



LL.B Degree Programme
Level 03
Academic Year-2017/2018

Time Table & Course Plan



Department of Legal Studies
Faculty of Humanities and Social Science
The Open University of Sri Lanka

Dear Student,

You are welcome to Level 03 of the LL.B Degree Programme. There are Four courses in Level 03 as given in table below.

Courses of the Level 03

Name of the Course	Course Code
Constitutional Law I	LWU 1201 / LLU 3901
Principles of Equity	LWU 1202 / LLU 3502
Introduction to the Laws of Sri Lanka	LWU 1411 / LLU 3703
Legal Method	LWU 1412 / LLU 3904

- **With this study guide you will find following documents.**

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Niluka Gamalath
Acting Head
Department of Legal Studies

LL.B DEGREE PROGRAMME
LEVEL 03 – ACADEMIC YEAR 2017/2018
DAY SCHOOL DATES

COLOMBO/ KANDY/ MATARA/ ANURADHAPURA/ JAFFNA/ BATTICALOA/
KURUNEGALA/ BADULLA/ RATHNAPURA REGIONAL CENTERS

NO	Month	Day
04	August - 2019	10 th (Saturday)
	August - 2019	11 th (Sunday)
05	August - 2019	17 th (Saturday)
	August - 2019	18 st (Sunday)
06	August - 2019	31 st (Saturday)
	September - 2019	01 st (Sunday)
07	September - 2019	14 th (Saturday)
	September - 2019	15 th (Sunday)
08	September - 2019	28 th (Saturday)
	September - 2019	29 th (Sunday)
09	October - 2019	19 th (Saturday)
	October - 2019	20 th (Sunday)
10	November - 2019	02 th (Saturday)
	November - 2019	03 rd (Saturday)

LL.B Degree Programme - Academic year 2017/2018
Level 3 - Colombo Regional Centre - Schedule of Day Schools

Sinhala Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Introduction to the Laws of Sri Lanka	Mr. W.D.R.D. Goonaratne Ms. Sandya Hewameealla Mr. Ruchira Rosa
Saturday	10.30 a.m. - 12.30 p.m.	Constitutional Law I	Ms. K.K.G. Anuththara
Sunday	8.00 a.m. - 10.00 a.m.	Legal Method	Ms. Wasana Panditharathna
Sunday	10.30 a.m. - 12.30 p.m.	Principles of Equity	Mr. Danushka Manoj

English Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Legal Method	Dr. Sampath Punchihewa
Saturday	10.30 a.m. - 12.30 p.m.	Introduction to the Laws of Sri Lanka	Mr. Gamini Gunsekara
Sunday	8.00 a.m. - 10.00 a.m.	Principles of Equity	Mr. Chamath Fernando
Sunday	10.30 a.m. - 12.30 p.m.	Constitutional Law I	Dr. Udayangani

Tamil Medium

Day	Time	Course	Day School Academic
Saturday	8.00a.m. - 10.00 a.m.	Principles of Equity	Mr. M. Sivapatham
Saturday	10.30 a.m. - 12.30 p.m.	Constitutional Law I	Mr. M. Sivapatham
Sunday	8.00 a.m. - 10.00 a.m.	Introduction to the Laws of Sri Lanka	Ms. Janaha Selvaras
Sunday	10.30 a.m. - 12.30 p.m.	Legal Method	Mr. S. Punithasegeran

LL.B Degree Programme - Academic year 2017/2018
Level 3 - Matara Regional Centre - Schedule of Day Schools

Sinhala Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Principles of Equity	Mr. G.D. De Silva
Saturday	10.30 a.m. - 12.30 p.m.	Constitutional Law I	Mr. Thusitha Jagoda
Sunday	8.00 a.m. - 10.00 a.m.	Introduction to the Laws of Sri Lanka	Mr. G.L. Erathna
Sunday	10.30 a.m. - 12.30 p.m.	Legal Method	Mr. G.L. Erathna

LL.B. Degree Programme – Academic year 2017 / 2018
Level 3 – Anuradhapura Regional Centre - Schedule of day schools

Sinhala Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Legal Method	Mrs. R.M.A.N. Rajapaksha
Saturday	10.30 a.m. - 12.30 p.m.	Principles of Equity	Mr. R.M.S. Rathnayake
Sunday	8.00 a.m. - 10.00 a.m.	Constitutional Law I	Mr. R.M.S. Rathnayake
Sunday	10.30 a.m. - 12.30 p.m.	Introduction to the Laws of Sri Lanka	Ms. Nisanka Jayarathna

