

## **CRITERIA AND STANDARDS FOR EDUCATIONAL PROGRAMMES IN THE FIELD OF LAW AND SYARIAH**

### **Introduction**

This Criteria and Standards for Law and Syariah, herein referred to as the Standards, is aimed at providing good practices for the conduct of and to safeguard the integrity of all the law and syariah programmes.

It is established by a focus group consisting of practising advocates and academic experts from both the civil and syariah professions. This document which now becomes the nationally agreed standard for law and syariah was put through a stakeholder consultative workshop, the participating organizations of which are indicated in the Appendix 1.

The Standard recognises that approaches and mechanisms in quality assurance of higher education are often evolving, hence it adopts a developmental, non-prescriptive and non-exhaustive approach. Thus it sets out general principles that are of interest to a range of stakeholders and should not be seen as an instruction manual, as it does not provide detailed accounts of approaches and procedures.

Higher education providers, academic staff and students should find this Standard a useful resource in enhancing the quality of the law and syariah programmes. Needless to say, the concept of quality rest on the principles of peer evaluation and defensibility. Thus, providers using this document must be aware of the tensions within the industry and the demands of the stakeholders to provide for the best teaching and learning environment.

The development of curriculum should also take into cognisance the many developments that greatly influence the promulgation of new laws and amendments to existing ones as well as the implementation and administration of laws in both the Syariah and Civil systems. The changes undoubtedly have implications on the design and delivery of the curriculum in both Law and Syariah education. Some examples of these important developments locally, nationally and globally include:

1. The need for conducting alternative dispute resolution;
2. The trend towards globalisation and liberalisation which requires greater understanding of matters such as commercial law, international corporate finance, trade and shipping as well as the need for technological skills, life-long learning and clear standards of practice that are congruent with international standards;
3. The use of Bahasa Malaysia in both civil and syariah courts;
4. Increasing use of ICT in the provision of legal skills and practice. For example, online discussion and negotiation, online client portals, online mediation, electronic filing of documents and the creation of e-courts;
5. The emergence of new areas in law such as cyber law, bio-valley issues (patent, genetics, bioethics), privacy, terrorism, mutual legal assistance, extradition, money laundering, international trade and human rights;
6. The increasing international collaboration and harmonization of laws and international conventions;
7. Increasing interest and development in Islamic law, in addition to Islamic Family Law such as muamalat and takaful;
8. The trend towards uniformity of Islamic law; and

9. The criteria and procedure for admission into practice at the Syariah Courts between the states.

All statements and requirements are as at Dec 2007 and reflects the current standing in the industry. However the statements with regards to the Certificate in Legal Practice are suggestions as a result of the Panel discussion and reflection cannot be seen as a true of the views and policies of the Legal Profession Qualifying Board.

The standards do not indicate all possible nomenclatures in law and Syariah. They however indicate the generic ones such as Bachelor of Laws, which form the current practices should include the traditional LLB, Bachelor of Legal Studies and Bachelor of Jurisprudence.

### **Aims and Objectives**

#### **DIPLOMA PERUNDANGAN SYARIAH**

Objektif Program Diploma Perundangan Syariah adalah untuk pelajar:

1. memahami prinsip syariah dan perundangan Islam dari sumbernya yang sah;
2. memahami kaedah penyelesaian permasalahan syariah dan perundangan dalam masyarakat dan isu-isu semasa;
3. mengetahui bidang dan peluang kerjaya dalam pentadbiran dan perundangan Islam bagi memenuhi keperluan guna tenaga negara, industri dan masyarakat; dan
4. mengetahui etika profesional dan berakhlak mulia.

#### **BACHELOR OF LAWS**

The objectives of the Bachelor of Laws degree (three year programme) are to:

1. equip students with the understanding of fundamental legal principles, concepts and theories and to have the ability to apply these in practical situation;
2. instil student with critical, analytical and problem-solving skills;
3. ensure students have the necessary elements of practical skills including communication skills (written and oral), negotiation skills, client counselling and interview, advocacy, mooting, drafting and research;
4. create awareness of the students' social and moral obligations;
5. create awareness of the practice and etiquette standards of the legal profession;
6. expose the students to law-related working environments via attachments, (such as the courts, law firms, corporate sector and legal aid centres).

