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The University reserves the right to make changes without prior notice to the information contained in this publication, including the alteration of various fees, schedules, conditions of admission and credit requirements, and the revision or cancellation of particular courses or programs.

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Cover –

McGill's Arts Building (centre) facing downtown Montreal, is backed by the castle-like structures of the waterworks and hospitals situated on Mount Royal's southern flank.

*Arts Building photograph,
courtesy University Relations Office*

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Owen Egan, Max Stiebel*

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1 The Faculty

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 Colleen Sheppard; B.A., LL.B.(Tor.), LL.M.(Harv.) (*on leave*)
 Ronald B. Sklar; B.S.(N.Y.U.), LL.B.(Brooklyn), LL.M.(Northwestern), LL.M.(Yale)
 Lionel Smith; B.Sc.(Tor.), LL.B.(W.Ont.), LL.M.(Cantab.), D.Phil.(Oxon)
 Stephen A. Smith; B.A.(Queen's), LL.B.(Tor.) D.Phil.(Oxon)
 Margaret A. Somerville; A.M., F.R.C.S., A.u.A.(Pharm.) (Adelaide), LL.B.(Sydney), D.C.L.(McG.), LL.D. Hon. Causa (Windsor, Macquarie, St.F.X.) (*Samuel Gale Professor of Law*)
 William Tetley; C.M., Q.C., B.A.(McG.), LL.L.(Laval)
 Stephen Toope; A.B.(Harv.), B.C.L., LL.B.(McG.), Ph.D.(Cantab.) (*on leave*)
 Shauna Van Praagh; B.Sc., LL.B.(Tor.), LL.M.(Col.), J.D.S.(Col.) (*on leave*)
 Ivan A. Vlastic; B.C.L.(Zag.), LL.M.(McG.), LL.M., J.S.D.(Yale); *Emeritus Professor*
 Catherine Walsh; B.A.(Dal.), LL.B.(New Br.), B.C.L.(Oxon)

Adjunct Professors

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 Donald Bunker; B.A.(S.G.W.), B.C.L., LL.M., D.C.L.(McG.)
 Pierre Deschamps; L.Sc.R., B.C.L.(McG.)
 Robert Godin; B.C.L.(McG.), B.A.(Sir G.Wms.) (*Wainwright Fellow*)
 Sunny Handa; B.Com.(McG.), LL.B.(Tor.), LL.M., D.C.L.(McG.)
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 Rod Margo; LL.M.(McG.), Ph.D.(London)
 Peter Nesgos; D.C.L.(McG.)
 John Saba; B.A., M.A., LL.B., LL.M., D.C.L.(McG.)
 Francis P. Schubert; B.C.L., D.E.S. Rel. intern., Ph.D. Law(U. Geneva)
 Peter Van Fenema; LL.M.(McG.)
 Ludof W. Van Hasselt; Ph.D.iur(Leyden)
 Henri A. Wassenbergh; Ph.D.iur(Leyden)
 Ludwig Weber; Lic iur, Dr. Jur(Heidelberg), LL.M.(McG.)
 James Woods; B.A., B.C.L., LL.B.(McG)

treat advocate and circuit judge, who had since 1844 been giving occasional lectures in law within the Faculty of Arts. In consequence of this request the Board of Governors of McGill formally established a programme of instruction in law on July 15, 1848.

In 1852 the Governors determined to establish a separate Faculty of Law, and when the new Faculty was formally constituted in 1853, William Badgley was appointed Dean.

Until the early 20th century McGill remained predominantly a **Civil Law** and the **25 courses** were to

1.7 Law Library Staff

John Hobbins; B.A., M.L.S.(McG.) **Law Librarian**
 Louise Robertson; B.A., M.L.S.(McG.) **Associate Law Librarian**
 Daniel Boyer; B.A.(McG.), LL.B.(UQAM), M.L.I.S.(McG.)
Wainwright Civil Law Librarian
 T.B.A. **Computer Services Librarian**
 Ann Walter; B.A.(Ott.), M.L.S.(McG.) **Instruction and Information Librarian**

2 The Faculty of Law at McGill

2.1 History of the Faculty of Law to 1968

In the spring of 1848 a group of 23 students reading law for the Bar of Quebec petitioned McGill College to grant them formal instruction leading to a degree in law. In their petition they pledged to attend the courses offered by William Badgley, a prominent Mon-

means that the university is recognized as an appropriate forum to examine the law as an element of social organization, from critical, historical and comparative perspectives. Scholarship in the law is, in this sense, as essential an element in the life of the Faculty as its role in the training of professionals. Indeed, the two functions are inseparable.

McGill occupies a unique position among Canadian law faculties to pursue its dual mission of educating future professionals and promoting scholarship. The Faculty, quite naturally in the light of its location, has a long tradition of teaching and scholarship in both the English and the French languages. The staff and students have always been drawn from these two linguistic groups. While English has been the primary language of the Faculty, the use of French in the classroom and as a language in daily life is firmly entrenched. Wilfrid Laurier's valedictory address of 1864 was delivered in his mother tongue.

McGill has also long been a meeting ground for Canada's legal traditions, the civil law deriving from the law of France and more remotely from Roman Law, and the English common law. The Faculty's early curriculum vividly demonstrated the richness of the Quebec and indeed the Canadian legal heritage when it laid down for study in the 1850s and 1860s, *the Institutes of Justinian*, the dominant law of pre-Napoleonic France in the form of the *Coutume de Paris* and that monument of late eighteenth century English law, the *Commentaries of William Blackstone*.

The Faculty believes that its programme, within which students earn both a B.C.L. and an LL.B. degree, creates an important link between the civil and common law systems as they obtain in Canada. Graduates acquire a number of important advantages. First, the programme enables all students to examine, critically, the foundations of both Canadian legal systems. This study contributes significantly to the advancement of legal theory and jurisprudence. Second, graduates may proceed to the Bars of all the Canadian provinces as well as those of a number of jurisdictions in the United States and elsewhere. Third, the inter-dependence of the modern world means that many legal problems transcend individual legal systems. A knowledge of both the civil law and the common law is therefore an asset. Finally, the comparative and trans-systemic dimension of McGill's programme is useful in foreign service, government work, international practice, and law reform, whether in Quebec or other provinces.

McGill's programme engages its students and professorial staff in the study of law not only as a means for achieving desirable social objectives, but also as an end in itself. The Faculty is confident that its graduates, who are awarded B.C.L. and LL.B. degrees simultaneously, will continue to make special contributions to Canadian public and intellectual life through careers that take many paths, not limited to any particular province or region or to the practice of law.

Since the academic year 1999-2000, students obtain both a civil law (B.C.L.) and common law (LL.B.) degree after completing 105 credits taken over three or four years. Concepts from the two legal systems are presented through an innovative, integrated methodology that fosters critical analysis. Students may also add to their basic law programme by completing a minor, major concentration or Honours programme. Joint degrees in management or social work are also possible, and students have opportunities to take part of their legal education abroad.

