



# **LLB (Honours) Degree Programme**

## **Level 03**

**Academic Year - 2022/2023**

## **Timetable & Course Plan**



**Department of Legal Studies**

**Faculty of Humanities and Social Science**

**The Open University of Sri Lanka**

**Nawala, Nugegoda**

Dear student,

Welcome to Level 03 of the LLB (Honours) Degree Programme! At this level, you will be studying the following six courses:

| <b>Name of the course</b>                   | <b>Course code</b> |
|---|--------------------|
| Legal System and Legal History of Sri Lanka | LLU3601            |
| Legal Method and Legal Writing              | LLU3602            |
| Roman Law                                   | LLU3303            |
| Constitutional Law I                        | LLU3604            |
| Equity and Trusts Law                       | LLU3505            |
| Interpretation of Statutes and Documents    | LLU3406            |

This study guide provides you with the following information:

| <b>Content</b>   | <b>Page</b> |
|--|-------------|
| Day School Schedule  | 03          |
| Timetable  | 04 – 05     |
| Timetable for Continuous Assessment Tests (CATs) and Final Examination | 06          |
| Details of the Day Schools Academics                                   | 07 – 10     |
| Course Plans   | 11 – 33     |
| Contact Details for Students   | 34          |

**Dr Sanath Wijesinghe**

Head/Department of Legal Studies

Faculty of Humanities and Social Sciences

The Open University of Sri Lanka

Nawala, Nugegoda

**LLB (Honours) Degree Programme - Level 03**  
**Academic Year 2022/2023**  
**Day School Schedule**

| No.  | Month          | Saturday  | Sunday  |
|------|----------------|---|---|
| 1st  | June 2023      | Orientation   | 25 <sup>th</sup><br>08.00 a.m – 10.00 a.m<br>10.30 a.m – 12. 30 p.m<br><br>(Legal Writing) – Onsite (Day Schools will be conducted only in Colombo Regional Centre) |
| 2nd  | July 2023      | 01 <sup>st</sup><br>08.00 a.m – 10.00 a.m<br>10.30 a.m – 12. 30 p.m<br><br>(Legal Writing) – Onsite (Day Schools will be conducted only in Colombo Regional Centre) | 02 <sup>nd</sup><br>08.00 a.m – 10.00 a.m<br>10.30 a.m – 12. 30 p.m<br><br>(Legal Writing) – Onsite (Day Schools will be conducted only in Colombo Regional Centre) |
| No   | Month          | Saturday - (Online)   | Sunday - (Onsite)   |
| 3rd  | July 2023      | 08 <sup>th</sup>  | 09 <sup>th</sup>  |
| 4th  | July 2023      | 29 <sup>th</sup>  | 30 <sup>th</sup>  |
| 5th  | August 2023    | 12 <sup>th</sup>  | 13 <sup>th</sup>  |
| 6th  | August 2023    | 26 <sup>th</sup>  | 27 <sup>th</sup>  |
| 7th  | September 2023 | 09 <sup>th</sup>  | 10 <sup>th</sup>  |
| 8th  | September 2023 | 23 <sup>rd</sup>  | 24 <sup>th</sup>  |
| 9th  | October 2023   | 07 <sup>th</sup>  | 08 <sup>th</sup>  |
| 10th | October 2023   | -   | 29 <sup>th</sup>  |
| 11th | November 2023  | 11 <sup>th</sup>  | -   |
| 12th | November 2023  | 25 <sup>th</sup>  | -   |
| 13th | December 2023  | 02 <sup>nd</sup>  | 03 <sup>rd</sup>  |
| 14th | December 2023  | 16 <sup>th</sup>  | 17 <sup>th</sup>  |
| 15th | January 2024   | 06 <sup>th</sup>  | 07 <sup>th</sup>  |
| 16th | January 2024   | -   | 21 <sup>st</sup>  |
| 17th | January 2024   | 27 <sup>th</sup>  | 28 <sup>th</sup>  |

**LLB (Honours) Degree Programme****Level 03****Academic Year 2022/2023****Timetable****Sinhala Medium**

| <b>Day</b>           | <b>Time</b>             | <b>Course (Course Code)</b>                               |
|----------------------|-------------------------|---|
| Saturday<br>(Online) | 08.00 a.m. – 10.00 a.m. | Roman Law (LLU3303)                                       |
|                      | 10.30 a.m. –12.30 p.m.  | Legal System and Legal History of Sri Lanka (LLU3601)     |
|                      | 01.30 p.m. – 03.30 p.m. | Interpretation of Statutes and Documents (LLU3406)        |
| Sunday<br>(Onsite)   | 08.00 a.m. –10.00 a.m.  | Equity and Trusts Law (LLU3505)                           |
|                      | 10.30 a.m. –12.30 p.m.  | Constitutional Law I (LLU3604)                            |
|                      | 01.30 p.m. – 03.30 p.m. | Legal Method and Legal Writing (LLU3602) – (Legal Method) |

**English Medium**

| <b>Day</b>           | <b>Time</b>             | <b>Course (Course Code)</b>                               |
|----------------------|-------------------------|---|
| Saturday<br>(Online) | 08.00 a.m. – 10.00 a.m. | Roman Law (LLU3303)                                       |
|                      | 10.30 a.m. –12.30 p.m.  | Legal System and Legal History of Sri Lanka (LLU3601)     |
|                      | 01.30 p.m. – 03.30 p.m. | Interpretation of Statutes and Documents (LLU3406)        |
| Sunday<br>(Onsite)   | 08.00 a.m. –10.00 a.m.  | Equity and Trusts Law (LLU3505)                           |
|                      | 10.30 a.m. –12.30 p.m.  | Constitutional Law I (LLU3604)                            |
|                      | 01.30 p.m. – 03.30 p.m. | Legal Method and Legal Writing (LLU3602) – (Legal Method) |

