

CAYMAN ISLANDS



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**LEGAL PRACTITIONERS LAW
(2015 Revision)**

**LEGAL PRACTITIONERS (STUDENTS) REGULATIONS
(2018 Revision)**

Revised under the authority of the Law Revision Law (1999 Revision).

Legal Practitioners (Students) Regulations made the 27th August, 1991 consolidated with Law 4 of 1997 (part) enacted the 24th March, 1997, and with the -

Legal Practitioners (Students) (Amendment) Regulations, 1994 made the 15th February, 1994

Legal Practitioners (Students) (Amendment) Regulations, 1995 made the 3rd January, 1995

Legal Practitioners (Students) (Amendment) Regulations, 1996 made the 4th June, 1996

Legal Practitioners (Students) (Amendment) Regulations, 1998 made the 6th January, 1998

Legal Practitioners (Students) (Amendment) Regulations, 1991-Notice of Repeals made the 26th May, 1998

Legal Practitioners (Students) (Amendment) (Degree) Regulations, 1999 made the 27th July, 1999

Legal Practitioners (Students) (Amendment) (Degree) (No.2) Regulations, 1999 made the 14th December, 1999

Legal Practitioners (Students) (Amendment) (Variation of Fees) Regulations, 2001 made the 29th May, 2001

Legal Practitioners (Students) (Amendment) (Fees) Regulations, 2001 made the 12th June 2001

Legal Practitioners (Students) (Amendment) Regulations, 2003 made the 7th January, 2003

Legal Practitioners (Students) (Amendment) Regulations, 2003 (*sic*) made the 9th day of September, 2003

Legal Practitioners (Students) (Amendment) (No.2) Regulations, 2003 (*sic*) made the 9th day of December, 2003

Legal Practitioners (Students) (Amendment) Regulations, 2004 made the 8th June, 2004

Legal Practitioners (Students) (Amendment) Regulations, 2006 made the 15th day of August, 2006

Legal Practitioners (Students) (Amendment) Regulations, 2007 made the 18th September, 2007

Legal Practitioners (Students) (Amendment) Regulations, 2008 made the 5th February, 2008

Legal Practitioners (Students) (Amendment) Regulations, 2009 made the 3rd November, 2009

Legal Practitioners (Students) (Amendment) Regulations, 2010 made the 20th July, 2010

Legal Practitioners (Students) (Amendment) Regulations, 2011 made the 22nd February, 2011

Legal Practitioners (Students) Regulations (2018 Revision)

Legal Practitioners (Students) (Amendment) Regulations, 2014 made the 9th December, 2014

Legal Practitioners (Students) (Amendment) Regulations, 2016 made the 2nd August, 2016

Legal Practitioners (Students) (Amendment) Regulations, 2017 made the 17th May, 2017

Legal Practitioners (Students) (Amendment) (No. 2) Regulations, 2017 made the 17th May, 2017

Legal Practitioners (Students) (Amendment) (No. 3) Regulations, 2017 made the 17th May, 2017

Legal Practitioners (Students) (Amendment) (No. 4) Regulations, 2017 made the 17th October, 2017.

Consolidated and revised this 28th day of February, 2018.

Note (not forming part of the regulations): This revision replaces the 2017 Revision which should now be discarded.

LEGAL PRACTITIONERS (STUDENTS) REGULATIONS

(2018 Revision)

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LEGAL PRACTITIONERS (STUDENTS) REGULATIONS

(2018 Revision)

PART I - Preliminary

1. These regulations may be cited as the Legal Practitioners (Students) Regulations (2018 Revision).

Citation

2. In these regulations -

“articles” means articles of clerkship as specified in regulation 15(1)(a);

Definitions

“Board” means the Legal Practitioners (Students) Regulations Appeal Board appointed by the Cabinet under regulation 29;

“Clerk” means the Clerk of the Court;

“Council” means the Legal Advisory Council established by section 19 of the Law;

“Diploma in Legal Practice” means a postgraduate Diploma in Legal Practice awarded by Oxford Brookes University in the United Kingdom;

“Director” means the Director of Legal Studies;

“examination” includes assessed coursework and other means of summative assessment;

“Examination Committee” means the Examination Committee of Oxford Brookes University in the United Kingdom;

“Form” means a form in Schedule 1;

“full-time Degree Examination” means the examination for the time being prescribed in regulations 7 and 8 for the purposes of Part III;

“full-time student” and “part-time student” respectively mean a student who is admitted to the Law School under regulation 5 -

- (a) in the case of a full-time student, to pursue the course of study specified in regulation 7(a); and
- (b) in the case of a part-time student, to pursue the course of study specified in regulation 7(b),

and, in either case, is eligible to present himself for the Qualifying Examination;

“Law School” means Truman M. Bodden Law School of the Cayman Islands;

“Part” means a Part of these regulations;

“part-time Degree Examination” means the examination for the time being prescribed in regulations 7 and 14 for the purposes of Part III;

“Postgraduate Diploma in International Finance” means a postgraduate Diploma in International Finance awarded by the University of Liverpool;

“Qualifying Examination” means the examination for the time being prescribed for the purposes of Part IV;

“Schedule” means a Schedule to these regulations; and

“University” means the University of Liverpool in the United Kingdom.

PART II - Legal Education

The Law School

3. (1) The Law School shall be responsible for providing a system of legal education, which shall include examinations leading to the Law Degree, the Master of Laws Degree, the Postgraduate Diploma in International Finance, the Diploma in Legal Practice and to the Attorney-at-Law Certificate and may include other programmes or examinations approved by the Council.

