the impact of EU accession on selected areas of national consumer law and policy during the period 1990 – 2004 with Malta as a case study.

External examiners

During 2013 the External Examiners were appointed for a selection of LL.D and Masters in Financial Services theses in accordance with the relevant University rules. The external examiners were ably assisted by Faculty staff in the examination of the theses allocated following their choice of preferred topics. With the collaboration of the University Faculty staff and the examiners and supervisors, the exercise was well administered and no problems were encountered.

Submitted by: Dr David Fabri, Head of Department



FACULTY OF LAWS
UNIVERSITY OF MALTA
DEPARTMENT OF CRIMINAL LAW
ANNUAL DEPARTMENTAL REPORT – 2014-2015

This annual report for the Department of Criminal Law covers the period September 2014 till September 2015.

Annual General Meeting held on the 22/9/15, Law Courts, Valletta.

Members Present:

Dr Stefano Filletti (Acting Head)
Dr Stephen Tonna Lowell
Dr Aaron Bugeja
Dr Leonard Caruana
Hon CJ Dr Silvio Camilleri

Excused:

Dr Chris Soler
Mr Justice V DeGaetano.

Minutes of previous meeting were read and approved.

Matters discussed:

1. Reassignment of Duties

Lecturing duties were reassigned following student feedback to maximise on lecturing successes. The overall reviews were positive

2. Tutorials & Practicals

Tutorials and more importantly practicals were increased.

3. Additional Units

It was felt that additional optional credits could be offered by the Criminal Law Department. Possible credit descriptions with reading lists would be prepared.

4. Special Seminars & Moot Courts

The Department is also working on the possibility of creating bi-annual special seminars aimed for students to be able to discuss the core content being taught in the credits offered by the Criminal Law Department. The members of the department further agreed to assist in student run moot-court trials organized within the faculty.

Submitted by: Dr Stefano Filletti, Head of Department



FACULTY OF LAWS
UNIVERSITY OF MALTA
DEPARTMENT OF LEGAL HISTORY AND METHODOLOGY
ANNUAL DEPARTMENTAL REPORT – 2014-2015

1. Contribution in Law Courses offered by the Faculty of Laws

The Department of Legal History and Legal Methodology was set up in April, 2012. It was set to contribute to the Bachelor of Laws (LL.B.) and Doctor of Laws (LL.D.) degree courses. The relevant programmes entailed lecturing, supervising and examining study units and the research and writing of theses.

The Department runs four study units:

- (A) Introduction to Legal History
- (B) Introduction to Historico-Legal Research: The Notarial Archives
- (C) History of Police Laws: The British Period 1814-1964
- (D) Maltese Legislation in Historical Context
- (E) The Criminal Code and Criminal Laws in a Historical Context
- (F) The historico-legal development of the Maltese Commercial Law

2. Development of New Study Units

The Department of Legal History and Methodology entered its third year with five study units by the increase of another study unit relating to the historico-legal development of the Maltese Commercial Law. It is intended that three new courses are introduced on the historico-legal development of civil law, the history of legal language and the history of western legal system.

3. Participation in Academic Boards and Committees

The Head of Department is also member of the Faculty Awards for Academic Excellence and Dean's Awards, sits on the Research, the Faculty Library Sub-Committee, the Ethics

Committee, the LL.D. Dissertations Committee and the Interviewing Board for Master of Arts in Mediation. In addition, the Head of Department is one of the components of the Board of Studies for the Diploma in the Laws of Procedure. Furthermore, Professor Mangion is a lecturer within the Institute of Maltese Studies, a lecturer within the Faculty of Media and Knowledge Sciences, and a lecturer in the new course on Liberal Arts at the University of Malta, and once again from this year he is a lecturer in the course for the Elderly that is held in the Catholic Institute, Floriana.

4. Publications

(1) Books

Professor Raymond Mangion is finalising the first of a fully-documented two-part monograph on Maltese legislation of the first responsible government. He has also ready for publication a text-book on Maltese Constitutions and Maltese legislation, 1914 to 1964.

(2) CHOGM publication

Professor Mangion was asked by First to contribute an article to the official publication on the occasion of the Commonwealth Heads of Government Meeting held in Malta this year 2015 under the title 'Commonwealth history of Malta' that was published with prominence in the middle two pages of the book.