**Tamil Medium**

| <b>Day</b>           | <b>Time</b>             | <b>Course (Course Code)</b>                               |
|----------------------|-------------------------|---|
| Saturday<br>(Online) | 08.00 a.m. – 10.00 a.m. | Roman Law (LLU3303)                                       |
|                      | 10.30 a.m. – 12.30 p.m. | Legal System and Legal History of Sri Lanka (LLU3601)     |
|                      | 01.30 p.m. – 03.30 p.m. | Interpretation of Statutes and Documents (LLU3406)        |
| Sunday<br>(Onsite)   | 08.00 a.m. – 10.00 a.m. | Equity and Trusts Law (LLU3505)                           |
|                      | 10.30 a.m. – 12.30 p.m. | Constitutional Law I (LLU3604)                            |
|                      | 01.30 p.m. – 03.30 p.m. | Legal Method and Legal Writing (LLU3602) – (Legal Method) |

**LLB (Honours) Degree Programme**  
**Level 03**  
**Academic Year 2022/2023**  
**Timetable for Continuous Assessment Tests (CATs) and Final Examination**

**CAT I**

| Date       | Course (Course Code)                                  | Time                    | Sessions to be studied                  |
|------------|---|-------------------------|---|
| 18.08.2023 | Legal System and Legal History of Sri Lanka (LLU3601) | 09.30 a.m. - 10.30 a.m. | Sessions 1 - 4                          |
|            | Legal Method and Legal Writing (LLU3602)              | 01.30 p.m. - 02.30 p.m. | All sessions of Legal Writing (Part II) |
| 20.08.2023 | Roman Law (LLU3303)                                   | 09.30 a.m. - 10.30 a.m. | Sessions 1 - 3                          |
|            | Constitutional Law I (LLU3604)                        | 01.30 p.m. - 02.30 p.m. | Sessions 1 - 5                          |
| 22.08.2023 | Equity and Trusts Law (LLU3505)                       | 09.30 a.m. - 10.30 a.m. | Sessions 1 - 4                          |
|            | Interpretation of Statutes and Documents (LLU3406)    | 01.30 p.m. - 02.30 p.m. | Sessions 1 - 5                          |

**CAT II**

| Date       | Course (Course Code)                                  | Time                    | Sessions to be studied                  |
|------------|---|-------------------------|---|
| 20.10.2023 | Legal System and Legal History of Sri Lanka (LLU3601) | 09.30 a.m. - 10.30 a.m. | Sessions 1 - 7                          |
|            | Legal Method and Legal Writing (LLU3602)              | 01.30 p.m. - 02.30 p.m. | Sessions 1 – 5 of Legal Method (Part I) |
| 22.10.2023 | Roman Law (LLU3303)                                   | 09.30 a.m. - 10.30 a.m. | Sessions 1 – 7                          |
|            | Constitutional Law I (LLU3604)                        | 01.30 p.m. - 02.30 p.m. | Sessions 6 – 12                         |
| 24.10.2023 | Equity and Trusts Law (LLU3505)                       | 09.30 a.m. - 10.30 a.m. | Sessions 1 – 8                          |
|            | Interpretation of Statutes and Documents (LLU3406)    | 01.30 p.m. - 02.30 p.m. | Sessions 5 – 9                          |

**Tentative dates for the Final Examination**

The final examination will be held in February 2024.

**LLB (Honours) Degree Programme**  
**Level 03**  
**Academic Year 2022/2023**  
**Details of the Day Schools Academics**

**Workshop**

Legal Method and Legal Writing (LLU3602) – **(Legal Writing – Onsite - All centers conduct only in Colombo)**

| Course (Course Code) | Medium  |   |  |
|----------------------|---|---|--|
|                      | Sinhala   | English   | Tamil  |
| Legal Writing        | Dr. Sanath Wijesinghe & Ms. Ruwanthika Ariyaratna | Dr. Yasodara Kathirgamathamby & Ms. Sunethra Goonetilleke | Dr. Yasodara Kathirgamathamby & Ms. Puvanitha Selvaraj |
|                      |   |   |  |

**Online Day Schools for All Centers**

| Course (Course Code)                                  | Medium  |  |                           |
|---|---|--|---------------------------|
|   | Sinhala   | English  | Tamil                     |
| Legal System and Legal History of Sri Lanka (LLU3601) | Ms. Nisanka Jayarathna, Ms Janaha Selvaras & Ms. Dulmi Jayasinghe<br>(This course will only be offered in English medium) |  |                           |
| Roman Law (LLU3303)                                   | Ms. Wasana Panditharatne  | Ms. Lakmali Manamperi                                | Mr. Mohamed Muhaimin      |
| Interpretation of Statutes and Documents (LLU3406)    | Ms. Wasana Panditharatne & Ms. Buddhika Munasinghe  | Ms. Eranga Dissanayake & Ms. Prineetha Bandaranayake | Mr. A. S. Punnithasekaran |

## Onsite Day Schools for Regional Centers

### 1. Colombo

| Course (Course Code)                             | Medium  |                              |                        |
|--|---|------------------------------|------------------------|
|  | Sinhala   | English                      | Tamil                  |
| <b>Legal Method and Legal Writing (LLU 3602)</b> | Ms. Wasana Panditharatne  | Ms. Sunethra Goonetilleke    | Ms. Riyaj Rijana       |
| <b>Constitutional Law I (LLU3604)</b>            | Ms. Sandya Hewameealla & Mr. Ayeshmantha Gayan                          | Mr. Chamara Nanayakkarawasam | Ms. Puvanitha Selvaraj |
| <b>Equity and Trusts Law (LLU3505)</b>           | Mr. Danushka Manoj, Ms. Padmaja Wijesooriya & Ms. Ruwanthika Ariyaratna | Mr. Chamath Fernando         | Mr. Kamal Ahamed       |

### 2. Kandy

| Course (Course Code)                             | Medium              |                        |                          |
|--|---------------------|------------------------|--------------------------|
|  | Sinhala             | English                | Tamil                    |
| <b>Legal Method and Legal Writing (LLU 3602)</b> | Ms. H.N. Priyangika | Ms. Navini Premalal    | Ms. Nifaza Azkar         |
| <b>Constitutional Law I (LLU3604)</b>            | Mr. Ruchira Rosa    | Ms. Ruvee Karunarathna | Ms. Mohamed Nazeer       |
| <b>Equity and Trusts Law (LLU3505)</b>           | Mr. Ruchira Rosa    | Ms. Navini Premalal    | Ms. Puwanendran Priyanka |

