



LAW DEVELOPMENT CENTRE

RULES GOVERNING THE BAR COURSE, 2023 [AMENDED AS AT 13TH FEBRUARY 2025] **(UNDER SECTION 8(1) OF THE LAW DEVELOPMENT CENTRE ACT, CAP 251)**

ARRANGEMENT OF RULES

Rule

1. Citation
2. Interpretation
3. Guidelines
4. Open, Distance, E-learning and User Consent
5. Types of Assessment
6. Attendance
7. Clinical Legal Education (CLE)
8. Individual Assessment (IA)
9. Clerkship
10. Group Project
11. Clerkship Placement
12. Examinations
13. Cumulative Assessment
14. Examination Questions Bank
15. Use of Student Numbers
16. Special Examinations and Special Clerkship Placement
17. Supplementary Examinations and Repeating a Subject.
18. Time Limit for Completing the Bar Course
19. Extension of Time
20. Time Limit for Repeating Clerkship or Subject or Assessment

Rule

21. Passing the Bar Course
22. Special Needs
23. Examination Malpractice
24. Prohibited Items During Examinations
25. Failure to Pay Special or Supplementary Examination Fees
26. Verification Committee
27. Functions of the Verification Committee
28. The Board of Examiners
29. Powers and Duties of the Board of Examiners
30. Appeals
31. Examination Appeals Committee
32. Functions and Powers of the Examination Appeals Committee
33. Approval and Publication of Final Results
34. Powers of the Management Committee to Approve and Publish Results
35. Award and Classification of Diploma in Legal Practice
36. Signing by Student
37. Repeal and Savings
38. Commencement

“Schedule 1” Classification of Postgraduate Diploma in Legal Practice based on Cumulative Grade Point Average (CGPA)

“Schedule 2” Acknowledgment of Receipt, User Consent and Undertaking to be bound by Rules Governing the Bar Course, 2023 as amended.

RULES GOVERNING THE BAR COURSE, 2023 AS AMENDED

1. Citation

These Rules made by the Management Committee, LDC under section 8(1) of the Law Development Centre Act, Cap. 251, may be cited as the '**Rules Governing the Bar Course, 2023 as amended**'.

2. Interpretation

In these Rules, unless the context otherwise requires: -

- (1) "Academic activity" means lecture, guest lecture, firm discussion, workshop, clinical legal education/legal aid activity, site/field visit, moots, Clerkship Placement and the Bar Course Professional Dinner;
- (2) "Attendance register" means a document or documents or electronic device used for recording attendance of academic activities by a Bar Course student and includes physical registers or electronic attendance recording systems using scanners or fingerprint or voice or face recognition or remote/online recording of attendance or any other ICT tool;
- (3) "Bar Course" means the postgraduate course at LDC leading to the award of the Postgraduate Diploma in Legal Practice;
- (4) "Centre" or "LDC" means the Law Development Centre;
- (5) "Chief Examiner" means a person who has extensive knowledge and experience in a given subject appointed by the Director LDC, to set, mark and/or moderate an examination at the Bar Course.
- (6) "CLE" means Clinical Legal Education;
- (7) "Deputy Head Bar Course" means Deputy Head of the Department responsible for conducting the Bar Course;
- (8) "Director" means the Director of the Law Development Centre;
- (9) "Head Bar Course" means Head of the Department responsible for conducting the Bar Course;
- (10) "Lecturer" means the Director, Assistant Director, head or deputy head of a teaching department, head or assistant head of subject, assistant lecturer, lecturer, senior lecturer, consultant lecturer, any LDC staff member participating in teaching on the Bar Course or guest speaker;
- (11) "Legal practitioner" means a Judicial Officer of the Courts of Judicature (Judge, Registrar, Deputy Registrar, Assistant Registrar, Chief Magistrate or Magistrate

Grade1), a State Attorney of whatever rank, an advocate in private legal practice in chambers approved by the Law Council, an advocate or lawyer duly authorized to practice law in Government employment or an advocate in a legal department of a statutory or other legal corporation or advocate in a non-governmental organization (NGO);

- (12) “Personal data” means information about a person from which the person can be identified, that is recorded in any form and includes that relates to- the nationality, age or marital status of the person, the educational level, or occupation of the person, an identification number, symbol or other particulars assigned to a person, identity data or other information which is in the possession of LDC and includes an expression of opinion about the individual.
- (13) “Project supervisor” means a lecturer, university law lecturer, advocate, judicial officer or other legal practitioner with demonstrated research skills assigned to supervise a group project.
- (14) “Registrar” means the Academic Registrar or person performing functions of the Academic Registrar of the Law Development Centre.

