



THE UNIVERSITY OF  
**NOTRE DAME**  
A U S T R A L I A

# REGULATIONS:

## SCHOOLS OF LAW

### FREMANTLE AND SYDNEY

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Purpose:	These School Regulations apply to all students in the courses and units offered by the Schools of Law at the University of Notre Dame, Australia.
Responsible Executive:	Dean
Responsible Office:	Schools of Law
Contact Officer:	Dean
Effective Date:	1 January 2017
Modification History:	Reformatted November 2006; Modified January 2009; December 2009; September 2010; September 2011; May 2012; December 2013, June 2016

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## 1. INTRODUCTION AND INTERPRETATION

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### 1.1 School Regulations

These Schools of Law Regulations apply to all students enrolled in the courses offered by the Schools of Law in the Fremantle and Sydney Campuses (together the 'School'), and, as far as is appropriate, to those students enrolled in units which are offered through the School. These Regulations should be read in conjunction with the General Regulations and specific Course Regulations.

### 1.2 Course Regulations

In addition to these School Regulations, all of the courses in the School have specific regulations which apply to all students enrolled in these courses.

### 1.3 Interaction of Regulations

In the event of inconsistencies between different sets of regulations, the order of priority of enforceability is as follows:

- 1 General Regulations
- 2 Research Degree Regulations
- 3 School Regulations
- 4 Course Regulations

### 1.4 Interpretation

The words and phrases contained in this provision are to be interpreted in the following way throughout the School Regulations, unless otherwise provided:

<b>Academic Staff</b>	The fulltime and fractional staff of the relevant School.
<b>Course</b>	A course offered by the School.
<b>Course Coordinator</b>	The Dean of the School or that person designated by the Dean to be the person in charge of a Course and who shall be responsible to the Dean for the overall coordination of the Course.
<b>School Committee</b>	Has the same meaning as that given to it in the University Statutes.
<b>Unit Coordinator</b>	The person designated by the Dean to be the lecturer in charge of a unit and who shall be responsible to the Dean for the overall coordination of teaching and assessment in the unit.
<b>University Statutes</b>	The instruments referred to by that name made from time to time in accordance with the provisions of the <i>University of Notre Dame Australia Act 1989 (WA)</i> .
<b>Working Day</b>	A day in which the University is open for business but does not include public holidays or weekends.

## **1.5 Amendment of Regulations**

- 1.5.1** All proposals for amending these School Regulations must be forwarded by the Dean to the Unit and Course Approval Committee for consideration and to the Vice Chancellor for approval.
- 1.5.2** Unless otherwise specified, amendments to these School Regulations are deemed to be binding on all students enrolled in units or courses offered by the School as soon as they are approved by the Vice Chancellor.
- 1.5.3** Where the Dean is satisfied that any amendments to these School Regulations will affect an existing student(s) of the School in an unreasonable, prejudicial or discriminatory manner, the Dean may take such steps as are reasonably necessary to avoid or minimize the impact of the unreasonable, prejudicial or discriminatory consequences on the existing student(s).

## **2. GOVERNANCE OF THE SCHOOL OF LAW**

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### **2.1 Dean of a School**

- 2.1.1** Subject to the University Statutes, the Dean of the School on the Fremantle Campus is the senior executive and academic officer primarily responsible for the welfare of the School on that Campus.
- 2.1.2** Subject to the University Statutes, the Dean of the School on the Sydney Campus is the senior executive and academic officer primarily responsible for the welfare of the School on that Campus.

### **2.2 Associate/Assistant Dean of a School**

Subject to the University Statutes, the Associate Dean/Assistant Dean of a School assists the Dean with the day-to-day operations of the School with particular responsibility for the oversight of academic programs and student care.

### **2.3 School Committee**

- 2.3.1** In accordance with the University Statutes, there shall be a School Committee on the Fremantle Campus and a School Committee on the Sydney Campus (the School Committees).
- 2.3.2** The School Committees shall each hold a minimum of two meetings per year, at which meetings the following rules apply:
- (a) The Dean of the School (or nominee) chairs the meeting and has both a deliberative and casting vote on any matter requiring determination by the School Committee.
  - (b) 50 per cent of Academic Staff of that School must be present for there to be a quorum.
  - (c) Members of the School Committee must be given notice that a meeting is to be held five working days before it is held.
  - (d) If a meeting is to be cancelled, a minimum of 24 hours' notice must be given unless it is impracticable to do so.
  - (e) Members must be notified of meeting details prior to the meeting. Such notice may be given in writing, orally or electronically.