The New McGill Curriculum

In 1998, the Faculty adopted a creative and challenging new approach to legal education that prepares McGill graduates for careers that increasingly require knowledge of more than one legal system. From the very first year, students are introduced to civil law and common law concepts and encouraged to compare and critically evaluate the two traditions. This dramatic and unique curriculum, which explores the common law and the civil law in an integrated fashion, is entirely different from the "three-plus-one" programmes offered by other faculties. McGill's trans-systemic method fosters not only outstanding analytical ability, but also critical reflection and openness to diverse approaches to legal problems.

The structure of the new programme ensures that students are well grounded in the fundamental legal concepts of the civil law and the common law, in courses specific to each tradition. The comparative dimension of McGill's curriculum focuses primarily upon the law of obligations (contracts and tort or delict) in which remarkable changes are taking place globally involving complex legal transactions across national borders.

The Faculty emphasizes the mastery of underlying principles in private and public law, with a wealth of courses in legal theory, social analysis, and legal pluralism. McGill's proud tradition of public law teaching and scholarship is also reflected in the wide range of courses offered in Canadian constitutional and administrative law, as well as in international law, where McGill's offerings are unsurpassed.

To complement these basic courses, the Faculty offers, through the Institute of Comparative Law, a number of advanced courses in comparative private law. The trans-systemic character of the programme is also reflected in the teaching of federal courses. In the public as well as corporate and mercantile law fields, courses are taught with both private law traditions in view.

The Faculty's first National Programme is described in R.W. Lee, "Legal Education Old and New" (1916), 36 *Can. Law Times* 24 at page 115. For a detailed discussion of the National Programme from 1968-1998, see J.E.C. Brierley, "Developments in Legal Education at McGill, 1970-1980" (1982), 7 *Dal. L.J.* 364. A monograph-length article on the National Programme by R.A. Macdonald appeared under the title "The National Law Programme at McGill: Origins, Establishment, Prospects" in (1990), 13 *Dal. L.J.* 211. On the new McGill Programme, see Y.-M. Morrisette, "McGill's Integrated Civil and Common Law Pro-

Faculty of Management. Admission to the Faculty of Law is made on the same criteria as if the applicant were applying only into the Law programme. Admission to the Faculty of Management depends, among other things, on the student's performance on the GMAT. For further information about the M.B.A. programme, please contact the Faculty of Management. Please note that students must have completed an undergraduate degree and have one year of employment experience in order to be admissible to the M.B.A. programme. Candidates applying into the joint M.B.A./Law programme should indicate in their personal statement their reasons for doing so.

Students in the joint M.B.A./Law programme will do their first year in the M.B.A. programme. The following year, they will do their first year of Law. The programme requires the completion of a total of 141 credits. Students who successfully complete the pro-

Applicants seeking admission to study on a part-time basis must submit a separate letter giving the reasons why they wish to study part-time. Applications for part-time study are evaluated on the same basis as those for full-time study.

Students granted permission to register on a part-time basis must register for a minimum of nine credits per term, and complete all the requirements of the B.C.L./LL.B. programme within six academic years.

Candidates seeking admission on a part-time basis must fulfil all the ordinary entrance requirements of the Faculty of Law.

3.4.4 Transfer Students

Students who have successfully completed at least one full year of studies in an undergraduate programme at another Canadian Law Faculty may apply for admission as a transfer student. There are, however, a limited number of places available for transfer students. Applications are evaluated on the same criteria as applications to the first year of the B.C.L./LL.B. programme, with particular attention to performance in law studies at other faculties.

Successful applicants are required to complete a minimum of 75 credits at McGill. The Associate Dean (Academic) determines credit for previous studies. In most cases, transfer students will be required to take the trans-systemic first-year courses. Contractual Obligations and Extra-Contractual Obligations/Torts in order to meet degree requirements at McGill. As a result, candidates will not normally receive credit for courses in obligations, contract or tort taken during a first year completed at another faculty. Students who are not in good standing or who have been required to withdraw from another Canadian law faculty are not eligible to transfer to McGill.

3.4.5 Advanced Standing Students

Applicants who hold a law degree from a Canadian or foreign university recognized by McGill may apply for admission to the B.C.L./LL.B. programme with advanced standing. There are, however, a limited number of places available for advanced standing students. Applications are evaluated on the same criteria as applications to the first year of the B.C.L./LL.B. programme, with particular attention to performance in law studies.

Successful applicants are required to complete a minimum of 75 credits at McGill and follow the integrated B.C.L./LL.B. programme. The Associate Dean (Academic) determines equivalences for previous studies.

3.4.6 Visiting Students (Letters of Permission)

Students who have completed two years of studies at another law faculty who wish, for academic or personal reasons, to spend a term or a year at McGill may be admitted as Visiting Students. In order to be admitted as a Visiting Student, candidates should have completed at least two years of study at another law school and obtained a letter of permission from their home university. The Faculty endeavours to accommodate qualified students who are in good standing in their own faculties, where student numbers at McGill permit. Students from other law faculties seeking admission to McGill as Visiting Students must apply through the Admissions Office. Decisions on applications by Visiting Students are made by the Assistant Dean (Student Affairs). Upon acceptance, students must arrange an academic programme with the Associate Dean (Academic). Courses taken as a Visiting Student cannot be credited toward a McGill Law degree.

3.4.7 Special Students

The Faculty permits a limited number

ple, experiences as a member of a minority group, or factors which may have made access to a university education more difficult.

3.5.4 Curriculum Vitae

Applicants are asked to provide their curriculum vitae. It should highlight the applicant's academic background and achievements, work experience, volunteer and extra-curricular activities, and other significant interests. If a candidate has worked during the school term, the number of hours worked per week should be indicated on the curriculum vitae.

3.5.5 Official Transcripts

Applicants must ensure that official transcripts for all university studies completed to date and to be completed in the current academic year are forwarded to the Admissions Office, or submit official transcripts in an envelope sealed by the Office of the Registrar where they were issued. Please note that candidates must submit official transcripts or certified true copies of results obtained in any studies carried out while on exchange unless the marks, as well as the credits, obtained in courses taken on exchange are included

3. Other Courses

Students must take such other complementary or elective courses as are offered within the Faculty or approved as credit equivalences in order to complete the 105 credit requirement.

the GMAT. For further information about the M.B.A. programme, please contact the Faculty of Management.

Please note that students must have completed an undergraduate degree in order to be admissible to the M.B.A. programme.

BUS2 372 SECURITIES REGULATION. (3) After an introduction to the structure of Canada's capital markets, this course will review the major features of the regulation of those markets. Attention will focus on either the Ontario or the Quebec scheme. A study of the premises behind and the problems of implementing the major regulatory techniques of occupational licensing of securities professionals, disclosure to new issue buyers and to other investors, and administration of the regulatory scheme by securities commissions.

● **BUS2 461 INSURANCE.** (3) The general principles of the insurance contract under the law of Quebec, with reference to the Ontario Insurance Act and the insurance acts of other common law provinces.

BUS2 463 INTELLECTUAL AND INDUSTRIAL PROPERTY. (3) This is a survey course intended to provide an overview of the law of patents, copyright, trade marks, industrial designs, and confidential information. It covers problems that counsel might encounter in a general corporate practice. It examines the legal protection available against unfair competition and the proprietary rights accorded to interests in information and ideas having economic value e.g.

pensation such as no-fault regimes; certain aspects of the modalities, transfer, alteration and extinction of obligations.