(3) Specialised articles and reviews

Professor Mangion contributed also a lengthy study to a Liber Amicorum entitled 'The Quest for Authenticity and Human Dignity' in honour of the retiring Professor George Grima. The festschrift was co-edited by two members of the Faculty of Theology within which Professor Grima has taught for over 40 years. Professor Mangion also wrote a review on Stanley Fiorini's book published by the Malta University Press (as part of the series on documentary sources of Maltese history) on Malta's mediaeval *capitoli*. Professor Mangion's review was published by the *Għaqda Studenti tal-Liġi*'s in one of the 2015 editions of their periodical *Id-Dritt* and was published too by the local English newspaper under the title 'First Big Fight for Self-Rule'. Professor Mangion also reviewed a book entitled 'Governing Malta' that was published by Mr Patrick Staines in 2015. He has also contributed on constitutional and parliamentary history to the official periodical of the House of Representatives.

(4) Newspapers and Other Articles

Professor Mangion published a number of articles in local newspapers in English on aspects of constitutional, legislative and historico-legal matters. Professor Mangion had time and again by virtue of his newspapers articles emphasised the need to amend the Constitution so that green rights would be rendered more enforceable constitutionally.

5. Director of a New Series of Publications

Professor Mangion as Head of the Department of Legal History and Legal Methodology in collaboration with the Dean of the Faculty of Laws has from this year 2015 embarked on a series of publications entitled “Historic Maltese Legal Materials”. Professor Mangion is the director of the series of publications which the Faculty of Laws is publishing through the Department of Legal History and Legal Methodology that is headed by the same Professor Mangion. Two books were directed and edited this year for the purpose of conserving class notes of lecturers and students gone by but whose names have survived to date. Another two books are set to be published by the middle of February, 2016.

6. Encyclopedia on the history of Maltese Football

Meanwhile, Professor Mangion was asked to contribute a number of Forewards to prestigious publications. Among others, he was asked to write a forward to an Encyclopedia on the history of Maltese Football.

7. Monography on President of Malta’s Palaces

Professor Mangion was engaged by the President of Malta to write a monograph on the three Palaces of Valletta, San Anton and Verdala. The relevant publication is set for the first quarter of this year 2015.

8. Invitations to Address Commemorations and Book Launchs

Professor Raymond Mangion was many a time invited as an expert on constitutional, legal and historical matters. He was invited to address an audience on the launch of a book on the history of the Maltese language together with the Minister for Education and the President Emeritus of Malta. He was invited as a special guest to a commemoration of the late President of Malta Ms Agata Barbara on two occasions. He was invited to form part of another panel on the occasion of the launch of a book on judicial maxims that formed part of judgments delivered by the retired judge Dr Philip Sciberras. Professor Mangion was also asked to participate as main speaker by the *Għaqda Studenti tal-Liġi*

on the methodology of thesis writing during a symposium that the law students held in the Law Courts at Valletta.

9. The House of Representatives

Professor Raymond Mangion was consulted on several occasions Speaker of the House of Representatives Dr Angelo Farrugia on issues of a constitutional character. He was one of the special invitees to the opening of the new Parliament building in Valletta in the middle of the year 2015.

10. Government Appointments

Professor Raymond Mangion was appointed by the Office of the Prime Minister to sit on the Foundation for the Celebration of National Festivities 2014 for a period of three years ending in 2016.

Professor Raymond Mangion was appointed by the Ministry for Justice to sit on the Bicentenary Commemoration Committee on the Foundation of the Malta Police Force for one year ending in 2014.

Professor Raymond Mangion was also invited to sit on and contribute to the Committee for the Revision of the Laws of Malta.

Professor Raymond Mangion was also invited to sit on a Commission for the Recognition of the Constitution of Malta in view of the setting up of the Constitutional Convention that is set to be composed in the current year 2016.

11. Participation in Radio and Television Programmes

Professor Raymond Mangion participated as resident or guest invitee in a host of programmes on the national T.V. station as well as on private T.V. and radio programmes during which he spoke on legislative, historical, social and cultural matters. He was a resident and special invitee to t.v. and radio programmes of national importance transmitted by the State media that included the appointment of the President of Malta in 2014, the opening of the new Parliament building in Valletta in the middle of 2015, and, in particular, the visit of Queen Elisabeth II to Malta during the CHOGM event.