- (f) The Dean of the School shall appoint a person to record and retain minutes of each meeting.

**2.3.3** The Dean must take into consideration the views and determinations of the School Committee; however, the role of the School Committee is advisory to the Dean only and the Dean may act contrary to the advice of the School Committee if the Dean considers it reasonably necessary or practicable in the circumstances to do so.

**2.3.4** Where the Dean of the School chooses not to follow the advice of the School Committee, the Dean must advise the Campus Deputy Vice Chancellor of the issues involved.

### **3. ADMISSIONS**

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#### **3.1 Special Requirements for Admission**

**3.1.1** Special requirements for admission (if any) to a course offered by the School must be detailed in specific Course Regulations and/or in any relevant policy of the University.

**3.1.2** All prospective students applying to study a Bachelor of Laws course, either on its own or as part of a Double Degree Award, will be interviewed by the Dean or another Academic Staff member. Where a staff member other than the Dean conducts the interview their recommendation will be documented and forwarded to the Dean of the School (or delegate) for approval and submission to the Admissions Office.

#### **3.2 Courses and Quotas**

**3.2.1** The courses of the School are set out in the Course Regulations.

**3.2.2** Pursuant to the General Regulations, the total intake of first year students admitted to a course on a particular Campus may be limited.

#### **3.3 Specific Conditions of Enrolment in Units of a Course**

**3.3.1** Special conditions of enrolment (if any) in units of a course offered by the School must be detailed in specific Course Regulations and/or in any relevant policy of the University.

**3.3.2** The Dean of the School (or delegate) may impose enrolment conditions on a student based on specific course or unit requirements.

**3.3.3** The conditions that may be imposed on a student include, but are not limited to:

- (a) the meeting of special requirements of admission;
- (b) achievement of a passing grade in a prerequisite unit;
- (c) that a student may enrol in a particular unit only if:
  - (i) the student also enrolls in a co-requisite unit at the same time, should a co-requisite unit be specified; or
  - (ii) the student previously achieved a passing grade in the co-requisite unit.

**3.3.4** The Dean of the School (or delegate) may permit a student to enrol in a unit without having satisfied the conditions listed in Regulation 3.3.3 if satisfied that the student has demonstrated sufficient knowledge to undertake the unit concerned.

#### **3.4 Enrolment Deadlines**

- 3.4.1 Enrolment deadlines for undergraduate and postgraduate units are those proclaimed by the Campus Registrar.
- 3.4.2 Enrolment deadlines for non-standard units are determined by the Dean and advised to the Campus Registrar for publishing on the University's web site.

## 4. ACADEMIC PROGRESS

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### 4.1 Student Progress

- 4.1.1 A student who fails to complete all of a particular year of her or his prescribed course may be permitted, at the discretion of the Dean (or delegate) of the School, to proceed to the next year of the course provided that the appropriate prerequisites are met and agreement is reached on how the missing requirements will be completed.
- 4.1.2 A Dean may recommend to the Campus Deputy Vice Chancellor for approval any change to a Course Regulation for an individual student.

### 4.2 Graduation

Eligibility for graduation in the courses offered by the School requires successful completion of all required credit points and course conditions as detailed in the Course Regulations.

## 5. ASSESSMENT AND EXAMINATIONS

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### 5.1 Unit Outline

A student will be provided with a Unit Outline at the commencement of a unit in which he/she is enrolled in a particular semester/term. The Unit Outline will provide the details of the unit including specified learning outcomes, content, assessment schedule, readings and required texts (if any). It is the responsibility of the student to review the Unit Outline and familiarise him/herself with the content and requirements.

### 5.2 Assessment

Assessment criteria for each unit are contained in the Unit Outline for each unit.

