



***LL. B Degree Programme
Level 04
Academic Year-2022/2023***

Timetable & Course Plan



***Department of Legal Studies
Faculty of Humanities and Social Sciences
The Open University of Sri Lanka***

Dear Student,

Welcome to Level 04 of the LL. B Degree Programme. There are four courses in Level 04 as given in the table below.

Level 04 Courses

<i>Name of the course</i>	<i>Course code</i>
Law of Contract	LWU2311/ LLU4805
Criminal Law	LWU2312/ LLU4806
Family Law	LWU2313/ LLU4707
Constitutional Law	LWU2314/ LLU4708

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Dr. W.A.S.S.Wijesinghe
Head
Department of Legal Studies

LLB DEGREE PROGRAMME LEVEL 04
ACADEMIC YEAR 2022/ 2023
DAY SCHOOL DATES (ON ZOOM)

No.	Month	Saturday	Sunday
1st	July 2023	29 th	30 th
2nd	August 2023	12 th	13 th
3rd	August 2023	26 th	27 th
4th	September 2023	9 th	10 th
5th	October 2023	07 th	08 th
6th	October 2023	21 st	22 nd
7th	December 2023	02 nd	03 rd
8th	December 2023	16 th	17 th
9th	January 2024	06 th	07 th
10th	January 2024	20 th	21 st

LL.B Degree Programme 2022/2023
Level 04 - Scheduled Day Schools on Zoom

Sinhala Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. – 10.00 a.m.	Constitutional Law 11 LLU4708	Mr. Ramindu Perera
Saturday	10.30 a.m. – 12.30p.m.	Family Law LLU4707	Mr. Ruchira Rosa Ms.Nissanka Jayarathna
Sunday	8.00 a.m. – 10.00 a.m.	Law of Contract LLU4805	Mr.Mahilal Chandima
Sunday	10.30 a.m. – 12.30 p.m.	Criminal Law LLU4806	Ms. Wasana Panditharathna Ms.Prineetha Bandaranayake Ms.Dulmi Jayasinghe

English Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. – 10.00 a.m.	Family Law LLU4707	Mr. Nath Gunawardena
Saturday	10.30 a.m. – 12.30 p.m.	Constitutional Law II LLU4708	Mr. N.H.K.C. Sampath Mr. Ramindu Perera
Sunday	8.00 a.m. – 10.00 p.m.	Criminal Law LLU4806	Ms. M.P.C.Wijesooriya
Sunday	10.30 a.m.-12.30 p.m.	Law of Contract LLU4805	Ms. Sunethra Goonetilleke

Tamil Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. – 10.00 a.m.	Family Law LLU4707	Ms. M. Mangaleswary Shanker
Saturday	10.30 a.m. – 12.30 p.m.	Constitutional Law II LLU4708	Ms. K. M. F. Nusla
Sunday	8.00 a.m. – 10.00 p.m.	Criminal Law LLU4806	Mr. A. Punithasekaran
Sunday	10.30 a.m – 12.30 p.m.	Law of Contract LLU4805	Ms. Sukumari

Dates and Timetable for Continuous Assessment Tests

CAT 1

Date	Subject	Time
23 rd September 2023	Law of Contract LLU4805	09.30 a.m. - 10.30 a.m.
23 rd September 2023	Criminal Law LLU4806	11.30 a.m. – 12.30 p.m.
25 th September 2023	Family Law LLU4707	09.30 a.m. - 10.30 a.m.
25 th September 2023	Constitutional Law II LLU4708	11.30 a.m. - 12.30 p.m.

CAT 2

Date	Subject	Time
2 nd December 2023	Law of Contract LLU4805	09.30 a.m. - 10.30 a.m.
2 nd December 2023	Criminal Law LLU4806	11.30 a.m. – 12.30 p.m.
4 th December 2023	Family Law LLU4707	09.30 a.m. - 10.30 a.m.
4 th December 2023	Constitutional Law II LLU4708	11.30 a.m. - 12.30 p.m.