Professor Raymond Mangion participated on Campus FM concerning the themes of law as a concept and as an instrument of obedience on the invitation of the *Għaqda Studenti tal-Ligi*.

12. Foundation Day of the Faculty of Laws

Professor Raymond Mangion was directly involved in the creation of an event to commemorate the Foundation Day of the Faculty of Laws. He identified the exact day when the present Faculty of Laws was set up, namely 17th December, 1838. On the commemoration of the Day, the Faculty of Laws identifies one of its past lecturers (whether he was a Professor or lecturer) to award him Recognition for his contribution to the Faculty of Laws over the years. Prizes are also awarded to students who distinguish themselves during the outgoing course of laws when the commemoration is held at the University of Malta. Dr Joe Micallef Stafrace was this year 2014-2015 chosen as the person who was granted the award. Remarkably, Professor Mangion has been said to be the “Official Historian” of the Faculty of Laws by none other than the Pro-Chancellor Professor David Attard who this year distributed prizes during the holding of commemoration which this year has been the fourth in the series of commemorations.

13. Speeches

Apart from other invitations to form part of panels addressing fora and commemorations, Professor Raymond Mangion delivered the speech to commemorate the Foundation Day of the Faculty of Laws on 16 December 2015. He researched and wrote a documented speech on the contribution of Dr Joe Micallef Stafrace to the Faculty of Laws since Dr Micallef Straface had been appointed as the first lecturer in Press and Media Law within the Faculty of Laws in our Alma Mater. Professor Mangion’s speech was the fourth in the series. He has previously spoken on Professor Joe Max Ganado, Professor John Joseph Cremona and the now defunct judge Dr Maurice Caruana Curran.

14. Social Recognition

Professor Raymond Mangion, who was awarded “*Ġieħ il-Hamrun 2013*” by the Hamrun Local Council for his research and academic achievements and for his contribution to the promotion of historical and cultural activities, was this year the promoter of a person who was awarded “*Ġieħ l-Imsida 2015*” and also the promoter of another person who was awarded “*Ġieħ ir-Repubblika*”.

15. Academic Staff

The academic staff of the department of Legal History and Methodology is the following:

ASSOCIATE PROFESSOR

Professor Raymond Mangion

ASSISTANT LECTURER

Dr Michael Camilleri

VISITING ASSISTANT LECTURER

Dr Joan Abela

Dr Mario Spiteri

TEACHING ASSOCIATES

Dr Andrew Ellul

Dr Mark Anthony Sammut

Dr Danielle Cordina

Submitted by: Professor Raymond Mangion, Head of Department



FACULTY OF LAWS

UNIVERSITY OF MALTA

DEPARTMENT OF PUBLIC LAW

ANNUAL DEPARTMENTAL REPORT – 2014-2015

The Department of Public Law continued to strengthen the teaching of Taxation within the Faculty of Laws by requesting and obtaining the Call for Applications of two part-time lecturers in International Taxation and The law on Value Added Tax (VAT). The successful candidates Dr. Conrad Cassar Torregiani commenced delivering lectures in the academic year 2015-2016. The Department sought and obtained the University approval for two elective credits to cover these new taught topics in taxation and which supplement the work already carried out by Dr. Robert Attard who delivers lectures in General Principles of Taxation in Maltese Law.

The Department has also continued talks with the Dean of the Faculty with representatives of the Malta Institute of Taxation for a new Masters programme on the subject matter of International Taxation. The academic programme has been submitted for review by the competent University organs. It is anticipated that the Masters programme starts in 2017.

These measure are in addition to the measure taken during academic year 2014-2015 whereby the General principles of Taxation became a compulsory subject .

Another initiative undertaken by the Department was the request for the appointment of a lecturer at the level of T9 in order to compensate for a full time member of staff namely Dr. Tiziana Filletti requesting and obtaining permission by the University to work as Judicial Advocate. This in turn led to the Department requesting that a Call for a Full time lecturer be made in order to return to the complement which the Department enjoyed previously. The Call was made in December of 2015 and is currently going through the phases of selection.