3. Guidelines

The Director, in the exercise of the executive authority of the Management Committee under section 8(2) of the Law Development Centre Act, shall issue Guidelines for the effective implementation of these Rules.

4. Open, Distance, E-learning and User Consent

- (1) The Bar Course and the different types of assessment under these Rules or any part thereof may be conducted using open, distance and e-learning.
- (2) The Bar Course Advisory Board shall determine the teaching and assessment to be conducted using open, distance and e-learning.
- (3) Open, distance and e-learning shall be governed by these Rules and Guidelines on Open, Distance, E-Learning and User Consent.
- (4) The Centre in the conduct of the open, distance and e-learning collects user data, such as images and may share data with third –party partners, affiliates and authorities to improve services, personalize content, and show relevant adverts.
- (5) The Centre complies with applicable data protection laws and regulations and aims to be transparent about data practices and accountable for protecting user data.

- (6) By using the Centre services under these rules, students consent to these terms and shall hold the Centre free from any liabilities arising from use and sharing of the personal data in promotion of the institutions vision and mission.

5. Types of Assessment

- (1) In order to pass the Bar Course, a student undertaking the Bar Course shall be subjected to the following mandatory assessments as provided for in these Rules:
 - (a) Attendance
 - (b) Individual Assessment (IA)
 - (c) Tests and/or take home coursework assignments
 - (d) Clerkship
 - i. Group Project
 - ii. Clerkship Placement
 - (e) Examinations (written and oral including moots)
- (2) Assessment may be conducted physically or remotely (using open, distance and e-learning).
- (3) Physical assessment shall be conducted at any of the LDC campuses at Kampala, Lira, Mbarara (and/or any other campus established by the Management Committee) and at an approved Clerkship Placement institution.

6. Attendance

- (1) Attendance of all academic activities is compulsory and shall be recorded and monitored using an attendance register that may be physical or electronic.
- (2) A student shall attend at least 90% of all academic activities in a teaching week, failure of which the student shall be deemed to have failed the week.
- (3) A student is required to pass attendance in at least 90% of the weeks in a term failure of which he or she shall not be allowed to sit examinations nor be allowed to proceed to the next term.
- (4) A student attending an academic activity shall always conduct himself or herself professionally and in compliance with Guidelines on the LDC Dress Code for Bar Course Students.

7. Clinical Legal Education (CLE)

- (1) A student shall attend Clinical Legal Education (CLE) training to enhance practical legal skills. Every student shall be introduced to CLE.

- (2) CLE training shall include:
 - (a) Attendance of court proceedings
 - (b) Student legal practice
 - (c) Internship placement in an institution or law firm
 - (d) Alternative Dispute Resolution
 - (e) Site/field visits
 - (f) Any other CLE activity organized by the Bar Course Department
- (3) The LDC Legal Aid Clinic (LAC) shall support CLE training generally.
- (4) The LDC Legal Aid Clinic (LAC) shall operate a student practice programme to operationalize the student legal practice provided for in Rule 7(2)(b) above.
- (5) The Head Bar Course with the approval of the Director shall set the criteria for selection and admission of students onto the LDC Legal Aid Clinic (LAC) student practice programme.

8. Individual Assessment (IA)

- (1) Individual Assessment (IA) is done weekly over 3 terms in the following subjects:
 - (a) Civil Litigation
 - (b) Criminal Proceedings
 - (c) Corporate and Commercial Law Practice
 - (d) Family Law Practice
 - (e) Land Transactions
- (2) Individual Assessment (IA) in the aforementioned five (5) subjects shall comprise of a weekly;
 - (a) individual written test of not more than two (2) hours; or
 - (b) written, take home coursework assignment; or
 - (c) any other form of assessment approved by the Bar Course Advisory BoardWhere an IA is written remotely or online, the Director may extend the time for completing the IA.
- (3) Individual Assessment (IA) in First Term shall be for practice, revision and feedback only. The First Term IA tests shall not form part of the final results of a student. An IA test in First Term may be marked by a lecturer or by peers (Bar Course students) with guidance from a lecturer.

- (4) Individual Assessment (IA) in Second Term and Fourth Term shall form part of the final assessment of a student contributing 20% to a student's final mark and shall be marked by a lecturer.