Number of lessons to be covered for each Assessment Test

Course	CAT 1	CAT 2	Final Examination
Law of Contract	Block I (Lessons 1-5)	Block 1 and First 3 lessons in Block 2	All Study Material
Criminal Law	Block 1 (Lessons 1-4)	<u>Block I and first three lessons</u> in Block II (Block I + lessons XI + XII + XIII in Block II)	All Study Material
Family Law	Block 1 (Lessons 1-7)	Block 1 (Lessons 1-9)	All Study Material
Constitutional Law II	Block 1 (Lessons 1-4) (Case book on Fundamental Rights)	Block 1 (Lessons 1-11) (Case book on Fundamental Rights)	All Study Material
Duration	1 Hour	1 Hour	3 Hours

Tentative dates for the Final Examination:

Final Examinations will be held in March 2024

Scheme of Assessment for Level 4

According to Regulation 5.1 of the Regulations for the Award of the Degree of Bachelor of Laws, the Overall Assessment Mark (Z) for each course in Level 4 is calculated as follows:

1	If $Y \geq 40$ and $X \geq 35$, then $Z = (0.3X + 0.7 Y)$
2	If $Y \geq 35$ and < 40 and $X \geq 35$, then $Z = (0.3X + 0.7 Y)$ subject to a maximum of 40
3	If $Y < 35$, then $Z = Y$

Overall Continuous Assessment Mark = X

Final Examination Mark = Y

Overall Assessment Mark = Z

LL. B Degree Programme 2022/2023
LLU 4805 /LWU2311 - Law of Contract
Course plan

1 Objectives of the course

The objective of this course is to guide you to identify the following:

1. How to create a valid contract i.e., offer, acceptance, just causa and consideration.
2. Instances when a contract which has the elements of a valid contract may nevertheless not lead to a legally binding contract (situations of mistake, misrepresentation, duress and undue influence, and illegality).
3. Contents of a contract (terms, conditions, exemption clauses).
4. Performance of a contract.
5. Termination of a contract (How does a contract come to an end?).
6. Breach of a contract (what happens if a party to a contract fails to honor it?).
7. Remedies for breach of a contract (What is the relief available to a party whose contract has not been honored?).
8. The law governing contracts of agency.

2 Course Content

This course consists of the following topics:

Introduction of the Law of Contract

Agreement

Causa and Consideration

Mistake

Duress and Under Influence

Misrepresentation

Illegal Contracts

The Contents of that Contract

Parties to the Contract

Termination of a Contract

Remedies for Breach of Contract

Special Contracts

Creation of a valid contract

Vitiating factors of a contract

Contents of a contract

Performance of a contract

Breach of contract

Remedies for breach

The law of Agency

3 Delivery mode

This course consists of ten two-hour Day Schools held during weekends. Additional seminars will be conducted where necessary.

4. Method of Assessment

The assessment for the course consists of the following components;

- **1st Continuous Assessment Test**
- **2nd Continuous Assessment Test**
- **Final Examination**

Assessment Details

	CAT 1	CAT 2	Final Examination
Number of lessons to be studied	Lessons 1 - 5 in Block 1	-Block 1 -First 3 lessons in Block 2	All study material
Time duration	1 hour	1 hour	3 hours

5 Course Material

This course consists of the following study material

Block 1

Block 2

Block 3 (Law of Agency)

6 Recommended reading

Weeramantry on the Law of Contract – Volumes 1 and 2

Cheshire, Fifoot and Furmston's Law of Contract or

Anson's Law of Contract or

Treitel's Law of Contract or

Jill Poole's Textbook on the Law of Contract

7 Learning outcomes

At the end of this course, you should be able to

- 1** Decide if a particular document is a legally valid document.
- 2** Draw up a contract.
- 3** Identify the circumstances which may set 2 side 2 contract.
- 4** Examine the importance of the terms of a contract.
- 5** Identify the impact of breach of a term in a contract.
- 6** Identify whether a contract has been successfully performed.
- 7** Explain the circumstances which lead to termination of a contract.
- 8** Analyze the remedies available to a party whose contract is breached.

LL. B Degree Programme 2022/2023
LLU 4806 Criminal Law Course plan

Study material (OUSL Course material)

Block I
Block II
Block III (Supplementary material)

Aims and objectives of the course

The main objective of this course is to provide conceptual knowledge on law relating to crimes and specific knowledge relating to the offences in the Penal Code etc. On studying this course students will be able to understand the basic concepts and principles governing criminal liability, the constituent elements of specific crimes and the defenses available under the Penal Code of Sri Lanka. Apart from studying above course materials, students are required to attend day schools and seminars as well as read case decisions, recommended reading materials and important journal articles as a part of the learning process.

Delivery Mode

Day Schools

Ten (10) day schools of two-hour duration will be held during weekends. Although day schools are not compulsory the Department advises you to attend day schools since it provides an opportunity to discuss and clarify problems in relation to the subject with your lecturer.

Seminars

The Department may arrange some special seminars on relevant topics depending on the availability of time and resource persons etc. in each regional center except Colombo for this subject.

Online platform of the course (LMS)

In addition to the course materials, Power point presentation, new judgments, past examination papers and other scholarly articles relevant to this course are provided online on the LMS page.