### 3. Matara

| Course (Course Code)                             | Medium                    |         |       |
|--|---------------------------|---------|-------|
|  | Sinhala                   | English | Tamil |
| <b>Legal Method and Legal Writing (LLU 3602)</b> | Mr. G.L. Erathna          | -       | -     |
| <b>Constitutional Law I (LLU3604)</b>            | Ms. Bhashini Abeywickrama | -       | -     |
| <b>Equity and Trusts Law (LLU3505)</b>           | Ms. Samanthi Rahubaddha   | -       | -     |



#### 4. Anuradhapura

| Course (Course Code)                      | Medium                  |         |       |
|---|-------------------------|---------|-------|
|   | Sinhala                 | English | Tamil |
| Legal Method and Legal Writing (LLU 3602) | Ms. Shashika Rajapaksha | -       | -     |
| Constitutional Law I (LLU3604)            | Ms. Bhagya Senarathne   | -       | -     |
| Equity and Trusts Law (LLU3505)           | Ms. Shashika Rajapaksha | -       | -     |

#### 5. Jaffna

| Course (Course Code)                      | Medium  |         |                         |
|---|---------|---------|-------------------------|
|   | Sinhala | English | Tamil                   |
| Legal Method and Legal Writing (LLU 3602) | -       | -       | Mr. Kanagaratnam Sugash |
| Constitutional Law I (LLU3604)            | -       | -       | Ms. Thasoniya Vinothan  |
| Equity and Trusts Law (LLU3505)           | -       | -       | Ms. Thasoniya Vinothan  |

#### 6. Batticaloa

| Course (Course Code)                      | Medium  |         |                          |
|---|---------|---------|--------------------------|
|   | Sinhala | English | Tamil                    |
| Legal Method and Legal Writing (LLU 3602) | -       | -       | Ms. Prithivi Krishanthan |
| Constitutional Law I (LLU3604)            | -       | -       | Mr. Mohamed Muhaimin     |
| Equity and Trusts Law (LLU3505)           | -       | -       | Ms. Prithivi Krishanthan |

### 7. Badulla

| Course (Course Code)                      | Medium                |         |                             |
|---|-----------------------|---------|-----------------------------|
|   | Sinhala               | English | Tamil                       |
| Legal Method and Legal Writing (LLU 3602) | Ms. Rasika Attanayake | -       | Ms. A.A.S. Rifaya           |
| Constitutional Law I (LLU3604)            | Ms. Rasika Attanayake | -       | Ms. Prashanthini Selvakumar |
| Equity and Trusts Law (LLU3505)           | Mr. L M Mullegama     | -       | Ms. Prashanthini Selvakumar |

### 8. Kurunegala

| Course (Course Code)                      | Medium                     |         |       |
|---|----------------------------|---------|-------|
|   | Sinhala                    | English | Tamil |
| Legal Method and Legal Writing (LLU 3602) | Ms. Chathurika Megasooriya | -       | -     |
| Constitutional Law I (LLU3604)            | Mr. Laksiri Jayathilake    | -       | -     |
| Equity and Trusts Law (LLU3505)           | Ms. Chathurika Megasooriya | -       | -     |

### 9. Ratnapura

| Course (Course Code)                      | Medium                     |         |       |
|---|----------------------------|---------|-------|
|   | Sinhala                    | English | Tamil |
| Legal Method and Legal Writing (LLU 3602) | Mr. Ruwan Harischandra     | -       | -     |
| Constitutional Law I (LLU3604)            | Mr. Indika Wickramasooriya | -       | -     |
| Equity and Trusts Law (LLU3505)           | Mr. Ruwan Harischandra     | -       | -     |

**LLB (Honours) Degree Programme**  
**Level 03**  
**Academic Year 2022/2023**  
**Course Plan**

**1. Course/Course Code**

LLU3601- Legal System and Legal History of Sri Lanka

Dear Student,

Welcome to the LLU3601 Legal System and Legal History of Sri Lanka course. This Level 03 course is one of the compulsory courses that make up the Bachelor of Laws (Honours) Degree Programme. It is a 06-credit course which will require about 300 hours of study.

**2. Objectives of the course**

This course aims to enhance knowledge of the main features of the Sri Lankan Legal System, explaining it from a historical perspective. This course provides an understanding of Roman-Dutch Law, English Law, Kandyan Law, *Tesawalamai* Law and Muslim Law with the application of law and the contemporary developments of particular areas. It further examines the plural systems of law applied in Sri Lanka in light of Constitutional provisions and analyses the prospects of applying uniformly applicable laws. This course also discusses the court system of Sri Lanka and the Administrative of Justice through the courts from the pre-colonial period to the current system under the Second Republican Constitution 1978. This course is very important as it provides the foundation for you to study other courses, such as Family Law, Law of Contract, Land Law, Law of Delict etc., at higher levels.

**3. Course content**

Your course material consists of one Block, and it contains 16 sessions. You will be informed when supplementary material for the Legal System and Legal History of Sri Lanka is available on the Learning Management System (LMS) page.

1. A brief overview of the laws and institutions for the administration of justice in Sri Lanka in the Pre-Colonial period
2. Reception of Dutch laws during the British Period
3. Colonialism and its impact on the legal system of Sri Lanka – Reception of Roman-Dutch Law
4. Colonialism and its impact on the legal system of Sri Lanka - Reception of English Law

through Legislation

5. Colonialism and its impact on the legal system of Sri Lanka- Reception of English law through Judicial Decisions
6. Kandyan Law Part I - History and the Application of Law
7. Kandyan Law Part II - Contemporary Developments in Kandyan Law
8. *Thesawalamai* Law Part I - History and the Application of Law
9. *Thesawalamai* Law Part II - Contemporary Development in *Thesawalamai* Law
10. Muslim Law Part I - History and the Application of Law
11. Muslim Law Part II - Contemporary Developments in Muslim Law
12. Pluralism in the Sri Lankan Legal System and current trends. Scope and application of:
13. Administration of Justice in Sri Lanka: The Pre-Colonial Period
14. Administration of Justice in Sri Lanka: The Colonial Period
15. Administration of Justice in Sri Lanka: The Post-Colonial Period
16. Contemporary Challenges in the Administration of Justice in Sri Lanka

#### **4. Delivery Mode**

##### **a) Day schools**

In this course, 14-Day Schools of 2 hours duration (28 hours) will be held throughout the academic year. Though Day Schools are not compulsory, we advise all of you to attend Day Schools as it provides an opportunity to discuss problems you encounter in studying your course materials with your teacher.