9. Clerkship

- (1) Clerkship is conducted in two parts – Group Project and Clerkship Placement.
- (2) A student's Clerkship performance shall be assessed on four criteria that shall be graded according to the following allocation of marks:

(a) Group Project Report	50%
(b) Clerkship Placement Journal	20%
(c) Clerkship Placement Internal Supervisor's Report	20%
(d) Clerkship Placement External Supervisor's Report	<u>10%</u>
TOTAL	<u>100%</u>

- (3) A student passes Clerkship when he or she gets a total of at least 50% in the four components assessed.
- (4) For avoidance of doubt, a student who is not assessed on any of the above four (4) components of Clerkship shall fail Clerkship even if his or her aggregate marks in other components assessed is 50% or above.
- (5) If a student does not satisfy the requirements for passing Clerkship, he or she shall fail Clerkship and may be allowed by the Board of Examiners to undertake supplementary Clerkship in a subsequent academic year.
- (6) A student who fails supplementary Clerkship may be allowed by the Board of Examiners to repeat Clerkship in a subsequent academic year (subject to the 3 year rule for completing the course) upon payment of a repeating fee.
- (7) The Head Bar Course with the approval of the Director shall determine the form and mode of submission/presentation of the Clerkship Journal and of the Reports referred to in this Rule.

10. Group Project

- (1) A Group Project shall be undertaken by each Firm, or such other grouping as may be determined by the Director, in Term I and II addressing such topics, as the Director shall determine.

- (2) The Group Project shall be presented as a Project Report and shall be marked out of 50% and contribute towards the final mark for Clerkship.
- (3) The mark awarded to a group their Group Project Report .shall be applied to every member of the group.
- (4) The Director shall assign a Project Supervisor for each group.
- (5) The Group Project shall be governed by these Rules and Guidelines for Group Projects.

11. Clerkship Placement

- (1) Clerkship Placement shall be undertaken physically or remotely during the Third Term of each Academic Year for a period of eleven (11) weeks.
- (2) During Clerkship Placement, a student is attached to a placement institution approved by the Director (private law firm, court, Legal Aid Clinic, Directorate of Public Prosecutions, Justice Sector Institution, Department in the Ministry of Justice and Constitutional Affairs or Legal Department in other bodies or other institution designated by the Director).
- (3) The Director shall approve clerkship placement institutions and avail to the Head Bar Course a list of approved institutions within six (6) weeks of the commencement of an Academic Year.
- (4) A list of approved Clerkship placement institutions shall be given to students by the Head Bar Course before the end of First Term so that each student selects where he or she wishes to undertake Clerkship Placement.
- (5) A student shall be posted for Clerkship Placement, in writing.
- (6) A student shall present the posting letter to the External Supervisor before being accepted for Clerkship Placement.
- (7) Any student who undertakes Clerkship Placement without the written authority of LDC shall be deemed not to have undertaken Clerkship Placement and shall not be assessed.
- (8) A student undertakes Clerkship Placement under the supervision of a legal practitioner of at least 3 years' experience.

- (9) A student shall within fourteen (14) days of commencing Clerkship Placement inform the Head Bar Course by email or formal letter or other form of communication authorized by the Head Bar Course of his or her designated External Supervisor.
- (10) The Clerkship Placement period runs from Monday to Friday during working hours of the placement institution and a student must be present at his or her Clerkship Placement station throughout this practical training period.
- (11) A student shall not engage in any employment during Clerkship Placement as the training is a full time part of the Bar Course.
- (12) The External Supervisor or Head Bar Course may, in writing and where there is sufficient cause, give a student permission for time off during Clerkship Placement for a period of not more than three days.
- (13) The Director may, in writing and where there is sufficient cause, give a student permission for time off during Clerkship Placement for three or more days.
- (14) Where the Director or Head Bar Course gives a student permission for time off during Clerkship Placement they shall notify the External Supervisor.
- (15) The External Supervisor at the placement institution and Internal Supervisor (a lecturer at LDC) shall towards the end of the Clerkship Placement period conduct a visit to assess the performance of the student through interview, observation and perusal of documents drafted (kept in a clerkship file).
- (16) The External Supervisor and Internal Supervisor shall each submit a separate report of their assessment and grading of the student's performance as provided for in these Rules.
- (17) The Internal Supervisor shall assess and grade the Clerkship Journal.
- (18) The Internal Supervisor's report, in addition to assessment of a student, shall indicate their general assessment of the placement institution supervised and any matters that impact on the quality of the clerkship experience.

12. Examinations

A student shall sit examinations in Subjects as provided for by these Rules.

- (1) Oral Examinations
 - (a) This **viva voce** examination shall be at the end of Term 2. The examiners shall comprise of Internal Examiners (lecturers from the Law Development Centre)

and External Examiners (Legal practitioners in Government employment and private legal practice).

- (b) Each student shall appear before a panel of three or more examiners and shall be examined in the following subjects:
 - i. Civil Litigation
 - ii. Corporate and Commercial Law Practice
 - iii. Criminal Proceedings
 - iv. Family Law Practice
 - v. Land Transactions
- (c) The student shall be examined and assessed on content, knowledge and comprehension of substance examined; advocacy skills; presentation; audibility; composure and etiquette.
- (d) This oral examination shall contribute 30% to a student's final mark in the subject.
- (e) Guidelines shall be issued for conducting oral examinations.