In addition to the above, the professional year of a Bachelor of Laws aim to:

1. prepare students to meet the expectation of clients, the profession, and society;
2. train students in the practical legal skills such as in drafting of pleadings, drafting of contractual documents, advocacy skills, negotiation skills, and skills necessary for alternative dispute resolution;
3. ensure students have competency and proficiency in the court processes in accordance with the courts practices, rules and procedures whether in criminal, civil or other areas;
4. equip students with awareness of their social and moral obligations and responsibilities;

5. ensure students are able to use Bahasa Malaysia and English proficiently, whether written or oral.

#### CERTIFICATE IN LEGAL PRACTICE

The aims of the Certificate in Legal Practice are to:

1. prepare candidates to meet the expectation of clients, the profession, and society;
2. train candidates in the practical legal skills such as in drafting of pleadings, drafting of contractual documents, advocacy skills, negotiation skills, and skills necessary for alternative dispute resolution;
3. ensure candidates have competency and proficiency in the court processes in accordance with the courts practices, rules and procedures whether in criminal, civil or other areas;
4. instil professional value of ethics and professionalism in candidates in accordance with the Legal Profession Act 1976;
5. equip candidates with awareness of their social and moral obligations and responsibilities;
6. ensure candidates are able to use Bahasa Malaysia and English proficiently, whether written or oral.

#### SARJANA MUDA PERUNDANGAN SYARIAH

Objektif Program Sarjana Muda Perundangan Syariah adalah untuk pelajar:

1. menguasai bidang syariah dan perundangan Islam secara teori dan amali dari sumbernya yang asal;
2. mendapat pendedahan asas perundangan sivil;
3. memiliki kemahiran menyelesaikan permasalahan syariah dan perundangan dalam masyarakat dan isu-isu semasa;
4. mendapat pendedahan kemahiran praktikal kepeguaman dan kehakiman syarie;
5. memenuhi keperluan kerjaya dalam pentadbiran dan perundangan Islam yang memenuhi keperluan modal insan negara, industri dan masyarakat secara professional; dan
6. mematuhi etika profesional dan berakhlak mulia.

#### SARJANA MUDA UNDANG-UNDANG (SYARIAH DAN SIVIL)

Objektif Program Sarjana Muda Undang-undang (Syariah dan Sivil) adalah untuk pelajar:

1. menguasai bidang syariah dan perundangan Islam secara teori dan amali dari sumbernya yang asal;
2. menguasai bidang perundangan sivil secara teori dan amali;
3. memiliki kemahiran menyelesaikan permasalahan syariah, perundangan Islam dan sivil dalam masyarakat dan isu-isu semasa;
4. mendapat pendedahan kemahiran praktikal kepeguaman dan kehakiman Syariah dan sivil;
5. memenuhi keperluan kerjaya dalam pentadbiran dan perundangan Islam dan sivil yang memenuhi keperluan modal insan negara, industri dan masyarakat secara professional; dan

6. mematuhi etika profesional dan berakhlak mulia.

#### SARJANA MUDA UNDANG-UNDANG DAN PERUNDANGAN SYARIAH

Objektif Program Sarjana Muda Undang-undang dan Perundangan Syariah adalah untuk pelajar:

1. menguasai bidang perundangan Islam dan syariah secara teori dan amali dari sumbernya yang asal;
2. menguasai bidang perundangan sivil secara teori dan amali;
3. memiliki kemahiran menyelesaikan permasalahan perundangan sivil dan Syariah dalam masyarakat dan isu-isu semasa;
4. mendapat pendedahan kemahiran praktikal kepeguaman dan kehakiman sivil dan Syariah dan;
5. memenuhi keperluan kerjaya dalam pentadbiran dan perundangan sivil dan Syariah dan yang memenuhi keperluan modal insan negara, industri dan masyarakat secara profesional; dan
6. mematuhi etika profesional dan berakhlak mulia.

#### MASTERS

The objectives of this programme are to:

1. produce graduate students who would specialise in specific areas of law;
2. develop and produce graduate students with advanced level of comprehension, research and analytical skill;
3. produce graduate students who are competent in research and writing; and
4. develop graduate students' ability to undertake comparative study of law.

#### DOCTORATE

The objectives of this programme are to:

1. develop new and original ideas and concepts in law;
2. provide training in intensive research and writing, for the purposes of academic scholarship;
3. produce respected legal intellectuals; and
4. create pathways for future academic leaders.