Day Schools are a very important teaching-learning tool in the Open Distance Learning (ODL) system. It provides limited face-to-face sessions with teaching staff and learners at regional centres. The Day Schools are planned to deal with the sessions of this Block and to improve your knowledge regarding the concepts of the Legal System and the Legal History of Sri Lanka.

You are advised to work through the sessions of this Block and supplementary material before you attend the Day Schools. Since this course will be taught in English medium, the lectures will be conducted online via Zoom. The Zoom link and other necessary details will be provided through the LMS.

##### **b) Seminars**

In addition to the Day Schools, special seminars may be conducted in the regional centres.

## **5. Method of Assessment (CATs and final examination)**

In the Open University study system, 40% of your examination marks are allocated for Continuous Assessment Tests (CATs) while the balance 60% of your examination marks are allocated for the final examination. This means you get an opportunity to earn a maximum of 40% of your examination marks before you sit for the final examination. It is seen therefore that obtaining marks on CAT tests is essential for the successful completion of a course.

You should obtain 35% Overall Continuous Assessment Marks (OCAM) to sit for the final examination. However, if you do not obtain 40 marks for the final examination, OCAM marks will not be added to the overall mark.

| <b>Assessment</b> | <b>Number of sessions to be covered</b> | <b>Duration</b> |
|-------------------|---|-----------------|
| CAT I             | Sessions 1 - 4                          | 01 hour         |
| CAT II            | Sessions 1 - 7                          | 01 hour         |
| Final examination | Entire syllabus                         | 03 hours        |

## **6. Supplementary materials (Printing/LMS-Moodle page)**

In addition to the course materials, all cases, legislation and past examination papers relevant to your course are provided via LMS (online). You will be issued with a document at registration giving all relevant information including how you should register and how the password to access the online course could be obtained. You can express your view on issues that we raise at the online course and discuss academic matters to the course through this online facility. This online course will be of immense use, especially to busy employed students and the students in the regional centers as it helps them to maintain contact with their course coordinator/ Teacher online. Please follow Day Schools, read cases and legislations and update your knowledge through the online facility. Consider this course as one which provides knowledge regarding all laws that are applicable in Sri Lanka.

## **7. Recommended Readings**

- Cooray L.J.M., *An Introduction to the Legal System of Ceylon* (Stamford Lake 2003).
- Thambiah H.W., *The Judicature in Sri Lanka in its Historical Settings* (Gunasena, Colombo 1977)
- Hayley F.A., *The Laws and Customs of the Sinhalese or Kandyan Law* (H.W. Cave &

Co, Colombo 1923).

- Nadaraja T., *The Legal System of Ceylon in its Historical Settings* (Leiden, Brill 1972).

## **8. Learning Outcomes**

After completing this course, you will be able to:

- Discuss the main features of the legal system of Sri Lanka and explain this system from a historical perspective.
- Determine how plural systems of law apply in Sri Lanka in the light of Constitutional provisions.
- Assess the prospects of promoting uniformly applicable laws.
- Evaluate the administration of justice and the court system of Sri Lanka.

**LLB (Honours) Degree Programme**  
**Level 03**  
**Academic Year 2022/2023**  
**Course Plan**

**1. Course/Course Code**

LLU3602- Legal Method and Legal Writing

Dear Student,

Welcome to the Legal Method and Legal Writing course. This Level 03 course is one of the compulsory courses that make up the Bachelor of Laws (Honours) Degree Programme. It is a 06-credit course which will require about 300 hours of study.

**2. Objectives of the course**

This course is divided into two parts: Legal Method and Legal Writing.

The Legal Method part focuses on the fundamental aspects of studying law. It covers topics such as the significance of studying law, different definitions of law, the importance of legal terminology, and the types of legal materials used in legal studies. Additionally, it provides an understanding of the various sources of law, the basics of statutory interpretation, and the roles and responsibilities of the judiciary and legal professionals.

The Legal Writing part aims to equip students with the skills necessary for effective legal writing. It covers topics such as writing well-structured legal answers, developing persuasive legal arguments, and writing case notes, presentation skills and fundamentals of plagiarism. The goal of this part is to develop legal writing skills and presentation ability of law students.

**3. Course Content**

Your course material consists of one Block, two Parts and it contains 16 sessions. You will be informed when supplementary material for the Legal Method and Legal Writing is available on the Learning Management System (LMS) page.

a) Part I - Legal Method

1. Introduction to law
2. Constitution and legislation as a source of law
3. Judicial Precedent and case law
4. Opinions of Jurists as a source of law
5. Equity as a source of law
6. Custom and Religion as a source of law
7. International treaties as source of law
8. The Judiciary and the Legal Profession

b) Part II - Legal Writing

9. Searching legal sources
10. Developing reading skills of legal sources
11. Developing effective note taking skills
12. Developing arguments and critical writing
13. How to write a legal answer
14. How to write case notes and assignments
15. Oral presentation skills for law
16. Fundamentals of plagiarism and referencing

#### **4. Delivery Mode**

In this course, 14 Day Schools will be held throughout the academic year. Part I of the course, i.e., Legal Method will be held throughout 08 Day Schools of two hours duration ( $08 \times 2 = 16$  hours). Part II of the course, i.e., Legal Writing will be held throughout 06 Day Schools of two hours duration ( $06 \times 2 = 12$  hours). Though Day Schools are not compulsory, we advise all of you to attend Day Schools as it provides an opportunity to discuss problems you encounter in studying your course materials with your teacher.