### 5.3 Conceded Pass

In accordance with the General Regulations, the grade of Conceded Pass (CP) may not be awarded to any student enrolled in a unit offered by the School or in any award or degree offered by the School.

### 5.4 Extensions on continuous assessment items (excluding examinations)

- 5.4.1 A student may apply in writing before the due date for an extension of time within which to submit a piece of continuous assessment without penalty to the Dean (or delegate) setting out the grounds for the application although an extension of time will only be granted in exceptional circumstances. Such an application must be accompanied by appropriate supporting documentation, such as a medical certificate.
- 5.4.2 The Dean (or delegate) has absolute discretion to approve or dismiss the application for extension.
- 5.4.3 If the Dean (or delegate) approves the application for extension, the Dean (or delegate) must set a new due date, "the extended due date".
- 5.4.4 If the Dean (or delegate) does not approve the application for extension, the Dean (or

delegate) must, subject to Regulation 5.5.2, impose the penalty for late submission or non-submission of continuous assessment.

**5.5 Penalties for late submission or non-submission of continuous assessment items (excluding examinations) (see also clause 11.3 below)**

**5.5.1** If a student has not submitted the piece of assessment on or before the due date (or on or before the extended due date, in accordance with Regulation 5.4), the following rules apply:

- (a) The piece of assessment is assessed as if it were submitted on the due date (or extended due date if applicable) but 10% of the total marks available for the piece of assessment will be deducted from the final mark obtained for the assessment for every calendar day that the submission of the assessment exceeds the due date (or the extended due date if applicable). For a more detailed explanation see Regulation 11.3 below.
- (b) No piece of assessment will be marked or awarded a grade if the piece of assessment is submitted more than five days after the due date and the student will be awarded a mark of zero (0) and Fail (F) grade for that piece of assessment.

**5.5.2** The Dean of the School (or delegate) retains absolute discretion to waive or modify the penalties imposed as listed above if the student can establish to the satisfaction of the Dean (or delegate) that there are compelling and legitimate reasons for the late submission, non-submission of assessment, or the failure to participate in a prescribed activity pertaining to the assessment.

**5.5.3** The decision of the Dean (or delegate) with respect to the request for extension or penalty for late submission is final.

**5.6 Re-marking of pieces of continuous assessment**

**5.6.1** A student may request a piece of assessment to be re-marked, but only after first discussing the mark for that piece of assessment with the relevant Unit Coordinator.

**5.6.2** The Dean (or delegate) has absolute discretion whether or not to permit a re-mark of a piece of assessment which a student believes has been inadequately or inappropriately assessed in accordance with the grounds set out in the General Regulations provided the student has put their request for a re-mark in writing to the Dean within ten (10) Working Days of receiving the mark for the piece of assessment concerned.

**5.6.3** If the Dean (or delegate) permits a re-marking of the piece of assessment, in accordance with the General Regulations, the following procedures apply:

- (a) The Dean (or delegate) will organise a second person (either internal or external to the University) to re-mark the piece of assessment.
- (b) The person undertaking the re-marking will recommend to the Dean (or delegate) a mark for the piece of assessment. In so doing, the person undertaking the re-marking will have regard to but is not bound by any marking guidelines or criteria produced by the original marker.
- (c) The person undertaking the re-marking will provide a written recommendation to the Dean (or delegate) as soon as is practicable giving an assessment of the piece of assessment and the recommended mark and grade.
- (d) The final mark and grade to be awarded for the piece of assessment will be determined by the Dean (or delegate) based on the person undertaking the re-marking recommendations.

- (e) The Dean (or delegate) will advise the Unit Coordinator and the student of the outcome of the re-mark and, if necessary, the Unit Coordinator will amend the student's assessment record.

## 5.7 Supplementary assessment

- 5.7.1 Supplementary assessment is provided to facilitate course completion.
- 5.7.2 Supplementary assessment is not a reassessment of the student's overall grade or the mark for an individual assessment item. It is a new item of assessment designed to assist students to complete requirements for their qualification, and is thus available for units which will not be offered in the following academic year or which are undertaken in the final year of study only.
- 5.7.3 The Dean (or delegate) is responsible for determining eligibility for supplementary assessment guided by advice from the Unit Coordinator (if any) as to whether, given the student's marks for the unit and the nature of the unit, it is possible for the student to achieve a passing standard through supplementary assessment.
- 5.7.4 The form and type of supplementary assessment is at the absolute discretion of the Dean (or delegate), who will ensure that academic standards are maintained.