(2) Written Examinations

- (a) Written examinations shall be administered by LDC.
- (b) At the end of Term 2, a student shall sit a written examination in the following subjects:
 - i. Alternative Dispute Resolution
 - ii. Legal Writing and Drafting
 - iii. Professional Conduct and Ethics
 - iv. Trial Advocacy
- (c) At the end of Term 4, a student shall sit a written examination in the following subjects:
 - i. Civil Litigation
 - ii. Corporate and Commercial Law Practice
 - iii. Criminal Proceedings
 - iv. Family Law Practice
 - v. Land Transactions
- (d) Guidelines shall be issued for conducting written examinations.

13. Cumulative Assessment

(1) A student shall be assessed cumulatively for the various components of the subjects in Rule 12 (2) (b) (i – iii) as follows:

- | | | |
|--------------|----------------------------------------------------------|--------------------|
| (a) | Written test or take home assignment/coursework (Term 1) | - 30% |
| (b) | Written examination (Term 2) | - <u>70%</u> |
| Total | | <u>100%</u> |

(2) A student shall be assessed cumulatively for the various components of the subject in Rule 12 (2)(b)(iv) as follows:

- | | | |
|--------------|--------------------------------------------------------------|--------------------|
| (a) | Practical examination as counsel during moots (Term 2 and 4) | - 60% |
| (b) | Written examination (Term 2) | - <u>40%</u> |
| Total | | <u>100%</u> |

(3) A student shall be assessed cumulatively for the various components of the subjects in 12 (2)(c) as follows:

- | | | |
|--------------|----------------------------------------------|--------------------|
| (a) | Individual Assessment (IA) (Term 2 – One IA) | - 10% |
| (b) | Individual Assessment (IA) (Term 4 – one IA) | - 10% |
| (c) | Oral examination (Term 2) | - 30% |
| (d) | Written examination (Term 4) | - <u>50%</u> |
| Total | | <u>100%</u> |

(4) A student passes a subject if he or she attains in the subject a total cumulative mark in all the components of assessment of at least 50%.

(5) For avoidance of doubt, a student who is not assessed on any of the components of a subject shall fail the subject even if his or her aggregate marks in other components assessed is 50% or above.

14. Examination Questions Bank and Chief Examiner

- (1) There may be an Examination Questions Bank for compilation and safe custody of Bar Course examination questions in the various subjects under the control and management of the Director.
- (2) The Director shall appoint a Chief Examiner for each Subject for a particular Academic Year.

- (3) A Chief examiner shall be responsible for setting or moderating and forwarding examination questions to the Director.
- (4) There may be Guidelines issued for the proper and effective management of the Examination Questions Bank issued by the Director.

15. Use of Student Numbers

- (1) A student shall use a Student Number issued by the Registrar.
- (2) A student shall sign for the Student Number at the time of its issuance.
- (3) A student shall carry an examinations card with the Student Number and an identification card issued by LDC to the examination room and display them.
- (4) A student who fails to comply with sub-rule (3) of this rule shall be excluded from the examination.
- (5) A student who sits an examination and
 - (a) Uses a non-existent student number; or
 - (b) Uses a wrong student number; or
 - (c) Omits to state the student number; or
 - (d) Uses another candidate's student number; or
 - (e) Writes the student number illegibly on the answer booklet, shall have his or her results withheld pending verification.
- (6) A verification fee prescribed by the Centre Administration shall be paid by the student whose results need verification under sub-rule (5) of this rule.
- (7) Upon verification, the Board of Examiners may take an appropriate decision, depending on the circumstances of each case.

16. Special Examinations and Special Clerkship Placement

- (1) Where a student fails to sit an examination or other assessment or to undertake Clerkship Placement, the student may on application in writing be allowed by the Board of Examiners to sit a Special Examination.
- (2) A student shall address a request to sit Special Examinations or undertake Special Clerkship Placement to the Registrar with an explanation (including documentary evidence or other proof where applicable) why the student is or was unable to sit examinations or undertake Clerkship Placement. The Registrar, shall forward the request to the Board of Examiners for a decision.

- (3) A student shall be required to pay an examination fee for Special Examinations or Special Clerkship or else he or she shall not sit a Special Examination or Special Clerkship unless the student pays the prescribed special examination fee or special clerkship fee.
- (4) A student who fails a Special Examination or Special Clerkship placement may sit a supplementary examination or undertake supplementary Clerkship in accordance with these Rules.

