

Proposal for training course on legislative drafting in Hong Kong

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School of Law
&
School of Continuing and Professional Education

City University of Hong Kong

Programme Proposal

TRAINING COURSE ON LEGISLATIVE DRAFTING

General Information

Course title:	Legal Reform and Legislative Drafting Programme
Contact hours:	72 (12 hours x 6 units)
Mode of attendance:	Part-time intensive
Organising departments:	School of Law & School of Continuing and Professional Education
Co-organiser:	Boston University School of Law

Background and rationality of this programme

While the newly industrialised economies are undergoing rapid economic changes, their political systems are also becoming more democratic and publicly accountable. The drafting of legislation in these countries are playing a key role in this process. However, not all drafters are not formally trained in professional legislation and non-government organisations including political parties have no access to drafting expertise so that they are disadvantaged in the review of bills. The introducing modern legislative theory and methodology to these target groups will be helpful to the overall economic-political development.

The Boston University School of Law established a Programme of *Legislative Drafting for Democratic Social Change* in 1992. This four-month programme has trained legislative drafters from the People's Republic of China (funded by United Nation Development Project) and other developing countries who have benefited from learning in Boston. The School of Law and School of Continuing and Professional Education (SCOPE), City University of Hong Kong are proposing to offer this joint teaching programme in Hong Kong.

In the coming years, Chinese and other Asian universities will find it necessary to teach legislative drafting. City University of Hong Kong hopes to become a centre for training teachers and instructors in this field.

Teaching staff and materials

The core faculty of this programme, Professors Robert B. and Ann Seidman are internationally distinguished scholars in Law and Development. They began the study of law and development in 1962 while teaching and conducting research at the University of Ghana. Since then they have taught, studied, and consulted for eleven years in Asia and Africa. They have served as chief technical advisors for a UNDP programme on drafting

laws and training drafters in China and Laos. since 1994. Between them they have written or edited twenty-six books and more than 150 articles in scholarly journals primarily on problems of law, development and legislative drafting.

Based on their many years of teaching and research, they have just completed a manual *Legislative Drafting Techniques for Democratic Social Change* which will be used as the textbook of this programme. Dr Cao Pei, Assistant Professor at School of Law, City University of Hong Kong is supervising the translation this manual from English into Chinese. She and other faculty from her School will also assist in the delivery of the programme in Hong Kong.

Who should attend

- Professional legislative drafters in Hong Kong
- Staff of the Department of Justice
- Legislative councillors and their staff members, leaders of political parties and their staff members
- Leaders of non-government organisations, professional bodies, trade and labour associations who are involved in the review and comments of bills
- Civil servants, with or without formal legal training, who are involved in formulating legislative programmes in Hong Kong
- University teachers and graduate students who plan to prepare themselves to teach or work in legislative drafting in Hong Kong
- Barristers, solicitors and law journalists who prepare to assess and comment on bills

Mode of attendance

The programme will be delivered in part-time intensive mode over 3 periods. Each period will be spanned over two weeks covering two units. Each unit will require attendance of six hours on two weekday evenings and six hours on Saturday during the week. During the breaks between periods, there will be support via the Internet.

Tentative Schedule

Period 1: 4 - 16 May 2000 (2 weeks) — 18/5 - 30/5
Orientation : 4 May 2000 (Thursday)
Unit 1 (May) : 4, 9 May 2000 (Thursday & Tuesday 6:30-9:30pm)
6 May 2000 (Saturday 9:30am-12:30pm, 2:00-5:00pm)
Unit 2 (May) : 11, 16 May 2000 (Thursday & Tuesday 6:30-9:30pm)
13 May 2000 (Saturday 9:30am-12:30pm, 2:00-5:00pm)

Period 2: 8 - 20 June 2000 (2 weeks) — 15/6 - 27/6
Unit 3 (June) : 8, 13 June 2000 (Thursday & Tuesday 6:30-9:30pm)
10 June 2000 (Saturday 9:30am-12:30pm, 2:00-5:00pm)