#### **Learning Outcomes**

#### DIPLOMA PERUNDANGAN SYARIAH

Pada akhir pengajian, pelajar program Diploma Perundangan Syariah berupaya untuk:

1. mengenal pasti prinsip asas syariah dan menjelaskan hukum asas fiqh;
2. mengenal pasti sumber, kaedah hukum syarak dan sistem perundangan Syariah di Malaysia;

3. mengenalpasti isu dan masalah fiqh serta perundangan Syariah semasa;
4. menjelaskan kaedah penyelidikan asas dan mampu mendapatkan maklumat untuk menjalankan penyelidikan;
5. membantu dalam penyediaan dan pengendalian kes-kes syariah; dan
6. berkomunikasi dengan pelanggan dan rakan sekerja secara berkesan dan beretika.

## BACHELOR OF LAWS

At the end of the third year, students of Bachelor of Laws programmes such as the LLB, Bachelor of Legal Studies and Bachelor of Jurisprudence should be able to:

1. demonstrate an understanding of the legal principles and concepts;
2. identify legal issues and to advise on appropriate legal recourse;
3. apply the relevant laws, legal principles and concepts in resolving disputes or problems;
4. seek information using the best research tools available;
5. demonstrate basic skills in drafting legal documents and opinion;
6. demonstrate an understanding of the importance of a dispute to the client;
7. demonstrate basic skills in conducting negotiations, interviews and advising on possible solutions;
8. demonstrate an ability to communicate effectively and with mutual respect;
9. demonstrate an awareness of the ethics and etiquette of the profession;
10. demonstrate an awareness of social and moral obligations to society;
11. use both Bahasa Malaysia and English proficiently in relation to legal matters, both in writing and oral;
12. appreciate the importance of continuing professional development and changes in law.

In addition to the above, students in the professional year of a Bachelor of Laws programme should be able to:

1. appreciate the importance of court rules, ethics and etiquette, practices and procedures in conducting cases;
2. demonstrate basic court etiquette and advocacy skills, negotiation skills, client relationship and alternative dispute resolutions.

## CERTIFICATE IN LEGAL PRACTICE

Candidates in the Certificate in Legal Practice should be able to:

1. appreciate the importance of court rules, ethics and etiquette, practices and procedures in conducting cases;
2. demonstrate basic court etiquette and advocacy skills, negotiation skills, client relationship and alternative dispute resolutions;
3. draft legal documents and opinion;
4. identify legal issues and to advise appropriate legal recourses;
5. resort to alternative dispute resolution in resolving problems;
6. identify and retrieve legal information using electronic and non-electronic resources;
7. use both Bahasa Malaysia and English proficiently in relation to legal matters, both in writing and oral;
8. demonstrate an awareness of social and moral obligations to society;

9. appreciate the importance of continuing professional development and changes in law.

#### SARJANA MUDA PERUNDANGAN SYARIAH

Pada akhir pengajian, pelajar program Sarjana Muda Perundangan Syariah berupaya untuk:

1. menghurai dan mengaplikasi prinsip syariah dan hukum fiqh dalam menyelesaikan permasalahan semasa;
2. menghuraikan struktur dan prinsip asas sistem pentadbiran dan perundangan Syariah di Malaysia;
3. mengenal pasti isu dan mengaplikasi undang-undang Syariah yang terpakai / sedia ada dalam menyelesaikan kes-kes syariah;
4. menggunakan kaedah penyelidikan yang betul untuk menghasilkan penyelidikan berkaitan fiqh dan perundangan Syariah;
5. menjalankan runding cara dan mencadangkan penyelesaian bagi permasalahan fiqh dan perundangan Syariah;
6. mendraf dokumen, nasihat / pendapat undang-undang berasaskan fiqh dan perundangan Syariah yang relevan dan mengendalikan kes berasaskan prosedur mal dan jenayah di mahkamah syariah;
7. mengaplikasi etika dan tatacara profesyen perundangan syariah dalam kerjaya;
8. mengurus firma guaman syarie / tempat kerja dengan akauntabiliti;
9. berfungsi dalam pelbagai disiplin syariah menggunakan pelbagai sumber dan teknologi moden dengan mengamalkan nilai-nilai kerja berpasukan, prinsip kepimpinan yang baik serta bersedia untuk meningkatkan pengetahuan dan kemahiran;
10. mempunyai penguasaan asas Bahasa Arab Perundangan; dan
11. berkomunikasi dalam Bahasa Malaysia dan Inggeris dengan pelanggan dan rakan sekerja secara berkesan dan beretika.