PROC 349 LEASE, ENTERPRISE, SURETYSHIP. (3) The contracts of lease, including some aspects of residential leases, enterprise and suretyship in the law of Quebec.

● **PROC 425 JUDICIAL LAW AND E**

PUB2 403 MUNICIPAL LAW. (2) Municipal institutions in the Prov-

the Dean's delegate to write an essay for 3 credits under the supervision of an instructor in the Faculty.

WRIT 493 TERM E

WRIT 004D1 MCGILL LAW JOURNAL - SENIOR BOARD. (1) (Eleven positions)

WRIT 004D2 MCGILL LAW JOURNAL - SENIOR BOARD. (1)

WRIT 008D1 MCGILL LAW JOURNAL - ASSOCIATE EDITOR. (2)

WRIT 008D2 MCGILL LAW JOURNAL - ASSOCIATE EDITOR. (2)

WRIT 009D1 MCGILL LAW JOURNAL - CASE COMMENTS EDITOR. (1.5)

WRIT 009D2 MCGILL LAW JOURNAL - CASE COMMENTS EDITOR. (1.5)

WRIT 010D1 MCGILL LAW JOURNAL(1) LAW

Civil Law; in 1921 he was promoted to the rank of Professor. His merits as a teacher of the Civil Law for over twenty-five years were recognized by the University in 1934 when it named him, upon his retirement, Emeritus Professor. The degree of Doctor of Civil Law honoris causa was conferred upon him in 1963.

The bequest of the residue of his estate, now valued at over \$1,000,000, to McGill University for the use of the Faculty of Law

6.8 Endowed Lectures

In addition to the Boulton and Wainwright Lectures, the Faculty hosts two alumni lectures each year. Endowments from the Class of '75 and the Class of '77 on their 10th anniversary reunions fund public lectures by leading scholars each term. The inaugural Class of '75 Lecture was delivered in 1987 by Paul Craig of Oxford, and the initial Class of '77 Lecture was delivered in 1988 by Martha Minow of Harvard. The Alan Aylesworth Macnaughton Lecture Sponsorship Fund sponsors, at least once every two years, a lecture on a subject of general interest to the public or student body. This fund was endowed thanks to a gift from Alan A. Macnaughton, Q.C., B.A. '26, B.C.L. '29, LL.D. '92.

6.9 International Human Rights Law Programme

The International Human Rights Law Programme seeks to continue the legacy of former McGill professors and deans Percy Corbett, John Humphrey, F. R. Scott and Maxwell Cohen. Its goal is to provide focus to research and scholarship in Human Rights Law at the Faculty through a network of teaching, course concentration, research, publication, advocacy training, public education, seminars, public lectures and symposia, and the graduate programme in human rights law.

The Programme co-sponsors, with the private advocacy group InterAmicus, four Annual Human Rights Lectureships of international reputation. The Lectureships honour persons who have shown by word and deed how one person can make a difference, and are given by individuals who have helped to advance the cause of human rights and human dignity. Lectures have included Natan Sharansky, who inaugurated the Lectureship in his name; John Humphrey, who inaugurated the John Humphrey Lectureship in Human Rights on the eve of the 40th Anniversary of the Universal Declaration of Human Rights; Nobel Peace Laureate Elie Wiesel, who inaugurated the Raoul Wallenberg Lectureship in Human Rights; and Madame Justice Claire L'Heureux-Dubé of the Supreme Court of Canada who inaugurated the René Cassin Lectureship in Human Rights. The distinguished lecturers who have given one or other of the lectureships include Father Robert Drinan, S.J., Samuel Pizar, the Honourable Walter Tarnopolsky of the Ontario Court of Appeal, His Excellency Javier Perez de Cuellar and Professor Alan M. Dershowitz of Harvard Law School.

6.10 McGill Law Journal/Revue de droit de McGill

The McGill Law Journal/Revue de droit de McGill, founded in 1952, is a professional journal published by students of the Faculty of Law of McGill University. Its purpose is to promote the study of the law in Canada and to help in the understanding of the civil law and common law systems. It publishes articles in either French or English.

The Journal also publishes the *Canadian Guide to Legal Citation* which has been adopted by many leading legal periodicals in several countries. Each year it also organizes the McGill Law Journal Alumni Lecture. Both these activities are sustained through the McGill Law Journal Trust.

6.11 Moot Court Programme

The Moot Court programme is organized under Faculty supervision by upper year students. It oversees the Faculty's optional Appellate Advocacy and Competitive Mooting Programmes.

In 1979, the Montreal law firm of Ahern, Nuss and Drymer, in memory of its distinguished founder, John Gerard Ahern, Q.C., B.C.L.(1918), who achieved during his long career at the Bar the reputation of being an outstanding advocate and who served as Bâtonnier of the Bar of Montreal and Quebec in 1955-56, established the John G. Ahern, Q.C. Memorial Mooting Fund. The S. Leon Mendelsohn Mooting Fund established in honour of S. Leon Mendelsohn, Q.C., B.C.L. '24, a member of the Montreal Bar since 1924, by his partners at Mendelsohn Rosentzveig

Shacter. This fund provides financial assistance to moot competition team members representing McGill. The Richard & Hilda Golick Mooting Sponsorship, established in 1994 and funded by the proceeds from the Law and You Seminars, provides financial assistance to Moot Competition team members representing McGill University. These funds, administered by the Dean of the Faculty of Law, in consultation with mooting advisers, have been set up to assist law students in their mooting activities and, in particular, participation in competitive moots.

Under the supervision of members of Faculty, students may participate in a variety of mooting competitions. McGill regularly sends teams to the Philip C. Jessup International Law Moot, the Tribunal-École Pierre-Basile Mignault, the Concours Charles Rousseau, the Quebec Bar Prize Moot, the Gale Cup Moot, the

denied the right to practice in Quebec because of her gender, the workshops provide a forum for scholarly research and practical insights on social justice issues. Recent speakers have included: Patricia Monture-Angus of the University of Saskatchewan, Marie-France Bich of University of Montreal, Kendall Thomas of Columbia Law School, Hilary Charlesworth of Australian National University, Homar Hoodfar of Concordia University, Ronald McCallum of Sydney University, Susan Boyd of the University of British Columbia and Denise Reaume of the University of Toronto.

Family, friends and colleagues, through their donations, created the Margot E. Halpenny Memorial Endowment to sponsor one Annie Macdonald Langstaff Workshop every year at the Faculty. Margot Halpenny, B.A. '72, LL.B. '76, died in 1991.

6.17 International Business Law Programme

The International Business Law Programme was established in 1977. Its major components are a research programme directed through the Institute of Comparative Law and a graduate programme in International Business Law which attracts each year 25 students to the Faculty's LL.M. Programme. The programme is funded in part by the International Business Law Programme Development Fund and by the McGill International Law and Practice Fund. Together these funds support fellowships, the acquisition of library materials in this field, and visits by leading scholars. The programme has sponsored two colloquia on the Free-Trade Agreement and is producing research papers on various aspects of the international trade system.

7 Student Activities and Services

7.1 Law Students Association/ Association des étudiants en droit

The Law Students Association, founded before World War I and known for many years as the Law Undergraduate Society, is composed of all students in the Faculty of Law pursuing the B.C.L./LL.B. degrees. The LSA Council, which represents the views and interests of the students in the Faculty, is made up of nine executive members, the class presidents, the four Faculty Council student members-at-large and the Law Senator.