LL.B Degree Programme - Academic year 2017/2018
Level 3 - Kandy Regional Centre - Schedule of Day Schools

Sinhala Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Principles of Equity	Mr. Mano Koswatte
Saturday	10.30 a.m. - 12.30 p.m.	Legal Method	Ms. H.N. Priyangika
Sunday	8.00 a.m. - 10.00 a.m.	Introduction to the Laws of Sri Lanka	Mr. Ruchira Rosa
Sunday	10.30 a.m. - 12.30 p.m.	Constitutional Law I	H.M.P.B. Herath

English Medium

Day	Time	Course	Day school Academic
Saturday	8.00 a.m. - 10.00 a.m.	Principles of Equity	Ms. W.A.H.T Peiris
Saturday	10.30 a.m. - 12.30 p.m.	Constitutional Law I	Mr. M.G. Dharmapala
Sunday	8.00 a.m. - 10.00 a.m.	Introduction to the Laws of Sri Lanka	Ms. W.A.H.T Peiris
Sunday	10.30 a.m. - 12.30 p.m.	Legal Method	Mr. M.G. Dharmapala

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Constitutional Law I	Ms. K.M.F. Nusla
Saturday	10.30 a.m. - 12.30 p.m.	Legal Method	Ms. Navanathan Janani
Sunday	8.00 a.m. - 10.00 a.m.	Principles of Equity	Mr. S.M. Azeem

Sunday	10.30 a.m. - 12.30 p.m.	Introduction to Laws of Sri Lanka	Ms. K.M.F. Nusla
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Tamil Medium

**LL.B. Degree Programme – Academic year 2017 / 2018
Level 3 – Batticaloa Regional Centre - Schedule of day schools**

Tamil Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Legal Method	Mr. U.L. Washeem Ahamed
Saturday	10.30 a.m. - 12.30 p.m.	Constitutional Law I	Mr. H.M.M.M. Farook
Sunday	8.00 a.m. - 10.00 a.m.	Principles of Equity	Ms. V.T. Hazeena
Sunday	10.45 a.m. - 12.45 p.m.	Introduction to the Laws of Sri Lanka	Mr. V. Shanmuham

**LL.B. Degree Programme – Academic year 2017 / 2018
Level 3 – Jaffna Regional Centre - Schedule of day schools**

Tamil Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Legal Method	Mr. K. Sugash
Saturday	10.30 a.m. - 12.30 p.m.	Principles of Equity	Ms. S. Prithivi
Sunday	8.00 a.m. - 10.00 a.m.	Constitutional Law I	Ms. S. Prithivi
Sunday	10.30 a.m. - 12.30 p.m.	Introduction to the Laws of Sri Lanka	Mr. J.S.S. Sharma

LL.B. Degree Programme – Academic year 2017 / 2018
Level 3 – Badulla Regional Centre - Schedule of day schools

Sinhala Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Principles of Equity	Ms. Achala Ekanayaka
Saturday	10.30 a.m. - 12.30 p.m.	Introduction to the Laws of Sri Lanka	Ms. C.N.K. Makelwala
Sunday	8.00 a.m. - 10.00 a.m.	Constitutional Law I	Mr. D. Weligama
Sunday	10.30 a.m. - 12.30 p.m.	Legal Method	Ms. Achala Ekanayaka

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Constitutional Law I	Ms. H.M.F. Farhana
Saturday	10.30 a.m. - 12.30 p.m.	Principles of Equity	Ms. A.A.S. Rifaya
Sunday	8.00 a.m. - 10.00 a.m.	Introduction to the Laws of Sri Lanka	Ms. A.A.S. Rifaya
Sunday	10.30 a.m. - 12.30 p.m.	Legal Method	Ms. H.M.F. Farhana

Tamil Medium

LL.B. Degree Programme – Academic year 2017 / 2018
Level 3 – Kurunegala Regional Centre - Schedule of day schools

Sinhala Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Constitutional Law I	Mr. Sagara Priyadarshana
Saturday	10.30 a.m. - 12.30 p.m.	Introduction to the Laws of Sri Lanka	Ms. T.M. Jayasena
Sunday	8.00 a.m. - 10.00 a.m.	Principles of Equity	Mr. Sagara Priyadarshana
Sunday	10.30 a.m. - 12.30 p.m.	Legal Method	Mr. N.M.R.P. Nawarathna

