



## Guidelines for Postgraduate Studies

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### 1. Overview

These guidelines must be read subject to applicable University Regulations, which are set out in the University Handbook. They are designed to supplement the Regulations and to indicate how discretions will be exercised. The Dean of the Faculty of Law acting on the advice of the Deputy Dean may amend them from time to time. Where, in the opinion of the Dean, a change to the policy guidelines would adversely affect any candidate for a degree or diploma, that candidate may be permitted to qualify for the degree or diploma under the policies in force at any time during the candidature. Students may access these guidelines.

### 2. Definitions

### 3. The Guidelines

#### 3.1. Concurrent enrolment

- 3.1.1. A candidate shall not undertake concurrently any other subject of study in this or another university or tertiary institution without the prior permission of the Academic Senate or in line with existing policy. This does not apply to joint degree programs approved within the University, which are listed in the University Handbook. The Deputy Dean will usually recommend concurrent enrolment only in exceptional circumstances.

### **3.2. General structure of postgraduate program**

3.2.1. There is a wide range of possible subjects, diplomas, degrees, and joint programs available in the postgraduate program of the Faculty of Law. Students may undertake the full range of postgraduate Diplomas, the Juris Doctor, a number of different Masters programs, a professional SJD doctorate, or the traditional PhD by thesis. The rules governing each of the elements of the postgraduate program are set out under separate headings below. These must be read in conjunction with the University Regulations set out in the University Handbook. A key element of the postgraduate diploma and masters program is the different streams or specialisations that are available. The streams are:

- Dispute Resolution
- Corporate and Commercial Law
- International Trade Law
- Intellectual Property, Information Technology and E-Commerce

3.2.2. Postgraduate students enrolled for masters or SJD degrees may take an Individual Study in law. Students enrolled for a postgraduate diploma may take one such subject. Individual Studies in law are supervised research papers of 8,000 to 10,000 words with no taught classes. Students may take these subjects only in exceptional circumstances with the approval of the Head of Academic Programs and Student Support and must complete an application form. Approval will not normally be given if a subject in the area of the proposed topic is offered during the semester. The Head of Academic Programs and Student Support will only approve the enrolment if an appropriate supervisor is available and a topic has been agreed upon by all parties. Some subjects may be taught in an intensive format. These will be limited to prevent disruption of other classes.

### **3.3. Postgraduate programs in other faculties**

3.3.1. Students in postgraduate programs in other (ie non-law) faculties may enrol in postgraduate subjects in the Faculty of Law where such enrolments are compatible with the design of the subject and any subject pre-requisites have been met. The Academic Advisor of both the Faculty of Law and the other faculty must formally approve all registrations, after consultation with relevant academic staff.

### **3.4. Postgraduate diplomas**

3.4.1. Seven diplomas are currently offered:

- Diploma in Law (Dip Law)
- Diploma in Advocacy (Dip Advocacy)
- Diploma in Corporate and Commercial Law (Dip Corp & Comm Law)
- Diploma in Dispute Resolution (Dip Disp Res)

- Diploma in International Trade Law (Dip Int Trade Law)
  - Diploma in Legal Practice (Dip Leg Prac)
- 3.4.2. For each of these diplomas (except for the Diploma in Legal Practice) four subjects must be completed, at least two of which must be taken from those listed in the Faculty of Law Handbook under the Master of Laws specialisation relevant to that particular diploma. The 30-week Diploma in Legal Practice is awarded on successful completion of the Bond University Professional Legal Training Program. The normal duration for all other Graduate Diplomas is one semester of full-time study or two semesters of part-time study. Persons will be accepted as candidates for the postgraduate diplomas in law if they have:
- completed a degree from a recognised university; or
  - have other qualifications and experience which are, in the opinion of the Academic Senate, on the advice of the Dean of the Faculty, suitable preparation for the subject of study proposed; or
  - been admitted to another postgraduate law program and elect to transfer their candidature from that program.
- 3.4.3. Students with no prior legal training who are admitted to a postgraduate diploma are advised, where possible, to take LAWS75-100 Business Law or LAWS75-110 Australian Legal System in their first semester. A student who has partially completed a postgraduate degree may elect to use appropriate credits for the award of up to a maximum of 50% of a Bond postgraduate diploma.