In addition to representing its constituents within the Faculty, the LSA/AED is responsible for promoting law student interests outside the Faculty in conjunction with other university, provincial and national student organizations. The LSA/AED oversees a number of functions and activities affecting the students of the Faculty. Through its various committees, the LSA/AED oversees social events, sports (including participation in the Canada Law Games), orientation activities, the planning of Graduation activities, the production of the Yearbook, and the Computer Resources for students.

The LSA also actively promotes social justice and advances the causes of minority groups within the Faculty.

The LSA/AED offices are located in Room 2 of Old Chancellor

7.3 Office of the Dean of Students

William and Mary Brown Student Services Building
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Montreal, QC H3A 1Y2

Telephone:

General Information: (514) 398-8238 or 398-3825

Dean/Associate Dean: (514) 398-4990

Fax: (514) 398-3857

The Dean and the Associate Dean of Students coordinate all student services at McGill and are available to provide assistance and/or information on almost all aspects of non-academic student life. Concerns of an academic nature will be directed to the proper individual, office or department.

7.4 Student Services

Unless otherwise indicated, on the Downtown Campus all student services offered by the Office of the Dean of Students are located in the William and Mary Brown Student Services Building, 3600 McTavish Street, Montreal, Quebec H3A 1Y2.

A list of services available is given below. For further information refer to the Student Services Web site www.mcgill.ca/stuserv or the address indicated.

Athletics: offers programs in recreational, intercollegiate, instructional, intramural and sports clubs.

Athletics Complex, 475 Pine Avenue West (514) 398-7000

E-mail: athletics@mcgill.ca

Web site: www.athletics.mcgill.ca

Career and Placement Service (CAPS): provides a range of services to McGill students, and recent graduates, in the field of student and graduate employment.

Brown Building, Suite 2200 (514) 398-3304

E-mail: careers.caps@mcgill.ca

Web site: www.caps.mcgill.ca

Chaplaincy Service:

sperson receives complaints from students and assists in the resolution of those complaints through informal means including information, advice, intervention, and referrals with a view to avoiding the more formal grievance procedures that already exist in the University.

The Office of the Ombudsperson is a confidential, independent, and neutral dispute resolution service for all members of the student community. Please call (514)398-7059 for an appointment.

Office of the Ombudsperson, Brown Building, Room 5202
Web site: www.mcgill.ca/ombudsperson

7.6 Extra-curricular Activities

There are over 250 activities and clubs which students may join. These include international clubs; religious groups; political clubs; fraternities; communications groups such as Radio McGill, the McGill Tribune, and the McGill Daily; and some 50 miscellaneous groups (e.g., science clubs; literary, theatrical and musical societies; a chess club; and the McGill Outing Club).

The University Centre, 3480 McTavish Street, provides club rooms for these activities in a four-storey building with cafeterias, a ballroom, lounges and an experimental theatre. Activities for graduate students are centred in David Thomson House at 3650 McTavish Street.

8 Faculty Governance and Academic Regulations

8.1 Faculty Council

As the delegate of the Senate of McGill University, the Faculty Council is the principal academic policy-making body within the Faculty of Law. It has either direct or advisory authority over all matters relating to undergraduate admissions, curriculum, examinations, graduate studies, library and staff appointments. The Faculty Council operates through a committee system and meets on average once per month during teaching terms.

Faculty Council is composed of all members of the full-time teaching staff and a number of undergraduate and graduate students sufficient to constitute one-fifth of its total membership. When considering the admission, evaluation and standing of students, and when dealing with the recruitment and terms of contract of members of the academic staff, the Faculty Council is composed solely of members of the full-time teaching staff.

8.2 Outline of Academic Regulations

Academic standing of students is determined under a credit system as set out in the Faculty Academic Regulations contained in the Faculty of Law Handbook. This Handbook, given to all students upon registration, contains the detailed Regulations for the McGill Programme. The Faculty is also governed by the University Code of Student Conduct and Disciplinary Procedures.

The attention of students is particularly drawn to certain academic requirements. It should be noted that no candidates shall be eligible for degrees granted by the Faculty unless they complete the required number of credits for the same within five years of their first registration in first year, unless they have been granted a leave of absence by the Dean or the Dean's delegate (Regulation 5) or unless they have been granted permission to pursue their degrees on a part-time basis (Regulation 53).

Moreover, candidates are not permitted to be enrolled concurrently in the programmes of the Faculty of Law and a professional training programme of any Bar, whether this programme consists of a course of lectures or a period of articling (Regulation 4).

Further, full-time attendance at the Faculty obliges candidates to register for no fewer than twelve credits in each term, with the exception of their final term should a lesser number of credits be required for the obtaining of their degree (Regulation 3). Candi-

dates shall not receive credit for any course taken in fulfilment of requirements for any other degree (Regulation 10).

The courses given in every case anticipate at least two hours of directed study for every hour of lecture. In addition, each candidate is obliged to write essays, to attend the seminars, to participate in the Legal Methodology Programme, and to fulfil whatever other requirements may be set by the Faculty. It is expected that candidates will devote their whole time to their legal studies and will not undertake other studies during the academic session without prior approval of the Dean or the Dean's delegate.

The Faculty generally follows the University Examination Regulations, and evaluates all students anonymously (Regulations 19 and 22). Examinations and other assignments may be written in either English or French. Examinations are set in the language in which a course is given, but may contain materials in either French or English (Regulation 20).

Students who have not succeeded in passing a session as set out below will be required to withdraw from the Faculty, subject to their right to apply for re-admission to the Faculty (Regulations 49

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9 Registration and Commencement of Classes

9.1 Commencement of Classes

In the 2003-04 academic year, lectures in all years will begin on Wednesday, September 3rd.

9.2 Registration

New Students

All first-year students and all new students in the Faculty of Law must initiate registration on the Web by adding the registration course REGN-RCLW on Minerva at www.mcgill.ca/minerva. The registration period for new Law students for the 2003-04 academic year commences Tuesday, August 5, and ends Wednesday, September 3, 2003.

All first-year students and new students must present themselves at the Faculty of Law on Tuesday, September 2, 2003 to complete their registration. Welcoming of new students will follow registration.

Returning Students

At the end of the winter term students in upper years are required to register by Minerva indicating their course selections for the next academic year. This will be considered formal registration, replacing any further registration requirements.

Students registering late will be required to pay a late registration fee and should read carefully the regulation concerning late registration.

9.3 Course Nomenclature

Required Course: Courses absolutely required in a program. All

10.2 Verification of Name

Students should verify the accuracy of their name on McGill's student records via Minerva and make any necessary corrections to formatting, e.g., upper/lower case letters, accents and spacing.

Students **cannot change the name** on their record via Minerva. Requests for such changes must be made by presenting official documents (see section 10.1 "Legal Name") in person at the Admissions, Recruitment and Registrar's Office.

10.3 Proof of Citizenship and Quebec Residency

from Monday, September 15, at the Admissions, Recruitment and Registrar's Office, James Administration Building, Room 205.