#### SARJANA MUDA UNDANG-UNDANG (SYARIAH DAN SIVIL)

Di akhir pengajian, pelajar program Sarjana Muda Undang-undang (Syariah dan Sivil) berupaya untuk:

1. menghurai dan mengaplikasi prinsip syariah dan undang-undang sivil secara profesional dalam menyelesaikan permasalahan semasa;
2. menghuraikan struktur dan prinsip asas sistem pentadbiran dan perundangan Syariah dan sivil di Malaysia;
3. mengenal pasti isu dan mengaplikasi undang-undang yang terpakai / sedia ada dalam menyelesaikan kes-kes syariah dan sivil;
4. membuat perbandingan antara prinsip-prinsip undang-undang sivil dan syariah;
5. menggunakan kaedah penyelidikan yang betul untuk menghasilkan penyelidikan berkaitan undang-undang syariah dan sivil;
6. menjalankan runding cara dan mencadangkan penyelesaian bagi permasalahan undang-undang pelanggan;
7. mendraf dokumen, nasihat / pendapat undang-undang yang relevan dan mengendalikan kes berasaskan prosedur mahkamah;
8. mengaplikasi etika dan tata cara profesyen perundangan dalam kerjaya;
9. mengurus firma guaman / tempat kerja dengan akauntabiliti;

10. berfungsi dalam pelbagai disiplin perundangan sivil dan syariah menggunakan pelbagai sumber dan teknologi moden dengan mengamalkan nilai-nilai kerja berpasukan, prinsip kepimpinan yang baik serta bersedia untuk meningkatkan pengetahuan dan kemahiran;
11. mempunyai penguasaan asas Bahasa Arab Perundangan; dan
12. berkomunikasi dalam Bahasa Malaysia dan Inggeris dengan pelanggan dan rakan sekerja secara berkesan dan beretika.

## SARJANA MUDA UNDANG-UNDANG DAN PERUNDANGAN SYARIAH

Di akhir pengajian, pelajar program Sarjana Muda Undang-Undang dan Perundangan Syariah berupaya untuk:

1. menghurai dan mengaplikasi prinsip syariah dan undang-undang sivil secara profesional dalam menyelesaikan permasalahan semasa;
2. menghuraikan struktur dan prinsip asas sistem pentadbiran dan perundangan sivil dan Syariah di Malaysia;
3. mengenal pasti isu dan mengaplikasi undang-undang yang terpakai / sedia ada dalam menyelesaikan kes-kes sivil dan syariah;
4. membuat perbandingan antara prinsip-prinsip undang-undang sivil dan syariah;
5. menggunakan kaedah penyelidikan yang betul untuk menghasilkan penyelidikan berkaitan undang-undang sivil dan syariah;
6. menjalankan runding cara dan mencadangkan penyelesaian bagi permasalahan undang-undang pelanggan;
7. mendraf dokumen, nasihat / pendapat undang-undang yang relevan dan mengendalikannya berdasarkan prosedur mahkamah;
8. mengaplikasi etika dan tata cara profesyen perundangan dalam kerjaya;
9. mengurus firma guaman / tempat kerja dengan akauntabiliti;
10. berfungsi dalam pelbagai disiplin syariah dan undang-undang menggunakan pelbagai sumber dan teknologi moden dengan mengamalkan nilai-nilai kerja berpasukan, prinsip kepimpinan yang baik serta bersedia untuk meningkatkan pengetahuan dan kemahiran;
11. mempunyai penguasaan asas Bahasa Arab Perundangan; dan
12. berkomunikasi dalam Bahasa Malaysia dan Inggeris dengan pelanggan dan rakan sekerja secara berkesan dan beretika.

## MASTERS

At the end of the programme, the graduate students will be able to:

1. explain law in a variety of contexts;
2. analyse, critique and suggest solutions to issues;
3. review laws and policies and contribute new ideas;
4. conduct independent research;
5. produce well-researched papers and/or dissertation in accordance with the academic and ethical standards of the institution.

## DOCTORATE

At the end of the programme, the graduate students will be able to:

1. conduct independent and original academic research that merit publication;
2. demonstrate a comprehensive mastery of knowledge relevant to a focused area of law;
3. demonstrate academic expertise on a particular research subject;
4. produce a well-researched paper or dissertation in accordance with the highest academic and ethical standards;
5. present and defend the research findings before assessors; and
6. carry out further independent research.

## Program Design

### Preamble

The specific requirements for each level are as indicated below. However as a general guide, the following should be considered:

- i. a basic bachelors without the professional year (equivalent to the CLP) shall be taught over a minimum of 3 years. The recommended programme design are as follows:
  - a. Full Time
    - i. 6 semesters of 14 weeks; or
    - ii. 9 trimesters of 14 + 14 + 7 weeks
  - b. Part Time
    - i. 8 semesters of 14 weeks
    - ii. 12 trimesters 14 + 14 + 7 weeks
- ii. for programmes with the professional years, a minimum of 4 years of study is required with a recommended credit hours of 140 or above;
- iii. students with credit transfers and exemptions may do less semesters by virtue of the exemptions or transfer subjected to credit transfer policies is place at the time; and
- iv. the indicated credit hours are the minimum benchmarks. Institutions may offer higher credit hours in accordance to the needs of the programmes and specialisation.