### **3.5. Masters programs**

- 3.5.1. There are currently five specialist degrees in addition to the general degrees offered as Master of Laws (LLM), Master of Jurisprudence (MJuris), and Master of Business Law (MBL). The specialist degrees are:
- LLM / MJuris / MBL (Corporate and Commercial Law)
  - LLM / MJuris / MBL (Dispute Resolution)
  - LLM / MJuris / MBL (International Trade Law)
  - LLM / MJuris / MBL (Intellectual Property, Information Technology and ECommerce)
  - LLM (Legal Practice)
- 3.5.2. To qualify for a 100 CP Masters degree, except for the Master of Laws (Legal Practice), a student must complete eight subjects, comprising two compulsory 5 CP subjects and six 15 CP electives. Students may replace two electives with a minor dissertation of not more than 20,000 words. The Master of Laws degree may also be undertaken by major thesis. A student must complete a dissertation of not more than 60,000 words on a topic approved by the Dean under the supervision of a person appointed by the Dean for that purpose. The degree of Master of Laws is available for students who possess a prior academic or professional qualification in law. The degrees of Master of

Jurisprudence and Master of Business Law are available for students who lack a prior legal qualification. To qualify for the specialist masters degrees (except for the Master of Laws (Legal Practice)) with a dissertation, the dissertation must relate to the area of speciality and at least three of the six subjects must be taken from the list prescribed by the Dean for the speciality. Where the degree is taken without a dissertation, at least five of the eight subjects must be taken from the list prescribed by the Dean for the specialisation. Scholarships are available for Bond graduates with Honours degrees.

### **3.6. Masters program - LLM**

3.6.1. Persons will be accepted as candidates for the degree of Master of Laws:

- if they have completed an LLB degree from this or another recognised university with an average of 70% at this university or an equivalent grade elsewhere; or
- if they have completed an LLB degree from a recognized university and they have been legal practitioners with at least three years of post admission practising experience; or
- if they have professional qualifications in law and they have been legal practitioners with at least three years of post admission practising experience; or
- if they have obtained a postgraduate diploma in law with an average of 65% or more at this university or an equivalent grade elsewhere; or
- if they hold other legal qualifications and/or have other legal experience considered by the Dean of the Faculty to be a suitable preparation for candidature.

3.6.2. The last point is not applicable to candidates undertaking the LLM by thesis except in exceptional cases, where the Academic Senate, on the advice of the Dean, is satisfied that the applicant's qualifications and experience are a suitable preparation for candidature.

3.6.3. Students are advised that the dissertation component of the LLM degree should be regarded as being more than the equivalent, in terms of time commitment and effort, of two postgraduate subjects. Students wishing to study for a Masters degree with a dissertation component should ordinarily be admitted first to study for a Masters degree by coursework alone. Such students will be admitted to a dissertation program after they have demonstrated appropriate capacity in their coursework. Judgments about capacity will be made on an individual basis, without particular levels of performance being formally prescribed.

3.6.4. The normal duration for a masters program is two semesters (full-time) or four semesters (part- time).

3.6.5. Masters degrees are awarded as pass degrees. Students who achieve a percentage average of 85% for their Masters degree will be awarded their degree with High Distinction.