The Department is also reviewing the programme of studies of the Masters in Human Rights and the Democratisation of Governance to widen the area of studies to include the element of Governance within the curriculum of the Masters. It is anticipated that this

measure will open possible new venues of cooperation with other Faculties of the University such as the Department of Public Policy within FEMA.

The Department published the workings of the successful Conference organised by it in 2014 on the topic of “The Constitution of Malta-50 years of Proposals and Counter-Proposals”. The publication which had the same title of the Conference, was officially presented to H.E. Marie-Louise Coleiro, President of Malta, at the Palace of San Anton, Balzan. The President of Malta had opened the Conference and delivered the opening speech of the Conference.

The publication served also as a joint effort between the Department and the Ghaqda Studenti tal-Ligi. The book was presented by the Head of Department in the presence of Dr. Ivan Mifsud , Full time Senior Lecturer in the Department of Public and representatives of the Gh.S.L.

The Department participated in the workings of the Human Rights programme of the University which is chaired by the Head of Department and has also assisted in the financing of the 2015 edition of the Conference organised annually by the programme to mark Huma Rights Day on the 10th December. The Department undertook to provide academic material and to support its publication in the series of publications by the Faculty on Historic Legal Materials and Documents.

The Department continued to strengthen cooperation with the Ghaqda Studenti tal-Ligi in organizing conferences and possible publications which are planned to see the light of day in 2016.

The Department continued to strengthen its Ph.D. with one candidate progressing from the M.Phil stage to Ph.D status, a second candidate applying to progress from M.Phil to Ph.D and a third candidate being admitted to commence M.Phil research programmes leading to Ph.D. status. A fourth candidate was in contact with the Department and was actively preparing to submit a proposal for a M.Phil research programme commencing in early January 2016 should the proposal be considered acceptable; a fifth candidate was in an advanced stage of concluding his research programme and submit the thesis for examination in 2016.

Finally one candidate undergoing M.Phil research project requested suspension of studies due to pressure of work.

Submitted by: Dr Austin Bencini, Head of Department



FACULTY OF LAWS
UNIVERSITY OF MALTA

DEPARTMENT OF MEDIA, COMMUNICATIONS AND TECHNOLOGY LAW

ANNUAL DEPARTMENTAL REPORT – 2014-2015

1. Contribution in Law Courses offered by the Faculty of Laws

The Department of Media, Communications and Technology Law continued to contribute to the Bachelor of Laws (LL.B.) and Doctor of Laws (LL.D.) degree courses as well as to other degree programmes offered by the Faculty of Laws and the Department of Criminology, Faculty of Social Well-Being. This entailed lecturing, supervising and examining study-units, including supervising theses, dissertations and research projects.

The Department is composed of the following 12 academic members of staff:

Prof Kevin Aquilina (Head of Department) (Full-time Resident Academic - Professor)
Prof Frances Camilleri-Cassar (Full-time Resident Academic – Associate Professor)
Dr Daniel Bianchi (Full-time Resident Academic – Assistant Lecturer)
Dr Jeanne Pia Mifsud Bonnici (Part-time Resident Academic – Lecturer TR4)
Dr Anne Louise Ellul Cachia Caruana (Visiting Senior Lecturer – T4)
Dr Michael Frendo (Visiting Senior Lecturer – T6)
Dr Michael Tanti Dougall (Visiting Senior Lecturer T1)
Dr Francis Zammit Dimech (Visiting Senior Lecturer – T1)
Dr Neville Gatt (Visiting Senior Lecturer – T1)
Dr Paul E. Micallef (Visiting Senior Lecturer – T1)
Dr Ian Gauci (Visiting Lecturer – T1)
Dr Lauro Fava (Visiting Assistant Lecturer – T1)

2. Professor Kevin Aquilina

2.1 Participation in Academic Boards and Committees

The Head of Department is the Dean of the Faculty of Laws and ex officio member on Senate, is a member of Senate's Programme Validation Committee and Senate's Students' Charter Committee. He also attended regularly the meetings of the University

Ph.D. Committee, the Students Request Committee and the University Assessment Disciplinary Committee. He chaired several Faculty Committee meetings.

