



OPEN UNIVERSITY OF MAURITIUS
Taught Postgraduate Programme Specification

**Master of Laws (LLM) in
Business Law and Governance**

1. PROGRAMME INFORMATION	
Title of the Final Award	Master of Laws (LLM) in Business Law and Governance
Code	OUpm022
Awarding Body	Open University of Mauritius
Disciplinary Division	Law
Programme Duration	Minimum 2 years Maximum 4 years
Total Credits	120
	60 Credits <i>per academic year</i> 30 Credits <i>per semester</i>
MQA NQF Level	Level 9
EHEA Level	Level 7
External Accreditors	Not applicable
Collaborative Partners	Not applicable
Programme Approval Date	November 2021
Last Revision	Not applicable
Last Update	November 2021

2. ENTRY REQUIREMENTS	
General	<p>General Entry Requirements under Direct Entry to Taught Postgraduate Programmes:</p> <p>A person will be admitted as a student for the Postgraduate Programme if he/she</p> <ul style="list-style-type: none"> a) holds a law degree from a recognised institution and has obtained a result, not below second-class second-division <p style="text-align: center;">Or</p> <ul style="list-style-type: none"> b) holds an undergraduate degree in any field from a recognised institution and has obtained a result, not below second-class first-division
Programme Specific	Credit in English at Ordinary Level (O-Level)

3. PROGRAMME OVERVIEW	
Aim and Objectives of the Programme	<p>The LLM In Business Law and Governance is a 2-year programme that will enable students to enhance their ongoing skills and knowledge within the various areas of business law.</p> <p>The Master of Laws will allow the learners to expand their knowledge in the field of governance. Furthermore, the programme is devised in such a way that learners will be in a better position to analyse and cope with the rapidly-changing fields of Law.</p> <p>After completing this programme, learners will have deeper exposure to business law and governance to assess and evaluate business-related legal situations, deal effectively with legal problems faced by business, conduct research and provide recommendations on the improvement of the business environment.</p>
Intended Learning Outcomes: After completing this programme, students will be able to:	
Knowledge and Understanding	<p>K1: Demonstrate an advanced understanding of aspects of the law that impact business and practices</p> <p>K2: Explore and study legal theory, philosophy, and history for professional outcomes</p> <p>K3: Undertake independent enquiry, applying qualitative and quantitative data to enhance their academic and professional capacities by contributing to the wider, global, and national community</p> <p>K4: Articulate pertinent evaluation of complex legal, economic and political issues surrounding an organisation</p> <p>K5: Raise awareness of the current issues affecting the business environment and the established legal framework</p> <p>K6: Show understanding of business law scope and importance of governance application.</p>
Cognitive Skills	<p>C1: Analyse and apply legal reasoning to solve business context Issues</p> <p>C2: Do the mind mapping of rules and policies to devise critical solutions</p> <p>C3: Evaluate and critically analyse primary and secondary data in the business context</p> <p>C4: Assess the reliability and effectiveness of national and international enforcement agencies</p> <p>C5: Argue the application of legal principles and policies and make critical judgments by engaging in critical evaluation and reflection</p> <p>C6: Evaluate and critically analyse governance strategies and adapt to a wide range of real-life problems.</p>

<p>Practical/ Professional Skills</p>	<p>P1: Investigate the corporate environment and assess the relationship between law and business P2: Demonstrate an ability to apply concepts, principles, and policies and make critical judgments P3: Plan and conduct advance legal research using adequate methodologies.</p>
<p>Transferable Skills</p>	<p>T1: Effectively communicate ideas and arguments in writing and orally T2: Collaborate with others and contribute effectively to branch out into different areas of legal theory and practice T3: Work independently demonstrating initiative and self-management, preparing yourself for more senior roles T4: Adapt different technological tools for learning and teaching.</p>

4. PROFESSIONAL, STATUTORY, AND REGULATORY BODIES (where applicable)

Not applicable

5. LEARNING AND TEACHING STRATEGY

Learning and Teaching Methods

Students will be provided with opportunities to engage in a diverse range of learning environments to maximise their learning. For this programme, students will interact with their tutor and their fellow students mostly through the e-platform.