## 5.8 Referencing

In the absence of any notification to the contrary, a student enrolled in units offered by the School must use the current edition of the *Australian Guide to Legal Citation* (University of Melbourne Law Review Association Inc in collaboration with the Melbourne Journal of International Law Inc) for referencing and footnoting pieces of assessment.

## 5.9 Assessment Coversheets

A student is required to attach a School of Law Cover Sheet to every piece of continuous assessment on which they must declare that the work is all their own, that they have retained an electronic copy of the work, that the work has not been previously submitted for any other unit or at any other tertiary institution, and the total word count (excluding footnotes and bibliography) of the assessment.

## 5.10 Examinations

In accordance with the General Regulations, all School units at an undergraduate level must normally include a final invigilated examination of no less than 50% of the final grade of the unit.

## 5.11 LW104 Ethics and the Law – Additional requirement (Fremantle students only)

- 5.11.1 The LW104 *Ethics and the Law* unit (which is the core curriculum unit in ethics completed by students studying in Fremantle) has two modules:
  - (a) an Ethics module taught and assessed by the School of Philosophy and Theology; and
  - (b) a Legal Ethics module taught and assessed by the School of Law.
- 5.11.2 Students are required to achieve a pass mark in each of these modules to attain a pass mark for the unit.
- 5.11.3 Any student who is awarded a mark of less than 50% for either the Ethics or Legal Ethics module will be awarded a Fail grade for the LW104 *Ethics and the Law* unit. In this instance, the maximum numerical mark that the student may be awarded for the unit is 49.

- 5.11.4** For the avoidance of doubt, Regulations 5.11.1 to 5.11.4 do not apply to students completing the PT102 *Logos II* unit (which is the core curriculum unit in ethics completed by students studying in Sydney).

## **6. ETHICAL OBLIGATIONS OF STUDENTS**

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### **6.1 Code of Conduct**

All students are obligated under the University's *Code of Conduct* to act in accordance with their ethical and academic obligations

### **6.2 Honour Code**

**6.2.1** A student enrolled in a course offered by the School is bound by the School's *Honour Code*, which sets out ethical standards expected of Law students. The *Honour Code* is not exhaustive and the obligations imposed are additional and supplementary to any other obligations imposed by the University Statutes or General Regulations, the *Policy: Student Academic Integrity* or these Regulations.

**6.2.2** Without limiting obligations imposed by University Statutes and General Regulations, the ethical obligations of a student in the School include the following:

- (a) to treat all students and staff of the University, and members of the community with whom they come into contact as a student, with courtesy and respect;
- (b) to use the resources and property of the University honestly, with care and in accordance with any University or School Regulations and guidelines;
- (c) to comply with any instructions issued in connection with the use of the University Library; and in particular, not to steal, deface, destroy or conceal from other students any library materials; and
- (d) to conduct themselves fairly and honestly in connection with examinations and other forms of assessment; and in particular, to avoid all forms of cheating, including collusion, plagiarism and copying.

**6.2.3** Additional professional and ethical behaviour expected of students are detailed in the General Regulations.

## **7. COMMUNITY SERVICE REQUIREMENT**

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**7.1** A student enrolled in an undergraduate course offered by the School must undertake any community service work which is required by Regulation 7.2 before the student will be eligible for graduation unless the Dean certifies in writing that special circumstances exist to wholly or partially exempt the student from that work.

**7.2** A student completing the LW104 *Ethics and the Law* unit (which is the core curriculum unit in ethics completed by students studying in Fremantle) is required to satisfactorily complete the 20 hours "community service" component for Law students which is incorporated within that unit. A student cannot:

**7.2.1** be granted advanced standing for the LW104 *Ethics and the Law* unit without completing the required 20 hours community service work; or

**7.2.2** graduate from an undergraduate course offered by the School of Law (Fremantle Campus) without having completed the required 20 hours community service work whether completed as a part of LW104 *Ethics and the Law*, for advanced standing as referred to in 7.2.1 above or on its own to meet the requirements to graduate as



required by this Regulation.