LL.B. Degree Programme – Academic year 2017 / 2018
Level 3 – Rathnapura Regional Centre - Schedule of day schools

Sinhala Medium

Day	Time	Course	Day School Academic
Saturday	8.00 a.m. - 10.00 a.m.	Constitutional Law I	Mr. Ruwan Harischandra
Saturday	10.30 a.m. - 12.30 p.m.	Legal Method	Mr. Ruwan Harischandra
Sunday	8.00 a.m. - 10.00 a.m.	Introduction to the Laws of Sri Lanka	Ms. Manori Narmada

Sunday	10.30 a.m. - 12.30 p.m.	Principles of Equity	Ms. Manori Narmada
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Dates & Time Table for Continuous Assignment Test

Continuous Assessment Test 01 (CAT 1)

Date	Subject	Time
07 th August 2019	Constitutional Law I LWU1201 / LLU3901	09.00 am - 10.00 am
07 th August 2019	Principles of Equity LWU1202 / LLU3502	11.00 am - 12.00 noon
08 th August 2019	Introduction to the Laws of Sri Lanka LWU1411 / LLU3703	09.00 am - 10.00 am
08 th August 2019	Legal Method LWU1412 / LLU3904	11.00 am - 12.00 noon

Continuous Assessment Test 02 (CAT 2)

Date	Subject	Time
19 th September 2019	Constitutional Law I LWU1201 / LLU3901	09.00 am - 10.00 am
19 th September 2019	Principles of Equity LWU1201 / LLU3502	11.00 am - 12.00 noon
20 th September 2019	Introduction to the Laws of Sri Lanka LWU1411 / LLU3703	09.00 am - 10.00 am
20 th September 2019	Legal Method LWU1412 / LLU3904	11.00 am - 12.00 noon

Number of lessons to be converted for Assessment

Course	CAT I	CAT 2	Final Examination
Constitutional Law	Lesson 1-6	Lesson 7-12	All Study Material

Principles of Equity	Lesson 1-3	Lesson 1-7	All Study Material
Introduction to the laws of Sri Lanka	Lesson 1-4	Lesson 1-7	All Study Material
Legal Method	Block 1 Lesson 1-3 and supplementary reading material	Block 1 All Lessons and supplementary reading material	All study material (Blocks 1&2 + supplementary reading material
Duration	1 Hour	1 Hour	3 Hour

Contact Detailed of Regional Centers

Centre & Code	Telephone	Officer in charge (Asst. Director)	Postal Address
Colombo (WP 10)	011-2853930/ 281/360/380	Ms. Vindya Angammana	OUSL, Nawala, Nugegoda.
Kandy (CP 20)	081-2494083/ 084/495	Mr. Anushka Bandara	OUSL, Polgolla, Kandy.
Matara (SP 30)	041-2222943	Mr. Dinesh Gajamanage	OUSL, Nupe, Matara.
Anuradhapura (NC 50)	025-2222871	Ms. Shyma Madugalla	OUSL, Jayanthi Mawatha, Anuradhapura.
Batticaloa (EP 60)	065-2222264	Mr. A.D. Kamalanadan	OUSL, No.23, New Road, Batticlo.
Jaffna (NP40)	021-2223374	Mr. Kanthavel	OUSL, Brown Road, Kokuvil, Jaffna.
Badulla (UP80)	055-3012151	Ms. Hiranthi Galahitiyawa	OUSL, No:179, Kappetipola Road, Badulla.
Kurunegala (NW70)	037-2223473	Mr. Mahinda Sakalasooriya	OUSL, Negambo Road, Nissanka Mawatha Junction, Malkaduwawa, Kurunegala.
Rathnapura (SG90)	045-2228660	Dr. (Ms) U.W.N.P. Wanigasekara	OURC, No. 397, New Town, Rathnapura.