The e-platform will use the following tools:

- **Online activities:** For every unit covered in each module, students will be given opportunities to complete interactive learning activities including discussion forums, quizzes, webinars, and problem-solving activities. Students will be encouraged to work independently but also to engage in collaborative work.
- **Independent study:** Independent study forms an essential part of the development of your knowledge and understanding. We will guide you, via the e-platform, on the reading and reflection of primary and secondary texts. Students should use this independent study time to link knowledge with e-class and face-to-face activities and develop their understanding and critical perspective on the topics they are studying.

We also offer optional face-to-face sessions.

The face-to-face sessions are an opportunity to untangle complex concepts and provide students with an opportunity to apply the knowledge acquired in the preceding weeks.

During the face-to-face sessions, students can be expected to:

- Extensively use IT tools
- Engage in problem-solving activities
- Engage with reading material to engage in class discussions
- Review core/complex concepts through applied work.

Dissertation Supervision:

Students will have to undertake a dissertation, supervised by one of our tutors with expertise in the area of the project topic. Students will have the opportunity to meet with the supervisor to explore the topic, receive guidance on the conception and development and receive feedback on the work as it progresses.

Overall Workload

The overall workload for the student will consist of independent learning, e-learning activities and if you choose to, face-to-face sessions. The following gives you an indication of how much time you will need to spend on the different components of your programme at each level. Each ECTS credit taken equates to 25-30 hours of study time.

The expected study time for this programme will be as follows:

Year 1: 1,500 hours for 60 ECTS credits.

Year 2: 1,500 hours for 60 ECTS credits.

Typically, for each year of your study, you will spend 0-10% of your time in face-to-face sessions, 30-40% of your time engaging with e-learning activities, and 60% of your time in independent study time.

A typical study week for a student will involve some optional face-to-face sessions, required engagement in an online discussion forum, the completion of online activities, and independent study time to review attached readings, textbooks, and relevant sections of the module documentation. Students should expect to devote 8 to 12 hours of study time per week per module.

These are indicative and may vary from student to student.

6. ASSESSMENT STRATEGY

Assessment Methods

A range of formative and summative assessment exercises are designed to enable the demonstration and application of knowledge and understanding.

Some modules will consist of a Tutor-Marked Assessment component and an examination. TMAs include:

- Presentation
- Exercises and problems set assignments
- Online activities
- Coursework
- Exams

Academic Feedback

Throughout your studies, tutors will provide informal feedback on your coursework, online activities and class contributions. Feedback may be individual or provided to the class as a whole.

Each summative assessment will be accompanied by detailed marking criteria and a marking scheme detailing the expectation of the assessment at each grade classification level.

Feedback on assessment will be provided along with the marking criteria. Marking criteria will be made available to the student at the same time as the coursework/assessment details.

Students will receive written individual feedback on all TMA components.

The University Policy on Assessment Feedback and Guidance on Provisional Marks can be found in General Rules.

Late submission, Extension, and Re-sit Policy

The University Policy on Late Submission, Extension, and Re-sits can be found in the General Rules.

Special Circumstances

The University Policy on Special Circumstances can be found in the General Rules.

Continuous assessment and Exam Regulations

The University Regulations on Continuous Assessment and Examination can be found in the General Rules.

7. ACADEMIC MISCONDUCT

As a safeguard to the quality and standard of Open University's qualifications and awards, the University takes any incidence of academic misconduct seriously and will investigate any reported case.

Academic Misconduct refers to any activity where a student, through unpermitted means, seeks to gain an advantage in the completion of an assessment. Any unpermitted action will be considered as academic misconduct when occurring during a formal examination, a TMA, or any other form of assessment considered by the Board of Examiners and undertaken in pursuit of a University qualification or award.

Plagiarism (*using, intentionally, or unintentionally another person's work and presenting it as one's own*) will be systematically checked through an automated plagiarism detection software: Turnitin.