### **3.7. Masters program - LLM (Legal Practice)**

- 3.7.1. To qualify for the 100 CP Master of Laws (Legal Practice), students must complete the following:
- the Professional Legal Training Program (equivalent to 35 CP), which comprises a 15 week skills training subject and 15 weeks of practical experience plus 75 hours of Continuing Professional Training; and
  - a supervised research project (15 CP) within an area covered by the PLT program; and
  - 45 CP from the list of prescribed postgraduate subjects.
  - Advanced Legal research and writing (5CP)
- 3.7.2. The Deputy Dean may admit candidates to concurrent enrolment in the Graduate Diploma in Legal Practice and the Master of Laws (Legal Practice). Students who apply for the LLM (Legal Practice) will be assessed individually for the appropriateness of their candidature on the basis of their undergraduate law degree. Students with an average of less than 65% at this university or an equivalent grade elsewhere will normally not be permitted concurrent enrolment in the Graduate Diploma in Legal Practice and the Master of Laws.
- 3.7.3. Students with an average of 65% or greater at this university or an equivalent grade elsewhere will be permitted to enrol concurrently in the two programs at the discretion of the Deputy Dean. Only one subject can be taken concurrently with the 15-week skills training subject of the Postgraduate Diploma of Legal Practice. Students enrolled for the LLM (Legal Practice) may be permitted to undertake postgraduate subjects prior to the commencement of the PLT program. They will be expected to have completed their assessment requirements in the LLM subject prior to the commencement of the PLT program, if they intend to undertake a further postgraduate subject concurrently with the PLT program.

### **3.8. Masters program - MBL/MJuris**

- 3.8.1. These programs are designed for graduate students with no LLB degree who wish to undertake a postgraduate degree in law. The degrees are the same, but the title differs to suit the different requirements of individual students.
- 3.8.2. Persons will be accepted as candidates for the degree of MJuris/MBL:
- if they have completed a bachelor's degree from this or another recognised university with an average of 70% or more at this university or an equivalent grade elsewhere; or
  - if they have acquired a postgraduate level diploma with an average of at least 65% at this university or an equivalent grade elsewhere.
- 3.8.3. In exceptional cases, an applicant with other qualifications may be admitted as a candidate for the degree where the Dean is satisfied that the applicant's qualifications and experience are a suitable preparation for candidature.

- 3.8.4. Students with no prior legal training who are admitted to the programs are advised to take LAWS70-100 *Business Law* or LAWS75-110 *Australian Legal System*.
- 3.8.5. Postgraduate students enrolled for the MJuris/MBL with a dissertation component should ordinarily be admitted first to study for an MJuris/MBL by subject work alone. Such students will be admitted to a dissertation program after they have demonstrated appropriate capacity in their coursework. Judgments about capacity will be made on an individual basis, without particular levels of performance being formally prescribed.

### **3.9. Juris Doctor**

- 3.9.1. Applicants for the Juris Doctor must have completed a Bachelors degree in any discipline at a recognised tertiary institution and would normally be expected to have a GPA of at least 65% credit and/or relevant professional experience.

### **3.10. SJD**

- 3.10.1. To qualify for an SJD a candidate must complete six postgraduate subjects and a major legal dissertation. The major dissertation must be approximately 50,000 words and represent a substantial contribution to the exposition, knowledge and understanding of the field of study. Where the candidate has an LLM from Bond University, the Dean may substitute the requirement of a minor dissertation of not more than 20,000 words for the six postgraduate subjects. Applicants for candidature for an SJD must satisfy the Dean that they possess the capacity to undertake a major legal dissertation. Accordingly, as a general rule applicants must first enrol in a Masters degree to complete at least three postgraduate legal subjects, before applying for transfer to the SJD. Credit may be given in the SJD for up to two postgraduate legal subjects undertaken in an LLM program at another recognised university. Unless the Dean otherwise permits, direct enrolment in the SJD may be permitted only to applicants who have:
- qualified for a first class honours degree in law from an Australian law school or an equivalent English speaking law school; or
  - qualified for an LLM from this University.
- 3.10.2. A candidate's competency for the SJD degree programme is assessed by the Dean on the basis of the candidate's academic, research and writing abilities to produce in English a major dissertation of approximately 50,000 words which represents a substantial contribution to the exposition, knowledge or understanding of the field of study concerned. For transfer to the SJD program, students will normally be expected to obtain an average of 75% in their postgraduate subjects. Transfer to the SJD will usually occur upon satisfactory completion of three postgraduate subjects.
- 3.10.3. Academic Senate may approve enrolment in the SJD program on the recommendation of the Dean. The Dean must certify that in his or her view the applicant has the competence to complete a major legal dissertation. Academic Senate must also approve the proposed major thesis topic and the appointment of supervisors.