Day Schools are a very important teaching-learning tool in the Open Distance Learning (ODL) system. It provides limited face-to-face sessions with teaching staff and learners at regional centres. The Day Schools are planned to deal with the sessions of this Block and to improve your knowledge regarding the concepts of the Legal Method and Legal Writing. You are advised to work through the sessions of this Block and supplementary material before you



attend the Day Schools.

The Legal Method Part of this course will be taught in all three mediums, in all regional centers. The Legal Writing Part of this course will be taught in all three mediums only in the Colombo Regional Center.

### **5. Method of Assessment (CATs and final examination)**

In the Open University study system, 40% of your examination marks are allocated for Continuous Assessment Tests (CATs) while the balance 60% of your examination marks are allocated for the final examination. This means you get an opportunity to earn a maximum of 40% of your examination marks before you sit for the final examination. It is seen therefore that obtaining marks on CAT tests is essential for the successful completion of a course.

You should obtain 35% Overall Continuous Assessment Marks (OCAM) to sit for the final examination. However, if you do not obtain 40 marks for the final examination, OCAM marks will not be added to the overall mark.

| <b>Assessment</b> | <b>Number of sessions to be covered</b>  | <b>Duration</b> |
|-------------------|--|-----------------|
| CAT I             | All sessions of Legal Writing (Part I)   | 01 hour         |
| CAT II            | Sessions 1 – 5 of Legal Method (Part II) | 01 hour         |
| Final examination | Entire syllabus                          | 03 hours        |

### **6. Supplementary materials (Printing/LMS page)**

In addition to the course materials, all cases, legislation and past examination papers relevant to your course are provided via LMS (online). You will be issued with a document at registration giving all relevant information including how you should register and how the password to access the online course could be obtained. You can express your view on issues that we raise at the online course and discuss academic matters to the course through this online facility. This online course will be of immense use, especially to busy employed students and the students in the regional centres as it helps them to maintain contact with their course coordinator/ Teacher online. Please follow Day Schools, read cases and legislations and update your knowledge through the online facility.

## **7. Recommended Readings**

- Williams G., *Learning the Law* (14th edn., Sweet & Maxwell).
- Cooray L.J.M., *An Introduction to the Legal System of Ceylon* (Stamford Lake 2003).
- Langan P. St. J., *Maxwell on The Interpretation of Statutes* (12th edn., London, Sweet & Maxwell).
- Clinch P., *Using a Law Library: A student's Guide to Legal Research Skills* (2nd edn., London, Blackstone).

## **8. Learning Outcomes**

After completing this course, you will be able to:

- Explain the various definitions of law.
- Describe the importance of legal material and their uses.
- Explain the various sources of law and application.
- Describe the basic rules and maxims of statutory interpretation.
- Examine the applicability of the doctrine of *stare decisis*.
- Evaluate the importance of judiciary and the legal profession.
- Analyse and develop a sustained written legal argument.

**LLB (Honours) Degree Programme**  
**Level 03**  
**Academic Year 2022/2023**  
**Course Plan**

**1. Course/Course Code**

LLU3303 – Roman Law

Dear Student,

Welcome to the Roman Law course. This Level 03 course is one of the compulsory courses that make up the Bachelor of Laws (Honours) Degree Programme. It is a 03-credit course which will require about 150 hours of study.

**2. Objectives of the course**

This course aims to provide knowledge of the historical background of Roman Law and its application in various branches of law in Roman society. It further aims to provide knowledge on how the ancient Roman Law principles laid the foundation for the various legal systems in the contemporary world.

**3. Course Content**

Your course material consists of one Block, and it contains 10 sessions. You will be informed when supplementary material for the Roman Law is available on the Learning Management System (LMS) page.

1. Introduction to Roman Law
2. Sources of Roman Law
3. Perspectives on status, *patria potestas* and parental rights
4. Law of marriage, guardianship, and curatorship
5. Law of Universal Succession
6. Law of Things I
7. Law of Things II
8. Law of Obligations I
9. Law of Obligations II
10. Law relating to Actions

#### **4. Delivery Mode**

##### **a) Day schools**

In this course, 10-Day Schools of 2 hours duration (20 hours) will be held throughout the academic year. Though Day Schools are not compulsory, we advise all of you to attend Day Schools as it provides an opportunity to discuss problems you encounter in studying your course materials with your teacher.

Day Schools are a very important teaching-learning tool in the Open Distance Learning (ODL) system. It provides limited face-to-face sessions with teaching staff and learners at regional centres. The Day Schools are planned to deal with the sessions of this Block and to improve your knowledge regarding the concepts of Roman Law.

You are advised to work through the sessions of this Block and supplementary material before you attend the Day Schools. Since this course will be taught online for all three mediums, the lectures will be conducted via Zoom. The Zoom link and other necessary details will be provided through the LMS.

##### **b) Seminars**

In addition to the Day Schools, special seminars may be conducted in the regional centres.

#### **5. Method of Assessment (CATs and final examination)**

In the Open University study system, 40% of your examination marks are allocated for Continuous Assessment Tests (CATs) while the balance 60% of your examination marks are allocated for the final examination. This means you get an opportunity to earn a maximum of 40% of your examination marks before you sit for the final examination. It is seen therefore that obtaining marks on CAT tests is essential for the successful completion of a course.

You should obtain 35% Overall Continuous Assessment Marks (OCAM) to sit for the final examination. However, if you do not obtain 40 marks for the final examination, OCAM marks will not be added to the overall mark.

| Assessment        | Number of sessions to be covered | Duration |
|-------------------|----------------------------------|----------|
| CAT I             | Sessions 1 - 3                   | 01 hour  |
| CAT II            | Sessions 1 – 7                   | 01 hour  |
| Final examination | Entire syllabus                  | 03 hours |

## 6. Supplementary materials (Printing/LMS page)

In addition to the course materials, all cases, legislation and past examination papers relevant to your course are provided via LMS (online). You will be issued with a document at registration giving all relevant information including how you should register and how the password to access the online course could be obtained. You can express your view on issues that we raise at the online course and discuss academic matters to the course through this online facility. This online course will be of immense use, especially to busy employed students and the students in the regional centres as it helps them to maintain contact with their course coordinator/ Teacher online. Please follow Day Schools, read cases and legislations and update your knowledge through the online facility.