- 7.3** For the avoidance of doubt, Regulations 7.1 to 7.2 do not apply to students completing the PT102 *Logos II* unit (which is the core curriculum unit in ethics completed by students studying in Sydney) unless the students apply to graduate from the Fremantle Campus.

## 8. SCHOOL POLICIES

- 8.1** School policies are binding on all students enrolled in courses or units within the School.
- 8.2** School policies must be approved by a majority of the members of the School Committee and endorsed by the Dean.
- 8.3** School policies must not conflict with University policies, Regulations or Statutes that deal with such matters.

## 9. PRIZES AND AWARDS

- 9.1** A student enrolled in a Course, either on its own or as part of a Double Degree Award, at the University of Notre Dame Australia may be eligible for an award and/or prize as published on the School website.
- 9.2** Awards and prizes offered within the School may be presented at an annual event organized by or in conjunction with the School of a particular Campus.

## 10. HONOURS

The Bachelor of Laws (Graduate Entry), Bachelor of Laws (Undergraduate Entry) and the Bachelor of Laws component of the Double Degree are offered with Honours. There are specific admission requirements for the Honours degree (as set out below) and these regulations should be read in conjunction with the *Policy: The Award of a degree with Honours*.

### 10.1 Honours in the Bachelor of Laws Courses and Law Component of the Double Degree Awards

#### 10.1.1 General Definitions

Eligible Student	is a student who has satisfied the criteria for being invited into the Honours program set out in Regulation 10.1.4(iv).
Graduating Class	means the body of students who, as at 1 November, are enrolled in undermentioned units for the following academic year: LW350 <i>Legal Philosophy</i> ; AND who are eligible to graduate at the end of that academic year or at the end of semester one of the following academic year.
Honours Cohort	means Eligible Students who are participating in the Honours program.
Honours Committee	means the Dean, the Honours Co-ordinator(s) and the Associate/Assistant Dean(s).
Eligible Units	are all Law units, with the exception of: (a) LW104 <i>Ethics and the Law</i> ; (b) grades for units assessed on a Non-Graded Pass (Pass/Fail) basis; (c) units that are studied on a cross-institutional basis; and (d) general credit advanced standing.
Honours Calculation	

Average	means, for a given student, the sum of the Honours Points for each of that student's Eligible Units divided by the number of Eligible Units. When calculating the sum of the Honours Points and the number of Eligible Units <i>Advanced Research Project</i> will be counted as four (4) Eligible Units.
Honours Points	means, for an Eligible Unit, the points set out in the following scale: <ul style="list-style-type: none"> <li>(a) a grade of HD is worth 6 Honours Points;</li> <li>(b) a grade of D is worth 4 Honours Points;</li> <li>(c) a grade of C is worth 2 Honours Points;</li> <li>(d) a grade of P is worth 0 Honours Points;</li> <li>(e) a grade of F is worth -2 Honours Points; and</li> <li>(f) a grade of FN and WF is worth -2 Honours Points.</li> </ul>

### 10.1.2 Honours Calculation Average

The Honours Calculation Average for a given student in the Graduating Class is to be determined as follows:

- Step 1 - Calculate the Honours Points for each of the Eligible Units for which that student has been awarded a grade.
- Step 2 - Calculate the Honours Calculation Average for that student.

### 10.1.3 Admission to the Honours Program in Law

- (i) Admission to the Law Honours program is by invitation only (in accordance with School procedures) and is subject to approval by the Dean in consultation with the Honours Committee.
- (ii) A student who is enrolled in a Course part-time may enrol in the Honours program with the Dean's approval.
- (iii) The Law Honours program is to be completed in a student's final full year of academic study.