International students who obtain their student ID cards by Sep-

11.6 Health Insurance – Canadian Residents

Canadian students from outside the province of Quebec should check with their own provincial medicare office to ensure the validity of their health coverage while studying at McGill.

Canadian students residing outside Canada may not qualify for any provincial medicare programs. In this case, they may purchase the Health Insurance for International Students.

All undergraduate students who pay Canadian fees and who are members of the Students' Society of McGill University (SSMU) are automatically covered by the Students' Society's Health and Dental Plan. For details on fees and on what is covered by this plan, please refer to the information contained on the Web at www.aseq.com.

11.7 Health Insurance – International Students

By Senate regulation, all students, as well as their accompanying dependents, who do not have Canadian citizenship or Permanent Resident status must participate in a compulsory health insurance plan administered by the University. When registering by Minerva, students will be directed to the International Student Services Web page for enrolment procedures and details. Please refer to the Fees Section for information concerning rates.

Students registering for the first time in September (January) should note that Maternity Benefits for pregnancies which commenced prior to July 15th (November 15th) are not covered by the University's health insurance plan.

All inquiries related to this University policy must be directed to International Student Services.

Health Insurance: Telephone: (514) 398-6012
E-mail: international.health@mcgill.ca

11.8 University Computing Facilities

Network and Communications Services (NCS) provides access to the Internet, e-mail and McGill's central computer systems via the Campus network and dial-up services.

NCS makes available computer access codes and dial-up access services (DAS) usernames that allow students access to e-mail, the Internet, McGill's on-line library catalogue (MUSE), databases on CD-ROM and to the McGill Gateway at www.mcgill.ca.

All McGill students have a DAS username and e-mail address assigned to them and enabled upon registration. This individualized information is provided when the student obtains his/her student ID card.

Each fall and winter term begins with a series of free workshops to orient new students to McGill's information technology environment, and to facilities and tools for Internet access. These workshops are repeated frequently during the orientation period. Year-round, there are short computing and (non-credit) technology workshops.

For more information concerning NCS services, refer to the NCS Web site at www.mcgill.ca/ncs.

Operations (24/7):

E-mail: opsupv.ncs@mcgill.ca
Telephone: (514) 398-3699

General Information:

E-mail: rcpt.ncs@mcgill.ca
Telephone: (514) 398-3711

For support and workshop enquiries, please contact IST Customer Support:

Web site: mcgosh.mcgill.ca
E-mail: help@mcgill.ca
Telephone: (514) 398-3700

11.9 Proper Use of Computing Facilities

Students are required to comply with the Code of Conduct for Users of McGill Computing Facilities as approved by the University

Senate. The Code is published as a part of the *Student Rights and Responsibilities Handbook*.

11.10 Plagiarism and Cheating

In submitting work in their courses, students should remember that plagiarism and cheating are considered to be extremely serious offenses.

Students who have any doubt as to what might be considered "plagiarism" in preparing an essay or term paper should consult the instructor of the course to obtain appropriate guidelines. Students should also consult the academic integrity Web site at www.mcgill.ca/integrity.

The possession or use of unauthorized materials in any test or examination constitutes cheating. Data generated by the Exam Security Monitoring Program can be used as admissible evidence either to initiate or corroborate an investigation or a charge of cheating under Section 16 of the Code of Student Conduct and Disciplinary Procedures.

The Code of Student Conduct and Disciplinary Procedures includes sections on plagiarism and cheating. The Code is included in the *Student Rights and Responsibilities Handbook*.

12 Calendar of Dates – Faculty of Law 2003-2004

2003

- April 14, Mon. to April 30, Wed.* Examination period.
- May 19, Mon.* Victoria Day. No classes. Administrative offices and Libraries closed.
- May 21, Wed.* Registration (credits restricted) starts for returning U4 students in the Faculty of Law.
- May 23, Fri.* Registration (credits restricted) starts for returning U3 students in the Faculty of Law.
- May 27, Tues.* Registration (credits restricted) starts for returning U2 students in the Faculty of Law.
- May 29, Thurs.* Registration with credit limit raised for all returning students in the Faculty of Law.
- June 2, Mon.* Law application deadline for deferred and supplemental examinations (fall term, winter term, and full-year courses).
- June 5, Thurs.* Law Convocation.
- Between July 11 and August 22 inclusive, administrative offices will be closed each Friday. In addition, administrative offices will be closed on Monday, June 23 and Monday, June 30.**
- June 24, Tues.* La fête nationale du Québec. Classes cancelled. Administrative offices and Libraries closed.
- July 1, Tues.* Canada Day. Classes cancelled. Administrative offices and Libraries closed.
- Aug. 4, Mon.* Last day for returning students to register without a late fee.
- Aug. 5, Tues. to Sept. 3, Wed.* Returning students, late registration, with \$50 late fee. U1, Special, and Visiting students registration period.
- Aug. 11, Mon. to Aug. 21, Thurs.* Deferred and Supplemental Examinations in Law.
- Aug. 21, Thurs. to Sept. 5, Fri.* Orientation Centre opens daily at 9:00, Brown Student Services Building, 3600 McTavish Street (closed weekends and Labour Day).
- Aug. 25, Mon. to Sept. 2, Tues.* Orientation week.

13 Fees

The University reserves the right to make changes without notice in the published scale of fees. (Note: The information in this section was prepared in May 2003.)

Further information regarding fees can be found on the Student Accounts Web site www.mcgill.ca/student-accounts.

Note: This section relates only to fees for the undergraduate programme. Graduate fee information (including programmes which combine an undergraduate Law programme with a graduate programme, e.g., M.B.A. or M.S.W.) can be found in the General Information section of the *Graduate and Postdoctoral Studies Calendar*, or obtained from the unit concerned.

13.1 Fee Information Booklet

The *Fee Information* booklet, published in June of each year by the Student Accounts Office, contains additional information as well as any fee adjustments which may have been made after the publication of this Calendar. Students are bound by the policies and procedures contained therein. In the event of any discrepancy

at the non-Quebec Canadian rate; [see section 10.3 "Proof of Citizenship and Quebec Residency"](#) for details.

Note: Students who do not submit appropriate documentation by the stipulated deadline will be billed at the international rate.

If proof of status is submitted after a student has been billed, but before the document submission deadline, the tuition supplement will be waived. Any late payment and/or interest charges accumulated during the documentation evaluation period **will not** be waived.

Interest will not be cancelled due to non-receipt of fee invoices.

For most returning students who register during the regular registration period, an invoice will be mailed in early August, due on August 29th.

New students who register during the month of August will receive their invoice in early September, due on September 29th.

All students returning to the University for the Winter term must pay their fees by January 5, 2004.

New students starting in the Winter term will receive their invoice in early January, due on January 30th.

Late Payment Fees: Students who still have an outstanding balance greater than \$50 on their account as of October 31st (February 28th for the Winter term) will be charged a late payment fee of \$25 over and above interest.

13.6 Fees and Withdrawal from the University

All students who have accessed Minerva to register must officially withdraw in accordance with [section 9.4 "Change of Course and Withdrawal Policy"](#) if they decide not to attend the Term(s) for which they have registered. **Otherwise they will be liable for all applicable tuition and other fees.**

Students who have accessed Minerva and who drop their last course from September 1st through to the withdrawal period with full refund, will be deemed to have withdrawn from the University. They will be automatically charged a minimum charge of \$100 (or their deposit fee if newly admitted) to cover administrative costs of registration.