Method of evaluation

- **Continuous Assessment Test I**
- **Continuous Assessment Test II**
- **Final Examination**

Recommended readings

- *General Principles of Criminal Liability in Sri Lanka* - G. L. Peiris, 21st Century Publishers,
- *Offences Under the Penal Code of Sri Lanka*- G. L. Peiris, 21st Century Publishers,
- *Textbook of Criminal Law – Glanville Williams*, 4th Edition, Sweet & Maxwell, 2015
- *Criminal Law: Texts and Materials* – C.M.V. Clarkson and H.M. Keating, 9th Edition, Sweet & Maxwell, 2017
- *Criminal Law* – J.C. Smith and B. Hogan, Fifteenth Edition, Oxford University Press, 2018

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LL. B Degree Programme 2022/2023
LWU2313 / LLU 4707 - Family Law
Course plan

1. Objectives of the course

After studying this course, you will be able to

- Explain the fundamental principles in Family Law such as solemnization of marriage, rights of parties to marriage, issues regarding children, intestate succession, and incidents of marriage and dissolution of marriage under different laws.
- Clarify the manner in which these principles are applied in case law.
- Describe the remedies available to parties under different laws when such parties face problems in family life.

2. Course Content

There are 14 lessons contained in two blocks (Block I and Block II) for this subject. The topics covered by the course are as follows:

1. Capacity to marry and consent
2. The contract of marriage
3. Marriage by cohabitation and repute
4. Nullity of marriage
5. Support obligations – Part I
6. Support obligations - Part II
7. Matrimonial rights and obligations
8. Inheritance and succession to property
9. Parental power
10. Minority and guardianship
11. Adoption
12. Rights of children
13. The non-legal family
14. Matrimonial Relief in Sri Lanka

3. Delivery Mode

- **Day Schools**

Ten Day Schools of two-hour duration will be held during weekends this academic year. The timetable for day schools will be given together with the registration package. Although day schools are not compulsory the department advises you to attend day schools as it provides an opportunity to discuss problems with your lecturer.

4. Method of Assessment

- 1st Continuous Assignment Test (CAT 1)
- 2nd Continuous Assignment Test (CAT 2)
- Final Examination

The marks of all the examinations will be considered in awarding the final mark. The CAT's will constitute 30% of the final mark and the final examination 70%.

Details of examinations for family law

	CAT 1	CAT 2	Final Examination
Lessons to be studied	Lessons 1 - 7	Lessons 1 - 9	All study material
Time duration	1 hour	1 hour	3 hours

5. Course Materials

This course consists of the following study material

- Block I
- Block II

6. Online Course (Moodle)

In addition to the course materials, Power point presentations, new judgments, past examination papers and scholarly articles etc. Relevant to this course are provided online in the Moodle page.

7. Recommended Reading

- The Sri Lanka Law on Parent and Child by Prof. Savithri Goonesekara
- Pudgala Nitiya by Prof. Savithri Goonesekara
- Muslim Personal Law in Sri Lanka by Prof. Savithri Goonesekara
- Children, Law and Justice: A South Asian Perspective by Prof. Savithri Goonesekara
- Law and Marriage Relationship in Sri Lanka by Shirani Ponnambalam
- Muslim Family Law in Sri Lanka by Chulani Kodikara
- The Muslim Law of Marriage, Divorce and Maintenance in Sri Lanka by M. S. Jaldeen

LL.B Degree Programme 2022/2023
LWU2314 / LLU 4708 - Constitutional Law II
Course plan

1. Objectives of the course:

The objectives of this course are to

- Identify and evaluate the substantive and procedural law relating to the fundamental rights of Sri Lanka.
- Discuss and assess the concept of Devolution of power and its applicability in the Sri Lankan Constitutional framework.

2. Course Content

This course deals with the following topics,

- Fundamental Rights
Freedom of Thought, Conscience and Religion
Freedom from Torture
The Right to Equality
Freedom from illegal Arrest and Detention
Freedom of speech and Expression
Right to culture
Executive and Administrative Action
Standing to Sue
Time for filing an action
Remedies
- Devolution
Constitutionalism I
Constitutionalism II
Classification of Constitutions
Devolution of power I
Devolution of power II
The thirteenth amendment Case
The Provincial Council system; an overview
The Legislative Power of the Provincial Council
The Executive power and the Provincial Executive
The Judicial power of the people the provincial Public Service

3. Delivery Mode

a) Day Schools

Ten-day schools of two-hour duration will be held during weekends this academic year. The timetable for day schools will be given together with the registration package. Although day schools are not compulsory the department advises you to attend day schools as it provides an opportunity to discuss problems with your lecturer.

