



**UG**

**SCHOOL OF LAW**

## **DESCRIPTION OF COURSES – POST FIRST DEGREE INTAKE**

### **FLAW 261 Ghana Legal System**

The major legal systems of the world, Classification of the branches of the Law, Introduction of British Jurisdiction into Gold Coast and Sources of Law – Common Law, Equity, Statutes, Subsidiary Legislation, History of the Court System and Jurisdiction and powers of the courts and quasi-judicial bodies. Alternative procedures for the settlement of disputes, The Legal profession and its role in Society and Legal Aid, Language and Study Skills and Legal Writing, Techniques of Legal Research, Oral Presentation.

### **FLAW 262 Legal Method**

The Nature of Law – Function & Theory of Law, The Theories and mechanics of judicial decision-making, Elements of Civil and Criminal Procedure, The doctrine of Stare decisis and its operation in the Ghana Legal System, General principles of statutory interpretation, Remedies.

### **FLAW 281 Law of Contract I**

Contract as a legal category in the Ghana Legal Systems Historical development and assumptions. Formation of Contract, Enforceability of Agreements as Contracts in Law (Doctrine of Consideration, Formal Requirements). Privity of Contract; Assignments; Agency, The contents and Types of Contracts.

### **FLAW 282 Law of Contract II**

Vitiating Factors (Mistake, Misrepresentation, Duress and Undue Influence). Public Policy and Enforcement of Contractual Obligations, Discharge of Contracts, Remedies for Breach of Contract (Damages, Equitable remedies and procedural Strategies), Contract Law and Economic Realities.

### **FLAW 291 Constitutional Law I (Constitutional Theory)**

Constitutional Law – Problems of definition and content, Constitutionalism, The Relationship between municipal and International Law, Coup de `tats/Revolutions and continuity of Constitutions, The concept of separation of powers, The supremacy of the Constitution and judicial review, The Concept of the Rule of Law, Human Rights, Natural Justice.

### **FLAW 292 Constitutional Law II (Constitution of Ghana)**

The Constitutional Evolution of Ghana, The Executive, The Parliament, The Judiciary, Independent Institutions, The Rights and Duties of the Citizen, The Law of Citizenship Commissions/ Committees of Enquiry, The Electoral Process, Proceedings involving the Republic, Local Government, Traditional Constitutionalism – Chieftaincy Law, Outlines of Judicial Remedies.

### **FLAW 233 Public International Law I**

Introduction: Nature and Context of International Law, Sources of International Law, Subjects of International Law, State Territory and Jurisdiction, the Law of the Sea, Air and Outer Space.

### **FLAW 224 Public International Law II**

Individuals, Nationality and state Responsibility, Law of Treaties, Diplomatic Law, Human Rights, Settlement of Disputes, The Use of Force, International Organisation.

### **FLAW 218 Administrative Law**

Nature of Administrative Law, Constitutional doctrines and theories relevant to Administrative Law, The Executive Branch of Government: Administrative and Public Sector Institutions, Local Government, The Law-making powers of the Administration, Natural Justice and the Administration, Review of discretionary powers, Judicial remedies, Extra-judicial remedies (Commission of Human Rights and Administrative Justice, Administrative Tribunals), Commission and Committee of Enquiry, Proceedings between the state and its servants and agents.

### **FLAW 251 Gender and the Law I**

Gender from a Historical and Anthropological Perspective, Women's Status from a Cultural Perspective: Customary Norms and Societal Values, Gender and Global Issues: (Population Planning, Women and the World's Economy, Women and Political Leadership, Women and Pornography; Women and Prostitution).

### **FLAW 252 Gender and the Law II (Selected Topics)**

1. Legal issues in Family Law: Marriage, Divorce, Custody and Support of Children, Surrogate Mother Contracts.
2. Gender and health – Legal Issues Involving Reproductive Matters: Access to Contraception, Abortion, Sterilization, Infanticide, Drug and Alcohol Abuse during Pregnancy, Female Circumcision.
3. Legal Issues Involving Gender and Criminal Law: rape, Domestic Violence
4. Issues Involving Education
5. Gender and Employment: Legal Issues Involving Restrictive Access to Certain Occupations; Discriminatory Practices in Hiring and promotion; Sexual Harassment, Family Leave Policies.
6. Legal Issues Involving Women and Property; Women and Inheritance
7. Legal Issues Involving Women and Development; Women in Political Process

### **FLAW 317 Torts I (Intentional Tort)**

Nature, History, Aims of the Law of Torts, General Principles of Liability, Choice of Law in torts Cases in Ghana, International Interference with Person and Property, Economic Torts, Nuisance, The rule is Rylands V. Fletcher, Vicarious Liability

### **FLAW 318 Torts II (Negligence & Defamation)**

General Negligence, Specific Negligence Actions (Employer's liability to his employees, Products Liability, Occupiers Liability, Liability for Statements - Negligent statements, Deceit), Statutory duties, Death in relation to Torts, Defamation.