## 7. Recommended Readings

- Lee, R.W., *The Elements of Roman Law*, (4th edn., Sweet & Maxwell).
- Nicholas, B., *An Introduction to Roman Law* (Clarendon Law Series).

## 8. Learning Outcomes

After completing this course, you will be able to:

- Explain the historical background of Roman Law during different periods.
- Describe the various sources of Roman Law.
- Describe the various branches of law (law of persons, property, and obligations) and its application in the Roman society.
- Explain how the ancient Roman Law principles laid the foundation for the various legal systems in the contemporary world.

**LLB (Honours) Degree Programme**  
**Level 03**  
**Academic Year 2022/2023**  
**Course Plan**

**1. Course/Course Code**

LLU3604 – Constitutional Law I

Dear Student,

Welcome to the Constitutional Law I course. This Level 03 course is one of the compulsory courses that make up the Bachelor of Laws (Honours) Degree Programme. It is a 06-credit course which will require about 300 hours of study.

**2. Objectives of the course**

This course aims at developing detailed knowledge of students and their understanding of the scope, principles and application of constitutional law which is the country's supreme law. Further, this course allows the students to critically analyse and synthesis fundamental principles and core values of Constitutional Law on contemporary issues and to bring comparative examples which enable them to understand constitutional reforms, when necessary.

**3. Course Content**

Your course material consists of one Block, and it contains 16 sessions. You will be informed when supplementary material for the Constitutional Law I is available on the Learning Management System (LMS) page.

1. Constitutional Law: An Introduction
2. Core Principles and Values of Constitutionalism
3. Concept of Sovereignty of the People and Constitutional Law
4. Constitutional History of Sri Lanka I
5. Constitutional History of Sri Lanka II
6. Separation of Powers I
7. Separation of Powers II
8. Rule of Law I

9. Rule of Law II
10. Parliament and Legislative Power I
11. Parliament and Legislative Power II
12. Parliament and Legislative Power in Sri Lanka
13. Independence of Judiciary (I & II)
14. The Executive and the Constitution of 1978
15. The Franchise
16. Constitutional Making Process and Interpretation

#### **4. Delivery Mode**

##### **a) Day schools**

In this course, 14-Day Schools of 2 hours duration (28 hours) will be held throughout the academic year. Though Day Schools are not compulsory, we advise all of you to attend Day Schools as it provides an opportunity to discuss problems you encounter in studying your course materials with your teacher.

Day Schools are a very important teaching-learning tool in the Open Distance Learning (ODL) system. It provides limited face-to-face sessions with teaching staff and learners at regional centres. The Day Schools are planned to deal with the sessions of this Block and to improve your knowledge regarding the concepts of the Constitutional Law.

You are advised to work through the sessions of this Block and supplementary material before you attend the Day Schools. Since this course will be taught in all three mediums, the lectures will be conducted onsite at the respective regional centers.

##### **b) Seminars**

In addition to the Day Schools, special seminars may be conducted in the regional centres.

#### **5. Method of Assessment (CATs and final examination)**

In the Open University study system, 40% of your examination marks are allocated for Continuous Assessment Tests (CATs) while the balance 60% of your examination marks are allocated for the final examination. This means you get an opportunity to earn a maximum of 40% of your examination marks before you sit for the final examination. It is seen therefore that obtaining marks on CAT tests is essential for the successful completion of a course.

You should obtain 35% Overall Continuous Assessment Marks (OCAM) to sit for the final examination. However, if you do not obtain 40 marks for the final examination, OCAM marks will not be added to the overall mark.

| Assessment        | Number of sessions to be covered | Duration |
|-------------------|----------------------------------|----------|
| CAT I             | Sessions 1 - 5                   | 01 hour  |
| CAT II            | Sessions 6 - 12                  | 01 hour  |
| Final examination | Entire syllabus                  | 03 hours |

## 6. Supplementary materials (Printing/LMS page)

In addition to the course materials, all cases, legislation and past examination papers relevant to your course are provided via LMS (online). You will be issued with a document at registration giving all relevant information including how you should register and how the password to access the online course could be obtained. You can express your view on issues that we raise at the online course and discuss academic matters to the course through this online facility. This online course will be of immense use, especially to busy employed students and the students in the regional centres as it helps them to maintain contact with their course coordinator/ Teacher online. Please follow Day Schools, read cases and legislations and update your knowledge through the online facility.

## 7. Recommended Readings

- Cooray J.A.L., *Constitutional and Administrative Law of Sri Lanka: A Commentary on the Constitution and the Law of Public Administration of Sri Lanka* (Sumathi Publishers 1995).
- Cooray L.J.M., *An Introduction to the Legal System of Ceylon* (Stamford Lake 2003).
- De Smith S.A., *Constitutional and Administrative Law* (3rd edn., Penguin Books New York 1981).
- Dicey A.V., *Introduction to the Study of the Law of the Constitution* (10th edn., Macmillan, London 1959).



## **8. Learning Outcomes**

After completing this course, you will be able to:

- Explain the scope and core principles and values of Constitutional Law.
- Describe the history of constitution making since independence with a view to propose necessary constitutional reforms.
- Evaluate the impact of the various economic, political and social factors on the development constitutional law in Sri Lanka.
- Analyse and synthesis the application of constitutional law principles in contemporary contentious issues and apply critical and analytical to make possible solutions for such issues.
- Analyse comparative constitutional law and governance in other jurisdictions and communicate complex ideas concepts and recent developments.
- Identify to compare the constitution as supreme law with the other laws and customs in the country.

**LLB (Honours) Degree Programme**  
**Level 03**  
**Academic Year 2022/2023**  
**Course Plan**

**1. Course/Course Code**

LLU3505 – Equity and Trusts Law

Dear Students,

Welcome to the Equity and Trusts Law course. This Level 03 course is one of the compulsory courses that make up the Bachelor of Laws (Honours) Degree Programme. It is a 05-credit course which will require about 250 hours of study.