(2) The system shall operate over two semesters per academic year which shall be separated by vacations, and the Director shall determine the semester, vacation and examination dates.

Council to supervise the Law School

4. In discharging its functions, the Law School shall be under the general supervision of the Council and may, subject to these Regulations and, with the consent of the Council, delegate to the University or to any person approved by the Council, responsibility for the setting and assessing of examinations.

Admission of students

5. (1) The Director may admit to the Law Degree programme any person who -

(a) has attained the age of eighteen years or will attain that age in the year in which he seeks admission; and

(b) has achieved the requisite standard of general education,

and preference in the granting of admission shall be given first to those persons who satisfy the above conditions and who possess Caymanian status within the meaning of the Immigration Law (2015 Revision).

2015 Revision

(2) A person shall be deemed to have achieved the requisite standard of general education if he has attained the standard laid down by the Council in Schedule 2.

Fees

6. All students shall, upon demand by the Director, pay the fees laid down in the second column of Schedule 4 that apply to them and such other fees as are approved by the Council.

PART III - The Law Degree

7. The Law Degree may be conferred upon any student who, to the satisfaction of the Director -

Conferring of Law Degree

- (a) in the case of a full-time student, attends courses of study for a period of not less than three years; or
- (b) in the case of a part-time student, attends courses of study for a period of not less than five years nor more than six years,

and, in either case, pays the fees required by the regulations, and passes the relevant Degree Examinations.

8. The full-time Degree Examination shall be divided into the Intermediate and the Final Examination and the Final Examination shall be divided into two parts called Part I and Part II.

Degree Examination

9. (1) Every full time student shall, in his first year, attend courses approved by the Council and the University for the Intermediate Examination in the following subjects -

Intermediate Examination

- (a) Constitutional Law;
- (b) Criminal Law;
- (c) Legal Systems and Skills I and II; and
- (d) Law of Contract.

(2) The Intermediate Examination shall include examinations held in periods agreed to by the University at dates and times to be published by the Law School. Students shall be required to sit the Intermediate Examination held during these periods unless excused by the Council and the University for good cause.

(3) Every full time student must pass the whole of the Intermediate Examination in accordance with the criteria specified in the University's Examinations Code of Practice before proceeding to the Final Examination.

(4) Subject to subregulation (5), a full-time student who fails one or more subjects shall be entitled to re-sit that or those subjects at the next examination sitting of the subject or subjects.

(5) Where a full-time student fails a subject more than once, the Director shall consult the University to determine whether that student may re-sit the examination.

(6) On consulting the University under subregulation (5), the Director shall, upon the request of the University, submit to the University the Director's report of the student's record of attendance and performance in written or other work assigned in connection with the course of study to which the examination relates. The University shall thereafter advise the Director as to whether the student should re-sit one or more examinations or repeat the year of study.

(7) In any case where a student is permitted to re-sit an examination it shall be within the discretion of the Director to decide, after consultation with the University, as to whether the student shall be required to attend classes related to that examination.

(8) Where a student is permitted to re-sit an examination the examination shall take place in the summer vacation.

Repealed (9) *Repealed by regulation 7(g) of the Legal Practitioners (Students) (Amendment) (No. 4) Regulations 2017.*

Repealed 10. *Repealed by regulation 2 of the Legal Practitioners (Students) (Amendment) Regulations 2016.*

Second year students 11. (1) In their second year, full-time students shall attend courses approved by the Council and the University for Part I of the Final Examination in the following subjects -

- (a) Equity and Trusts;
- (b) Law of Tort;
- (c) any other optional second year subjects selected from a list of optional courses approved by the Council and the University.

(2) Students who successfully complete the courses referred to in subregulation (1) satisfy the requirements for progression into the third year.

Application of regulation 9 12. Regulations 9(2) to (8) shall apply, with the necessary changes, to Parts I and II of the Final Examination.

Third year students 13. In order to complete their degree, full-time students in their third year shall attend courses approved by the Council and the University for Part II of the Final Examination in the following subjects -

- (a) Land Law; and
- (b) any other optional second year subject

(which has not previously been studied) selected from a list of optional subjects approved by the Council and the University.

Examinations for part-time students 14. (1) A part-time student shall, in his first year, attend courses and sit examinations in the following subjects -

- (a) Law of Contract; and
- (b) Legal Systems and Skills I and II.

(2) A part-time student shall, in his second year, attend courses and sit examinations in the following subjects -

- (a) Criminal Law; and

(b) Constitutional and Administrative Law.

(3) A part-time student shall, in his third year, attend courses and sit examinations in the following subjects -

- (a) Law of Tort; and
- (b) Equity and Trusts.

(4) In order to complete the degree, a part-time student shall, after completion of the third year, take course in the following subjects -

- (a) Land Law; and
- (b) further optional subjects selected from a list of optional subjects approved from time to time by the Council and the University.

(4A) Where the part-time degree is studied over five years, Land Law is a compulsory subject in the fourth year.

(4B) Where the part-time degree is studied over six years, Land Law is a compulsory subject in the fifth year.

(5) Regulation 9 shall apply in the same manner to every year of the part-time degree.