17. Supplementary Examinations and Repeating a Subject

- (1) A student may, upon payment of a Supplementary Examination fee, sit a Supplementary Examination in the subject or subjects he or she has failed at a time convenient to the Centre.
- (2) If a student fails a subject or subjects or Clerkship including **not more than two (2)** of the following subjects namely:

- i. Civil Litigation
- ii. Corporate and Commercial Law Practice
- iii. Criminal Proceedings
- iv. Family Law Practice
- v. Land Transactions

the Board of Examiners may allow him or her to sit a Supplementary Examination in the subject or subjects or Clerkship failed at a time convenient to the Centre.

- (3) A Supplementary Examination for a subject shall consist of:

- (a) Subjects in Rule 12(2)(b) other than Trial Advocacy

i. Written examination	-	<u>100%</u>
Total	-	<u>100%</u>

- (b) Trial Advocacy

i. Practical examination as counsel during moots	-	60%
ii. Written Examination	-	<u>40%</u>
Total	-	<u>100%</u>

- (c) Subjects in Rule 12(2)(c)

i. Oral examination	-	50%
ii. Written examination	-	<u>50%</u>

Total - **100%**

(d) Clerkship

i. Group Project Report - 50%

ii. Clerkship Placement Journal - 20%

iii. Clerkship Placement Internal Supervisor's Report - 20%

iv. Clerkship Placement External Supervisor's Report - 10%

Total - **100%**

- (4) A student undertaking supplementary Clerkship shall be assigned a group in a subsequent academic year for purposes of undertaking a Group Project.
- (5) A student shall sit a Supplementary Examination once.
- (6) Notwithstanding the provisions of Rule 17(5) above, a student repeating a subject or subjects may sit a supplementary examination if he or she fails the repeated subject or subjects.
- (7) The result of a Supplementary Examination shall only be used for purposes of enabling a student pass the subject. It shall not affect a student's original CGPA or the classification of Diploma to be awarded to a student.
- (8) If a student fails a Supplementary Examination, he or she shall fail the subject and may repeat the subject in a subsequent academic year convenient to the Centre upon payment of a repetition fee determined by the Management Committee.
- (9) A student repeating a subject shall be required to attend at least 90% of all academic activities relating to the subject being repeated.
- (10) A student repeating any of the following subjects:
- (a) Civil Litigation
 - (b) Criminal Proceedings
 - (c) Corporate and Commercial Law Practice
 - (d) Family Law Practice
 - (e) Land Transactions;
- shall re-join the Bar Course in Second Term of the Academic Year in which he or she is repeating the subject.

- (11) A student repeating any other subject shall re-join the Bar Course in the term in which teaching of the subject commences.
- (12) A student repeating Clerkship shall re-join the Bar Course in First Term for purposes of undertaking the Group Project and attend Clerkship Placement in Third Term.
- (13) A student repeating a subject shall be required to repeat all the components of the subjects as provided for in these Rules.
- (14) A student shall repeat a subject once. A student who fails a repeated subject and fails a supplementary examination therein shall fail the Bar Course.
- (15) A student shall be required to pay an examination fee for supplementary examinations or else he or she will not be allowed to sit for the examination.

18. Time Limit for Completing the Bar Course

- (1) A student shall complete the Bar Course within a period of three years.
- (2) The three years is inclusive of the year of admission onto the Bar Course.
- (3) Where a student does not complete the Bar Course within the three year period, he or she shall fail the Course.
- (4) A student who fails the Course by virtue of the expiry of the three year time limit may apply for re-admission to the entire Bar Course.
- (5) A student may before the expiry of the three year time limit, with good cause, apply to the Board of Examiners for extension of time under Rule 19(1).

19. Extension of Time

- (1) A student who does not complete the course within three (3) years, may apply to the Board of Examiners for extension of time on grounds that he or she was prevented from completing the Course on time due to any sufficient cause.
- (2) Where the Board of Examiners allows an application under sub-rule (1) of this Rule, the extension of time shall not exceed five years from the time the student started the Bar Course.
- (3) Sufficient cause shall include pregnancy, serious illness, further studies, detention, financial constraints, domestic and family circumstances and any other sufficient cause as the Board shall deem fit.

- (4) Documentary evidence or other relevant proof must be provided by an applicant for extension of time.

20. Time Limit for Repeating Clerkship or Subject or Assessment

- (1) The time limit within which to repeat Clerkship or a subject or assessment shall be two years from the time of release of the final results in question.
- (2) Time may be extended by the Board of Examiners for good cause but shall not exceed an additional two years.
- (3) Repeating of Clerkship or a subject or assessment is subject to the three (3) year time limit for completing the Bar Course provided for under this Rule.