## DIPLOMA PERUNDANGAN SYARIAH

1. Minimum MQF Graduating Credits - 90
2. Programme Component:
  - a. University Requirements: 10% - 20%
  - b. Faculty Requirements: 80% - 90% of which:
    - i. Core: 75% - 85%

This must include the following subjects:

      - Usul Fiqh (Islamic Jurisprudence)
      - Qawaid Fiqh (Islamic Legal Maxims)
      - Fiqh Munakahat (Islamic Family Law)
      - Fiqh Jenayat (Islamic Criminal Law)
      - Fiqh Muamalat (Islamic Muamalat)
      - Malaysian Legal System

- ii. Elective: 2% - 5%
- iii. Student Placement : 1% - 5% (compulsory)

## BACHELOR OF LAWS

1. Minimum MQF Graduating Credits - 120 (Academic years)
2. The Bachelor of Laws shall stress:
  - Legal methodology (research, critical thinking, reasoning and decision making)
  - Use of information technology (should be incorporated in all courses)
  - Problem-based Learning
  - Public speaking
  - Comparative analysis of law and practice
  - Mooting and mock trials
  - Attachments

All law programmes shall adopt the following guidelines:

- i. Compulsory (15-25%)
  - University: Bahasa Malaysia, English, etc.
  - Programme: Public Speaking, mooting, student placement
- ii. Core (42 – 55%)

This must include the following subjects:

• Malaysian Legal System:	3 credits
• Malaysian Islamic Legal System: <sup>1</sup>	3 credits
• Law of Contract:	6 credits
• Constitutional Law:	6 credits
• Criminal Law:	6 credits
• Law of Tort:	6 credits
• Land Law:	6 credits
• Equity & Trusts:	6 credits

Note:

1. All core subjects shall be taught during a long semester only.
2. The subjects listed above are the minimum, higher education providers may opt to provide up to 55% with the inclusion of other core papers which shall be read by all students studying at the institution. This will encourage the development of institutional niche in specific areas.

- iii. Electives (30-33%)

The subjects (either as a taught course or project paper) may include but are not limited to the following:

  - Intellectual Property Law
  - Law and Medicine
  - Law and Environment
  - Law and Society

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<sup>1</sup> According to Ruj KPS(PT) 7412/1/8/5(2) dated 28 May 2007

- Conflict of Laws
- Evidence
- Human Rights Law
- Banking Law
- Arbitration
- Cyber Law
- Crime and Penology
- Islamic Banking and Takaful
- Islamic Jurisprudence
- Islamic Legal Maxims
- Comparative Family Law (Islamic and Civil)

Note:

1. Each elective subject shall carry a minimum value of three credits and to the maximum of six.
2. For HEPs offering the professional year LLB programme, the final year of the course shall be similar to the prevailing Certificate in Legal Practice course.

#### CERTIFICATE IN LEGAL PRACTICE

1. Duration: minimum 9 months
2. Component:
  - i. Core – 100%
    - General Paper (contract and tort)
    - Civil Procedure
    - Criminal Procedure
    - Evidence
    - Professional Practice (land law and conveyancing, probate and administration of estate, advocacy and duties of counsel, ethics of the legal profession and law of bankruptcy and winding-up)
3. Suggested structures
  - lectures
  - tutorials
  - use of information technology
  - legal methodology (identification of issues, research, critical thinking, reasoning and opinion writing)
  - problem based learning
  - interpretation of laws
  - advocacy skills
  - instil ethical and moral values