PART IV - Qualification as an Attorney-at-Law

15. (1) Under paragraph (c) of section 3(1), a person may apply to be admitted to practise as an Attorney-at-law in the Islands provided he furnishes evidence that -

Admission as an
Attorney-at-law

- (a) he has been bound by articles of clerkship registered under regulation 18 to serve as an articled clerk to a practising Attorney-at-law in the Islands for the term required by Schedule 3 and has duly served articles for that term;
- (b) he has received the Attorney-at-law Certificate; and
- (c) he is a fit and proper person to be so admitted.

(2) An application under subregulation (1) shall be made to a Judge and shall be accompanied by a declaration in Form 1.

Division A

Articles of Clerkship

16. A person shall not be eligible to register articles unless he has attained the age of eighteen years and -

Articles of clerkship

2015 Revision

- (a) possesses Caymanian status within the meaning of that expression in the Immigration Law (2015 Revision); or
- (b) has attained the consent in writing of the Cabinet to his registration.

Registering articles of clerkship

17. (1) A person may apply to register articles provided he furnishes evidence -

- (a) that he has passed the Qualifying Examination and has been awarded the Diploma in Legal Practice in accordance with this Part or a professional qualification which, in the opinion of the Council, is equivalent to the Qualifying Examination;
- (b) that he is of a suitable character and fitness to be an articulated clerk;
- (c) of the intended term of articles and, in the event of the term being less than eighteen months, there shall be furnished the written consent of the Council to registration of the articles for such other term; and
- (d) of the original executed articles with a certificate of the Attorney General that the same are fair and reasonable.

(2) An application under subregulation (1) shall be made to the Clerk and shall be accompanied by a declaration in Form 2.

(3) Where, in making an application under subregulation (1), it is necessary to seek confirmation by the Council of the equivalence of a professional qualification, evidence shall be adduced establishing that the applicant also holds

- (a) a Cayman Qualifying Law Degree, as set out in regulation 27D(1); or
- (b) a qualification which in the opinion of the Council is equivalent to a Cayman Qualifying Law Degree, and

the qualifications referred to in paragraphs (a) and (b) shall be classified as at least a Lower Second Class degree, or equivalent.

Clerk to register articles of clerkship

18. The Clerk shall, not later than one month after the production to him for registration of articles, and on being satisfied as to the correctness of the documents lodged therewith, and upon receipt of payment of the fee prescribed by Schedule 4 -

- (a) register the articles in a register maintained by him for that purpose;
- (b) endorse thereon a memorandum of the date on which the same were registered; and

(c) return the articles and other documents to the articulated clerk.

19. (1) Where articles have been produced for registration with the Clerk within a period of three months of their execution, the term of service thereunder shall commence upon the date of execution thereof or upon such later date as may be specified therein, but if the articles are not produced to the Clerk within such period, service thereunder shall, unless the Clerk may otherwise direct, be reckoned as commencing upon the date of the production of such articles to the Clerk, and a note to that effect shall be endorsed thereon by the Clerk.

Commencement of
service under articles

(2) Service of an articulated clerk under articles of which registration has been refused shall not be deemed to be good service.

(3) The register maintained by the Clerk under regulation 18 shall be open to the inspection of any person without payment during hours when the Court Registry is open to the public.

20. (1) Subject to subregulation (2), every articulated clerk shall, during the whole term of his articles, be actually employed in the proper business, practice and employment of an attorney-at-law by the attorney-at-law to whom he is articulated.

Employment under
articles

(2) For the purposes of this regulation, the following periods shall be reckoned as if they were periods of employment with the attorney-at-law to whom the person is articulated and shall be good service under the articles -

- (a) with the permission of that attorney-at-law, six months in the employment in the proper business, practice, and employment of another attorney-at-law who complies with section 16(1) to (4) of the Law; and
- (b) such period as the Council may, in its discretion, permit to be so reckoned.

(2A) Subject to the approval of -

- (a) the Council, in accordance with subregulation (2)(b); and
- (b) the attorney-at-law to whom the person is articulated,

a person who has successfully completed three months of the required eighteen months of articles, may apply in the prescribed manner for a Judicial Clerkship (usually for a period of one month) and if successful, that period of one month or such other period as the Council may, in its discretion permit to be so reckoned, shall be treated as a period of employment with the attorney-at-law to whom the person is articulated and shall be good service under the articles.

(2B) For the purposes of subregulation (2A), “Judicial Clerkship” means a period of training, usually for a period of one month, under the supervision of a Judge or Magistrate.

(3) Unless the Council otherwise directs, service by an articled clerk with an attorney-at-law who has taken or retained him in contravention of section 16 of the Law may not be reckoned by an articled clerk as good service under articles.

Limitation of
employment of articled
clerk

21. (1) Subject to these regulations, no articled clerk shall, during the term of his articles, hold any office or engage in any employment other than the employment of an attorney-at-law with whom he has entered into articles or of a partner of that attorney-at-law in the proper business, practice, and employment of an attorney-at-law, and no period during which he has held any such other office or engaged in any such other employment may, unless the Council otherwise directs, be reckoned as good service under articles.

(2) Subregulation (1) does not apply to any articled clerk who, before he entered upon or engaged in any office or employment, obtained the written consent of the attorney-at-law with whom he has entered into articles and of the Council.

(3) Any direction given by the Council under subregulation (1) or any consent given by the Council under subregulation (2) may be given subject to such terms and conditions as the Council may think fit.

(4) Every application for the direction or consent of the Council under this regulation shall be in accordance with Form 3 and shall be accompanied by the written consent of the attorney-at-law under subregulation (2).