Unit 4 (June) : 15, 20 June 2000 (Thursday & Tuesday 6:30-9:30pm)
17 June 2000 (Saturday 9:30am-12:30pm, 2:00-5:00pm)

Period 3: 13 – 25 July (2 weeks) 13/7 – 25/7
Unit 5 (July) : 13, 18 July 2000 (Thursday & Tuesday 6:30-9:30pm)
15 July 2000 (Saturday 9:30am-12:3pm, 2:00-5:00pm)
Unit 6 (July) : 20, 25 July 2000 (Thursday & Tuesday 6:30-9:30pm)
22 July 2000 (Saturday 9:30am-12:30pm, 2:00-5:00pm)

Course Structure

Unit 1: Introduction & Problem Solving (12 Hours)

Unit 2: Causes of problems & Outline of bill (12 Hours)

Unit 3: Drafting the bill (12 Hours)

Unit 4: Finish Research Report (12 Hours)

Unit 5: Finalise own draft (12 Hours)

Unit 6: Critique (12 hours)

Programme Fee

HK\$6,500 per unit (to be confirmed)

Description of institution

CITY UNIVERSITY OF HONG KONG

City University of Hong Kong is one of Hong Kong's leading universities supported by the Government. It is committed to providing a quality learning environment to its learners and the community.

Through its innovative teaching methods, City University of Hong Kong prepares students to meet the demands and challenges of Hong Kong's changing economy and to provide a basis for a lifelong career in this region. Its strengths span a wide range of disciplines from Science and Engineering to Humanities, including one of the only two Law Faculties in Hong Kong and a particularly innovative Business Faculty.

The University's growing relationships with mainland and overseas universities are built on the exchange of students, faculty and ideas.

Located in the heart of Hong Kong, the University is near the Mass Transit Railway/Kowloon-Canton Railway Kowloon Tong interchange stations and is readily accessible from all parts of the territory.

School of Law

The School of Law came into existence in 1987 to meet the needs of the local community for more lawyers. Its main objective is to support and improve the provision of legal education and training in Hong Kong. The School achieves this objective through teaching, research, local and international publications and specialist projects. Its work is facilitated by a team of diversified staff who bring to the School experience from Hong Kong, mainland China, the USA, Canada, England, Sri Lanka, New Zealand, Australia and Europe. Among its teaching staff are people with many years of experience as law practitioners. The School has developed and nurtured close links with the legal profession in Hong Kong.

The School of Law uses a variety of learning methods, including lectures, tutorials, skills seminars, simulations, and student presentations. It has its own moot court room and audio-visual equipment. Many of the School's teachers are experienced legal skill teachers, and bring their experience as judges and law practitioners to their work as law teachers.

School of Continuing and Professional Education

The School of Continuing and Professional Education serves the community as the extension arm of the University. The mission of the School is to provide quality continuing education for professional practice retraining and self-development by anticipating and responding to community needs and the effects of social and technological changes. The School is committed to freedom of enquiry, the pursuit of excellence in teaching and interaction with the community.

The core work of the School evolves around four types of continuing and professional education programmes on a self-financing basis. These are degree programmes ranging from bachelor's to doctoral level, continuing education certificate and higher certificate programmes, professional and short courses, and tailor-made training programmes. In 1998–99, five undergraduate programmes and seven postgraduate programmes leading to awards from the University, and five undergraduate and four postgraduate programmes leading to overseas awards were offered.

The enrolment for 1998–99 with corresponding figures for 1997–98 in brackets are 664 students on eleven (443 students on eight) postgraduate programmes, 1,739 students on eleven (1,194 students on nine) undergraduate programmes. The total student number for certificate and non-credit courses is 15,036 as compared with 14,225 last year. There is a 6% increase in terms of student numbers for these courses. The amount of student load for all courses increased by 25% last year, indicating an increasing percentage of degree work at the School.

The Conference Unit in SCOPE provides wide ranging local and international conference and event management services from planning and promotion to physical and operational arrangements.

Revised by 14 Feb 2000