21. Passing the Bar Course

- (1) A student passes the Bar Course if he or she passes Attendance, Clerkship and Examinations (including Individual Assessments (IA) and tests).
- (2) If a student fails Attendance, Clerkship or Examinations (including Individual Assessment (IA) and tests) he or she shall fail the subject or assessment.
- (3) If a student fails a supplementary examination or supplementary Clerkship, the student shall fail the subject or supplementary Clerkship as the case might be.
- (4) In order to pass the course a student may repeat the subject or assessment failed in a subsequent academic year upon paying a repeating fee.
- (5) If a student fails three (3) or more subjects listed in Rule 17(2) he or she shall fail the Bar Course. He or she shall not be eligible to sit supplementary examinations.
- (6) A student who fails the Bar Course as provided for in Rule 21 (5) above, may repeat the entire Bar Course.

22. Special Needs

- (1) A student with special needs as a result of disability or for any other reason shall, not less than two weeks before an examination, notify the Director of his or her special need and request the Director for special consideration during the examination.

- (2) A student with a special need shall present to the Director a certification of the special need by a medical practitioner or other relevant specialist employed in a Government hospital or institution or facility.
- (3) Where the Director is satisfied that the student has established a special need that warrants special consideration the Director may:
 - (a) authorize an invigilator or other staff of LDC to accord the student the special consideration required,
 - (b) allow the student to enter the examination room with a helper appropriate to the special need to assist the student do the examination,
 - (c) allow the student to bring into the examination a mechanical aid approved by the Director,
 - (d) authorize the examination invigilator to allocate specified extra time within which to complete the examination, or
 - (e) take such actions and give such directions as are deemed necessary.

23. Examination Malpractice

- (1) In this rule, unless the context otherwise requires, “examination malpractice” means a student engaging in any one of the conduct or activities set out in Guidelines.
- (2) Where a student is found engaging in examination malpractice in any paper, such student shall be discontinued from the entire examination. In such a case, the Invigilator concerned shall make a report on the particulars of the malpractice, which report shall be forwarded to the Director. The Director shall take appropriate action and later report to the Board of Examiners whose decision shall be final. If the student is not found guilty of examination malpractice, the student shall be allowed to sit a special examination.
- (3) An examination malpractice in any paper may be committed before, during or after the examination.
- (4) There shall be an Examination Malpractice Committee appointed by the Director to investigate allegations of examination malpractices.
- (5) An examination invigilator or other person with relevant knowledge shall make a report on the particulars of an examination malpractice and forward it to the

Director who shall take appropriate action to ensure the alleged malpractice is investigated.

- (6) The Director shall submit a report of the investigation in writing to the Board of Examiners and the Board of Examiners shall make appropriate orders.
- (7) A student absolved of examination malpractice shall be allowed to sit a special examination at no cost to the student.
- (8) A student who is found guilty of an examination malpractice shall be dismissed from the Bar Course and shall be eligible for readmission after 5 years from the date of the decision.
- (9) A student dismissed from the Bar Course under sub-rule (8) of this rule may, within 30 days of that decision, petition the Management Committee for readmission and the Management Committee may allow or dismiss the petition and make necessary orders.
- (10) Where the commission of an examination malpractice is established after the student has been awarded the Post Graduate Diploma in Legal Practice, the award may be cancelled and the diploma certificate recalled by the Management Committee.

24. Prohibited Items During Examinations

- (1) A student shall not be in possession of or use during a physical examination a watch, mobile phone or other electronic equipment for storing or retrieving information or materials not expressly allowed during an examination.
- (2) Where a student intends to use an electronic or mechanical gadget during an examination or assessment, he or she shall declare the equipment and seek written approval from the Director at least two weeks in advance.

25. Failure to Pay Special or Supplementary Examination Fees

- (1) A student who fails to pay Special or Supplementary examination fees, unless authorised by the Director, shall not be allowed to sit the Special or Supplementary examinations.
- (2) A student who fails to pay Special or Supplementary examination fees may, upon subsequent application to the Board of Examiners, be allowed upon

payment of the fees, to sit the Special or Supplementary examination on a later date within the period allowed for completion of the Bar Course.

- (3) A student who fails to comply with sub-rules (1) and (2) of this rule shall be deemed to have failed the Course.
- (4) A student who fails the Course under this rule may apply for re-admission.
- (5) The decision of the Board of Examiners under this rule shall be communicated to the student by email or letter or by posting a notice on the Centre's Notice Board or on the Centre's website.