Any suspected cases of academic misconduct will be reported and investigated. Academic misconduct offences may lead to suspension or expulsion from the University.

The University Regulations on Academic Misconduct can be found in the General Rules.

8. PROGRAMME STRUCTURE	
C	Core i.e., modules that must be taken to be eligible for the award
E	Elective i.e., one of the two modules must be chosen by the student
S1	Semester 1
S2	Semester 2

Year 1 – Level 9 (NQ-MQA) 2 nd Cycle Advanced (NQ-EHEA) All core modules are compulsory.				
Code	Module Title	Type	Semester	Credits
OUpm022111	Introduction to Law and the Legal System	C	S1	10
OUpm022112	Company Law and Corporate Reconstruction	C	S1	10
OUpm022113	International Contracts	C	S1	10
OUpm022121	Law Relating to Capital Markets and Finance	C	S2	10
OUpm022122	Islamic Law on Banking and Contract	E	S2	10
OUpm022123	Comparative Tax Law	E	S2	10
OUpm022124	Advanced Legal Research and Methodology	C	S2	10
Credit Total				60

Year 2 – Level 9 (NQ-MQA) 2 nd Cycle Advanced (NQ-EHEA) All core modules are compulsory.				
Code	Module Title	Type	Semester	Credits
OUpm022211	Dissertation	C	S1	20
OUpm022212	Litigation and Alternative Dispute Resolution	C	S1	10
OUpm022221	Law Relating to Fraud and Financial Crime	C	S2	10
OUpm022222	E-Financing, Entrepreneurship and Law	C	S2	10
OUpm022223	Corporate Governance and Compliance	C	S2	10
Credit Total				60

Overall Programme Credit Total			120
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9. GRADING

Grading system:

Assessments are graded in percentage and correspond to a letter grade and a grade point.

To pass a module, Students need an **overall 40% weighted average** of their:

a) **combined continuous assessment (TMA) and examination.**

Or

b) **combined course works and presentations.**

Marks (x) %	Description	Letter Grade	Grade Point
$X \geq 70$	Excellent	A	5
$60 \leq X < 70$	Very Good	B	4
$50 \leq X < 60$	Good	C	3
$40 \leq X < 50$	Satisfactory	D	2
$X < 40$	Ungraded	U	0
Non-graded/Pending	See section 17.1.1 in Assessment Rules and Regulations for pending grades letter codes.		

Students will normally not be allowed to postpone more than one module for the following semester.

If a student obtains a grade "U" in three or more modules in the same semester, and the CPA is below 40 for that semester, the student will be requested to repeat the semester unless decided otherwise by the Academic Council upon the recommendation of the Board of Examiners. When repeating a semester, a student may or may not take the modules for which Grade C or above has been obtained.

If after completing a level the student's CPA < 40, the student will have to repeat the entire academic year and retake the modules as and when offered. However, s/he will not be required, if s/he wishes, to retake 3 module(s) for which Grade C or above has been obtained.

Students will not be allowed to repeat more than two semesters during the entire duration of the programme.

University general marking criteria for undergraduate exams and undergraduate dissertations can be found in the General Rules.

Cumulative Point Average (CPA)

Total CPA for Undergraduate degrees is calculated by:

- a) Multiplying the module credit by the % marks for the module and then summed up and divided by the total credits attempted over the cumulative period at each level (1 semester or 1 year).
AND
- b) Taking the weighted average of the obtained CPAs at each level. The respective weights being set as follows: the CPA of level 5 modules (year 1) will be weighted at 15% (0.15), the CPA of level 6 modules (year 2) will be weighted at 35% (0.35) and the CPA of level 7/8 modules (year 3 and/or 4) will be weighted at 50% (0.5).