Position/Division	Name	Contact No	Email
Acting Head/Law	Ms. Niluka Gamalath (Senior Lecturer)	011-2881230	hdlaw@ou.ac.lk

Course Coordinators	Ms. K.K.G. Anuththara/ W.G.T. Yashodha Thilakarathne (Constitutional Law I)	011-2881422	kkanu@ou.ac.lk yashthilakarathne@gmail.com
	Mr. Danushka Manoj (Principles of Equity)	011-2881574	wdman@ou.ac.lk
	Mr. Ruchira Rosa/ Ms. Nisanka Jayarathna (Introduction to Laws of Sri Lanka)	011-2881649	ruchirarosa@gmail.com
	Ms. Wasana Panditharathna (Legal Method)	011-2881574	wasanapandittharathne@yahoo.com
Project Assistant	Mr. Gayan Liyanagamage	011-2881432	gayanliyanagamage1992@gmail.com
Lecturer/IT (Problem related to moodle page)	Ms. Geetha Kulasekara	011-2805675	dgkul@ou.ac.lk
Department Student Counselor	Ms. Wasana Panditharathne	011-2881319	wasanapandittharathne@yahoo.com
Assistant Registrar /HSS (For continuous assessment issue)	Ms. Shivashankari	011-2881232/377	arhss@ou.ac.lk
Senior Assistant Registrar /Examination Division (For final Exam issues related matter)		011-2881350/ 208/461	ksure@ou.ac.lk
Senior Assistant Registrar /Student affairs Registration issue/Personal Information Changes)		011-2881205/655	
Colombo Regional Centre (Inquiry for day school details of Colombo Centre)		011-2881420	
Finance Division		011-2881349/ 043/543	
Library		011-2881254/419	

LL.B DEGREE PROGRAMME

2017/2018

DEPARTMENT OF LEGAL STUDIES

Course/Course Code

LWU1201 – Constitutional Law I

1. Objective of the course

This course mainly attempts to define the nature of Constitutional Law as the supreme law of the country. It deals with the Constitutional history of the country to help you to gain better understanding of the present Constitution. While discussing the important provisions of the Constitution, it focuses on identifying and analyzing the fundamental concepts of Constitutional Law. Moreover, this course has been designed to enlighten students on comparative Constitutional backgrounds also.

2. Course content

LWU 1201 Constitutional Law Course of LL.B Degree Programme is basically consisted with three printed blocks as follows;

Block 1 (Lesson 1 –10)

Block 2 (Lesson 11-20)

Block 3 (Lesson 21-32)

Block I

1. Nature of the Constitutional Law
2. Principles of Constitutional Autochthony
3. Constitutional History
4. The Donoughmore Constitution 1931-1947
5. The Soulbury Constitution 1947-1972
6. The Soulbury Constitution (continued.)
7. Legislative Supremacy of the British Parliament
8. Legislative Supremacy of the Ceylon Parliament under the Soulbury Constitution
9. Legislative Supremacy of the National State Assembly under the First Republican (1972) Constitution in Sri Lanka
10. Legislative Supremacy of the Parliament of Sri Lanka under the Second Republican (1978) Constitution.

Block II

11. The Rule of Law
12. The Rule of Law (continued.)
13. The Separation of Powers

14. Separation of the Powers in the United States of America under the British Constitution
15. Separation of the Powers in Sri Lanka
16. Separation of the Powers in Sri Lanka (continued.)
17. Separation of the Powers in Sri Lanka (continued.)
18. Sri Lanka as Republic within the Commonwealth.
19. Republican Constitution of 1972.
20. Republic Constitution of 1972 (continued.)

Block III

21. The Independence of the Judiciary
22. Understanding the Second Republican Constitution in Sri Lanka
23. The Composition of Parliament: part I, the First Parliament
24. The Composition of Parliament: part II, Future Parliament
25. The President of the Republic of Sri Lanka part I
26. The President of the Republic of Sri Lanka part II
27. Fundamental Rights: Their Nature and Scope
28. Fundamental Rights: Their Enforcement
29. Constitutional Amendments
30. The Referendum
31. Ombudsman
32. Social Action Litigation-The Indian Experience

3. Delivery Mode

a) Day schools

Day Schools are very important knowledge delivery mode in LL.B Degree Programme. In this course 20 hours of Day Schools will be held throughout the academic year in Colombo, Matara, Kandy, Anuradhapura, Batticaloa, Jaffna, Kurunagala Badulla and Rathnapura Regional centers.

Extra lesson materials can be obtained for visiting moodle page. Please refer to page 24 for login details.

b) Seminar

In addition to the Day Schools, special seminars may be conducted in the Regional Centres.

This year your academic activities will be spread over a period of 07 months. **Ten Day Schools of 02 hour duration** will be held during this period.