26. Verification Committee

- (1) The Director shall appoint a Verification Committee comprising:
 - (a) a Chairperson who shall be a person with experience in examinations management in an institution of higher learning;
 - (b) not less than three administrative staff of the Centre;
 - (c) not less than one professional teaching/legal staff.
- (2) The Secretary of the Verification Committee shall be one of the persons mentioned in sub-rule (1) (b) of this rule.

27. Functions of the Verification Committee

- (1) The Verification Committee shall
 - (a) tally marks on an examination script;
 - (b) ascertain whether questions required to be answered were answered, marked and assessed;
 - (c) ascertain whether the marks were properly computed;
 - (d) ascertain whether the necessary assessments for passing the Course were considered; and
 - (e) do any other act connected to the above functions.
- (2) The Verification Committee shall not have the powers to re-mark an examination script.

28. The Board of Examiners

The Board of Examiners for the Bar Course shall be constituted as follows;

(1)	The Director	Chairperson
(2)	Assistant Directors	Member
(3)	Head Bar Course	Member
(4)	Deputy Head Bar Course	Member
(5)	Heads of Subject (Bar Course)	Member
(6)	Academic Registrar	Secretary

29. Powers and Duties of the Board of Examiners

- (1) The Board of Examiners shall consider examination results, publish provisional results and recommend them for approval by the Management Committee as final results.
- (2) Provisional results shall be communicated to each student individually through the student's examination portal or in such other manner as the Board of Examiners shall direct.
- (3) Oversee the administrative handling by the Academic Registrar/Secretary BOE of any queries and complaints arising from the provisional results.
- (4) Where there is no duly constituted Management Committee, the Board of Examiners may publish final results subject to retrospective approval by the Management Committee when duly constituted.
- (5) The Board of Examiner, on application by a student and subject to the provisions of these Rules, order Special Examinations for any student where the circumstances warrant it.
- (6) The Director, on application by a student and subject to the provisions of these Rules, may make such administrative decisions or orders including calling for any examination scripts for his or her review and make any orders incidental thereto, in the interest of justice for the disposal of the complaint by the student.
- (7) Subject to the provisions of these Rules, the Board shall have inherent powers to make such decisions or orders as may be necessary for the ends of justice in order to ensure a just and fair disposal of all matters or issues before it.

30. Appeals

- (1) Upon publication of provisional results by the Board of Examiners, a student who has failed a written examination but attained a mark of at least 45% in the written examination may, within 7 days of the publication of provisional results, appeal to the Examination Appeals Committee on grounds that the Rules Governing the Bar Course were not complied with.
- (2) Where a student's appeal under these Rules is determined, the Examinations Appeals Committee may:
 - (a) confirm the decision of the Board of Examiners; or
 - (b) revise the decision of the Board of Examiners; or
 - (c) direct for a remark of an examination script; or (d) make any other decision in the interest of justice.
- (3) The Secretary of the Examination Appeals Committee shall, within seven (7) days from the date of disposal of an appeal communicate the decision of the Committee to the appellant.
- (4) The decision of the Committee and the result of any remark is final and shall not be subject to any appeal.
- (5) The Committee shall report its decision to the Management Committee.

31. Examination Appeals Committee

- (1) There shall be an Examination Appeals Committee which shall be a subcommittee of the LDC Management Committee appointed by the Management Committee.
- (2) The Examination Appeals Committee shall comprise of not more than four members one of whom shall be the Chairperson of the Committee appointed by the LDC Management Committee.
- (3) The Registrar of the Centre shall be the secretary to the Examination Appeals Committee.

32. Functions and Powers of the Examination Appeals Committee

- (1) The Examination Appeals Committee shall determine any appeal made under these Rules.

- (2) The Examination Appeals Committee may, if reasonable cause is shown by an appellant, extend the period for lodging an appeal under Rule 30(1).

33. Approval and Publication of Final Results

- (1) The Management Committee shall, within two weeks of publication of provisional results by the Board of Examiners and determination of any resultant appeals, consider the recommendations of the Board of Examiners and outcome of any appeals and approve the final results.
- (2) The Academic Registrar, shall, within three working days of approval of final results by the Management Committee, publish the final results.
- (3) The Academic Registrar shall publish the final results by displaying them on notice boards at the Centre and/or through the Centre's website or students' examinations management portal.

34. Powers of the Management Committee to Approve and Publish Results

- (1) The powers to approve and publish final results are vested in the Management Committee. No other person or organ of LDC or outside of LDC shall approve or publish final results save for the Board of Examiners under Rule 29(4) of these Rules.
- (2) The Management Committee shall exercise its powers judiciously.
- (3) Nothing in these Rules shall be taken to limit or affect the inherent powers of the Management Committee to make such orders as may be necessary to achieve the ends of justice or to prevent abuse of process.