Further articles

22. (1) Where, before the expiration of the term for which an articled clerk is articled, the attorney-at-law to whom he is articled ceases to practise as an attorney-at-law or dies or the articles are cancelled by mutual consent or are discharged by the Attorney General other than under paragraph (b) of section 17 of the Law, the articled clerk may, subject to subregulation (2), enter into further articles with another practising attorney-at-law for the residue of the term of his original articles, and service under the further articles in accordance with these regulations shall be good service under articles.

(2) If the articled clerk does not enter into further articles within two years of the happening of the event mentioned in this regulation or regulation 23, he may enter into new articles for such term, not exceeding the term of his original articles, as the Council may think fit, and service under the new articles in accordance with these regulations shall be good service under articles.

Inability to satisfy the
Council of service under
articles

23. Where, on the expiration of the term for which an articled clerk is articled, he cannot satisfy the Council that he has duly served under articles for the whole of the term of the articles, he may enter into further articles with the same or another practising attorney-at-law for such period as will enable him to complete the requisite term of service under articles.

24. (1) Where an articulated clerk has not served under articles in accordance with these regulations but has, after the execution of the articles, *bona fide* served, either continuously or not, one or more attorney-at-law as an articulated clerk for periods equal in aggregate to the full term for which he was originally articulated, the Council may, if it is satisfied that the irregularity of the service was occasioned by accident, mistake or other sufficient cause and that the service, though irregular, was substantially equivalent to service in accordance with these regulations, allow the articulated clerk to reckon the service as if it had been good service.

Service for periods aggregating full term for which articulated

(2) Every application for service to be reckoned as good service in accordance with subregulation (1) shall be in accordance with Form 4.

Division B

Attorney-at-Law Certificate

25. The Attorney-at-law Certificate may be conferred upon any student who, to the satisfaction of the Director, attends courses of study approved by the Council, pays the fees required by regulation 6, passes the Qualifying Examination and has completed the term of service under the articles prescribed by these Regulations.

Conferring of attorney-at-law Certificate

26. The Professional Practice Course (in preparation for, and inclusive of, the Qualifying Examination) shall be for a period not exceeding nine consecutive months.

Duration of the Professional Practice Course

27. A person shall not be eligible to enrol on any course leading to the Qualifying Examination or to present himself for the Qualifying Examination unless -

Eligibility for Qualifying Examination

- (a) he possesses Caymanian status within the meaning of the Immigration Law (2015 Revision) (or, if he does not possess that status, he has obtained the written consent of the Cabinet); and
- (b) he has obtained -
 - (i) the Law Degree in accordance with these regulations; or
 - (ii) a qualification which, in the opinion of the Council, is equivalent to the Law Degree.

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27A. (1) Subject to subregulations (3) and (4), a person applying for enrolment on any course leading to the Qualifying Examination shall not be eligible to enrol on that course if -

Further requirements to enrol on any course leading to the Qualifying Examination

- (a) his Law Degree or equivalent qualification under regulation 27(b)(i) or (ii) is stale; or
- (b) he has a criminal conviction.

(2) A Law Degree or equivalent qualification is stale if a period of more than seven years has elapsed since the date of its conferral.

(3) The Council may, if an applicant's Law Degree or equivalent qualification is stale, permit that applicant to enrol on the course leading to the Qualifying Examination, upon being satisfied that the applicant has demonstrated that he has maintained a satisfactory level of legal knowledge.

(4) The Council may, if an applicant has a criminal conviction for an offence other than one of dishonesty, drug trafficking or serious personal violence, permit that applicant to enrol on the course leading to the Qualifying Examination, upon being satisfied that he is of a suitable character and fitness to enrol on that course.

Further requirements to enrol on any course leading to the Qualifying Examination: classification of qualification

27B. (1) Subject to subregulations (2) and (3), and in addition to the requirements set out in regulations 27, 27A, 27C, 27D and 28, a person applying for enrolment on any course leading to the Qualifying Examination shall not be eligible to enrol on that course unless either of the following conditions is satisfied -

- (a) in the case of an applicant holding a law degree referred to in regulation 27(b)(i), his Law Degree is classified as at least a Lower Second Class; or
- (b) in the case of an applicant holding a qualification referred to in regulation 27(b)(ii), that qualification is classified as at least a Lower Second Class or, in the opinion of the Council, is equivalent to a Lower Second Class.

(2) Subregulation (1)(a) shall not apply to any applicant whose Law Degree, referred to in regulation 27(b)(i), is conferred on or before 31st August, 2010.

(3) The Council may, if an applicant's Law Degree or equivalent qualification does not meet the classification requirement set out in subregulation (1), permit that applicant to enrol on the course leading to the Qualifying Examination, upon being satisfied that the applicant has otherwise demonstrated academic suitability for enrolment on that course.

Further requirements to enrol on any course leading to the Qualifying Examination: Cayman Qualifying Law Degree

27C. (1) Subject to subregulation (2), and in addition to the requirements set out in regulations 27, 27A, 27B, and 28, a person applying for enrolment on any course leading to the Qualifying Examination shall not be eligible to enrol on that course unless -

- (a) his Law Degree satisfies the criteria of a Cayman Qualifying Law Degree as set out in regulation 27D(1);

- (b) his qualification is deemed to be a Cayman Qualifying Law Degree under regulation 27D(3); or
- (c) the Council declares his qualification to be equivalent to a Cayman Qualifying Law Degree pursuant to regulation 27D(4).

(2) Subregulation (1) shall not apply to any applicant whose Law Degree, referred to in regulation 27(b)(i), is conferred on or before 31st August, 2010.