4. Method of Assessment (CA Test and Final Examination)

An important component in the Open University study system is the continuous Assessment System (CA). Under this scheme students are required to sit for Assessment Tests continuously held throughout the academic year prior to the holding of year end final examination. In the OU study system, 30% of your examination marks are allocated for Continuous Assessment Tests while the balance 70% examination marks are allocated for the final examination. This means that before you sit for the final examination, you get an opportunity to earn a maximum 30% of your examination marks similarly if you have earned higher marks at CA, it will help you to pass the final examination if you miss several marks, required for the pass marks at the final examination. If you do not sit for CA tests or earn very low marks at CA tests, you will be compelled to earn higher marks just to pass the final examination. Therefore paying an attention to CA tests is very important.

Assessment	Mode	No. of lessons to be covered	Duration
CAT 01	Class Room Test	Lessons 1- 6	1 Hour
CAT 02	Class Room Test	Lessons 7-12	1 Hour
Final Examination	Class Room Test	Entire Syllabus	3 Hours

5. Supplementary materials(Printing/MOODLE)

On line course

In addition to the course materials, all cases, legislation and past examination papers relevant to your course are provided on line. You will be issued with a document at registration giving all relevant information including the manner in which you should register and how the password to access online course could be obtained. Please access this online facility at any of the Nodes Centers situated in your regional center or using online facilities in your home, your office or at any Internet café. You can express your view on issues that we raise at the online course and discuss academic matters to the course through this online facility. This online course will be of immense use especially to busy employed students and the students in the regional centers as it helps them to maintain contacts with their course coordinator/ Teacher on line.

Online course material (19th Amendment to the Constitution)

In addition to the Moodle page you will be given an audio-visual course material on 19th Amendment to the Constitution. You are supposed to view the audio-visual course material and make a note about the changes that have been introduced by 19th Amendment.

Supplementary material on independence of the judiciary

Moreover, you will be given a supplementary material on ‘independence of judiciary’ in addition to the existing lesson on Block III of constitutional law I course materials. This session is consisted of updated case laws pertaining to the independence of the judiciary.

Please follow day schools, read cases and legislations and update your knowledge through online facility. Treat this course as a one which provides a background knowledge regarding all laws that are applicable in Sri Lanka.

6. Recommended Reading

- *Constitutional and Administrative Law – Professor de Smith S.A. [London, Penguin Books, 1971]*
- *Law of the Constitution – Dicey A.V. [London, McMillan, 1939]*
- *Constitutional Law of Sri Lanka – M.J.A. Cooray, [1984]*
- *Constitutional and Administrative Law of Sri Lanka – L.J.M Cooray [Colombo, Lake House Publishers, Colombo]*
- *Law and the Constitution – Jennings W.I. [Bombay, Oxford University Press, 1953]*
- *Constitutional and Administrative Law – Hood & Phillips*
- *The Separation of Powers in the Contemporary Constitution – R. Masterman [Cambridge, Cambridge University Press, 2011]*

7. Learning Out comes

After completing this course you will able to;

- To understand and analyze the constitutional Evolution of Sri Lanka.
- To understand the basic concepts in constitutional Law (Rule of law, Independence of the Judiciary, Sovereignty of Parliament ect.)
- To identify the importance of the role of judiciary towards enriching Constitutional jurisprudence.
- To examine and evaluate the current developments in existing Sri Lankan Constitution.
- To critically analyze the constitutional provisions of the existing Constitution and identify the weaknesses.
- To make suggestions on constitutional Reforms to the existing Constitution.

Good Luck & Best Wishes!!!!!!!!!!!!!!!

Ms. K.K.G. Anuththara

Ms. W.G.T. Yashoda Thilakarathne

Lecturer and Course Coordinator – Constitutional Law I

LWU1201 / LLU 3901

LL.B Degree Programme
Academic year 2017/2018
Course Plan

1. Course/Course Code

LLU 3502/ LWU 1202 - Principles of Equity

2. Objective of the Course

Dear Students,

Welcome to the LLU 3502/LWU 1202 Principles of Equity course in Level 3, LL.B Degree Programme. This is a 5 credits course. Basically, this course has been designed to enlighten the history and the developments of the principles of Equity and the evolution of the Law of Trusts. This course attempts to examine and analyses the English Law of Trusts before and after the enactment of Trust Ordinance. In addition to that this course provides complete knowledge about the various provisions of the Trust Ordinance in relating to Express Trust, Constructive Trusts and Charitable Trusts.