#### SARJANA MUDA PERUNDANGAN SYARIAH

1. Minimum MQF Graduating Credits - 140
2. Programme Component:
  - a. University Requirements 10% - 15%

- b. Faculty Requirements 85% - 90% of which:
- i. Core: 75% - 80%  
This must include the following subjects:
    - Usul Fiqh (Islamic Jurisprudence)
    - Qawaid Fiqh (Islamic Legal Maxims)
    - Fiqh Munakahat (Islamic Family Law)
    - Fiqh Jenayat (Islamic Criminal Law)
    - Fiqh Muamalat (Islamic Muamalat)
    - Islamic Law of Evidence
    - Malaysian Legal System
    - Administration of Islamic Legal System
    - Ayat and Hadith Ahkam
    - Islamic Law of Property and Succession
    - Islamic Law of Criminal Procedure
    - Islamic Law of Civil Procedure
    - Islamic Advocacy and Judicial System (Amalan Guaman dan Kehakiman Syarie)
    - Malaysian Constitutional Law
    - Comparative Family Law (Islamic and Sivil)
  - ii. Elective: 2% - 5%  
The subjects (either as a taught course or project paper) may include but are not limited to the following:
    - Islamic Law of Banking and Takaful
    - Islamic Law and Society
    - Islamic Law of Medicine
    - Law of Tort
    - Land Law
    - Commercial Law
  - iii. Student Placement: 2% - 5% (compulsory)

#### SARJANA MUDA UNDANG-UNDANG (SYARIAH DAN SIVIL)

1. Minimum MQF Graduating Credits - 150
2. Programme Component:
  - a. University Requirements 10% - 15%
  - b. Faculty Requirements 85% - 90% of which:
    - i. Core: 75% - 80% (Inclusive the following subjects)  
This must include the following subjects:
      - Usul Fiqh (Islamic Jurisprudence)
      - Qawaid Fiqh (Islamic Legal Maxims)
      - Fiqh Munakahat (Islamic Family Law)
      - Fiqh Jenayat (Islamic Criminal Law)
      - Fiqh Muamalat (Islamic Muamalat)
      - Islamic Law of Evidence
      - Administration of Islamic Legal System
      - Islamic Law of Criminal Procedure

- Islamic Law of Civil Procedure
  - Islamic Advocacy and Judicial System (Amalan Guaman dan Kehakiman Syarie)
  - Law of Tort
  - Land Law
  - Law of Contract
  - Equity and Trusts
  - Criminal Law
  - Malaysian Legal System
  - Constitutional Law
  - Comparative Family Law (Islamic and Civil)
- ii. Elective: 2% - 5%
- Ayat and Hadith Ahkam
  - Islamic Law of Property and Succession
  - Islamic Law of Medicine
  - Law and Medicine
  - Law and Environment
  - International Law
  - Taxation Law
  - Intellectual Property Law
  - Cyber Law
  - Law and Consumer
  - Management of Islamic Institutions
  - Islamic Law of Banking and Takaful
  - Islamic Law and Society
- iii. Student Placement: 2% - 5% (compulsory)
- Students will be placed in both civil and syariah practice.

## SARJANA MUDA UNDANG-UNDANG DAN PERUNDANGAN SYARIAH

1. Minimum Graduating Credits - 180
2. Programme Component:
  - a. University Requirements 10% - 15%
  - b. Faculty Requirements 85% - 90% of which:
    - i. Core: 75% - 80%

This must include the following subjects:

      - Usul Fiqh (Islamic Jurisprudence)
      - Qawaid Fiqh (Islamic Legal Maxims)
      - Fiqh Munakahat (Islamic Family Law)
      - Fiqh Jenayat (Islamic Criminal Law)
      - Fiqh Muamalat (Islamic Muamalat)
      - Islamic Law of Evidence
      - Administration of Islamic Legal System
      - Islamic Law of Criminal Procedure
      - Islamic Law of Civil Procedure
      - Islamic Advocacy and Judicial System (Amalan Guaman dan Kehakiman Syarie)

- Law of Tort
  - Land Law
  - Law of Contract
  - Equity and Trusts
  - Criminal Law
  - Malaysian Legal System
  - Constitutional Law
  - Comparative Family Law (Islamic and Civil)
- ii. Elective: 2% - 5%
- Islamic Law and Medicine
  - Islamic Law of Medicine
  - Law and Environment
  - International Law
  - Taxation Law
  - Intellectual Property Law
  - Cyber Law
  - Law and Consumer
  - Management of Islamic Institutions
  - Islamic Law of Banking and Takaful
  - Islamic Law and Society
- iii. Student Placement: 2% - 5% (compulsory)
- students will be placed in both civil and syariah practice

## MASTERS

1. Minimum MQF Graduating Credits 40 (for Structures B and C only)
2. Structures:
  - a. Structure A – Thesis only – Minimum of 1 year fulltime or 2 years part time (including a pre-requisite paper: Research Methodology).
  - b. Structure B – Coursework (between 20 and 24 credit) + a Dissertation of 20,000 to 25,000 words in length.
  - c. Structure C – Coursework only – 40 credit inclusive of Project Paper, Case Study, or Seminar Papers.
3. Component for Structures B and C:
  - i. Core (including Research methods) – 50% - 60%
  - ii. Electives – 40% - 50%.
  - iii. For specialised Masters programme, e.g. LL.M (Business Law); LL.M (International Law), 60% - 75% specialised elective subjects.