27D. (1) A Cayman Qualifying Law Degree is a degree that falls within the requirements of regulation 27(b)(i) and in respect of which the holder of that degree has satisfied the following -

Cayman Qualifying Law Degree

- (a) he has studied and passed the following subjects -
 - (i) Criminal Law;
 - (ii) Contract Law;
 - (iii) Constitutional and Administrative Law;
 - (iv) Law of Tort;
 - (v) Equity and Trusts; and
 - (vi) Land Law;
- (b) he has passed the subjects listed in paragraph (a) in no more than four attempts; and
- (c) he -
 - (i) in the case of a full time Law Degree, completed the course leading to that degree in no more than six years; or
 - (ii) in the case of a part time Law Degree, completed the course leading to that degree in no more than six years.

(2) The Council may waive the requirement in subregulation (1)(c) where it is satisfied that the holder of the degree has demonstrated exceptional circumstances which would justify, in the opinion of the Council, completion of the degree in a period that exceeds the maximum time provided in subregulation (1)(c).

(3) An applicant who holds a certificate of completion of academic stage issued by a legal professional body regulating admission as a solicitor or barrister in England and Wales shall be deemed to hold a Cayman Qualifying Law Degree.

(4) Where an applicant does not hold nor may be deemed to hold a Cayman Qualifying Law Degree and the Council is satisfied that the applicant's qualification is equivalent to the Cayman Qualifying Law Degree, that applicant may be permitted to enrol on the course leading to the Qualifying Examination.

28. (1) The Qualifying Examination shall consist of one paper in each of the following subjects -

Qualifying Examination

- (a) Criminal Procedure and Evidence;
- (b) Civil Procedure and Evidence;
- (c) Conveyancing;
- (d) Probate and Succession Law;
- (e) Legal Accounting;
- (f) Cayman Statute Law - Private Client;
- (g) Corporate Practice;
- (h) Professional Conduct and Ethics;
- (i) Practical Legal Research; and
- (j) such other subjects as the Council and Oxford-Brookes University in the United Kingdom may approve.

(2) Every student shall pass the whole of the Qualifying Examination in order to be eligible to be awarded the Diploma in Legal Practice.

(3) A student who fails one or more subjects listed in regulation 28(1)(a) to (h) shall fail the entire Qualifying Examination, but if the student fails no more than three of these subjects, the student may, with the consent of the Examination Committee, be permitted to re-sit the failed subjects and to retain the subjects passed.

(4) A student who fails more than three subjects listed in regulation 28(1)(a) to (h) shall fail the entire Qualifying Examination and may, with the consent of the Examination Committee, take the entire examination again.

(5) A student who fails the Qualifying Examination, under subregulation (3) or (4) and is required to re-sit examinations, subject to subregulation (5A), will be required to attend classes unless the Examination Committee exercises its discretion for the student not to do so.

(5A) A student who fails the Qualifying Examination under subregulation (3) or (4) shall not be permitted to re-sit the subject or subjects or entire Qualifying Examination, as the case may be, more than three times unless the Examination Committee is satisfied that the failure was due to exceptional circumstances, in which case it may permit a student one further final re-sit.

(6) In deciding whether to grant consent under this regulation, the Examination Committee shall consider a report of the Director on the student's record of attendance and performance in written or other work assigned in connection with any course of study.

(7) Where the Examination Committee has made any determination under subregulation (3), (4) or (5), the student affected shall have a right of appeal as set out in the Regulations of Oxford Brookes University in the United Kingdom.

(8) *Repealed by regulation 17(i) of the Legal Practitioners (Students) (Amendment) (No. 4) Regulations 2017.*

Repealed

PART IVA – The Master of Laws Degree in International Finance

28A. The Master of Laws Degree may be conferred upon any student who -

Conferral of the Master of Laws Degree

- (a) to the satisfaction of the Director attends courses of study -
 - (i) in the case of a full-time student, for a period of not less than one academic year; or
 - (ii) in the case of a part-time student, for a period of not less than two academic years;
- (b) passes the relevant examinations; and
- (c) pays the fees required by the Regulations.

28B. (1) Every full time student in the Masters Degree programme shall attend courses in the following subjects taught and assessed over two semesters during a single academic year -

Courses for Masters of Laws Degree

- (a) Advanced Research Skills;
- (b) Issues in International Dispute Resolution;
- (c) Legal Aspects of International Finance (1);
- (d) Legal Aspects of International Finance (2);
- (e) Equity, Trusts and Commerce;
- (f) International Banking and Capital Flows;
- (g) Common Law Choice of Law Rules in the Law of Obligations;
- (h) International Insolvency Law; and
- (i) the Law of Public-Private Partnerships.

(2) Every full-time student, following completion of the taught subjects, shall complete a sixty credit dissertation to be submitted at the end of the third semester.

(3) Full-time students are permitted one reassessment opportunity in respect of any failed assessment, to be taken during the next reassessment period and within twelve months of the failed assessment.

(4) Every part-time student shall attend the same courses as full-time students taught and assessed over four semesters over two academic years.

(5) Every part-time student, following completion of the taught subjects, shall complete a sixty credit dissertation to be submitted at the end of the fifth semester.

(6) Part-time students are permitted one reassessment opportunity in respect of any failed assessment, to be taken during the next reassessment period and within twelve months of the failed assessment.