3. Course Content

The current syllabus of the Principles of Equity course contains two printed blocks of course materials in all three mediums. The content of the Course is as follows;

Block 1

- Lesson I - The Nature and History of Equity
- Lesson II - The role of Equity after the implementation of the Judicature Act.
- Lesson III - The Maxims of Equity
- Lessons IV - Trusts
- Lesson V - Express Trusts
- Lesson VI - Express Trusts (Contd.)
- Lesson VII - Express Trusts (Contd.)

Block 2

- Lesson VIII - Constructive Trust
- Lesson IX - Constructive Trusts (Contd.)
- Lessons X - Beneficiaries and Trustees
- Lessons XI - Charitable Trust

4. Delivery Mode

(a) Day Schools

Day Schools are very important knowledge delivery mode in LL.B Degree Programme. In this course 20 hours of Day Schools will be held throughout the academic year in Colombo, Matara, Kandy, Anuradhapura, Batticaloa, Jaffna, Kurunagala, Badulla and Rathnapura Regional centers.

Extra lesson materials can be obtained for visiting moodle page. Please refer to page 24 for login details.

(b) Seminar

In addition to the Day Schools, special seminars may be conducted in the Regional Centers.

5. Method of Assessment

In the OU study system, 30% of your examination marks are allocated for Continuous Assessment Tests (CAT) while the balance 70% examination marks are allocated for the final examination. This means that before you sit for the final examination, you get an opportunity to earn a maximum 30% of your examination marks. It is seen therefore that obtaining marks at CA is essential for successful completion of a course. In this course you are required to sit for two CA tests and the final examination.

Assessment	Mode	No. of lessons to be covered	Duration
CAT 01	Class Room Test	Lessons 1- 3	1 Hour
CAT 02	Class Room Test	Lessons 1- 7	1 Hour
Final Examination	Class Room Test	Entire Syllabus	3 Hours

6. Supplementary Materials

Currently no supplementary materials available for this course. However, you will be informed when Moodle and other supplementary materials on the Law of Trusts are available.

7. Recommended Reading

Reading of following recommended books will help you to supplement the materials given in the course book and widen your knowledge on different topics.

- L.J.M. Cooray, *The Reception in Ceylon of the English trust*
- Parker & Mellows, *The modern Law of Trusts*
- Keeton, G.W, *The Law of Trusts*, 8th Edition
- Snell, *Principles of Equity* 28th Edition 1982
- Philip H. Pettit, *Equity and the Law of Trusts*
- Curzon, *Law of Trusts*
- *Underhill's Law of Trusts and Trustees*
- A.E. Keuneman, *Notes on the Law of Trusts*
- Walker, *The English Legal System*
- Maudsley & Martin, *Modern Equity*
- *Nathan's Equity through the Cases* 4th Edition 1961

8. Learning Outcome

After completing the Principles of Equity course you should be able to;

- Understand and critically analyze the history and the development of Law of Equity in English Legal system.
- Evaluate the Trust concepts encompassed in the Trust Ordinance.
- Examine the different ways of establishing constructive trusts under the provisions of the Trust Ordinance and analyze its applicability in Sri Lankan case law.
- Understand the rights and liabilities of beneficiaries and trustees, and
- Understand the difference between the definition of a charitable trust under the trusts Ordinance and English law.

Good Luck & Best Wishes!!!!!!!!!!!!!!!!!!!!

W. Danushka Manoj

Lecturer and Course Coordinator– Principles of Equity

LLU 3502/LWU1202

**LL.B Degree Programme
2017/2018 Academic Year
Course Plan**

1. Course/Course Code

Introduction to the Laws of Sri Lanka - LWU1411/LLU3703

2. Objective of the course

Dear Student,

Welcome to LWU1411/LLU3703 Introduction to Laws of Sri Lanka course of the LL.B Degree Programme. Introduction to Laws of Sri Lanka is an interesting course as it gives you a good knowledge about all laws applicable in Sri Lanka such as the General Law which includes English Law and Roman Dutch Law and also personal laws such as Kandyan Law, Tesawalamai and Muslim Law. This course is very important as it provides the foundation for you to study other courses such as Family Law, Law of Contract, Land Law, Law of Delict etc. at higher levels.

3. Course content

Your course material consists of two blocks. Block I contains 10 lessons from lesson 1 to 10 while Block II has 6 lessons from lesson 11 to 15.