- 3.10.4. The SJD degree may be completed in not less than four semesters and not more than 18 semesters of candidature. Semesters enrolled in undertaking the six postgraduate subjects in the LLM degree at this University are counted for this purpose.
- 3.10.5. A minimum period of residence within or near Bond University is required for three months during the period of enrolment for the SJD. The Dean may abridge this period in appropriate circumstances. However, candidates must maintain regular contact with their supervisors, at least by email, throughout the period of their enrolment. Please refer to TLR 5.09 for further information.

### **3.11. PhD**

- 3.11.1. The degree of Doctor of Philosophy is awarded for a substantial thesis. In the examiners' opinion it must be a significant contribution to the knowledge or understanding of the field of study and demonstrate the capacity of the candidate to carry out independent research. The candidate may be required to complete subjects, practical work and study programs in addition to the thesis during the term of candidature. Persons may be eligible for acceptance as candidates for the degree of Doctor of Philosophy in the Faculty of Law if they have:
- completed a Masters degree from a recognised university; or
  - completed a Bachelor of Laws degree from this or another recognised university with an average of at least 75% or an equivalent grade elsewhere; or
  - other qualifications which, in the opinion of the Academic Senate, acting on the advice of the Dean, are equivalent to or are a satisfactory substitute for either of the qualifications prescribed above.
- 3.11.2. In addition to the above requirements, candidate for the PhD degree must satisfy the Deputy Dean that they have the academic, research and writing abilities to produce in English a major thesis which represents a substantial contribution to the exposition, knowledge or understanding of the field of study concerned.
- 3.11.3. The duration of a full-time PhD candidature must not be less than 24 months and not more than 48 months. Part-time candidates must be enrolled for not less than 36 months and not more than 72 months. There is no residence requirement under the PhD program. However, it is common for doctoral students to spend two semesters at Bond at the beginning of their candidature and a further semester when writing the final draft of their thesis, and significant contact must take place ten (10) days per academic year. External candidates must normally spend a minimum of three months at Bond University during the course of their candidature and must be present for the Confirmation of Candidature and for the Final Seminar presentation. The supervisor must be satisfied with the progress of individual candidates who should determine, in consultation with their supervisor, any periods during which they will not be in residence at the University. Certain periods in residence are essential for candidates to progress in their research under appropriate supervision. Please refer to TLR 5.09 for further information.

### **3.12. Double degree programs**

- 3.12.1. Students may combine postgraduate law award with those in other faculties. Students must meet the entry requirements for both awards, and complete all requirements.

### **3.13. Credit for prior study**

- 3.13.1. Refer to credit policy on [Postgraduate](#) students.

### **3.14. Subjects outside the Faculty of Law**

- 3.14.1. The Faculty will grant credit to students for study outside the Faculty of Law where the study is to be undertaken in another Faculty at Bond University to the extent of one subject in the postgraduate diploma and one subject in the masters or SJD programs. If further credits are required, application may be made to the Deputy Dean, who may exercise a special discretion to allow a further subject to be undertaken in the masters or SJD programs, but only in exceptional circumstances.
- 3.14.2. The Faculty of Law will grant credit to students registering for postgraduate subjects at other universities, provided prior approval is given. Prior approval will require confirmation that the subject is an equivalent postgraduate law subject, and this may require the provision of full details of the program offered by the other university. Credit will be given for up to one subject in the postgraduate diploma and up to two subjects in the masters and SJD programs. However, students should note that permission will be granted to undertake studies in other universities only in exceptional circumstances and with good reasons.