### **FLAW 373 Immovable Property I (Customary Land Law)**

1. *Preliminary Matters*: The Concept of Land and Immovable Property, The Nature and Scope of the Law of Immovable Property, The Concept of Ownership and the Appropriate Terminology for the Description and Analysis of the System of Land Tenure.
2. *The Customary Law Interests in Land*: The Allodial Title, The Usufructuary Interest, Customary Law Tenancies.
3. *Persons Who Can Hold Interests In Land*: The Stool and Management of Stool Property, The Family a Holder of Interests in Land, Marital Family Property.

### **FLAW 374 Immovable Property II**

4. *Common Law Interests in Land*: Introduction to the Law of Tenure and Estates, Equitable and Legal Interests, the Law of Landlord and Tenant, Co-Ownership.
5. *Uncertainty in Land Titles and Insecurity in Land Transactions and Attempted Solutions*: Nature, Estoppel, Limitation of Actions, Registration of Instruments Affecting Land, Land Title Registration.
6. *Compulsory Acquisition and State Administration of Land Introduction to the Law of Natural Resources*: Introduction to Minerals and Mining Law, Introduction to Forestry Law, Concessions.
7. *Introduction to Physical Planning Law*
8. *Land Law Reform*

### **FLAW 313/371 Criminal Law I (General Principles)**

Nature and Scope of Criminal Law, The Requirements of Criminal Liability and Mens Rea, Causation, Capacity, General Defences, Special Defences: (Intoxication and Insanity, Provocation).

### **FLAW 372 Criminal Law II (Specific Offences)**

The Law of Attempt – Inchoate Offences and Parties, Abatement and Conspiracy, Offences against the Person: Homicide, Offences Against the right of property, Offences against Public Morals and Public Order, Offences against the State: Treason and Sedition.

### **FLAW 337 Natural Resource Law I**

*Rights, Institutions and Non-Financial Obligations*: Introductory Survey of the Mining Sector, Mineral Exploration and Production Rights, Introductory Survey of the Petroleum Sector, Petroleum Exploration and Production Rights, Land rights and Mineral/Petroleum Rights, Environmental and Safety Issues in Mineral/Petroleum Operations, The Mineral Resources of the Seabed and Ocean Floor, Legal Regulation of Trees and Forests.

**FLAW 347 International Human Rights Law I**

The Evolution of the Concept of Human Rights, Historical Antecedents of Human Rights, The United Nations Human Rights System, and the European System for the Protection of Human Rights, The Inter-American Human Rights System, The African System of Human and People's Right System, The CSCE and the Helsinki Final Act, Non-Governmental Organizations, Domestic Absorptions.

**FLAW 348 International Human Rights Law II (Specified Topics)**

International Humanitarian Law, The Principle of Equality or Non-Discrimination with Particular Reference to Women's Rights, The Rights of the Child, Freedom of Opinion and Expression, Human Rights and the Criminal Justice System, The Rights of Minorities and Indigenous Peoples, The International Law of Refugees and Aliens, Human Rights in Cross Cultural Perspective.

**FLAW 353 Environmental Law I**

Introduction: Evolution, Nature, Object and Development of International Environmental Law and Policy. The Sources of International Environmental Law. Breaches of Environmental Law and Liability for Environmental Harm, Regulation of Environmental Sectors - International/Domestic (Protection of Marine Environment Against Pollution, Protecting Inland Waters and Rivers, Combating Air Pollution, Protection of Wildlife). Trans Sectoral Problems (Toxic or Dangerous Products and Wastes, Radio activity, Ozone Depletion, Global Warming). Environmental Impact Assessment.

**FLAW 410 Long Essay**

As required of undergraduate students.

**FLAW 403 Jurisprudence I**

Introduction – The Nature of Jurisprudence, Natural Law Theories, Positivism, The Pure Theory of Law, Historical School of Jurisprudence, Realism – American and Scandinavian.

**FLAW 404 Jurisprudence II**

Sociological School of Jurisprudence, Customary Law, Marxist Theory of Law and State, Theories of Rights – Hohfeldian Rights, Human Rights (if not offered as an Elective) etc., Gender and the Law, Law and Development, Islamic Law

**FLAW 407 Equity and Trusts**

Historical Background: Origin, Nature and Development of Equity. Maxims of Equity, Remedies: Specific Performance, Injunctions, Rectification, Rescission, Account, Delivery up and Cancellation of Documents, Declaratory Judgement, Uses and Trusts.

**FLAW 408 Law of Succession**

1. Pledges and Mortgages
2. Succession Testate: Customary and Statutory Intestate:
  - i. A brief outline of the customary aspect.
  - ii. Intestate Succession Law, 1985 (PNDCL. 111)

- iii. Effect of PNDCL.111 on (a) Marriage Ordinance, Cap. 127, (b) Marriage of Mohammedan Ordinance, Cap 129, (c) Customary Law.  
3. The Dead as property.