Example calculation of the CPA at level 9 for taught postgraduate programmes:

Course Level 9	% Scores	ECTS Credit Unit	Module Credit x % Score
OUpm022111	64	10	64*10 = 640
OUpm022112	71	10	71*10 = 710
OUpm022113	44	10	44*10 = 440
OUpm022121	59	10	59*10 = 590
OUpm022122/123	57	10	57*10 = 570
OUpm022124	49	10	49*10 = 490
OUpm022211	62	20	62*20 = 1240
OUpm022212	51	10	51*10 = 510
OUpm022221	65	10	65*10 = 650
OUpm022222	60	10	60*10 = 600
OUpm022223	68	10	68*10 = 680
Total		120	7120
CPA: 6855/120 = 59.3			

10. PROGRESSION, EXIT POINTS, AND AWARD

Classification of Awards

For the award of the Master's Degree, all modules of the programme must be completed.

The postgraduate certificate and diploma are awarded as possible exit points in the programme as indicated in the table below:

Award	Title	Level NQ-MQA	Total Required Credits	Classification
Master of Laws	in Business Law and Governance	9	120	Distinction: CPA ≥ 70 Merit: 60 ≤ CPA < 70 Pass: 40 ≤ CPA < 60 No Award: CPA < 40
Post Graduate Diploma	in Business Law and Governance	9	90	
Post Graduate Certificate	in Business Law and Governance	9	60	

11. STUDENT SUPPORT

Support available through studentsupport@open.ac.mu

12. HAVE YOUR SAY

Open University values student feedback and students will be given opportunities to have their say on their learning experience in the following way:

- Student programme and module evaluation surveys
- Acting as a student representative and participate in a range of committees such as the staff-student consultative committee
- Participating in programme validation processes.

The University will respond to student feedback through the following channels:

- Response and action taken following the module evaluation survey will be posted on the e-platform.
- Action from minutes will be monitored by the chair of the relevant committees.
- An annual programme monitoring process will take into account student feedback.
- Programme review process (every five years).

13. Module Outline and Assessment Structure

Year 1 / Semester 1			
1 Introduction to Law and the Legal System - OUpm022111			
Aims	This module aims at introducing law as a instrument and assessing it's application within a jurisdiction.		
Learning Outcomes	<ul style="list-style-type: none"> • Explain the different philosophies of law • Develop critical appraisal of the different branches of law • Evaluate the application of Law In Mauritius and other jurisdiction • Apply appropriate legal reasoning to appraise the various aims that a functioning legal system can serve 		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams
2 Company Law and Corporate Reconstruction - OUpm022112			
Aims	This module aims at analysing the concepts of the law of companies and develop an understanding of the importance of corporate rescue.		
Learning Outcomes	<ul style="list-style-type: none"> • Explain the key components of company law • Develop critical appraisal of duties assigned to directors and their role in an organisation • Critically analyse the corporate rescue approaches • Apply appropriate legal reasoning in the business context. 		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams
3 International Contracts - OUpm022113			

Aims	This module aims at analysing the concepts of Contract law between parties based in different countries and in which way they are obligated to do certain things or not.		
Learning Outcomes	<ul style="list-style-type: none"> • Explain the key components of Contract law, International contracts and Electronic contracts • Develop critical appraisal of the UNIDROIT principles • Critically analyse the relationship between international contracts and trade Apply appropriate legal reasoning in the business context.		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams

Year 1 / Semester 2

1 | Law relating to Capital Markets and Finance - OUpm022121

Aims	This module will focus on Securities/Capital Markets Law. Students will be able to analyse issues on the double taxation avoidance agreement and issue of securities to raise capital as well as assist security holders seeking to sell their securities, or banks and investment banks that underwrite and sell such securities.		
Learning Outcomes	<ul style="list-style-type: none"> • Understand transactional processes which permeate the world of capital markets • Advise debt and equity issuers and the investment banks which structure and sell the financial instruments • Develop an understanding of finance and the capital market • Advise financial instruments are usually designed to raise money for a business from investors in the business. 		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams

2 | Islamic Law on Contract, Banking and Finance - OUpm022122

Aims	The aim of the module is to introduce learners to Islamic banking and finance to be able to understand how the principles learned are applied in practice. This module will also analyse restrictions which are imposed on all Islamic finance agreements, and the rationale behind these restrictions.		
Learning Outcomes	<ul style="list-style-type: none"> • Understand and explain the key features of Islamic contract law and explain how they influence Islamic finance agreements • Describe the complex structure of Islamic banking products and the main contract types upon which they are based • Evaluate the application of Islamic banking products as opposed to conventional western counterparts • Apply their knowledge of the main types of Islamic finance agreements. 		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams
3 Comparative Tax Law - OUpm022123			
Aims	This module will focus on the importance of comparative tax law as a venue for new academic scholarship, as well as its legal practical applications. Students will have a comparative overview of the tax systems of various countries with a view to developing a conceptual and practical understanding of the reasons why tax systems differ in two or more different jurisdictions.		
Learning Outcomes	<ul style="list-style-type: none"> • Develop an understanding of conceptual issues relating to tax system design in developed and developing countries • Assess tax system design and practice issues in an international context through the comparative nature of the course • Analyse social and ethical factors that underpin tax system development around the world • Evaluate the application of tax systems in different situations, issues and contexts. 		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams

4 Advanced Legal Research and Methodology - OUpm022124	
Aims	This module will offer students an opportunity to gain an in-depth working knowledge of legal research methods and resources. The course will emphasise the use and comparison of a broad range of legal research tools, with a focus on electronic materials.
Learning Outcomes	<ul style="list-style-type: none"> • Demonstrate advanced knowledge and integrated understanding of the theoretical bases of legal research • Demonstrate advanced knowledge and integrated understanding of the methodologies through which legal research is conducted in both a professional and scholarly context • Engage in high-level written communication in explaining and justifying research design to both specialist and non-specialist audiences • Write and present a research proposal.
Assessment Structure	<p style="text-align: center;">100% Coursework</p> <ul style="list-style-type: none"> • Research proposal- 80% • Viva Voce- 20%
Year 2/ Semester 1	
1 Dissertation - OUpm022211	
Aims	Students are required to write a supervised research dissertation on an approved topic. The dissertation will be written and assessed as per procedures approved by the awarding institution.
Learning Outcomes	<ul style="list-style-type: none"> • Analyse the foundational principles of their chosen thesis topic in law, undertake legal research with primary and secondary materials, and evaluate legal information • Apply the law to complex issues, and critically analyse the operation of the law from a policy perspective, individually • Conduct and analyse legal research, and write, individually • Reflect on their abilities to effectively undertake individual work.
Assessment Structure	<p style="text-align: center;">100% Coursework</p> <p style="text-align: center;">Dissertation which should be in the range of 15,000–18,000 words</p>

2 | Litigation and Alternative Dispute Resolution - OUpm022212

Aims	This module aims at assessing the theory and practice of ADR methods in the context of an adversarial legal system, to develop an understanding of the operation and implications of various ADR theories and practices, and to assess their value.		
Learning Outcomes	<ul style="list-style-type: none"> • Develop and understand different methods of resolving disputes as alternatives to litigation • Analyse the different roles played by the neutral and the parties in the various Alternative Dispute Resolution processes • Apply dispute resolution knowledge and skills in solving real-world conflicts • Communicate mediation principles both orally and in writing. 		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams

Year 2 / Semester 2

1 | Law relating to Fraud and Financial Crime- OUpm022221

Aims	This module is aimed at analysing how Criminal law, financial market practice, and financial regulation should all interact. This course will also investigate where Criminal law works better and where financial regulation works better when tackling the kinds of abusive practice.		
Learning Outcomes	<ul style="list-style-type: none"> • Demonstrate an advanced understanding and analyse insider dealing and market abuse • Critically analyse fraud and market manipulation as emerging concerns • Evaluate the application of the law on money-laundering <p>Apply knowledge and understanding to offer conclusions addressing complex or actual, or hypothetical financial crime problems.</p>		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams

2 | E-Financing, Entrepreneurship and Law - OUpm022222

Aims	This module aims at analysing the law of e-financing, its stand today and how it may likely develop in the future. This module will also evaluate the application of law in enhancing entrepreneurship.		
Learning Outcomes	<ul style="list-style-type: none"> • Understand and evaluate the application of e-financing with focus on money transmission, compliance and avoidance strategies • Assess the financing arrangements and governance structures of business entities, to evaluate how theory and evidence can be combined • Explain, apply, discuss and critically evaluate well-established legal concepts, principles, theories and perspectives relevant to entrepreneurship and financial transactions • Develop individual opinions and arguments on commercial and financial legal issues. 		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams

3 Corporate Governance and Compliance - OUpm022223			
Aims	This module is aimed at analysing corporate governance and evaluating its application in mitigating risks in a company within the bounds of the law. The combination of rules, processes, or laws by which businesses are operated, regulated, or controlled will also be assessed.		
Learning Outcomes	<ul style="list-style-type: none"> • Assess corporate governance as the combination of rules, processes, or laws by which businesses are operated, regulated, or controlled • Understand and assess the application of guiding philosophies behind governance and its operation • Analyse and evaluate Compliance risk and its impact on an organisation's potential exposure to legal penalties, financial forfeiture, and material loss • Evaluate the relationship between governance and compliance. 		
Assessment Structure	10 % Online Activities	40% Coursework <ul style="list-style-type: none"> • Problem-based assignment – 30% • Presentation– 10% 	50% Exams

14. Curriculum Map of Programme Modules Against Intended Learning Outcomes

Module Unit and Code				Knowledge and Understanding						Cognitive Skills						Practical Skills			Transferable Skills			
Module title	Code	Type	Mode	K1	K2	K3	K4	K5	K6	C1	C2	C3	C4	C5	C6	P1	P2	P3	T1	T2	T3	T4
Year 1 – Level 9 (NQ-MQA) – 2nd Cycle Advanced (NQ-EHEA)																						
Introdction to Law and the Legal System	OUpm022111	C	BL	✓	✓	✓		✓	✓		✓			✓			✓		✓	✓	✓	✓
Company Law and Corporate Reconstruction	OUpm022112	C	BL	✓	✓		✓		✓		✓			✓			✓		✓	✓	✓	✓
International Contracts	OUpm022113	C	BL	✓	✓		✓		✓		✓			✓			✓		✓	✓	✓	✓
Law Relating to Capital Markets and Finance	OUpm022121	C	BL	✓		✓	✓		✓	✓	✓			✓		✓	✓		✓	✓	✓	✓
Islamic Law on Banking and Contract	OUpm022122	E	BL	✓	✓		✓	✓	✓	✓			✓		✓	✓	✓		✓	✓		✓
Comparative Tax Law	OUpm022123	E	BL	✓			✓	✓		✓	✓			✓	✓	✓	✓		✓	✓	✓	✓
Advanced Legal Research and Methodology	OUpm022124	C	BL		✓	✓	✓				✓	✓		✓	✓	✓	✓	✓	✓		✓	✓
Year 2 – Level 9 (NQ-MQA) – 2nd cycle Advanced (NQ-EHEA)																						
Dissertation	OUpm022211	C	BL	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓		✓	✓
Litigation and Alternative Dispute Resolution	OUpm022212	C	BL	✓			✓	✓		✓				✓		✓	✓		✓	✓	✓	✓
Law Relating to Fraud and Financial Crime	OUpm022221	C	BL	✓		✓	✓	✓	✓	✓	✓		✓	✓	✓	✓			✓	✓	✓	✓
E-Financing, Entrepreneurship and Law	OUpm022222	C	BL	✓		✓		✓	✓	✓		✓			✓	✓			✓		✓	✓
Corporate Governance and Compliance	OUpm022223	C	BL			✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓		✓	✓	✓	✓

C = Core; E = Elective; DL = Distance Learning; BL= Blended Learning; CD = Campus Delivery