Students who discontinue their classes without taking steps to drop their courses will be liable for all applicable tuition and other fees.

13.6.1 Fee Refund Deadlines

The deadline dates for course refunds are independent of the deadline dates given for withdrawal from courses.

Fall Term – up to and including September 21:

Returning students – 100%* refund (Less minimum charge of \$100 in the case of complete withdrawal.)

New students – 100%* refund (Less registration deposit.)

Fall Term – after September 21: No refund.

Winter Term – up to and including January 25:

Returning students – 100%* refund (Less minimum charge of \$100 in the case of complete withdrawal.)

New students – 100%* refund (Less registration deposit.)

Winter Term – after January 25: No refund.

* Including tuition fees, society and other fees, student services, registration and transcripts charges, and information technology charge.

13.7 Other Policies Related to Fees

13.7.1 Impact of Non-Payment

The University shall have no obligation to issue any transcript of record, award any diploma or re-register a student in case of non-payment of tuition fees, library fees, student housing fees or loans on their due date. Access to Minerva for registration functions will be denied until these debts are paid in full or arrangements made to settle the debt.

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14 Admission to the Legal Profession

While the Career Placement Office of the Faculty of Law endeavours to maintain up-to-date information on Bar Admission requirements for jurisdictions of interest to the majority of students graduating from the Faculty, it is the individual student's responsibility to ensure that he or she has fulfilled all requirements, including pre-law educational requirements, of the Bar to which he or she is applying.

14.1 Canada

Information on the following Bars/Law Societies can be obtained by consulting their website:

Barreau du Québec: www.barreau.qc.ca

Chambre des notaires du Québec: www.cdnq.org

École du barreau du Québec: www.ecoledubarreau.qc.ca

Federation of Law Societies of Canada: www.flsc.ca

(For information on the National Committee on Accreditation)

Law Society of Alberta: www.lawsocietyalberta.com

Law Society of British Colu

15.3 Careers Days

The Career Placement Office organizes four careers fairs annually. The first two, Civil Law and Common Law Careers Days, take place in January and February in preparation for the Canadian recruitment processes. Over 80 legal employers visit the Faculty of Law to speak to students about the opportunities available at their law firm, government body, or association. The third career fair, known as "Careers Without Borders", is organized in conjunction with the Human Rights Working Group and the International Law Society. At this February event, guest speakers and panellists gather to discuss opportunities for lawyers in the fields of human rights, public law, and international law.

The Faculty of Law will organize its first "Justice Day" in October 2003.

15.4 Training Programmes and Publications

The Career Placement Office provides materials and organizes seminars on how to pursue a career in law or related areas. Individual counselling is provided by the Career Placement Office Director on the drafting of a curriculum vitae and cover letter as well as preparing for interviews. Workshops on Effective Résumé Writing and Developing Interview Skills are offered regularly. A Mock Interview Programme assists students in preparing for meeting with potential employers.

The Office is also happy to offer the Area of Practice Dinner Series. These provide an opportunity for practitioners to discuss their area of specialization with law students over dinner. The Career Placement Office is also making efforts to increase employment opportunities abroad for students.

The Career Placement Office publishes the *Legal Employment Handbook* which is specifically designed to assist students of the Faculty of Law to identify and prepare for job opportunities. Other publications include *Ready to Go? The Guide to Your Career in International Law* and *Opportunities in Human Rights and Sustainable Development*, which was written in collaboration with the Faculty's Human Rights Working Group.

15.5 Reciprocity Agreement

Reciprocity agreements have been signed with placement offices

in World War II, in recognition of the sacrifices he made for his children's education. Awarded by the Student Aid Office in consultation with the Faculty of Law to a student entering a Law undergraduate degree programme with an outstanding academic record, who is in financial need. Value \$1,750.

DAVID L. JOHNSTON SCHOLARSHIP – Established in 1998 by a generous gift from a McGill graduate of Chemical Engineering (Class of 1959), from Hong Kong, in honour of David L. Johnston, A.B.(Harv.), LL.B.(Cantab. & Queen's), LL.D.(L.S.U.C., Tor., Bishop's, Mem., U.B.C., Queen's, W. Ont., Montr.), DD(Mtl. Dio. Coll.), CC, former Principal of McGill University and Professor in the Faculty of Law. Awarded by the Faculty of Law to an outstanding student entering the first year of the law programme. Value: minimum \$6,000.

E. LEO KOLBER SCHOLARSHIP – Founded in 1979 by the friends and colleagues of E. Leo Kolber, B.A.(1949), B.C.L.(1952) to mark his 50th birthday. Awarded to a meritorious student entering first year who is in financial need. Value: approximately \$1,800.

LEON LEVINSON AWARD – Established in 1977 by the associates and friends of Leon Levinson, Esq. to mark his 75th birthday and his place as the dean of Canadian court reporters. Awarded annually to a deserving member of the communications media (whether journalist or broadcaster) preferably from the Province of Quebec.

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CARSWELL PRIZES – A book prize of \$300 established in 1948 by Carswell Company Limited, awarded to a student in the graduating class. There are two further book prizes of \$150 each, established in 1973 by the Company and awarded to a lower year student.

PRIX SOUVENIR GEORGE S. CHALLIES - GEORGE S. CHALLIES MEMORIAL AWARD – The following extract is taken from an address given by the Hon. Chief Justice Jules Deschênes of the Superior Court to the McGill Law Graduates Association on December 13th, 1973:

Mr. Justice Challies, B.A.(1931), M.A.(1933), B.C.L.(1935), M.C.L.(1947), left us prematurely earlier this year and the judges of the Superior Court of the Province of Quebec have thought that

OSLER, HOSKIN AND HARCOURT PRIZE IN CORPORATE AND

COMMERCIAL LAW – Founded in 1983 by the firm of Osler, Hoskin and Harcourt, Barristers and Solicitors, of Toronto. It is awarded to a student who has achieved distinction in the fields of Corporate and Commercial Law. Value: \$300.

PRIX D'EXCELLENCE ROBINSON SHEPPARD SHAPIRO – Awarded to a student proceeding to the B.C.L. or LL.B. degree, for distinction in the law of insurance. Value: \$1,000.

NANCY PARK MEMORIAL PRIZE – Established in 2001 in loving memory of Nancy Park, LL.B. 1997 (1970-1998) by her family, friends and classmates, for an outstanding undergraduate student participating in a human rights internship. Ms. Park, who was deeply committed to social justice, held a special love for Russian literature and history. Awarded by the Faculty of Law on the basis of academic merit. Preference will be given to a student participating in an internship in Russia. Value: minimum \$500.

QUEBEC BAR PRIZE – Awarded to the winning team in the Faculty's annual Moot Court Competition. Presented by the Quebec Bar Association. Value: \$200.

LORD READING SOCIETY OF MONTREAL PRIZE – Established in 1952, awarded to the student who obtains the highest standing in the first year. Value: \$200.