**2. Objectives of the course**

This course aims to enlighten the history and the developments of the principles of Equity and the evolution of the Law of Trusts. This course attempts to examine and analyses the English Law of Trusts before and after the enactment of Trusts Ordinance. In addition to that this course provides complete knowledge about the various provisions of the Trusts Ordinance in relating to Express Trusts, Constructive Trusts, and Charitable Trusts.

**3. Course Content**

Your course material consists of one Block, and it contains 14 sessions. You will be informed when supplementary material for the Equity and Trusts Law is available on the Learning Management System (LMS) page.

1. Introduction to Equity
2. The Maxims of Equity (Part 01)
3. The Maxims of Equity (Part 02)
4. Equitable Remedies
5. An overview of trusts
6. Trusts Ordinance No. 09 of 1917
7. Express Trusts (Part 01)
8. Express Trusts (Part 02)
9. Constructive Trusts (Part 01)

- 10. Constructive Trusts (Part 02)
- 11. Charitable Trusts (Part 01)
- 12. Charitable Trusts (Part 02)
- 13. The Duties, Powers, and Liabilities of Trustees
- 14. The Rights and Liabilities of Beneficiaries

#### **4. Delivery Mode**

##### **a) Day schools**

In this course, 12-Day Schools of 2 hours duration (24 hours) will be held throughout the academic year. Though Day Schools are not compulsory, we advise all of you to attend Day Schools as it provides an opportunity to discuss problems you encounter in studying your course materials with your teacher.

Day Schools are a very important teaching-learning tool in the Open Distance Learning (ODL) system. It provides limited face-to-face sessions with teaching staff and learners at regional centres. The Day Schools are planned to deal with the sessions of this Block and to improve your knowledge regarding the concepts of Equity and Trusts Law.

You are advised to work through the sessions of this Block and supplementary material before you attend the Day Schools. Since this course will be taught in all three mediums, the lectures will be conducted onsite at the respective regional centers.

##### **b) Seminars**

In addition to the Day Schools, special seminars may be conducted in the regional centres.

#### **5. Method of Assessment (CATs and final examination)**

In the Open University study system, 40% of your examination marks are allocated for Continuous Assessment Tests (CATs) while the balance 60% of your examination marks are allocated for the final examination. This means you get an opportunity to earn a maximum of 40% of your examination marks before you sit for the final examination. It is seen therefore that obtaining marks on CAT tests is essential for the successful completion of a course.

You should obtain 35% Overall Continuous Assessment Marks (OCAM) to sit for the final examination. However, if you do not obtain 40 marks for the final examination, OCAM marks will not be added to the overall mark.

| Assessment        | Number of sessions to be covered | Duration |
|-------------------|----------------------------------|----------|
| CAT I             | Sessions 1 - 4                   | 01 hour  |
| CAT II            | Sessions 1 - 8                   | 01 hour  |
| Final examination | Entire syllabus                  | 03 hours |

## 6. Supplementary materials (Printing/LMS page)

In addition to the course materials, all cases, legislation and past examination papers relevant to your course are provided via LMS (online). You will be issued with a document at registration giving all relevant information including how you should register and how the password to access the online course could be obtained. You can express your view on issues that we raise at the online course and discuss academic matters to the course through this online facility. This online course will be of immense use, especially to busy employed students and the students in the regional centres as it helps them to maintain contact with their course coordinator/ Teacher online. Please follow Day Schools, read cases and legislations and update your knowledge through the online facility.

## 7. Recommended Readings

- Cooray L.J.M., *The Reception in Ceylon of the English Trusts* (Lake House Printers and Publishers, 1971).
- Virgo G., *The Principles of Equity & Trusts* (Oxford University Press 2012).
- Hudson A., *Equity and Trusts* (7th edn, Routledge 2013).
- Keeton G.W., *The Law of Trusts* (10th edn., Professional Books Ltd 1974).
- Watt G., *Todd and Watt's Cases and Materials on Equity and Trusts* (8th edn., Oxford University Press, 2011).

## **8. Learning Outcomes**

After completing this course, you will be able to:

- Identify the need for the introduction of equity into the English legal system and the development of equity concepts up to the present time.
- Examine the impact of 'Equitable Maxims' in the development of law.
- Evaluate the Trust concepts encompassed in the Trusts Ordinance.
- Analyse the applicability of English Trusts concepts in the case of casus omissus in Sri Lanka.
- Analyse the Sri Lankan and English cases which have interpreted the provisions of the Trusts Ordinance.

**LLB (Honours) Degree Programme**  
**Level 03**  
**Academic Year 2022/2023**  
**Course Plan**

**1. Course/Course Code**

LLU3406 – Interpretation of Statutes and Documents

Dear Students,

Welcome to the Interpretation of Statutes and Documents course. This Level 03 course is one of the compulsory courses that make up the Bachelor of Laws (Honours) Degree Programme. It is a 04-credit course which will require about 200 hours of study.

**2. Objectives of the course**

This course aims to introduce different theories, concepts and rules concerning statutory interpretation, and techniques employed in interpreting statutes and legal documents. This course further attempts to examine and analyses distinct themes such as rules concerning constitutional interpretation and international treaties. In addition to that this course aims to familiarize students with the rules of interpretation of statutes and documents and their practical application.

**3. Course Content**

Your course material consists of one Block, and it contains 12 sessions. You will be informed when supplementary material for the Interpretation of Statutes and Documents is available on the Learning Management System (LMS) page.

1. Fundamental Jurisprudential Concepts and the Constitutional Foundations of Interpretation of Statutes and Documents I
2. Fundamental Jurisprudential Concepts and the Constitutional Foundations of Interpretation of Statutes and Documents II
3. Theories of Interpretation I
4. Theories of Interpretation II
5. Traditional Rules of Interpretation
6. Constitutional Interpretation

7. Internal Aids to Construction
8. External Aids to Construction
9. Secondary Rules of Interpretation
10. The Presumptions of Interpretation: General and Special Presumptions
11. Legal Drafting
12. Interpretation of International Treaties

#### **4. Delivery Mode**

##### **a) Day schools**

In this course, 12-Day Schools of 2 hours duration (24 hours) will be held throughout the academic year. Though Day Schools are not compulsory, we advise all of you to attend Day Schools as it provides an opportunity to discuss problems you encounter in studying your course materials with your teacher.