35. Award and Classification of Diploma in Legal Practice

- (1) A student who passes the Bar Course shall be awarded the Post Graduate Diploma in Legal Practice as follows;
 - (a) Distinction (First Class)
 - (b) Merit (Second Class Upper)
 - (c) Second Class Lower
 - (d) Pass
- (2) The classification of the Diploma shall be based on a Cumulative Grade Point Average (CGPA) system attached hereto ('**Schedule 1**').
- (3) The said schedule may from time to time be amended by the Board of Examiners.

- (4) Any amendment to the Post Graduate Diploma in Legal Practice classification system shall be effected and communicated to the affected students and teaching staff before the commencement of an academic year.

36. Signing by Student

- (1) A student admitted to the Postgraduate Course leading to award of the Postgraduate Diploma in Legal Practice shall be availed a copy of these Rules in a form convenient to LDC including soft copies on the LDC website and be required to sign an acknowledgement of receipt and undertaking to be bound by these Rules as set out in '**Schedule 2**' to these Rules.
- (2) A student shall submit the signed acknowledgement and undertaking referred to in (1) above to the Academic Registrar as part of the registration process.
- (3) A student who fails or refuses to sign and submit to the Academic Registrar the acknowledgement and undertaking referred to in (1) and (2) above shall not be eligible to commence the Bar Course and shall be deemed to have rejected his or her offer of admission to the Bar Course.

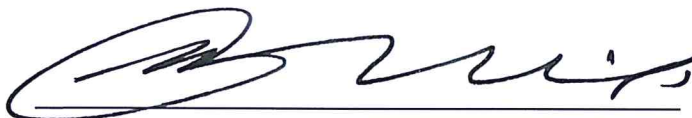
37. Repeal and Savings

- (1) The Rules Governing the Bar Course, 2020 are repealed.
- (2) Any supplementary or special examination arrangement made under any of the Rules repealed by sub-rule (1) shall continue in force, subject to the time limit for completing the Bar Course under the aforesaid Rules.

38. Commencement

These Rules are deemed to have come into force on the 2nd day of October, 2023.

Amendment approved and signed this 13th day of February, 2025.



Hon. Mr. Justice Christopher Izama Madrama (J.S.C)
Chairperson
Management Committee of the Law Development Centre

'Schedule 1'

THE LAW DEVELOPMENT CENTRE

**CLASSIFICATION OF POSTGRADUATE DIPLOMA IN LEGAL PRACTICE BASED ON
CUMULATIVE GRADE POINT AVERAGE (CGPA)**

Subjects/Course Units assessed:

- | | <u>No.</u> | <u>Name</u> |
|-----|------------|-----------------------------------|
| 1. | 101 | Civil Litigation |
| 2. | 102 | Corporate and Commercial Practice |
| 3. | 103 | Criminal Proceedings |
| 4. | 104 | Family Law Practice |
| 5. | 105 | Land Transactions |
| 6. | 201 | Alternative Dispute Resolution |
| 7. | 202 | Legal Writing and Drafting |
| 8. | 203 | Professional Conduct and Ethics |
| 9. | 204 | Trial Advocacy |
| 10. | 301 | Clerkship |

Key:

<u>Mark</u>		<u>Grade</u>		<u>Grade Point (GP)</u>
70%-100%	=	A	=	5.0
65%-69%	=	B+	=	4.0
60%-64%	=	B	=	3.0
55%-59%	=	C+	=	2.5
50%-54%	=	C	=	2.0
45%-49%	=	D	=	1.5
30%-44%	=	E	=	1.0
0%-29%	=	F	=	0.0

CGPA= Total points divide by number of assessments (total point/sum of assessments)

CGPA

Classification of Diploma

4.0 – 5.0	Distinction (First Class)
3.5-3.99	Merit (Second Class Upper)
3.0-3.49	Second Class Lower
2.0-2.99	Pass
0.0-1.99	Fail

‘Schedule 2’

THE LAW DEVELOPMENT CENTRE

ACKNOWLEDGMENT OF RECEIPT, USER CONSENT AND UNDERTAKING TO BE BOUND BY THE RULES GOVERNING THE BAR COURSE, 2023 [AS AMENDED]

I _____ being a student admitted to the Law Development Centre (LDC) Bar Course in Academic Year _____ acknowledge receipt of the Rules Governing the Bar Course, 2023 as amended, availed to me by LDC. I undertake to be bound by the said Rules and to comply with all its provisions and to be subject to any sanctions therein for breach.

I hereby grant consent for LDC to use images of myself as outlined in Rule 4 herein.

DATED at _____ this _____ day of _____ 20____

SIGNATURE