### 10.1.4 Selection Criteria

- (i) The Honours Co-ordinator, in consultation with the Dean, will determine at the end of each academic year, the eligibility of the members of the Graduating Class to participate in the Honours program for the following academic year.
- (ii) Subject to Regulation 10.1.4(v), the academic performance of a student will be the sole basis for determining whether a student is eligible to participate in the Honours program, and that academic performance will be judged according to the Honours Points principles detailed in this Regulation.
- (iii) The eligibility of a student for participation in the Honours program will not be considered unless and until they:
  - (a) have completed or are enrolled in LW350 *Legal Philosophy*; and
  - (b) are in their final full year of academic study.
- (iv) To be eligible to participate in the Honours program a student must:
  - (a) have obtained a minimum Honours Calculation Average of 3 over the course of their Bachelor of Laws Award; and
  - (b) using the Honours Calculation Average, fall within the top 20% of the Graduating Class.
- (v) The Dean, in consultation with the Honours Committee, will invite those students who are eligible to participate in the Honours program to apply to enter the program. In deciding whether an eligible student can participate in the Honours program, the Dean may, in consultation with the Honours Committee, take into account matters such as academic performance and School resources. No student will be deemed to be enrolled in the Honours program until the Dean (or delegate) has formally accepted that student's application in writing.

- (vi) The Dean's decision on eligibility for entry into the Honours program is final.

#### 10.1.5 Deferral of Participation in the Honours Program

- (i) An Eligible Student who has been invited to enter the Honours program may apply to the Dean in writing to defer their participation in the Honours program.
- (ii) In considering whether to grant the deferral, the Dean must consult with the Honours Committee and may take into account the academic performance of the student, the grounds for the deferral and any other matters that the Dean considers relevant.
- (iii) The Dean will advise the Eligible Student in writing as to whether their application to defer their participation in the Honours program has been successful.
- (iv) The Dean's decision as to whether or not to grant the deferral is final.
- (v) If the Dean approves the deferral then:
  - (a) to determine whether the student falls within the top 20% of the graduating class, the student is deemed to be a part of the Graduating Class which they were a part of when they were invited into the Honours program; and
  - (b) to determine the final grade and mark for their performance in *Advanced Research Project* in accordance with Regulation 10.1.6(v), the student is deemed to be a part of the Honours Cohort for the year in which they complete *Advanced Research Project*.

#### 10.1.6 Eligibility for Award of Honours

- (i) If an Eligible Student is accepted into the Honours program, the student must successfully complete the unit of *Advanced Research Project* which is a substitute for and the equivalent of two Law electives. In completing this unit the student is required to undertake legal research upon a topic approved by the Dean (or delegate) and to present the results of that research in a 12,000-word research paper (the thesis).
- (ii) A principal supervisor must be appointed to oversee the research undertaken in fulfilling the requirements of LW441. A co-supervisor may also be appointed.
- (iii) There will be a minimum of two readers of the thesis, one of whom must produce a formal examination report to the Dean (or delegate). The other reader must be the principal supervisor or co-supervisor of the paper or the Honours Co-ordinator and must confer with the examiner on the production of the final report.
- (iv) Neither the principal supervisor nor any co-supervisor may be appointed as the examiner of the thesis.
- (v) The student will be awarded a final grade and mark for their performance in *Advanced Research Project*.
- (vi) To be eligible for the award of Honours, at the completion of the final year of their Bachelor of Laws Award (either as a single degree or as a component of a Double Degree Award), a student must have maintained an Honours Calculation Average of at least 3 throughout this Award. A student who has not maintained an Honours Calculation Average of 3 may nonetheless graduate with a Bachelor of Laws Award (either as a single degree or as a component of a Double Degree Award) provided they have satisfied the academic requirements of the Award.
- (vii) The Class of Honours for each student will be determined by the Board of Examiners upon recommendation by the Honours Co-ordinator. The Honours Co-ordinator's recommendation will be made after consultation with the Dean (and/or his or her delegate) and the Honours Committee, and will be based on a comparative analysis of the Honours Calculation Average and theses of the students participating in the Honours program.

#### 10.1.7 Examination of Honours Research Component

Examination of the Honours research component is detailed in the Advanced Research Project Thesis Marking Guide/Examiners Report.

#### **10.1.8 Awarding Honours**

Honours within the Bachelor of Laws Courses and the Bachelor of Laws component of the Double Degree Awards is awarded in accordance with Regulation 3.10.1 of the General Regulations as graded Honours.

