

By-Laws and Regulations

These by-laws may be cited as by-laws No. 5A (2012) of General Sir John Kotelawala Defence University pertaining to all Master's Degree Programmes.

PART I

General

1. Subject to following by-laws a person may be awarded Master of Laws Degree.

Basic Requirements

2. The above mentioned degree may be awarded to a person, provided he/she:
 - a. has been a registered student of General Sir John Kotelawala Defence University (hereinafter referred to as KDU) for the period prescribed by these by-laws,
 - b. has pursued the programme of study at KDU to the satisfaction of the Board of Management (hereinafter referred to as BOM) as prescribed by these by-laws,
 - c. has satisfied the standards and conditions at the prescribed end-semester examinations, continuous assessments (assignments, classroom tests, practical, presentations, etc.) and dissertation/research report submitted on a topic approved by KDU,
 - d. has paid such registration, tuition, supervision, library, convocation and examination fees and other dues as may be payable by him/her to KDU, and
 - e. has fulfilled all the other requirements prescribed by these by-laws and the Rules and Regulations of KDU.

Dean

3. The Dean Faculty of Graduate Studies (hereinafter referred to as Dean FGS) of KDU is responsible for the coordination and administration of all Master's Degree programmes and he / she shall be appointed by the BOM on the recommendation of the Vice Chancellor of KDU. He will be responsible for the administrative matters and other duties as entrusted by the Vice Chancellor with respect to Master's Degree Programmes.

Mode of Application

4. Applications for admission to the Master's Degree Programme are invited from Military Officers, Gazetted Officers of the Department of Police and public and private sector executive officers.

5. A person who wishes to be a candidate of the Master's Degree Programme shall make an application to the respective Service Commander or the Inspector General of Police who will submit the application to the Registrar with his recommendation. Private and public sector applicants too could apply through their heads of departments.
6. The application should be downloaded from www.kdu.ac.lk
7. Applications received by the Registrar shall be referred to the Dean FGS. The Dean FGS, having examined the applications for fulfilment of basic requirements listed in Para 8 below, shall call the eligible candidates to appear for an interview. The candidates list who have passed the interviewed approved by respective BoS & Faculty Board shall be forwarded to the Senate upon for approval. The names of the successful candidates will be notified to the respective Services / Police / Ministries / Departments / Organizations, for other necessary actions.

Eligibility Criteria

8. A person is eligible for admission to the programme of study leading to the Master Degree in Laws, provided he/she meets one of the following conditions;
- a. Legal Officers of the Sri Lanka Armed Forces and the Police, Legal Officers of the Public and Private sector and independent practitioners.
 - b. A candidate shall normally possess any of the following qualifications and illustrate that she/he is competent to undertake postgraduate course.
 - (1) 1st class/ 2nd class upper honors degree – No working experience
OR
 - (2) 2nd lower degree – 2 years working experience
OR
 - (3) Degree (without class) – 3 years working experience
OR
 - (4) Attorney – at – Law with minimum of 5 years working experience
OR
 - (5) Equivalent qualification from an institution approved by the KDU of comparable academic status.
9. However, a person who is currently registered for a Degree Programme as an internal/external candidate of any University or Higher Educational Institution is not eligible to be registered for the Degree Programme of KDU and vice a versa, unless the candidate registers with two distinct institutions and provides sufficient evidence to prove his/her competence to pursue such degree programmes simultaneously.

Mode of Registration

10. On acceptance by the BOM and release by the respective Service Commander / Inspector General of Police / Head of the Department or Organisation, a candidate may get registered as a Postgraduate student of KDU by paying the total amount of the course fee.

11. The initial registration shall be valid for three (03) academic years counted from the date of commencement of the programme of studies (hereinafter referred to as the initial period of registration) and two (02) further consecutive years with annual registration by charging the registration fee for each year. This is to be applied even for the candidates who have been permitted absence of leave on duty exigencies/different reasons of personal nature.

Cancellation of Registration, Discharge or Discontinuation from Programme

12. Notwithstanding anything stated above, the BOM of KDU shall have the right to cancel, at any time, the registration of any candidate.

13. Any candidate dismissed from the services on disciplinary grounds shall be automatically discharged from the Master's Degree Programme which he/she follows.

14. Any candidate found guilty of committing examination offences will be dealt with in terms of rules pertaining to the conduct of examination.