## DOCTORATE

1. Structures:
  - a. Structure A – Coursework and Thesis
  - b. Structure B – Thesis only (research)

2. Component:  
All doctoral shall include a thesis of:
  - a. Structure A – 50,000 to 60,000 words.
  - b. Structure B – 80,000 to 100,000 words.

## **Student Entry Criteria**

### **Preamble**

The specific requirement for each level are as indicated below. However as a general guide, the following should be considered in student selection:

1. That the requirements given below are the minimum entry qualifications;
2. Any exemptions provided for entry into a higher level is subject to existing credit exemption policy.
3. Students wanting to utilize any other modes of entry are subjected to:
  - a. the existing policies on open entry or mature student entry; and
  - b. prior consent of the Agency.

### **DIPLOMA PERUNDANGAN SYARIAH**

1. 3 credits in SPM or equivalent OR
2. Certificate in related discipline or equivalent from any recognised institutions.

### **BACHELORS OF LAWS**

1. STPM / STP / GCE A levels or an equivalent with principal passes in TWO , in one sitting, subjects, including General Studies / Paper, and SPM / SPMV / GCE O levels or equivalent with a credit in English; OR
2. A recognized matriculation / Foundation program from any recognized institution; OR
3. Diploma or equivalent in related discipline from a recognized institution. Credit exemptions may be given on a subject-to-subject basis, up to a maximum of 30%.

### **CERTIFICATE IN LEGAL PRACTICE**

Student entry criteria and in accordance to:

1. Guidelines for recognition of Australian and New Zealand law degrees; guidelines on qualification and requirements for recognition of holders of Australian and 'qualified persons' under the Legal Profession Act 1976, Legal Profession
2. New guidelines on qualifications and requirements to qualify to sit for the Malaysian certificate in legal practice (CLP) examination (for law degrees from the United Kingdom), Legal Profession Qualifying Board, Malaysia, (u.d), Malaysia. Qualifying Board, (1998), Malaysia.

SARJANA MUDA PERUNDANGAN SYARIAH  
SARJANA MUDA UNDANG-UNDANG (SYARIAH DAN SIVIL)  
SARJANA MUDA UNDANG-UNDANG DAN PERUNDANGAN SYARIAH

1. STPM / STP / GCE A levels or an equivalent with principal passes in TWO subjects in one sitting, including General Studies / Paper in one sitting, AND SPM / SPMV / GCE O levels or equivalent OR Malaysian Higher Certificate of Religious Education (STAM) with *maqbul* (pass); OR
2. A recognized matriculation / Foundation program from any recognized institution; OR
3. Diploma or equivalent in related discipline from a recognized institution. Credit exemptions may be given on a subject-to-subject basis, up to a maximum of 30%.

## MASTERS

1. LLB with Honours or its equivalent with minimum cumulative grade point average (CGPA) of 3.0, or 2.75 (subject to interview), or 2.5 with three years working experience in related fields.
2. Bachelor of Syariah or its equivalent with CGPA of 3.0, or 2.75 (subject to interview), or 2.5 with three years working experience in related fields.
3. For specialised LL.M, e.g. Masters in Construction Law, Intellectual Property or Banking law, applicants without a Bachelors of Laws can be considered, provided they have a degree and experience in the related field of studies.

## DOCTORATE

1. Bachelors degree in Law or Syariah, and a Masters degree.
2. Evidence of ability to do research.

## Student assessment

### Preamble

The specific requirements for each level are as indicated below. However as a general guide, the following should be considered in student assessment:

1. At each level, depending on the requirement of individual subjects / modules should incorporate both summative and formative assessments;
2. The need to meet the minimum credits for graduation (120) would require the students to have taken and passed corresponding number of courses;
3. The types of assessments indicated below are merely examples. Higher Education Providers are encouraged to use a variety of methods and tools appropriate for the assessment of the learning outcomes and competencies; and
4. Problem Based Learning should be reinforced with the 'ruberick' approach in assessment.