2.2 Research Output

During this academic year Professor Kevin Aquilina has written the following publications:-

- (i) 'Territorial Sea and the Contiguous Zone' in David Joseph Attard, Malgosia Fitzmaurice and Norman A. Martinez Gutierrez (eds.), *The IMLI Manual on International Maritime Law, Volume I: The Law of the Sea*, Oxford: Oxford University Press, October 2014, Chapter 2, pp. 26-70.
- (ii) 'Do Pronouncements of the Constitutional Court Bind *erga omnes*? The Common Law Doctrine of *stare decisis* versus the Civil Law Doctrine of Non-Binding Case Law within a Maltese Law Context' in Vernon Valentine Palmer, Mohamed Y. Mattar and Anna Koppel (eds.), *Mixed Legal Systems, East and West*, Surrey, England: Ashgate, January, 2015, pp. 43-53.
- (iii) 'Elements of Maltese Public Finance Law', in Carmelo Mifsud Bonnici and Ubaldo Comite, *Liberta' e Diritti tra Regole ed Economia*, CEDAM Casa Editrice Dott. Antonio Milani and Wolters Kluwer, Milan, August 2015, pp. 225-252.
- (iv) 'The Strasbourg Court's Case Law and Its Impact on Parliamentary Removal of a Judge in Malta: Turning Over a New Leaf?', *International Human Rights Law Review*, Volume 3 (2014), Issue 2, 248-275.
- (v) Archives and Maltese Legislation on Data Protection and Freedom of Information: Square Pegs in Round Holes?, *Global Journal of Comparative Law*, Vol. 4, No. 2, 2015, pp. 212-232.
- (vi) 'Key Elements to Ensure a Legally Valid Process in Internal Disciplinary Procedures', *Id-Dritt*, Vol. XXV, 2015, pp. 3-22.
- (vii) 'Foreword', *Id-Dritt Commemorative Edition*, 2015, pp. xiii-xiv.
- (viii) Preface to Dr Grazio Mercieca, *Massimarji tal-Imhallett Philip Sciberras, L-Ewwel Volum: Procedura Civili*, Msida, Malta University Publishing, 2015, pp. v-vii.
- (ix) Foreword to the Ombudsman's *Reflections on the White Paper 'Towards the Establishment of the Human Rights and Equality Commission'*, Parliamentary Ombudsman, Office of the Ombudsman, Valletta, July 2015, pp. 1-4.
- (x) Foreword to Dr Ivan Mifsud, *The Constitution 50 years of proposals and counter proposals*, Msida, Department of Public Law, Faculty of Laws and Ghaqda Studebnti tal-Ligi, 2015, pp. 11-12.

- (xi) Religion needs protection’, *The Times of Malta*, 22 July, 2015, p. 22.
- (xii) Twenty reasons against MEPA’s demerger’, *Malta Today*, 26 July, 2015, pp. 20-21
- (xiii) ‘Civil right to objectify women’, *The Times of Malta*, 27 July 2015, p. 40.
- (xiv) ‘Constitutional symbols’, *The Times of Malta*, 14 August, 2015, p. 16.
- (xv) ‘Right to licence porn’, *The Times of Malta*, 14 August 2015, p. 16.
- (xvi) ‘Guardian of the Constitution’, *The Times of Malta*, 28 September 2015, p. 16.

3. Professor Frances Camilleri-Cassar:

3.1 Research output

3.1.1 Peer reviewed Article

‘Malta Country Note’, in P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

3.1.2 Book contribution

‘Research review: attitudes towards violence against women in Malta’, in *Attitudes towards violence against women in the EU*, EC Directorate-General for Justice, Luxembourg: Publications Office of the European Union, (prepared by Enrique Garcia and Marisol Lila, University of Valencia) ISBN 978-92-79-53404-1

3.1.3 Peer reviewed Reports for the European Commission

- (i) ‘Analysis of the Malta National Reform Programme under the Europe 2020 Strategy’, European Commission, Directorate-General Justice.
- (ii) ‘Flexible working hours’, European Commission, Directorate-General Justice.
- (iii) ‘Universal free childcare’, European Commission, Directorate-General Justice.
- (iv) ‘Country fiche on gender equality and policy developments’ (2014, 4th quarter), European Commission, Directorate-General Justice.
- (v) ‘Country fiche on gender equality and policy developments’ (2015, 1st quarter), European Commission, Directorate-General Justice.
- (vi) ‘Country fiche on gender equality and policy developments’ (2015, 2nd quarter), European Commission, Directorate-General Justice.