15. The registration fees or any other fees except refundable deposits are not refunded to any candidate after registration, including those candidates discharged due to any of the above reasons.

Excuse from the Programme due to leaving the Country

16. A candidate who is registered for the Master's Degree programme may be offered excused on the ground of the leaving Sri Lanka with a notification to the Vice Chancellor, KDU through the Director of Training of the respective Service. The public and private sector candidates may be permitted by the Vice Chancellor of the University after considering the written request. However, candidate has to pay additional re-registration and course fees prescribed by the Vice Chancellor for the extra years he/she would undergo training. If a Tri Service/ Police candidate attends an overseas official requirement, he may be considered as excused.

PART II

Programme Details

17. The duration of the Master's Degree Programme shall be of two (02) academic years. Each academic year is divided into two (02) semesters.

18. The lecturers of KDU and Universities, and eminent persons in the respective fields appointed by the Vice Chancellor on the recommendation of the Dean-FGS shall conduct the courses. The medium of instruction shall be in English.

19. The subject modules (Course Delivery Plan) for the Master of Laws programme is attached at the end of the By-Law.

20. The titles of the subject modules taught shall be as those set out in the course delivery plan at the end of the By-Law. The Curriculum Revision Board appointed by the Vice Chancellor has the power to amend the list of subject modules, the syllabi, and the number of credits allotted to each subject module and to revise subjects from time to time when required. The decision made by the Curriculum Revision Board should finally be approved by the Senate before implementation. Any changes will be announced before the commencement of each semester. A detailed syllabus of each subject module taught will be made available to the candidates.

21. The number of subject modules for each programme and credit weightages available in the first and second academic years are also shown in the course delivery plan. The candidates need to offer subject modules in the two (02) years with the stipulated criteria to complete the programme successfully. Further, the candidate has to submit a dissertation/research paper on a topic approved by KDU, the credit value of which is 15.

22. Any student, who failed or referred in subject module(s) at an end semester examination, is required to re-sit for the end semester examination for the particular subject module(s) at the corresponding semester of immediately following programme of the respective degree course.

Submission of Assessment Papers / Dissertations

23. The candidate needs to submit assignments, other assessment papers, etc; to the Dean FGS and obtain a receipt before the deadline given by the lecturer of the subject module. Under no circumstances shall the deadline given by the lecturer be extended. Assignments, Reports, Term papers, etc; should not be handed over to any person other than the Dean FGS who is the authorized person for this purpose. The Dean FGS will determine the final date of submission of the dissertation/research report. Two soft copies of the dissertation/research report should be provided. Selected dissertation paper/research report may be published in the KDU Web.

Postgraduate Diploma

24. A candidate may register for a Master's degree programme and withdraw from the programme to opt a Postgraduate Diploma (hereinafter referred to as PGD) in the programme after offering subject modules available in the first academic year, the credit sum of which is 30 and also he/she has to submit a project report of more than 5000 words on a given topic within one year. The credit weightage of the report is 5.

25. A person who has obtained PGD may rejoin as a candidate of the Master's degree programme within three (03) years from the date of awarding the original PGD certificate, subject to surrender of the PGD certificate to the Registrar at re-registration. Candidate who is awarded with the Master's degree will not be eligible to PGD certificate which is already surrendered. Only the 1st year will be exempted from the programme since the candidate has completed PGD.

PART III

Mode of Evaluation

26. The performance of each student at each subject module taught during each semester will be evaluated by means of continuous assessment and by an end-semester examination.
27. Without prejudice to the generality of the Rules and Regulations relating to Examinations, the lecturer may conduct any evaluation test.
28. The lecturer should assign marks as given below for the continuous assessment component and the end-semester examination component, and should announce this weightage at the commencement of his/her lecture series.

Components	Weightage %
Continuous Assessment (Presentations, Assignments, Quiz, Term Papers, Reports, etc.)	30 or 40
End-Semester Examination	70 or 60

29. Usually, the lecturers involved in teaching evaluate the candidates in respect of continuous assessment. In the case of the end-semester examination papers, there will be a setter and a moderator.
30. The performance of candidates at the end of each academic year is evaluated as per the table below to determine whether the candidate is qualified for the award of PGD or the Master's degree. Candidates who are awaiting the results of the first academic year are permitted to follow the lectures of the second year on a temporary basis until the results are finalized.