### **3.15. Approval of dissertation and thesis topics and conduct of supervision**

- 3.15.1. All postgraduate students who wish to present a dissertation or thesis must submit a preliminary written proposal on the dissertation or thesis topic, together with an outline of the research methodology to be used, for the consideration of the Deputy Dean. The Deputy Dean will consult with potential supervisors, who may discuss the proposal with the candidate before a formal appointment is made. The Deputy Dean will formally appoint a supervisor or joint supervisors for the work. The candidate and the supervisor(s) will then finalise the appropriate thesis topic. This may require considerable refinement of the initial proposal.
- 3.15.2. It is expected that there will be considerable discussion between the candidate and the supervisor. This is particularly important in the initial research stage, as each chapter or section is finalised and while the thesis as a whole is finalised. It is the responsibility of the candidate to keep in regular contact with the supervisor. Supervisors must fulfil their responsibilities towards candidates in a timely manner.
- 3.15.3. The supervisor appointed will report each semester on the approved form. These forms are sent to Academic Senate, which will then determine whether to allow continuation of the candidature or termination, under the appropriate University Regulations.

3.15.4. It is the responsibility of the supervisor to ensure that the Bond University Research Ethics Committee first approves research involving human subjects.

### **3.16. Examination of dissertations and theses**

3.16.1. An LLM or Master of Jurisprudence or MBL minor dissertation will ordinarily be examined by one examiner, who may be the supervisor or another appropriately qualified examiner appointed by the Dean. Where appropriate, a second examiner, external to the University, may also be appointed. Major Masters dissertations will be examined in accordance with the University's Masters Regulations, Section 8(b). SJD dissertations will be examined in accordance with the University's SJD Regulations, Section 6(b). PhD theses will be examined in accordance with the University's PhD Regulations, Section 2.10 or, for a PhD by published works, Section 3.5.

### **3.17. Assessment of postgraduate subjects**

3.17.1. The subject coordinator will ordinarily assess postgraduate subjects. Where appropriate, the Dean, in consultation with the instructor, may appoint an external examiner to examine or assess the relevant work. Subject instructors will normally determine assessment criteria for postgraduate subjects, in consultation with students, and submission dates will be indicated for all relevant forms of assessment. All forms of assessment, including written assignments, must be submitted by the prescribed date and, in the case of assignments, the submission date will usually be no later than the end of Week 14 to allow sufficient time to process the marks to allow students to graduate. Extensions beyond the submission date may be granted at the discretion of the subject instructor, but extensions given beyond Week 1 of the following semester must be approved by the Deputy Dean. Once the approval has been granted, the instructor will notify the Assistant Dean in writing of the extension given. Where a student has not submitted assessment work by the relevant date, a zero mark will be recorded for that portion of the overall assessment.

3.17.2. In exceptional circumstances, further extensions may be granted for the submission of assessment material, but only on the following conditions:

- There must be a written application for further extension, giving detailed reasons and, where relevant, supporting documentation; Extensions can be granted only on the grounds of ill health, personal circumstances, or unforeseen contingencies; and
- Extensions can be granted only by the Deputy Dean, acting in consultation with the subject instructor.

3.17.3. Students may request a review of their assessment no later than seven days after receipt of their results. Where appropriate, an external examiner may be appointed to conduct the review. A review may result in the marks being increased, reduced or left unchanged.

### **3.18. Progress**

3.18.1. If a candidate's progress in a subject of postgraduate study is unsatisfactory in terms of subject, dissertation or thesis performance, Academic Senate may terminate the candidature or take such other action as it considers appropriate.