### **11. UNIT OUTLINE: STANDARD PROVISIONS**

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#### **11.1 Referencing Style**

All written work must adhere to the current edition of the *Australian Guide to Legal Citation* (University of Melbourne Law Review Association Inc in collaboration with the Melbourne Journal of International Law Inc).

#### **11.2 Submission of Assignments and other Continuous Assessments**

**11.2.1** The students must comply with any instructions provided with each assignment regarding the method of submission.

**11.2.2** Penalties may be imposed for late submission or for deviations from the submission requirements for an assignment.

**11.2.3** Even if the lecturer only requests a hardcopy submission, the student must keep an electronic copy of his/her assessment task and provide it to the unit coordinator upon request. The unit co-ordinator may request an electronic copy of an assessment for any reason including (but not limited to) confirmation of compliance with word limits or academic honesty. Failure to provide the electronic copy of the assessment when requested may result in the student's mark being withheld.

**11.2.4** Marks may be deducted for:

- i. poor referencing;
- ii. an incomplete or missing coversheet;
- iii. an incorrectly completed coversheet; or
- iv. failure to comply with any technical requirements set out for a piece of assessment in the unit outline.

#### **11.3 Late Submission of Assignments and other Continuous Assessments (see also clause 5.5 above)**

**11.3.1** An assignment that is submitted past the submission deadline (the set time on the due date, which is 4 pm unless otherwise stated in the assignment instructions) will be subject to a late penalty.

**11.3.2** The late penalty starts at 10% (at one minute past the submission deadline), and increases by 10% for every 24 hours that elapse. For example, an assignment that is 36 hours late receives a penalty of 20% (the initial 10% from when it was one minute late, plus another 10% from when it was 24 hours and one minute late).

**11.3.3** The penalty applied is a percentage of the total marks for the assessment and not a percentage of the grade the student would have been awarded but for the penalty. For example, if a student would have scored 7/10 on the assignment without a late penalty, and he/she submits two hours past the submission deadline - attracting a penalty of 10% - he/she will receive 6/10 (7 minus 10% of 10), not 6.3/10 (7 minus 10% of 7).

- 11.3.4** If a hard copy (print) submission is required, it cannot be submitted on
- (a) the weekend,
  - (b) a public holiday, or
  - (c) after business hours on a working day.
- 11.3.5** If a student wishes to submit a hardcopy assignment after the submission deadline, he or she must hand the assignment in at the Law School Reception.
- 11.3.6** If a late assignment is placed in the assignment box either during one of the periods referred to in 11.3.4 above or at any time after the submission deadline it will be deemed to have been submitted when collected from the assignment box by a member of staff. There is no requirement that the assignment box be checked/emptied each day and the student bears the risk submitting late via the assignment box and the penalties accrue as normal. Thus, if an assignment is put in the assignment box at 6 pm on a Friday, and was due at 4 pm on that day, it will receive a penalty of 30%, assuming the assignment box is cleared on Monday. (The penalty was 10% at 4:01 pm on Friday, 20% at 4:01 pm on Saturday, and 30% at 4:01 pm on Sunday.)
- 11.3.7** An assignment will not be marked if it is submitted more than five days after the submission deadline (unless an extension has been granted).

#### 11.4 Exceeding the Word Limit

- 11.4.1** The ability to communicate ideas in a clear and concise fashion is a valuable skill for a lawyer to have. The word limit imposed for an assignment is intended to cultivate that skill and a penalty will be imposed for exceeding the word limit. The range of penalties is as follows:

<b>Amount by which word limit is exceeded</b>	<b>Percentage reduction in the assessed mark</b>
0 – 10%	Nil
>10 – 20%	10%
>20 – 30%	20%
>30 – 40%	30%
>40 – 50%	40%
> 50%	50%

The additional 10% that may be written without penalty is a leeway, not an extension of the word count. Going even one word over this leeway will ordinarily attract a penalty.