Range of Marks	Grade	Grade Point Value
90 – 100	A+	4.2
80 – 89	A	4.0
75 – 79	A-	3.7
70 – 74	B+	3.3
65 – 69	B	3.0
60 – 64	B-	2.7
55 – 59	C+	2.3
50 – 54	C	2.0
40 – 49	C-	1.7
30 – 39	D	1.0
Less than 30	E	0

31. The Grade Point Average (GPA) of each candidate is calculated using the Formula $GPA = \frac{\sum c_i g_i}{\sum c_i}$ where c_i is the number of credits and g_i is the grade point value obtained for the i^{th} subject module.
32. The minimum pass mark for each subject module shall be 50 per cent (Grade C). The marks for the entire subject module is the weighted sum of the marks obtained for the two components of the subject module. The grade point is determined as per the schedule given

in para 31. It is compulsory that a candidate participates in both, the continuous assessment component and end-semester examination.

a. A candidate with marks as stated below is deemed to have failed the particular subject module entirely or partially;

(i) less than 40% for both components (D or E), **or**

(ii) less than 40% for one component and 40% or above for the other component, (*Ica or **Ie), **or**

(iii) absent with a valid excuse for one component and obtained less than 40% for the other component, **or**

***Ica - Incomplete Continuous Assessment**

****Ie - Incomplete End Semester Examination**

(iv) absent without a valid excuse for one component and obtained 40% or above for the other component.

33. Candidates need to obtain minimum marks of 40% for each component to obtain a C-, C or a better grade in addition to the overall marks required for each grade. For a D grade each component marks and overall marks should be 30% - 39%.

34. If a candidate fails (refer para 32) a subject module, he/she is required to sit for the next available examination. Candidates who have obtained 40% or more for the continuous assessment component ($\geq 40\%$), but obtained less than 40% ($< 40\%$) in the end-semester exam will sit only for the next available end-semester exam and vice a versa.

35. All examination answer scripts to be marked by an independent second examiner subsequent to the marking by the first examiner.

a. If the difference of marks is equal or less than 20% marks between first and second examiners, the average of the two to be considered.

b. In case of difference of more than 20% marks between the two examiners, the first and second examiners are to compromise for the disparity of the marks by negotiation and should bring it down to less than 20%.

c. Thereafter marks to be calculated according to the above Para a.

36. If a candidate fails an optional subject module he/she will be permitted only one opportunity to change that optional subject module, subject to pay additional lecture fees for the particular subject.

37. The BOE shall finalize the results of each end-semester examination and recommend for the confirmation of the BOM. Those who do not pass a subject module will be given an opportunity to appear for a repeat examination subject to payment of repeat examination fees.

38. If a candidate, who is registered for the Master's degree programme, obtains D or less in 80% or more subject modules in the first academic year, he/she will be discontinued from the Master's Degree programme.

Conditions for the award of the Postgraduate Diploma

39. The conditions for the award of PGD and Master of Laws Degree are as follows;
1. The Postgraduate Diploma in Law will be awarded to a candidate provided:
 - a. He / she has followed at least 50 percent of the lectures within the academic year and has attended more than 50 percent lectures in each subject module carrying two or more credits,
 - b. The Dean FGS should certify that the candidate has completed the course of studies leading to the examination by attending the required percentage of lectures, tutorial classes and other forms of instruction during the course,
 - c. He / she has not violated any Rules and Regulations stipulated by KDU on Conduct and Discipline, and
 - d. He / she has passed the PGD in Law examination as per para 42.a.
 2. The Master Degree in Laws is awarded to a candidate provided:
 - a. He / she has fulfilled the conditions for the award of PGD in Law,
 - b. He / she has followed at least 50 percent of the lectures within the academic year and has attended more than 50 percent lectures in each subject module carrying two or more credits,
 - c. The Dean FGS certifies that he/she has completed the course of studies leading to the examination by attending the required proportion of lectures, tutorial classes and other forms of instruction during the course,
 - d. He / she has not violated any Rules and Regulations stipulated by KDU on Conduct and Discipline, and
 - e. He / she has passed the Master Degree in Laws examination as per para 42.d.
40. All the rules and regulations relating to the examination procedures, offences and punishments of KDU, shall apply to the Master's degree Programme too.