## DIPLOMA PERUNDANGAN SYARIAH

1. Formative
  - a. Projects
  - b. Discussions & Quizzes
  - c. Guided Learning Exercises

2. Summative: Continuous
  - a. Courseworks / Projects
  - b. Seminars
  - c. Assignments
  - d. Case Studies
  - e. Presentations
3. Summative: Final
  - a. Examinations
  - b. Tests
  - c. Projects
  - d. Case Studies
4. Student placement / Placement Report

#### BACHELOR – (CIVIL and SYARIAH)

1. Formative
  - a. Projects
  - b. Discussions & Quizzes
  - c. Guided Learning Exercises
2. Summative: Continuous
  - a. Courseworks / Projects
  - b. Seminars
  - c. Assignments
  - d. Case Studies
  - e. Presentations
3. Summative: Final
  - a. Examinations
  - b. Tests
  - c. Projects
  - d. Case Studies
4. Student placement / Placement Report

#### CERTIFICATE IN LEGAL PRACTICE

Examination

#### MASTERS

1. Structure A – Research only
  - a. Research / Dissertation - thesis assessment by Viva Voce, any modes of assessment approved by the institution.
2. Structure B – Coursework and Dissertation
  - a. Continuous assessment (formative)
  - b. Final examination (summative)

- c. Dissertation assessment by Viva Voce or other modes of assessment approved by the institution
3. Structure C – Coursework only
  - a. Continuous assessment (formative)
  - b. Final examination (summative)

## DOCTORATE

1. Structure A – Coursework and Thesis
  - a. Continuous assessment
  - b. Examination, if required
  - c. Research proposal
  - d. Thesis
2. Structure B – Thesis only
  - a. Research Proposal
  - b. Thesis

Note:

Thesis in both structures shall be assessed by Viva voce.

## Staff

### Preamble

The specific requirements for each level are as indicated below. However as a general guide, it is important to note that:

1. the academic leadership of the school / faculty / department should be with a person with Ph.D with 3 years of work experience or Masters, with 7 years of work experience in related field;
2. a faculty should have a minimum of 60% fulltime staff who form the core academic resource of the school; and
3. where applicable a sufficient number of teacher-practitioner should be appointed.

## DIPLOMA PERUNDANGAN SYARIAH

1. Bachelor Degree in related fields and some industrial experience and
2. ratio of staff to students 1: 25.

## BACHELOR (ACADEMIC YEARS)

The Higher Education Providers should demonstrate that they are striving to achieve the following:

1. all academic staff shall have a minimum of Master in the relevant fields or a Bachelor of Laws with 10 years of professional legal experience;
2. 30% of academic staff should have a Ph.D;

3. 30% academic staff should have professional qualification (chambered and called to the Bar or equivalent);
4. academic staff should have at least one publication or conference paper per year; and
5. ratio academic staff to student is 1: 25.

For programmes that has the professional years (professional year) or Certificate in Legal Practice (CLP):

1. 20% of academic staff with PhD or a Master with a minimum of 5 years work experience in the related area;
2. Masters or a bachelor degree with at least CLP or equivalent and 5 years of work experience; and
3. ratio of lecturer to students 1: 25.

Note:

Whilst it is noted the HEPs should have full time lecturers who are Advocates and Solicitors, it is important that there are part time lecturers who are in active practice with at least 7 years experience.

## MASTERS

1. Ph.D or Masters degree with adequate research experience;
2. Staff-student ratio 1: 10; and
3. academic staff should have at least one refereed publication every 2 years.

## DOCTORATE

1. Ph.D or an Associate Professor of adequate research and supervisory experience;
2. Supervisor-student ratio 1: 5; and
3. academic staff should have at least one refereed publication 1 year.

## Educational Resources

For all Levels (Diploma – Doctorate)

The Higher Education Provider is required to have the following:

1. access to an appropriate collection of books, reports, journals, audiovisual and electronic resources;
2. computer laboratories with facilities for word processing, spreadsheet, database, and presentation tasks, Internet connection, and online-searching of databases; and
3. Moot court.

## Continuous Improvement

For all Levels (Diploma – Doctorate)

The Higher Education Provider is expected to provide evidence of ability to keep pace with changes in the field and requirements of stakeholders. These may be demonstrated by, but not limited to:

1. curriculum review, conducted at least once every in cycle, for example, once in three to five years;
2. use of external-independent verification in assessment processes, such as the appointment of External Examiners;
3. links with professional bodies and industry;
4. continuous review of industrial attachment practices and record;
5. dialogue sessions with stakeholders at least once every 2 years;
6. active participation of staff at relevant conferences, seminars and workshops and short courses and publications in refereed journals;
7. presentations by invited speakers; and
8. organise conferences, seminars and workshops such as joint lectures / seminar / talk with the professional bodies and industry.