LOUIS H. ROHRLICK MEMORIAL PRIZE – Established by associates of the late Louis H. Rohrlick, Q.C., B.A. (1922), B.C.L.(1925) in his memory, to be awarded to the student in the graduating class hav-

SAUL HAYES GRADUATE FELLOWSHIP – Endowed by Edgar and Charles Bronfman in memory of Saul Hayes, for graduate studies in areas of Civil Liberties and Human Rights, and tenable for up to four years. Application should be made to the Faculty of Graduate Studies and Research. Value: ranging from \$7,500 to \$8,500.

INSTITUTE OF COMPARATIVE LAW ESSAY PRIZE – Founded in 1993 by the Alumni Association of the Institute. An annual prize awarded on the recommendation of the Institute of Comparative Law to a student, in the first year of residence in the Institute, submitting a term essay of outstanding quality. Value: \$250.

NICOLAS MATEESCO MATTE PRIZE – Founded in 1978 by Dr. Nicholas M. Matte, O.C., Q.C. An annual prize awarded to an Institute of Air and Space Law student obtaining the highest mark in the course "Space Law and Institutions". Value: \$350.

ROBERT E. MORROW, Q.C., FELLOWSHIPS – Established in 1999 by friends and colleagues of Robert E. Morrow, QC, B.C.L. 1947. Awarded by the Faculty of Law to outstanding students entering the first year of graduate studies in the Institute of Air and Space Law. Value: minimum \$5,000.

AUBREY SENEZ SCHOLARSHIP – Bequeathed by Aubrey Senez for a student entering a graduate programme in the Faculty of Law, specializing in international business law. Preference is given to students from Montreal's South Shore. Awarded by the Faculty of Graduate Studies in consultation with the Faculty of Law. Value: minimum \$10,000; renewable.

AUBREY SENEZ BURSARY – Bequeathed by Aubrey Senez to provide financial assistance to a student enrolled in a Faculty of Law graduate programme. Preference is given to business law students and students from Montreal's South Shore. Awarded by the Student Aid Office in consultation with the Faculty of Law. Value: maximum \$2,500.

SETSUKO USHIODA-AOKI PRIZE – Established in 2001 by Dr. Setsuko Ushioda-Aoki (D.C.L. 1993). Awarded by the Faculty of Law on the basis of academic merit to a graduate student in the LL.M. programme at the Institute of Air and Space Law. Value: \$500.

16.8 Scholarships and Major Prizes for Graduating Students

Unless otherwise noted the following scholarships and prizes are awarded upon the recommendation of the Prizes and Scholarships Committee of the Faculty of Law. These awards are given to McGill law undergraduates to assist in their pursuit of graduate studies at Faculties of Law other than McGill, or of a programme of professional training.

EDWIN BOTSFORD BUSTEED SCHOLARSHIP – Founded by the will of the late Mrs. Busteed in memory of her husband, Edwin Botsford Busteed, K.C., B.A., B.C.L.(1879), this scholarship will be awarded to an applicant, chosen by the Faculty, who desires to carry out graduate research on some subject connected with the law of Quebec and approved by the Faculty. The scholarship can be used to supplement funds for graduate studies already received from other sources. Candidates should make application for this scholarship through the Office of Undergraduate Studies. Value: approximately \$5,400.

MAXWELL COHEN O.C., Q.C. AWARD – Awarded to a student in the graduating class who has demonstrated overall highest academic achievement in the course in public international law and in at least one advanced course in the area of public international law. Value: \$1,000.

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ject in French, whether the contribution be a term essay or paper written as part of a course requirement. Value: \$1,550.

THOMAS SHEARER STEWART TRAVELLING FELLOWSHIP – Established in 1967 by the family of the late Thomas Shearer Stewart, Q.C., a graduate of the Faculty of Law class of 1908. The fellowship is to be awarded annually to a recent graduate of the Faculty of Law designated by the Dean of the Faculty, preference being given to a graduate who is a Canadian citizen intending to reside in Canada upon completion of his/ her studies. The fellowship is to be used for a graduate to follow a programme of studies in Law at a university approved by the Dean of the Faculty, other than at a university in Quebec. Candidates should make application for this fellowship through the Office of Undergraduate Studies. Value: not less than \$12,000.

SPIEGEL SOHMER TAXATION SCHOLARSHIP – Established by the Montreal law firm of Spiegel, Sohmer to advance the study and practice of Taxation Law. Awarded to a member of the graduating class on the basis of distinction in the field of Taxation throughout the programme and interest in the study of Taxation as a legal discipline, including possible postgraduate intentions. Candidates may indicate their eligibility for this award through the Office of Undergraduate Studies. Value: \$1,400.

PHILIP F. VINEBERG, O.C., Q.C. AWARD – Established by Robert and Michael Vineberg in 1984 to commemorate the 70th birthday of their father, Philip F. Vineberg, O.C., Q.C., LL.D., B.A.(1935), M.A.(1936), B.C.L.(1939), Elizabeth Torrance Gold Medal (1939).

is because at McGill, students can write essays, examinations and theses in French, even where the course is taught in English. All students should be aware that the majority of courses in Graduate Programmes in Law are taught in English.

For information about the TOEFL, and to register to take the test, see www.toefl.org. For information about the IELTS, see www.ielts.org. There may be a lengthy delay for registration, and the communication of results takes approximately 40 days. For both tests, the official results should be sent directly from the testing institution to Graduate Programmes in Law. For the TOEFL, McGill's institutional code is 0935 and Law's departmental code is 03. These codes must be provided to TOEFL when requesting a test report form. For the IELTS, applicants must ask for an official report to be sent to Graduate Programmes in Law at the above address. For either test, the test must be taken sufficiently early for results to reach McGill no later than March 15 of the year of admission. Application files not completed by that date will not be considered.

French: The ability to speak or read French is an asset but not a necessity. In areas such as the study of private law in the civilian tradition or comparative private law, a reading knowledge of French is essential. Applicants should indicate their knowledge of French on the admissions questionnaire; they will be notified if French is essential to the area of study.

Graduate Certificate Programs

The requirements for admission to the Graduate Certificate programs are essentially the same as for the Master's programs, except that greater weight is placed on professional experience.

Candidates desiring a Graduate Certificate in Air and Space Law who do not hold a law degree may be admitted if they have

area of concentration, subject to approval by the Associate Dean (Graduate Studies and Research).

Graduate Certificate students generally remain in residence for both terms and take all air and space law courses.

Note: International students must register for at least 12 credits per term in order to satisfy visa requirements.

MASTER'S DEGREES

The Master's programs consist of

Legal Traditions and Legal Theory

This concentration combines two areas of strength: the co-existence of diverse legal traditions, particularly (but not exclusively) the civil and common law, and the awareness of the importance of theoretical approaches to law as a means of understanding both the internal dynamic of legal phenomena and their relationship to other social phenomena.

Courses offered within this concentration include:

- Aboriginal Peoples and the Law
- Advanced Jurisprudence
- Canadian Legal History
- Canon Law
- Comparative Modern Legal History
- Feminist Legal Theory
- Islamic Law
- Jurisprudence
- Legal Theory
- Linguistic and Literary Approaches to the Law
- Research Seminars
- Roman Law
- Social and Ethical Issues in Jewish Law
- Social Diversity and the Law
- Talmudic Law
- Tort Theory

International Business Law

The ICL pioneered the first graduate concentration in international business law in Canada. This field has practical significance in international business relations and also provides opportunities to apply experience derived from multiple legal systems to the development of multi-jurisdictional, "international" commercial rules.