PART IVB - The Postgraduate Diploma in International Finance

Conferral of
Postgraduate Diploma in
International Finance

28C. The Postgraduate Diploma in International Finance may be conferred upon any student who -

- (a) to the satisfaction of the Director, attends courses of study -
 - (i) in the case of a full-time student, for a period of not less than one academic year; or
 - (ii) in the case of a part-time student, for a period of not less than two academic years;
- (b) passes the relevant examinations; and
- (c) pays the fees required by the Regulations

Courses for Postgraduate
Diploma in International
Finance

28D. (1) Every full-time student studying for the Postgraduate Diploma in International Finance shall attend courses in the same subjects undertaken by full time Masters of Laws Degree students, taught and assessed over two semesters in a single academic year.

(2) Full-time students are not required to complete the sixty credit dissertation.

(3) Full-time students are permitted one reassessment opportunity in respect of any failed assessment, usually to be taken during the next reassessment period and within twelve months of the failed assessment.

Part-time students for
Postgraduate Diploma in
International Finance

28E. (1) Every part-time student studying for the Postgraduate Diploma in International Finance shall attend courses in the same subjects undertaken by full time Masters of Laws Degree students, taught and assessed over four semesters over two academic years.

(2) Part-time students are not required to complete the sixty credit dissertation.

(3) Part-time students are permitted one reassessment opportunity in respect of any failed assessment, to be taken during the next reassessment period and within twelve months of the failed assessment.

PART V - General

29. (1) There is established, for the purpose of hearing appeals under regulation 30, a board to be known as the Legal Practitioners (Students) Regulations Appeal Board.

Legal Practitioners
(Students) Regulations
Appeal Board

(2) The Board consists of a chairman and such other persons as the Cabinet determines.

(3) The Board may be discharged or reconstituted at any time by the Cabinet.

(4) Subject to any directions which may be given by the Cabinet, the Board may regulate its own procedure.

30. (1) The Council shall, in addition to the other powers granted by these regulations, have power -

Powers of the Council

- (a) to exclude from any examination any student who has not attended to the satisfaction of the Director any course of study provided for in these regulations or who has not properly completed to the satisfaction of the Director the written or other work in connection with any such course of study;
- (b) to review the progress of students on any of the courses run by the Law School and to make a declaration, where appropriate, that the performance of a student is unsatisfactory and that he should be required to withdraw from that course; and
- (c) to discipline a student (including the power to direct that he leave the Law School) for any conduct which, in the opinion of the Council, is detrimental to the Law School or its students.

(2) Where the Council has made any determination under subregulation (1), the student affected shall have a right of appeal, within twenty-eight days of such determination, to the Board, and the decision of the Board shall be final and not subject to any further appeal.

(3) Where such a determination is made under subregulation (2), the Council, at that time, shall inform the student of his right to appeal to the Board.

31. (1) The Council shall establish and maintain a procedure dealing with student complaints relating to -

Complaints by students
against certain matters

- (a) the conduct of courses; or
- (b) the facilities or services provided by the Law School,

and the Council shall prepare and publish in such manner as it considers fit a document setting out details of the procedure and such document shall be made available to the students free of charge.

- (2) Complaints shall be determined by such persons, including the Attorney General and the Chief Justice, as specified in the document.
- Complaint as to conduct of articulated clerk
32. (1) If any complaint is made to the Council as to the conduct of any articulated clerk or of any person who has applied to register articles, the Council may refer such complaint to the Attorney General who may inquire into it and report thereon to the Council.
- (2) After considering the report of the Attorney General, the Council may -
- (a) direct the Clerk to refuse to register the articles of such person, and the Clerk shall act accordingly; or
 - (b) recommend to the Attorney General that he discharge the articles of the articulated clerk in accordance with section 16, or refuse to grant him the attorney-at-law certificate.
- Fees to be paid into general revenue
33. The fees set out in the second column of Schedule 4 shall be paid into the general revenues of the Islands for the various matters or things respectively specified in the first column of that Schedule.
- Waiver of fees-Cayman Brac, Little Cayman
34. The Cabinet may, from time to time, waive or reduce any or all of the fees in Schedule 4 in relation to any person or group of persons in Cayman Brac or Little Cayman.
- Appeals
35. (1) If any person is aggrieved by any decision of the Clerk given in the course of exercising any of the powers conferred or duties imposed upon him by these regulations that person may appeal to the Council which may uphold, reverse or vary the decision appealed against.
- (2) A decision of the Council under this regulation shall be final and not subject to any appeal to, or review by, any other authority.
- Power of Council to exempt from examination
36. The Council has power, in appropriate circumstances, to exempt a person from the whole or a portion of the Intermediate or Final Examination or the Qualifying Examination on the grounds that he has previous educational or other qualifications which are equivalent to the examinations exempted.
- Council may waive or vary certain regulations
37. (1) In exceptional circumstances and for cause shown, regulations 5(2) to 13, 25 and 27 may be waived or varied in favour of a student if the Council so determines and upon such conditions as the Council may stipulate.
- (2) In exceptional circumstances and for cause shown, regulations 28(2) to (6) may be waived or varied in favour of a student if the Examination Committee so determines and upon such conditions as the Examination Committee thinks fit.

