

**UG****SCHOOL OF LAW**

DESCRIPTION OF COURSES – MASTER’S DEGREE INTAKE

FLAW 609 LAW AND SOCIETY

This course will explore the social and economic contexts within which the law operates; the role that law plays in social control and development will be examined. Various theories of law and their practical influence on society will be emphasized. The issue of the role of law in development, and particularly how the use of law could facilitate development, will be at the core of this course. The fate of customary law in contemporary times will be studied.

FLAW 605 RESEARCH METHODOLOGY AND PROPOSAL WRITING

Students will be exposed to various methods of data collection; particularly attention would be given to the process and methods of collecting information with respect to their areas of specific interest. In addition, the techniques of effective proposal writing will be taught.

FLAW 613 HUMAN RIGHTS AND THE ENVIRONMENT

This law will focus on human rights law in achieving environmental objectives. The question of how rights, such as the right to privacy, the right to life, the rights of minorities, the right to peaceful assembly and procession and the right to fair hearing are evoked and interpreted in an environmental context. Contemporary issues to be considered will include Agenda 21, United Nations Millennium Declaration, Johannesburg Declaration on Sustainable Development, the Millennium Development goals and Poverty Alleviation Strategies, Public Health, Habitats, Water and the Environment, etc.

FLAW 634 LABOUR LAW

The philosophical underpinnings of the modern labour legislations particularly the Labour Act of Ghana will be examined. It will touch on the requirements of international labour standards in the light of national standard. The human rights aspects of labour will be discussed. The dispute resolution processes in labour related disputes will be studied, using case studies.

FLAW 630 SEMINAR I

Under the LL.M programme each student is expected to attend all seminars specified and make his/her own presentation on selected topics to an audience. Each student will be expected to make at least one oral presentation to be assessed each semester and also present a full write-up of the presentation for another assessment. These will earn a total of 3 credits.

FLAW 621 UNDERSTANDING CONFLICTS AND CONFLICT THEORY

For an efficient management of conflicts it is essential that the practitioner appreciates the theory of conflicts as well as their nature. The specific topics will include Nature of Conflict, Nature of Disputes, Behaviour in Conflict, Conflict Management, Style and Tactics of Conflict Assessment, Transforming Conflict. Basically, the course will specifically take the student through a range of alternate theoretical models for analyzing and responding to conflict, conflict escalation and de-escalation, the management of power in negotiations and mediation.

FLAW 622 NEGOTIATION & MEDIATION: THEORY AND PRACTICE

The principles of negotiation and mediation will be analyzed. The course will combine theory and practice taking into account the ADR Bill. Various styles of negotiation and mediation will be studied and simulated. Candidates will therefore be required to learn specialized skills in negotiation and mediation Communication skills and attitudes of the practitioner will be studied. The Ethics and codes of ADR practice will be discussed.

FLAW 623 INVESTMENT AND INTERNATIONAL COMMERCIAL ARBITRATION

This Course will involve a study of the relevant laws on International Commercial Arbitration.

Comparison of the UNCITRAL Model Law with the Arbitration Act of Ghana and the British Arbitration Act. Matters relating to jurisdiction, powers and obligations of arbitrators, enforceability of arbitral awards arising out of international commercial arbitrations (institutional and ad-hoc.)

FLAW 624 GENERAL PRINCIPLES OF ARBITRATION

This course will entail the study of the general principles of arbitration as are contained in the Arbitration Act 1961, Act 38 of Ghana (and the ADR Bill) and the British Arbitration Act. Students will be taken through the basic principles of Arbitration, the skills of drafting Arbitration Clauses and crafting the elements of an enforceable Award i.e. Award writing.

FLAW 625 FUNCTIONAL LAW I (PRESCRIBED FOR NON-LAWYERS ONLY)

This course will equip the non-lawyer with functional knowledge in core law areas. These will include the law of contract, torts and landlord and tenant.

FLAW 626 FUNCTIONAL LAW II (PRESCRIBED FOR NON-LAWYERS ONLY)

This course will equip the non-lawyer with functional knowledge in core law areas. These will include commercial law, and the law of evidence.

FLAW 628 DISPUTE MANAGEMENT FOR BUSINESS AND WORKPLACE CONFLICT RESOLUTION

Participants will explore the causes of organizational conflict; identify dispute Resolution processes and their applicability; discuss issues associated with changing the dispute resolution culture; design models for implementing change. The students will also develop an understanding of the nature, causes and characteristics of workplace disputes; examine the social, psychological, industrial and legal issues that affect workplace

disputes; apply the principles of dispute investigations, analysis and evaluation, and of dispute resolution planning in relation to workplace disputes. This course will be taught through theory and practice; practical workshops will aim at providing the participant with the tools of resolving disputes in an efficient and effective manner.

FLAW 629 CONTEMPORARY ISSUES IN ADR I

This course will provide opportunity for the introduction of specific areas of interest that may come up from time to time, for example the use of Alternative Dispute Resolution Mechanisms in disputes related to Oil and Gas transactions and the mediation of Environmental and other Public Policy Issues. This course will provide students with the opportunity to identify and discuss public policy issues and the role that ADR can play in resolution of disputes emanating therefrom.

FLAW 632 CONTEMPORARY ISSUES IN ADR II

This course will provide opportunity for the introduction of specific areas of interest that may come up from time to time, for example the use of Alternative Dispute Resolution Mechanisms in the resolution of Chieftaincy Disputes, Domestic conflicts etc.

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FLAW 661 INTRODUCTION TO GHANAIAN OIL AND GAS LAW

This course will introduce students to the basics of Ghanaian oil and gas law. The course will be exploratory in nature and will cover fundamental topics such as ownership of natural resources such as oil and gas, the licensing regime for oil and gas exploration and production, basic elements of oil and gas agreements, the rights and obligations of oil and gas companies, the institutional context of oil and gas exploration and production and the tortious elements of oil and gas exploration and production.