Courses offered within this concentration include:

- Comparative Legal Institutions
- European Community Law 1
- European Community Law 2
- International Business Enterprises
- International Carriage of Goods by Sea
- International Development Law
- International and Domestic Documentary Sales
- International Maritime Conventions
- International Securities Markets
- International Taxation
- Law and Practice of International Trade
- Research Seminars
- Resolution of International Disputes

Human Rights and Cultural Diversity

Building on the Faculty's strength in public law, this concentration promotes the comparative study of human rights law. It provides students with opportunities to reflect critically on the emergence and institutionalization of human rights norms in both domestic and international settings and to explore complexities arising from cultural diversity.

Courses offered within this concentration include:

- Aboriginal Peoples and the Law
- Canadian Charter of Rights and Freedoms
- Children and the Law
- Civil Liberties
- Comparative Constitutional Protection Human Rights

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for certification and inspection of aircraft; ATC liability; aviation insurance; fleet financing; leasing.

ASPL 633 PUBLIC INTERNATIONAL AIR LAW. (3) Sources of public international law relating to the air space and its aeronautical uses. International aviation organizations and their law-making functions. Legal responses to aviation terrorism.

ASPL 636 PRIVATE INTERNATIONAL AIR LAW. (3) Sources of private international air law. Conflicts of laws. Unification of law of liability. Liability for damage on the surface, liability of the ATC and CNS/ATM providers. Rights in aircraft and their international recognition.

ASPL 637 SPACE LAW: GENERAL PRINCIPLES. (3) Examination of the role of international law in the regulation of outer space activities.

ASPL 638 LAW OF SPACE APPLICATIONS. (3) The legal implications of various space applications, such as telecommunications and the role therein of various international organizations; remote sensing by satellites; space stations; commercial and military uses of outer space.

ASPL 639 GOVERNMENT REGULATION OF SPACE ACTIVITIES. (3) (Restriction: Open to undergraduate students with the permission of the Associate Dean.) National public and private law and regulatory regimes governing space activities, particularly those that are carried out by private entities for commercial purposes.

ASPL 690 MASTER'S THESIS 1. (3) Preparation of thesis proposal.

ASPL 691 MASTER'S THESIS 2. (3) Preparation of literature review.

ASPL 692 MASTER'S THESIS 3. (6) Thesis research report.

ASPL 693 MASTER'S THESIS 4. (12) Completion of thesis.

ASPL 694 MASTER'S THESIS 5. (3) Thesis research report.

ASPL 701 COMPREHENSIVE - AIR/SPACE LAW. (0) (Restriction: DCL graduate students in Air and Space Law.) An examination that must be passed by all doctoral candidates in order to continue in the doctoral program.

17.5.2 Institute of Comparative Law

COURSES OPEN TO UNDERGRADUATE AND GRADUATE STUDENTS

BUS2 500 COPYRIGHT AND TRADEMARK THEORY. (3) (Prerequisite: BUS2 463) (Restriction: Not open to first year students) Various topics in copyright and/or trademark. Copyright: idea-expression dichotomy and the tension between public and private domain. Trademark: embodiment of goodwill; uniqueness versus genericity; the nature of use; the scope of statutory versus common law protection. Regarding both: impact of international norms; impact of technology.

BUS2 501 PATENT THEORY AND POLICY. (3) (Prerequisite: BUS2 463) (Restriction: Not open to first year students) Examination and critical assessment of the justifications of patent law; the tension between the public domain and private monopoly control; examination of international patent protection; international conventions touching on patent law, international trade instruments; examination of patents in relation to new technology: biotechnology, the Internet and business methods.

CMPL 500 ABORIGINAL PEOPLES AND THE LAW. (3) Current legal topics relating to native peoples, including the concept of aboriginal title, and constitutional aspects of contemporary land claims. Aspects of Canadian law relating to native peoples, their constitutional status, and hunting and fishing rights.

CMPL 501 JURISPRUDENCE. (3) The main schools of jurisprudence and the most significant writings, particularly contemporary writings, in legal philosophy.

CMPL 504 FEMINIST LEGAL THEORY. (3) Feminist theory and its relevance and application to law, including feminist methodologies in law, the public versus private dichotomy, and changing conceptions of equality.

● **CMPL 505 ADVANCED JURISPRUDENCE.** (2) An advanced course on selected topics in legal theory.

CMPL 506 LEGAL THEORY. (3) The philosophical basis of private law, from a comparative and historical perspective.

CMPL 507 LINGUISTIC AND LITERARY APPROACHES TO LAW. (2) The techniques of linguistic and literary analysis and their contribution to the interpretation and evaluation of legal texts.

CMPL 508 RESEARCH SEMINAR 1. (2) Research seminar to be offered by members of the Faculty or visiting professors, to permit research in legal traditions and legal theory in areas not covered by other courses in the program.

CMPL 509 RESEARCH SEMINAR 2. (2) Research seminar to be offered by members of the Faculty or visiting professors, to permit research in legal traditions and legal theory in areas not covered by other courses in the program.

● **CMPL 510 ROMAN LAW.** (3) An examination of the contemporary relevance of principles of Roman law, in both civil and common law jurisdictions.

CMPL 511 SOCIAL DIVERSITY AND LAW. (3) The interaction of law and cultural diversity. Through the use of a number of case studies, we will examine: 1. The empirical effect of cultural diversity on legal systems. 2. Institutional structures to accommodate diversity. 3. Theoretical perspectives.

CMPL 512 THEORIES OF JUSTICE. (3) The concept of political justice and its relationship to particular legal and economic institutions, including the moral foundations of theories of justice, the nature of legitimate political authority, and the nature of distributive justice.

● **CMPL 513 TALMUDIC LAW.** (3) Historical sources of Talmudic law, methods of interpretation, selected topics, and relation to various secular legal traditions.

CMPL 515 INTERNATIONAL CARRIAGE OF GOODS BY SEA. (3) A comparative study of private international maritime law.

● **CMPL 516 INTERNATIONAL DEVELOPMENT LAW.** (3) The law and economics of development, including the role of agencies of the United Nations in development, the role of UNCTAD in formulating uniform rules of international trade, and the World Bank and the International Monetary Fund and their role in financing development.

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● **CMPL 534 COMPARATIVE PRIVATE INTERNATIONAL LAW 1.** (2) Comparative study of contemporary problems in the field of private international law.

CMPL 536 EUROPEAN COMMUNITY LAW 1. (3) The Treaty of Rome establishing the European Community and current efforts to create a homogenous structure for commerce and competition in Europe.

CMPL 537 EUROPEAN COMMUNITY LAW 2. (2) The provisions of the Treaty of Rome dealing with the regulation of domestic and international commerce by the Community authorities, with particular0 Tc()Tj7.926 805.3801 Tm-0.00008 Tc-05-1.125974.16 835.6802 Tm-0.0038 Tc(P)Tj62 805.3801 Tm0.0001 Tc(AW)Tj8a4m-0. TwoI6(TD-0.00027 000u6 7