38. (1) In order to decide whether to grant any application under regulation 36 or 37 or otherwise to exercise any power or discretion conferred by these regulations the Council may -

Conditions for
exempting, waiving or
varying regulations 36
and 37

- (a) require the facts on which an application is based to be embodied in a statutory declaration made by the applicant;
- (b) require independent evidence in support of the facts on which the application is based and if the Council thinks fit that such evidence be embodied in a statutory declaration made by the person supplying it;
- (c) require an applicant to attend for interview;
- (d) require an applicant to attend for oral examination;
- (e) take account of the results obtained by the applicant in the examination to which the application relates or any earlier examination;
- (f) take account of reports and assessments supplied by the Director; and
- (g) take such other steps as may be desirable.

(2) In order to decide whether to grant any application under regulation 37(2), or otherwise to exercise any power or discretion conferred by these Regulations, the Examination Committee may -

- (a) require the facts on which an application is based to be declared in a statutory declaration made by the applicant;
- (b) require independent evidence in support of the facts on which an application is based and, if the Examination Committee thinks fit, require that such evidence be declared in a statutory declaration made by the person supplying it;
- (c) take account of the results obtained by the applicant in the examination to which the application relates or any earlier examination;
- (d) take account of reports and assessments supplied by the Director; and
- (e) take such other steps as may be desirable.

39. (1) A reference to the “Board” in any Law, regulation, instrument, or other document, passed or made before the coming into force of the Legal Practitioners (Students) (Amendment) Regulations, 2014, shall be construed, unless the context requires otherwise, as a reference to the “Legal Practitioners (Students) Regulations Appeal Board”.

Transitional provisions

(2) A reference to the “Law School” in any law, regulations, instrument, or other document, passed or made before the coming into force of these

Regulations, shall be construed, unless the context requires otherwise, as a reference to the Truman M. Bodden Law School of the Cayman Islands.

SCHEDULE 1

FORMS

Form 1

LEGAL PRACTITIONERS (STUDENTS) REGULATIONS

(2018 Revision)

Application to be Admitted as an Attorney-at-Law

(section 3(1)(c) and regulation 15(2))

We-----of-----and-----
-----of----- do solemnly and sincerely declare as follows-

A. And I the said-----for myself do say that -

(1) I am one and the same person named as clerk in the Articles of Clerkship bearing the date the----- day of -----, 20----- now produced and shown to me marked with the letter “A”.

(2) The said Articles of Clerkship were registered pursuant to regulation 16 on the----- day of-----, 20-----.

(3) Since the date of execution of the articles I have been actually employed in the proper business practice and employment of----- and have not held any other office or engaged in any other employment during that period.

(4) I have never been convicted of a criminal offence (*or, if convicted provide details of date of conviction, nature of offence and sentence*).

(5) I was awarded the Attorney-at-law Certificate on the----- day of-----, 20-----, and a true copy of the same is now produced and shown to me marked with the letter “B”.

B. And I the said -----for myself do say -

(1) I am a practising attorney-at-law qualified under section 16 of the Legal Practitioners Law (2015 Revision) to take a person into my service as an Articled Clerk, and am the same person named as principal in the Articles of Clerkship now produced and shown to me marked with the letter “A”.

(2) The said----- has been bound by articles to me since the----- day of -----, 20-----, and has since that date been actually employed in my proper business practice and employment as an Articled Clerk.

(3) The period of articles which has been served satisfies the requirement of regulation 17.

(4) The said----- is a fit and proper person to be admitted as an attorney-at-law.

And we make this solemn declaration conscientiously believing the same to be true and by virtue of the Voluntary Declarations Law (1998 Revision).

Signed -----

Taken and acknowledged this----- day of-----, 20-----, before me:

Justice of the Peace/Notary Public*

**Delete as appropriate.*

Form 2

LEGAL PRACTITIONERS (STUDENTS) REGULATIONS

(2018 Revision)

Application to Register Articles

(regulation 16)

TO: The Clerk of the Grand Court

I,-----, of----- do solemnly and sincerely declare as follows:

(1) I possess Caymanian status by reason of the following facts- *
(or I hold the consent in writing of the Cabinet to my registration and attach the same).*

(2) I was born on the----- day of-----, 20-----, and the document attached hereto marked with the letter “C” is a certified copy of my birth certificate.

(3) I was successful in passing the whole of the Qualifying Examination as provided for in these regulations on the----- day of-----, 20-----, and the document attached hereto marked with the letter “D” is a true certification (or copy) of the same (or I have a professional qualification which has been accepted by the Council as equivalent to the Qualifying Examination).

(4) As evidence of my suitability of character and fitness, I attach hereto letters of reference marked respectively “E” and “F” from persons who have known me for at least two years and who vouch for my character and fitness.

(5) I have never been convicted of a criminal offence (*or, if convicted, provide details of date of conviction nature of offence and sentence*).

(6) I desire to enter into articles for eighteen months (*or, if less than eighteen months, state intended term and furnish written consent of the Council to such other term*).

(7) I have entered into Articles of Clerkship with----- on the -----day of -----, 20-----, now produced and shown to me and marked with the letter “G”.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Voluntary Declarations Law (1998 Revision).

Signed-----

Taken and acknowledged this -----day of -----, 20-----, before me:

Justice of the Peace/Notary Public*

**Delete as appropriate.*

Form 3

LEGAL PRACTITIONERS (STUDENTS) REGULATIONS

(2018 Revision)

Application to Hold Office Under Articles

(Regulation 21)

TO: The Legal Advisory Council

I, ----- of-----hereby
apply-

for a direction of the Legal Advisory Council that my service under articles may be reckoned as good service, notwithstanding that, during the period in respect of which this application is made, I was engaged in an office or employment other than the employment of the Attorney-at-law to whom I am articulated

or

for the consent of the Legal Advisory Council to my engaging in an office or employment other than employment of the Attorney-at-law to whom I am articulated.