### **FLAW 435 International Trade Law**

The Law of international Trade – the importance of trade; sources of Law of International Trade law; formulating agencies etc., etc. The outline of the sale transaction – International Sales of Goods; special terms, INCOTERMS etc. International Sales contracts based on Sea carriage – c.i.f., fob, C & F, ex works etc. Insurance of Goods in the International Sale Transaction (in outline). Payment in international sales (Letters of Credit etc.) Disputes in international transactions – the conflict of laws, the problems of conflict, proper law of the contract etc.; proceedings and jurisdiction; the Mareva injunction; the Mareva injunction; the enforcement of foreign judgments and awards.

### **FLAW 436 International Investment Law**

Introductory – Principal issues in controversy regarding foreign investments and the Sovereign Authority of states over foreign investments. International Contracts, Nationalisation and Compensation, Permanent Sovereignty of states over natural resources, Codes of conduct for Multinational Corporations, Transfer of Technology, New Methods of Investment Dispute Settlement.

### **FLAW 476 Natural Resource Law II**

*Marketing and Financial Issues:* Financing Mineral and Petroleum Operations, The fiscal Regime for Mineral and Petroleum Operations, Marketing Arrangements for Mineral/Petroleum, Exchange Control, Electricity Supply Arrangements, Stability Issues, Dispute Settlement.

### **FLAW 431 Intellectual Property Law I**

- 1. Introduction to Intellectual Property Law:** *Historical background, characteristics and definition of intellectual property law. Main fields of intellectual property namely, patents, utility models, industrial designs, trademarks, trade secrets, copyright law neighbouring rights*
- 2. Patents:** *Evolution of patent law and its justification, Conditions of Patentability, National, Regional and International administration of the patent system, Rights of the Patentee and scope of protection, Utility models*
- 3. Copyright Law and Neighbouring rights:** *Historical development of copyright law – national and international levels, Basic principles of copyright law, The impact of emerging technologies on copyright, Authors societies, Neighbouring Rights.*

### **FLAW 432 Intellectual Property Law II**

- 1. Trade Marks and Unfair Competition:** *Introductory overview of trade mark law, Trade mark rights and protection, National and International administration of works and registration, General principles of unfair competition law, The Economic tort of passing off.*
- 2. Industrial Design:** *Objective of an industrial design – Legal System, The varying regimes of industrial design Law – National and International.*
- 3. Confidential Information and Trade Secrets:** *The Nature of Protectable Confidential Information and its obligations, Employee relationships, Defence and remedies.*

**4. Transfer of Technology:** The concept of technology transfer, Licensing agreements including compulsory licensing, Economic effects of Intellectual Property, Ghanaian Law and Practice on technology Transfers.

#### **5. Regional Arrangements**

##### **FLAW 467 Conflict of Laws I (General Part)**

Introduction to the Conflict of Laws. Concept and Meaning of Foreign Law; proof of Foreign Law; Exclusion of Applicable Foreign Law. Domicile – The Traditional Rules and their Application in Ghana; Developments around the World. Jurisdiction – In personam; In Rem; Exceptions to Jurisdiction – sovereign immunity. Foreign Judgements and Foreign Arbitral Awards. Contracts – Determination of the Proper Law, Law governing Specific Topics. Torts – Historical Development of the rule for Determining the Applicable Law; Various Views as to the Applicable Law – Lex Loci; Phillips v. Eyre as modified by Chaplin v. Boys, Proper Law of Tort.

##### **FLAW 468 Conflict of Laws II**

Movable and Immovable property, Succession, Family Law (in outline only) – Capacity to marry; Matrimonial uses; Recognition of Foreign Decrees. Domestic Relations – Custody, Guardianship, Legitimacy, Legitimation and Adoption. Classification, Incidental Question, Renvoi, Substance and Procedure, Theories and Methods.

##### **FLAW 497 Commercial Law I (Sale of Goods and Hire Purchase)**

**1. Sale of Goods:** Nature and Formation of a Contract of Sale, Types of obligations Created by the Sale of Goods Act, Duties of the Seller, Duties of the Buyer, Transfer of Property and risk , Remedies of the Seller, Remedies of the Buyer, C.I.F. AND F.O.B. Sales

**2. The Law on Hire-Purchase:** Nature of Hire Purchase Agreements, History of Hire Purchase Law in Ghana – (pre 1958 to date), Hirer's right of termination and Completion, Owner's right of recovery, Implied terms, Third Party Rights.

##### **FLAW 498 Commercial Law II (Agency and Banking)**

Definition and Existence of Agency, Capacity to act as Principal, Capacity to act as Agent, Agent's duties to his Principal, Agent's rights against the Principal, Relationship of Principal and Agent with third Party, Banks, Banking, and Non-Banking Financial Institutions, Negotiable Instruments and their Kin, Banker-Customer Relations, Securities Regulation.

##### **FLAW 418 Environmental Law II**

Marine Environment, Biodiversity Conservation, Regionalism: Africa and the EC, the Ghanaian Environment, Trade, War, Human Rights and the Environment: An overview.