Block I

1. History of laws in Sri Lanka
2. Reception of Dutch laws during the British period
3. Kandyan Law
4. History of Indigenous Tamil laws
5. Muslim Law
6. Reception of English Law through legislation
7. Reception of English Law through judicial decisions
8. Development in the Roman Dutch Law
9. Contemporary Developments in Indigenous Laws
10. Problems of Pluralism in the Sri Lankan Legal System

Block II

11. Administration of Justice In The Pre-Colonial Period
12. Administration of Justice under The Colonial Rules, 1505-1832
13. Administration of Justice and the Development of the Court System up to Independence (1833-1947)
14. Major changes in the court system and the administration of Justice during the post-independence period – Part I
15. Major changes in the court system and the administration of Justice during the post-independence period – Part II

4. Delivery Mode

- **Day schools**
- **Seminar**

Ten day schools of 2 hours duration will be held during the academic year. Though Day Schools are not compulsory, we advise all of you to attend Day Schools as it provides an opportunity to discuss problems you encounter in studying your course materials with your teacher. Extra lesson materials can be obtained for visiting moodle page. Please refer to page 24 for login details.

5. Method of Assessment (Continuous Assessment Test and Final Examination)

An important component in the Open University study system is the Continuous Assessment System (CA). Under this scheme students are required to sit for Assessment Tests continuously held throughout the academic year prior to the holding of year end final examination. In the OU study system, 30% of your examination marks are allocated for Continuous Assessment Tests while the balance 70% examination marks are allocated for the final examination. This means that before you sit for the final examination, you get an opportunity to earn a maximum 30% of your examination marks similarly if you have earned higher marks at CA, it will help you to pass the final examination if you miss several marks, required for the pass marks at the final examination. If you do not sit for CA tests or earn very low marks at CA Tests, you will be compelled to earn higher marks just to pass the final examination. Therefore paying an attention to CA Tests is very important.

In the LLB degree programme you are required sit for 2 Continuous Assessment Tests (CAT 01 and Cat 02).

Assessment	Number of lessons to be covered	Duration
CAT 01	Lessons 1- 4	1 Hour
CAT 02	Lessons 1-7	1 Hour

Final Examination	Entire Syllabus	3 Hours
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6. Supplementary materials (Printing/Moodle)

Online course

In addition to the course materials, all cases, legislation and past examination papers relevant to your course are provided on line. You will be issued with a document at registration giving all relevant information including the manner in which you should register and how the password to access online course could be obtained. Please access this online facility at any of the Nodes Centers situated in your regional center or using on line facilities in your home, your office or at any Internet cafe. You can express your view on issues that we raise at the online course and discuss academic matters to the course through this online facility. This online course will be of immense use especially to busy employed students and the students in the regional centers as it helps them to maintain contacts with their course coordinator/ Teacher online.

Please Follow Day Schools, read cases and legislations and update your knowledge through online facility. Treat this course as a one which provides a knowledge regarding all laws that are applicable in Sri Lanka.

7. Recommended Reading

- The Legal System of Ceylon –Cooray L.J.M.
- The Judicature in Sri Lanka in its Historical Settings – Thambiah H.W.
- The Laws and Customs of the Sinhalese or Kandian Law – Hayley, F.A.
- The Legal System of Ceylon in its Historical Settings – Nadaraja T.

8. Learning Outcome

After completing this course you will able to

- Understand and analyze the legal history of Sri Lanka
- Evaluate the pluralism of Sri Lankan Legal System
- Critically analyze the matters arising by the legal pluralism
- Examine the contemporary developments in Sri Lankan Legal System
- Understand the Sri Lankan court system

Good Luck!

Nisanka Jayarathna
Ruchira Rosa
Course co-ordinators
LWU1411/LLU3703

LL.B DEGREE PROGRAMME
2017/2018
DEPARTMENT OF LEGAL STUDIES

8. Course/Course Code

LWU1412 – Legal Method

2. Objectives of the course

Legal Method is one of the core courses of the LL.B Degree Programme and forms the foundation for the successful study of law. This course provides you with an understanding of the evolution of the law and helps you to identify the sources of the law in Sri Lanka, their content and how to access them.