b) Seminars

There will be special seminars in each regional center except Colombo center for this subject

c) Moodle supplementary page

d) Relevant Regulation of the CAT Test and Final Examination

The overall assessment mark (Z%) of student in respect of a course in level 3 and 4 shall be based on the Overall Continuous Assessment Mark (X%) and the mark obtained at the Final Examination (Y%) and shall be computed as follows.

if $Y \geq 40$ and $X \geq 35$, then $Z = (0.3X + 0.7Y)$

if $Y \geq 35$ and < 40 , and $X \geq 35$, then $Z = (0.3X + 0.7Y)$ subject to a maximum of 40

if $Y < 35$, then $Z = Y$

4. Method of Assessment (CA test and Final Examination)

- 1st Continuous Assignment Test (CAT 1)
- 2nd Continuous Assignment Test (CAT 2)
- Final Examination.

The marks of all the examinations will be considered in awarding the final mark. The CAT's will constitute 30% of the final mark and the final examination 70%. If a Student fails to obtain a pass mark at the end of the course, he/she will have to repeat the entire course.

5. Details of Examinations for Constitutional Law II

Name of the test	Lesson to be studies	Duration of the test/ examination	Number of questions
CAT 01	Lessons 1 - 4 Case Book on Fundamental Rights	1 hour	2
CAT11	Lessons 1 - 11 Case Book on Fundamental Rights	1 hour	2
Final examination	Entire course material	3 hours	08

6. Course Materials for LLU4708 Constitutional Law II

Medium	Title of the Course Materials
English	1. Fundamental Rights - Case Book
	2. Devolution - Case Book
	3. Devolution - Block II
Sinhala (Devolution Block II will be given later)	1. Fundamental Rights – Block I (In Sinhala)
	2. Devolution - Block II (In Sinhala) (Will be provided in due course)
	3. Fundamental Rights - Case Book (In English)
	4. Devolution - Case Book (In English)
Tamil	1. Fundamental rights - Block I (In Tamil)
	2. Devolution - Block II (In Tamil)
	3. Fundamental Rights - Case Book (In English)
	4. Devolution - Case Book (In English)

7) Online Course

In addition to the course materials, new cases relating to each lesson, past examination papers and other articles relevant to your course are provided online. You will receive all relevant information including the manner in which you register and how the password to access online course could be obtained. Please access this online facility at your home and your office or at any internet cafe. You can express your view on issues that arise at the online facility. This online course will be of immense use especially to busy employed students and the students in regional centers as it helps them to maintain contacts with the teacher online.

8) Recommended Reading

- Dinah, S. (2013) The Oxford Handbook of International Human Rights Law. Oxford UK
- Marasinghe, L. Wickramaratne, J (2010) Judicial Pronouncements on The 13th Amendment. Stamford Lake Publications.
- Marasinghe, L. Wickramaratne, J (2010) 13th Amendment Essays on Practice. Stamford Lake Publications.
- Marasinghe, L. Provincial Governor Rights & Duties Under The 13 th amendment. Stamford Lake Publications Stamford Lake Publication
- Marasinghe, L. (2007). Evolution of Constitutional Governance in Sri Lanka, VijithaYapa Publications.
- Sarvanananda, S.(1993) Fundamental Rights in Sri Lanka.
- Weeramathy C (1998) Justice without Frontiers: Furthering Human Rights. Martinus Nijhoff Publishers.
- Wickramaratne, J. (2021) Fundamental Rights in Sri Lanka. (3 rd Ed), Stamford Lake Publication.

9) Learning Outcomes

At the end of this course the students will be able to;

- Explain the relationship between human rights and fundamental rights
- Describe the composition of the fundamental rights regime in Sri Lanka
- Assess the role of the judiciary in developing the fundamental rights jurisprudence
- Define the notion of power sharing
- Evaluate how the notion of power sharing is applied in the Sri Lankan context
- Apply the knowledge on fundamental rights and devolution to suggest further improvements in the legal system

Contacts Details for students

Position/Division	Name	Contact No	Email
Head/Law	Dr.W.A.S.S.Wijesinghe (Senior Lecturer)	011-2881574	hdlaw@ou.ac.lk
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	Ms. Wasana Panditharathne (Criminal Law)	011-2881432/ 319	wpand@ou.ac.lk
	Ms. Eranga Dissanayake (Family Law)	011-2881432/ 548	vgdis@ou.ac.lk
	Dr. Yashodara Kathirgamathamby (Constitutional Law II)	011-2881432/ 623	ykath@ou.ac.lk
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Colombo Regional Centre (Inquiry for day school details of Colombo Centre)		011-2881420	
Finance Division		0112881016	
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