FLAW 662 THE POLITICAL ECONOMY AND GOVERNANCE OF OIL AND GAS IN DEVELOPING COUNTRIES

This course is a graduate seminar and will offer students the opportunity to explore political and economic dynamics of the oil and gas exploitation in the specific context of a developing country. The course will focus attention on some of the governance problems that often result in welfare-reducing outcomes for developing country societies from the exploitation of natural resources such as oil. It will draw attention to issues such as the resource curse and its interrelated problems such as the so-called "Dutch disease" as well as the legal and institutional solutions that have been used in other countries to deal with these problems. The course will also cover the politics of regulation, especially interest-group influence of the regulatory process, the structure of the international oil and gas market, the role of producer cartels and oil and gas multinationals in the determination of prices and the governance of oil revenue and the impact of bad governance on the fiscal benefits accruing to host developing countries. Students will be required to prepare and attend a weekly seminar and to actively participate in the seminar and to actively participate in the seminar. Assessment will be continuous and on the basis of weekly assignments. At the end of the semester, students will write a seminar paper on a topic approved by the lecturer.

FLAW 663 BASIC GEOLOGY OF OIL AND GAS

This course will introduce students to the fundamental aspects of oil & gas geology in order to foster an understanding of the geological formations and processes that underlie oil and gas exploration and production. The course will explore the basic aspects of exploration, development and production, including occurrence, migration and entrapment of oil and gas in the reservoir; exploration and development methods and basic aspects of refining.

FLAW 665 ENVIRONMENTAL ASPECTS OF OIL AND GAS LAW

This course will deal with the environmental dimensions of oil and gas exploration and production. The focus will be on the national and international legal and regulatory aspects of environmental protection, including the capacity of domestic environmental institutions to ensure compliance. Emphasis will be laid on oil pollution in offshore oil and gas development as well as oil pollution at sea.

FLAW 666 FISCAL DIMENSIONS OF OIL AND GAS LAW

The taxation of oil and gas is a critical aspect of the governance of the oil and gas industry and thus an important element of the discourse relating to the development impact of oil and gas production. The course will treat topics relating to the structure of taxation of the oil and gas industry, royalties, tax evasion and avoidance, tax incentives, the complex issue of international transfer pricing and its impact on the tax benefits to the state and the domestic institutional context of taxation of the oil and gas industry.

FLAW 674 INTRODUCTION TO OIL AND GAS PRODUCTION AND ENGINEERING SYSTEMS

The purpose of this course is to introduce non engineering students to the basic aspects of oil and gas production systems. It will cover topic such as site preparation, drilling, reservoir performance, formation evaluation, field appraisal and development, natural gas processing and gas to liquid processing technology.

FLAW 668 OIL AND GAS CONTRACTS

The course will deal with the fundamental elements and peculiar legal character of oil and gas contracts. Students will be introduced to the form and substantive content of these contracts, including the contractual rights and obligations of oil companies and the Government as well as liability for breach of contract.

FLAW 671 INVESTMENT REGULATION IN THE OIL AND GAS SECTOR

This course will focus on the basic concepts of national and international law relating to investment in the oil and gas industry. Students will be taught how to analyze and critique oil and gas investment agreements (production-sharing, concession, joint ventures and service or management contracts) as well as the national and international legal regimes on investment regulation and protection.

FLAW 672 HUMAN RIGHTS CONTEXT OF OIL AND GAS

Oil and gas production sometimes negatively impacts the fundamental human rights of persons within the vicinity of the production platform. This course will deal with the problems of human rights violations and enforcement and the industry dynamics that result in such violations. The treatment of human rights will thus be contextualized in the sense that it will not comprise a general treatment of human rights law but rather a specialized treatment of human rights law as it relates to the oil and gas industry. The course will examine national and international human rights instruments and contextualize their application to the oil and gas industry. Emphasis will be on critical assessment of the substantive normative principles of particular human rights (e.g. the right to a clean and healthy environment, the right to development and its relationship to the production of oil and gas) and procedures for enforcement at the national, regional and international levels.

FLAW 602 AFRICAN HUMAN RIGHTS SYSTEM

The Student will be exposed to a comprehensive treatment of the human rights regime in Africa. The discussion will examine the human rights system within the AU, The ECOWAS, SADC etc structures. Focus will be placed on the factors that might be inhibiting the realization of human

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FLAW 642 CONSTITUTIONAL PROTECTION OF HUMAN RIGHTS

The Course will start with an examination of the evolution of the constitutional protection of fundamental human rights. The nature of the constitutional guarantee of rights will also be examined. Specific topics such as the rights of children, the vulnerable, economic, social and cultural rights, freedom of association, the debate on the death penalty etc. will be discussed. The interpretation of some of these rights by the courts of countries such as South Africa, India and Nigeria will be investigated and compared.

FLAW 643 COMPARATIVE INSTITUTIONS OF GOVERNMENT & ADMINISTRATION

This will involve a comparative study of selected constitutions with respect to the various institutions that support democratic governance and administration; the role of the executive, the legislature, the courts and other institutions in ensuring respect for constitutionalism and people-oriented administration. The concept of constitutionalism within the backdrop of globalization will be considered.

FLAW 644 CONTROL OF ADMINISTRATIVE INSTITUTIONS AND REMEDIES

This explores the mechanisms available for the control of administrative institutions. The important issue of the range of remedies available to those who are aggrieved by some administrative action, inaction, or decision. The important topic of procurement as is regulated under the Procurement Act 2003, Act 663 will be thoroughly examined.