(Note: strike out the inapplicable statement)

I was articulated on the -----day of -----, 20----- to-----
-----for a term of -----years. I seek the
direction/consent from the Legal Advisory Council in respect of my engagement
in the office or employment of -----by --
-----in respect of the following period(s)-----
-----.

My salary in respect of such office or employment is/was/will be \$-----per
annum.

The work involved is/was/will be of the following nature-----
-----, the average time spent by me thereon in each week
being-----hours.

*(Here state in numbered paragraphs any further information which may be of use
to the Council in considering the application)*

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Voluntary Declarations Law (1998 Revision).

Signed-----

Taken and acknowledged this -----day of -----, 20----- before me:

Justice of the Peace/Notary Public*

**Delete as appropriate.*

Form 4

LEGAL PRACTITIONERS (STUDENTS) REGULATIONS

(2018 Revision)

General Form of Application

(regulation 24)

TO:

I,----- of----- hereby apply to the Advisory Council under regulation 24 of the Legal Practitioners (Students) Regulations (2018 Revision) for-----
(state briefly the nature of the application).

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Voluntary Declarations Law (1998 Revision).

Signed-----

Taken and acknowledged this -----day of -----, 20----- before me:

*Justice of the Peace /Notary Public**

**Delete as appropriate.*

SCHEDULE 2

STANDARD OF EDUCATION REQUIRED

Part 1 – LLB (Honours) Degree

(regulation 5)

1. A person who is less than twenty one years of age on 31st May of the year in which he seeks admission shall be qualified to be admitted if he has attained passes in at least five approved subjects, three of which are at Grade C or above at ordinary level and two of which are at advanced level:

Provided -

- (a) a pass in a particular subject at both Advanced and Ordinary levels shall be treated as one pass at Advanced level only;
 - (b) a person shall not qualify unless he has passes in-
 - (i) English, English Language or English Literature at Ordinary level, Grade C or above; and
 - (ii) one of Mathematics, Economics, Geography, or a Natural Science at Ordinary Level, Grade C or above.
2. A person who is not less than twenty-one years of age on 1st June of the year in which he seeks admission shall be qualified to be admitted if he attains the passes prescribed in paragraph 1 or passes the University's Mature Students Entrance Examination.
3. A person shall also be qualified to be admitted if he possesses either-
- (a) an associate degree in which he has maintained a GPA which, in the opinion of the Council is equivalent to the educational standard prescribed by paragraph 1; or
 - (b) SAT scores which, in the opinion of the Council, are equivalent to the educational standard prescribed by paragraph 1.
4. A person shall also be qualified to be admitted if he has attained an educational standard whether, evidenced by performance at examinations or otherwise, which is certified by the Chief Education Officer to be equivalent to that prescribed by paragraph 1 or 2.

Part 2 – LLM or Postgraduate Diploma in International Finance

1. Bachelors degree in law or a *related discipline with a 2:1 classification or equivalent or above.

**Related discipline includes: degrees in finance, economics or business”.*

SCHEDULE 3

TERM OF SERVICE OF ARTICLED CLERKS

(regulation 19(1))

1. The term of Articles shall be eighteen months.
2. The Council may, on application by the principal or the articulated clerk, abridge the term of articles in any particular case.

SCHEDULE 4

FEES

(regulation 33)

Application fee (all students)	\$150
Mature Entrants Examination Fee	\$100
Refundable Place Deposit Fee	\$250
Tuition fee for the Full Time Degree Course (per academic year)	
Caymanians, spouses of Caymanians and legal residents of ten years or over	\$6,000
Others	\$14,000
Tuition fee for the Part-time Degree Course (per academic year)	
Caymanians, spouses of Caymanians and legal residents of ten years or over	\$1,500 per subject
Others (enrolled prior to 1st September 2011)	\$1,500 per subject
Others (enrolled on or after 1st September 2011)	\$3,500 per subject
Tuition fee for individual subjects (per academic year)	
Caymanians, spouses of Caymanians and legal residents of ten years or over	\$1,500 per subject
Others (enrolled prior to 1st September 2011)	\$1,500 per subject
Others (enrolled on or after 1st September 2011)	\$3,500 per subject
Tuition fee for Professional Practice Course (per academic year)	
All students	\$9,900
Course registration fee (all students)	\$1,000
Examination fee	\$50 per subject
Registration of Articles	\$130
Tuition fee for the Full-Time Master of Laws Course (per academic year)	
Caymanians, spouses of Caymanians and legal residents of ten years or over	\$12,000

Others	\$16,000
Tuition fee for the Part-Time Master of Laws Course (per academic year)	
Caymanians, spouses of Caymanians and legal residents of ten years or over	\$6,000
Other	\$8,000
On receipt by the Council of any notice under these Regulations where no fee is specifically provided	\$100
On the issue by the Council of any certificate, consent or direction required under these Regulations where no fee is specifically provided	\$100
External Examination Invigilation Fee	\$61 per hour
Administrative Fee for External Examination Invigilation	
1 candidate	\$41
2 - 5 candidates	\$102
6 - 10 candidates	\$164
11 - 15 candidates	\$205
16 - 20 candidates	\$266
More than 20 candidates	\$328
External Law Library User Fee (per annum)	\$250

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Kim Bullings
Clerk of the Cabinet

(Price \$7.20)