Day Schools are a very important teaching-learning tool in the Open Distance Learning (ODL) system. It provides limited face-to-face sessions with teaching staff and learners at regional centres. The Day Schools are planned to deal with the sessions of this Block and to improve your knowledge regarding the concepts of Equity and Trusts Law.

You are advised to work through the sessions of this Block and supplementary material before you attend the Day Schools. Since this course will be taught online for all three mediums, the lectures will be conducted via Zoom. The Zoom link and other necessary details will be provided through the LMS.

##### **b) Seminars**

In addition to the Day Schools, special seminars may be conducted in the regional centres.

#### **5. Method of Assessment (CATs and final examination)**

In the Open University study system, 40% of your examination marks are allocated for Continuous Assessment Tests (CATs) while the balance 60% of your examination marks are allocated for the final examination. This means you get an opportunity to earn a maximum of 40% of your examination marks before you sit for the final examination. It is seen therefore that obtaining marks on CAT tests is essential for the successful completion of a course.

You should obtain 35% Overall Continuous Assessment Marks (OCAM) to sit for the final

examination. However, if you do not obtain 40 marks for the final examination, OCAM marks will not be added to the overall mark.

| Assessment        | Number of sessions to be covered | Duration |
|-------------------|----------------------------------|----------|
| CAT I             | Sessions 1 - 5                   | 01 hour  |
| CAT II            | Sessions 5 - 9                   | 01 hour  |
| Final examination | Entire syllabus                  | 03 hours |

## **6. Supplementary materials (Printing/LMS page)**

In addition to the course materials, all cases, legislation and past examination papers relevant to your course are provided via LMS (online). You will be issued with a document at registration giving all relevant information including how you should register and how the password to access the online course could be obtained. You can express your view on issues that we raise at the online course and discuss academic matters to the course through this online facility. This online course will be of immense use, especially to busy employed students and the students in the regional centres as it helps them to maintain contact with their course coordinator/ Teacher online. Please follow Day Schools, read cases and legislations and update your knowledge through the online facility.

## **7. Recommended Readings**

- Maxwell P.B., *Maxwell on the Interpretation of Statutes* (Gale, Making of Modern Law, 2010).
- Whittington K.E., *Constitutional Interpretation: Textual Meaning, Original Intent and Judicial Review* (University Press of Kansas, 1999).
- Sanson M., *Statutory Interpretation* (2nd edn., Oxford University Press, 2016).



## **8. Learning Outcomes**

After completing this course, you will be able to:

- Explain the conceptual and theoretical underpinnings of interpretation of statutes and documents.
- Describe different approaches to statutory and constitutional interpretation.
- Apply the knowledge on internal and external aids to interpretation in construing the meaning of a legal text.
- Analyze legal documents in light of rules and presumptions of interpretation.

**LLB (Honours) Degree Programme**  
**Level 03**  
**Academic Year 2022/2023**  
**Contact Details for Students**

| <b>Position/Division</b>   | <b>Name</b>   | <b>Contact No.</b>      | <b>Email</b>   |
|--|---|-------------------------|--|
| Head/Law   | Dr. Sanath Wijesinghe<br>(Senior Lecturer)                              | 011 2881 574            | <a href="mailto:hdlaw@ou.ac.lk">hdlaw@ou.ac.lk</a>       |
| Course<br>Coordinators   | Ms. Wasana Panditharatne<br>(Roman Law)                                 | 011 2881 319            | <a href="mailto:wpand@ou.ac.lk">wpand@ou.ac.lk</a>       |
|  | Mr. Ramindu Perera<br>(Interpretation of Statutes and Documents)        | 011 2881 574            | <a href="mailto:rlper@ou.ac.lk">rlper@ou.ac.lk</a>       |
|  | Ms. Eranga<br>Dissanayake<br>(Equity and Trusts Law)                    | 011 2881 548            | <a href="mailto:vgdis@ou.ac.lk">vgdis@ou.ac.lk</a>       |
|  | Ms. Nisanka Jayarathna<br>(Legal System and Legal History of Sri Lanka) | 011 2881 649            | <a href="mailto:dmjay@ou.ac.lk">dmjay@ou.ac.lk</a>       |
|  | Ms. Riyaj Rijana<br>(Legal Method and Legal Writing)                    | 011 2881 432            | <a href="mailto:mrrij@ou.ac.lk">mrrij@ou.ac.lk</a>       |
|  | Ms. Princeetha Bandaranayake<br>(Constitutional Law I)                  | 011 2881 648            | <a href="mailto:bmban@ou.ac.lk">bmban@ou.ac.lk</a>       |
| Project Assistant  | Ms. Kaushalya Maduhansi   | 011 2881 422            | <a href="mailto:level3law@ousl.lk">level3law@ousl.lk</a> |
| Lecturer/IT<br>(Problem related to Moodle page)  | Mrs. Geetha Kulasekara  | 011 2805 675            | <a href="mailto:dgkul@ou.ac.lk">dgkul@ou.ac.lk</a>       |
| Department<br>Student Counselor  | Mr. Ramindu Perera  | 011 2881 574            | <a href="mailto:rlper@ou.ac.lk">rlper@ou.ac.lk</a>       |
| Assistant Registrar<br>/HSS (For continuous assessment issue)                                    | Ms. E.P.I. Premarathna  | 011 2881 377            | <a href="mailto:arhss@ou.ac.lk">arhss@ou.ac.lk</a>       |
| Senior Assistant Registrar /Examination Division<br>(For final exam issues related matter)       |   | 011 2881350/<br>208/461 | <a href="mailto:dkas@ou.ac.lk">dkas@ou.ac.lk</a>         |
| Senior Assistant Registrar /Student affairs<br>(Registration issue/personal information changes) |   | 0112881205/655          |  |
| Colombo Regional Centre (Inquiry for Day School details of the Colombo Centre)                   |   | 011 2881 420            |  |
| Finance Division   |   | 011 2881 016            |  |
| Library  |   | 011 881254/419          |  |