- (vii) ‘Country fiche on gender equality and policy developments’ (2015, 3rd quarter), European Commission, Directorate-General Justice.

3.1.4 Membership

- (i) Faculty of Laws Research Ethics Committee
- (ii) ESRC Peer Review College
- (iii) European Network of Experts on Gender Equality
- (iv) International Network on Leave Policies and Research
- (v) UK Social Policy Association

3.1.5 Article reviewer for *ELSA Malta Law Review*

Malta's Gender Identity, Gender Expression and Sex Characteristics Act - A Shift from a Binary Gender to a Whole New Spectrum? by Nicole Sciberras Debono

3.1.6 Teaching workload

- (i) CRL1008 Family Violence Law (study-unit coordinator)
- (ii) CRL2008 Child Trafficking Law (study-unit coordinator)
- (iii) CRL3000 Gender and Deviancy Law (study-unit coordinator)
- (iv) LAW5001 Legal research, Analysis and Writing (study-unit coordinator)
- (v) IEN5034 Qualitative and Quantitative Research Methods

3.1.7 Co-ordination of public seminars

- (i) Family Violence Law. Inaugurated by Ms Marie Louise Coleiro Preca, President of Malta; keynote speech Dr. David Zammit, Head Civil Law Department (19 December 2014).
- (ii) Child Trafficking Law. Inaugurated by Ms Marie Louise Coleiro Preca, President of Malta; keynote speech Prof. Kevin Aquilina, Dean Faculty of Laws (7 May 2015).

4. Dr. Daniel Bianchi

4.1. Teaching Workload

- MCT1004 Mental Health Law (Study-unit coordinator).
- MCT2001 Medical Jurisprudence (Study-unit coordinator).

4.2. Paper Presentations

- “Dementia and participation in clinical decision-making by using an advance directive”, 24th Alzheimer Europe Conference – *Autonomy and dignity in dementia*, Glasgow – United Kingdom, October 2014.

- “Quo Vadis? The moral authority of advance directives”, University of Manchester – April 2015.

4.3. Academic Boards and Committees

- Faculty Board – Faculty of Laws.
- Faculty Research Ethics Committee – Faculty of Laws.

4.4. Research

- Research during the academic year 2014/15 was primarily dedicated to on-going doctoral (PhD) research under the auspices of the University of Manchester.

4.5. Other

- National Contact Point – European Association of Health Law.

5. Dr Paul Edgar Micallef

5.1 Publications

- Peer reviewed article:
“Enforcement and Judicial Review of Regulatory Decisions in Electronic Communications – A Review of the Malta Experience with Reference to other Common Law Member States of the EU”, in *European Journal of Comparative Law and Governance* (2014) Volume 1, Issue 3, 266-291
- ‘Case Comments: Maltese service provide loses appeals on pay TV channels and on misleading advertising’, in *Utilities Law Review*, Volume 19, Issue 6.
- ‘Editorial Regulatory Compliance: Achieving the Right Balance’, in *Utilities Law Review*, Volume 20, Issue 2.
- ‘Case Comment: Negligence Decision against MaltaPost plc upheld: David Mifsud and Stephanie Mifsud vs MaltaPost plc’, in *Utilities Law Review*, Volume 20, Issue 3.
- ‘Editorial – Directive 2014/61/EU – an effective tool in facilitating deployment of high-speed electronic communications within the EU?’, in *Utilities Law Review*, Volume 20, Issue 4.
- ‘Case Comments: Judgment dated 21 April 2015 given by the First Hall of the Civil Court (Constitutional Jurisdiction) in *Federation of Estate Agents vs Direttur Generali (Kompetizzjoni)*, et; and judgment of 6 February 2015 by the Maltese Court of Appeal (Superior Jurisdiction) in *Melita Cable plc (C12715) vs*

il-Ministru għall-Iżvilupp Urban u Toroq et', *Utilities Law Review* Volume 20, Issue 5.

- Some Reflections on Alternative Dispute Resolution for Small Claims in Malta – article published in the Commemorative Edition of *Id-Dritt* 2015.

Submitted by: Professor Kevin Aquilina, Head of Department