Ordinarily, where the progress of a candidate is or appears to be unsatisfactory, the University will determine appropriate remedial action. Where progress remains unsatisfactory the University may terminate enrolment.

### **3.19. English language proficiency**

3.19.1. Unless otherwise exempted by the Dean, all applicants from a non-English speaking background must provide formal evidence of English language proficiency. The following test results will be accepted for admission:

- IELTS score 7.0 (Reading & Writing at least 6.5); or
- TOEFL score 570 (TWE at least 5).

### **3.20. Miscellaneous**

3.20.1. Students enrolled in postgraduate programs and who undertook earlier studies at Bond will not be allowed to enroll a second time in a subject successfully completed at Bond. For example: *If a student (as an undergraduate) successfully completed Fundamentals of Trial Advocacy (Laws13-455) the student, now enrolled as a postgraduate student, would not be able to enroll in Trial Advocacy (Laws 73-791).*

3.20.2. Except with the permission of the Dean, students whose prior study includes an equivalent subject will not ordinarily be able to register for LAWS75-100 Business Law.

### **3.21. Undergraduate students**

#### **- Admission to postgraduate subjects to be taken as undergraduate electives**

3.21.1. Undergraduate students may, at the discretion of the Deputy Dean, register for exclusive postgraduate subjects. This discretion will be exercised where, upon application, the relevant subject coordinator approves their registration in the light of their academic record and mature personality and where such registration is compatible with the design of the subjects. Ordinarily, undergraduate students will be eligible to register for exclusive postgraduate subjects only where:

- they have an average of 70% or higher for undergraduate subjects already taken; and
- they require no more than 12 subjects to complete the undergraduate degree; and
- they have completed all relevant undergraduate subjects in the field of study; and
- they are students of maturity or have some experience in the proposed field of study.

3.21.2. Undergraduate students fulfilling these requirements will ordinarily be permitted to register for a maximum of one exclusive postgraduate subject as an undergraduate elective per semester and for a maximum of three such subjects in total. The Academic Advisor will formally approve such

registrations, after consultation with the instructors concerned. Undergraduate students permitted to study exclusive postgraduate subjects as undergraduate electives will register with a '500' series subject number rather than a '700' series number. Undergraduate students taking exclusive postgraduate subjects will be assessed at a level deemed by the subject instructor as appropriate for undergraduate students. Under no circumstances will credit for these subjects be transferred subsequently to a postgraduate diploma or degree. Credits acquired by an undergraduate student from completing exclusive postgraduate subjects can be used only towards the undergraduate degree.

### **3.22. Undergraduate students**

#### **- Admission to postgraduate subjects to be taken as non-degree subjects**

3.22.1. There can be no concurrent registration of undergraduate students for a postgraduate degree. Students who have not completed their undergraduate degrees and propose to study for a postgraduate degree should pursue the following steps:

- They must formally apply to the Academic Advisor for enrolment in postgraduate subjects;
- The criterion for enrolment is that, on current performance, they would be eligible to enrol for a postgraduate degree upon completion of the undergraduate degree;
- Upon acceptance by the Faculty of Law, they may register for postgraduate subjects for non degree purposes, and will be assessed in these subjects at the postgraduate level;
- Only students with 8 or fewer subjects remaining for undergraduate study will be allowed to register for postgraduate subjects on the above basis;
- Upon completion of the undergraduate degree, students should apply to register for a postgraduate degree and apply for recognition of the non-degree subjects.

## **4. Related Policies/Procedures**

[TLR 5.09 BU Postgraduate Research Studies Policy and Procedures](#)

## **5. Related Guidelines and Forms**

The Postgraduate Program Advisor in the Faculty of Law will provide the application form for an Individual Study in Law (see paragraph 3.2.2).

The Research Coordinator in the Faculty of Law will provide the dissertation or thesis topic Supervisor with the necessary form to report candidature progress to Academic Senate (see paragraph 3.15.3).