The objective of this course therefore is to help you to identify the following;

- 1 Basic legal terminology
- 2 Legal material
- 3 Sources of law in Sri Lanka
- 5 Rules governing interpretation of statutes
- 4 The historical background of the law (Roman law)

3. Course Content

This course deals with the following topics;

Part 1-Legal Method

- Legal terminology
- Legal material
- Sources of law in Sri Lanka (i.e. The constitution, legislation, case law, opinions of jurists, equity, custom and religion)
- Rules governing interpretation of statutes
 - The basic rules of interpretation (literal rule, golden rule and mischief rule)

-Presumptions of statutory interpretation (*ejusdem generis, generalia specialibus non derogant*, rule against retrospective operation of the law)

Part 2- Roman law

- History of Roman law
- Sources of Roman law
- Family law including paternal rights, marriage, guardianship and minority
- The law of succession (intestate and testate succession)
- The law of things (i.e. possession and ownership, methods of acquiring ownership, and servitudes)
- The law of obligations (i.e., Contracts, quazi contracts, delicts and quazidelicts)

4. Delivery mode

This course will consist of ten two-hour day schools held during weekends. Additional seminars will be held where necessary.

5. Method of Assessment

The assessment for the course will consist of the following components

1st Continuous Assignment Test

2nd Continuous Assignment Test

Final examination

Assignment details

	CAT 1	CAT 2	Final Examination
No. of lessons to be studied	Lessons 1-3 of Block I and supplementary reading material	All Lessons Block I and supplementary reading material	All study material (Blocks 1 & 2 + supplementary reading material)
Time duration	1 hour	1 hour	3 hours

6. Course material

This course consists of the following study material

Block 1 - Legal Method

Block 2 – Roman law

Supplementary material i.e. - handouts on statutory interpretation

7. Recommended reading

Learning the Law, Glanville Williams, 14th Edition, 2010

An Introduction to the Legal System of Ceylon, L.J.M. Cooray, Stamford Lake (pvt) ltd., 1972

Maxwell on Interpretation of Statutes, P St. J Langen, LexisNexis India, 1969

Cross on Interpretation of Statutes, Engle, G., Bell J.S, & Cross, R, LexisNexis, 1995

The Elements of Roman Law, R.W. Lee, Sweet and Maxwell, 1944.

8. Learning outcomes

At the end of this course you should be able to;

- 1 Understand basic legal terminology
- 2 Identify the sources of law in Sri Lanka, their content and application
- 3 Understand rules of statutory interpretation and be able to apply them when interpreting a statute
- 4 Understand the evolution of the law, through a study of the Roman law

Good Luck & Best Wishes!!!!!!!!!!!!!!!

Ms. Wasana Panditharathna

Lecturer and Course Coordinator– Legal Method

LWU 1412/LWU 3904

Moodle Login Details

Dear Student,

We are pleased to inform that now you can access the following course on line.

LWU1201 - Constitutional Law I

LWU1202 - Principles of Equity

LWU 1411/LLU3707 - Introduction to Laws of Sri Lanka

In order to access this course please follow the following instructions

1. Visit the OUSL website www.ou.ac.lk.
2. Click on the "OU Moodle" icon that you find at the left hand side below the website. You will find page titled "Course categories"
3. Fill in the following login information at the left hand side of the page
User name: your National Identity Card number
Password: s-user (for first time users) (use all simple letters)

Use your "changed password"(If you have logged in before and already changed your password.)

Do not forget to change the password to a private one on your first login itself. Once you changed the password it is your responsibility to remember it. To change your password click your name appearing near the 'log out' button, and then select the 'change password' button in your profile page.

If you have problems in logging and accessing your course(s) please contact Ms. Geetha Kulasekara (dgkul@ou.ac.lk) (Lecturer/ET), giving your National Identity card number and Name (with initials)

4. In the "OUSL on line Courses" click on the phrase " Humanities and Social Sciences"
5. In the new page titled "sub categories" click on "Legal studies"
6. Under course categories click on 'LWU 1411- Introduction to Laws of Sri Lanka
7. In the "Topic Outline" page you will find "Announcements' 'Course information' etc.

Click on these to find announcements and for information about the course.

8. You will find several folders under names of legal systems. Click each of them to find cases relevant to each session.
9. Click on the folder "Legislation" to find legislation relevant to each session.
10. By clicking on the relevant case, you will be able to read the case then and there or download it for later use.
11. You can also access your course at your residence /office if you have ADSL or broadband facilities
12. You can also access your on line course at eleven NAC centers. (You are expected to produce your record book and the National Identity Card to gain access to the NAC centers)

Hope you would have a rewarding and meaningful learning experience online.

Course co-ordinatoars

LWU 1201/LLU 3901, LWU 1202/LLU 3502 and LWU 1411/LLU 3703