- 11.4.2** The penalty applied is a percentage of the total marks for the assessment and not a percentage of the grade the student would have been awarded but for the penalty. For example, if a student would have scored 7/10 on the assignment without a word limit penalty, and you exceed the word limit by 12% - attracting a penalty of 10% under the above rules – he/she will receive 6/10 (7 minus 10% of 10), not 6.3/10 (7 minus 10% of 7).
- 11.4.3** Footnotes are excluded from the word count unless they are used to provide significant commentary. The content of the bibliography is also excluded from the word count.
- 11.4.4** Headings and sub-headings do form part of the word count and students are warned against simply omitting them to save words. Students are reminded that headings and sub-headings can be a vital part in the structure of the assessment and that judicious use of headings will clarify the structure and enable the student to make his/her point more concisely and effectively.
- 11.4.5** The penalty is imposed in order to be fair to students who comply with the word limit and lecturers shall take the word count to be that as calculated by Microsoft Word in Windows. Different programs can differ in their calculation of word count, however, any such variation within 1% of the word limit for the assignment will not be grounds for removing or modifying a penalty imposed for exceeding the word limit in the assignment. Students should either check their word limits on Microsoft Word in Windows OR exceed the word limit for the

assignment by no more than 9% in order to avoid the possibility of having a penalty imposed for exceeding the word limit for the assignment.

## 11.5 Academic Literacy Policy

- 11.5.1** Written assignments in the School may be assessed against the Academic Literacy Criteria. The overall grade awarded for a written assignment cannot be higher than the grade awarded for academic literacy. For example, a paper that reaches only the 'Credit' standard for academic literacy, but is of 'Distinction' standard in all other respects, will receive a Credit.
- 11.5.2** Grades are capped at the highest numerical mark in the range of the letter grade the paper receives for academic literacy (C, P, or F that is, Credit, Pass, or Fail). For example, a paper that would receive 11/20 without the cap, but which falls within the 'Fail' range for academic literacy, will receive 9/20 if the marker awards only whole marks, or 9.5/20 if the marker awards half-marks (in either case, the highest 'F' grade). Note that High Distinction assignments cannot be capped to Distinction level, as the criteria for those categories are identical.
- 11.5.3** The cap is applied **after** all other academic penalties have been subtracted from the assignment's grade (such as the late and word count penalties).
- 11.5.4** The Academic Literacy Criteria do not apply to Honours theses, examinations, in-class tests, or any assessment which the Unit Coordinator specifically exempts from them. Check the individual instructions for each piece of assessment to check whether or not the assessment is exempt from the Academic Literacy Criteria.

### 11.5.5 The Academic Literacy Criteria Rubric

<b>ACADEMIC LITERACY</b>	<b>HIGH DISTINCTION/ DISTINCTION</b>	<b>CREDIT</b>	<b>PASS</b>	<b>FAIL</b>
<b>Expression &amp; Grammar</b> The paper communicates key points with clear and concise sentences. Grammar is used appropriately and accurately.	Very high level of ability displayed. Any inappropriate forms of expression or grammar are incidental.	High level of ability displayed. There are few inappropriate forms of expression or grammar.	Adequate level of ability displayed. There are several inappropriate forms of expression and /or grammar.	Insufficient evidence of ability displayed. There are substantial inappropriate forms of expression and/or grammar.
<b>Spelling &amp; Punctuation</b> The paper uses Standard Australian spelling. Punctuation is used appropriately and accurately.	Very high level of ability displayed. Any errors of spelling or punctuation are incidental.	High level of ability displayed. There are few spelling or punctuation errors.	Adequate level of ability displayed. There are several spelling and/or punctuation errors.	Insufficient evidence of ability displayed. There are substantial spelling and/or punctuation errors.

## 11.6 Extensions and Special Consideration (See also Regulation 5.4 above)

- 11.6.1** A Unit Coordinator cannot grant an extension and must not grant special consideration amounting to an extension. Students seeking either of these must apply to the Assistant Dean of Students for the School on the appropriate form.
- 11.6.2** Applications for Special Consideration on Continuous Assessment should be made to Coordinator, in accordance with General Regulations 6.10.1 and 6.10.2.
- 11.6.3** Applications for Special Consideration on the final Invigilated Exam should be made to the Dean for the School, in accordance with General Regulation 6.10.3.
- 11.6.4** All applications are to be made on the required form and submitted to the decision maker via the Law School Administrative Staff. That is, applications are submitted via handing them in at the Law School Reception.