PART IV

Release of Results

41. The BOE consisting of the Vice Chancellor as Chairman, DVC (Def), DVC (Academic), Dean FGS, Registrar and the relevant Dean of the Programme will meet to

consider the performance of the candidates at the end of each semester. Deputy Registrar Examination (hereinafter referred to as DR Exams) will be the Secretary.

Details pertaining to criteria for Passing/ Being Referred/ Not Completing of PGD and Masters Degree

42. Criteria for Passing/Being referred/Not Completing the PGD examination (Year 1) and Master degree examination (Year 2) are as follows:

- a. Criteria for passing PGD in Law examination (Year 1), candidate must satisfy the following requirements;
 - (1) Obtaining Grade C or above for all subject modules during the academic Year 1 **or**
 - (2) Obtaining Grade C or above for at least 6 subject modules during the academic Year 1 with Grade C- for 1 subject module provided the GPA is at least 2.0.
- b. Criteria for being referred at the PGD in Law examination (Year 1).
 - (1) Obtaining Grade C or above for 5 subject modules during the academic year 1, and 1 C- Grade and 1 D Grade for the rest of the subject modules **or**
 - (2) Obtaining Grade C or above for 6 subject modules and D/E/Ie/Ica/Ib for the balance subject module will be deemed to have got referred at the PGDL examination.
- c. Criteria for not completing PGD in Law examination (Year 1).
 - (1) A candidate who obtains Grade C or above for 6 subject modules and is excused for the balance subjects is allowed to proceed to the year 2 as a “Not Completed year 1” (NC year 1) candidate.
- d. Criteria for Passing the Master of Laws Degree examination (Year 2): A candidate must satisfy the following requirements:
 - (1) Obtaining Grade C or above for all subject modules during the academic Year 2 except for any 1 subject module for which a candidate is permitted to obtain Grade C-.
 - (2) Obtaining Grade C or above for the dissertation including at least 50% for the viva voce.
 - (3) Obtaining a GPA of at least 2.0 taking both academic years into consideration.
- e. Criteria for being referred at the Master of Laws Degree examination (Year 2).

(1) When a candidate has obtained a GPA of less than 2.0 taking both academic years into consideration, or

(2) When a candidate has obtained 1 or more D/E/Ie/Ica Grade or C-Grade(s) over and above the allowed limit will be deemed to be referred in the Master of Laws Programme.

43. The GPA obtained by a candidate who has been referred shall be changed if he/she obtains higher grade for the referred subject modules at the repeat examination, subject to the maximum of C grade.

Absence from End-Semester Examination

44. A candidate who does not sit for a subject module at the end-semester examination is deemed to have failed only that component provided he/she has obtained 40% or above for the Continuous Assessment component at the end-semester examination; unless he/she gets himself/herself excused by submitting a valid medical certificate or reason for his/her absence, within two weeks from the date of the particular examination to the Dean FGS through the respective Director Training and in the case of a civil candidate by a written request to the Vice Chancellor. A candidate who gets excused shall sit the following immediately available examination, and that will be considered as his/her first attempt.

Repetition of Subject Modules

45. A candidate who does not fulfil the criteria for pass, criteria for being referred or criteria for not completing (NC) year 1 given in para 42 shall not be allowed to proceed to year II until he/ she passes / is referred in year 1 examinations. The candidate has to complete only the referred/incomplete subject (except the candidates who have been discontinued from the programme).

46. Referred candidates need to re-sit for the immediate available examination as follows:

a. In the case of para 42.b and 42.e, he/she has to re-sit all the subject modules having less than C Grades except the subject module which is allowed to retain a Grade C-. The BOE will specify the subject modules he/she has to re-sit.

b. The weighted average for a repeated subject module is a maximum of 50 percent (Grade C).

Criteria for award of Merit / Distinction at the Master of Laws Degree Examination

47. A candidate completing all the examinations including dissertation/research within the stipulated period of the registration having an overall GPA of 3.3 or above is entitled for a merit award. However there shall be only one opportunity to upgrade a referred subject into C grade at the examinations within that stipulated time. However there shall not be a grade below C for any subject module at the time of finalizing the results. As far as dissertation is concerned no extension on time period will be given. If a candidate attends an official requirement either he/she should complete the dissertation/research report within the

stipulated time or he/she can request for a new topic and complete within the approved period.

48. A candidate completing all the examinations including dissertation/research report within the stipulated period of the registration with an overall GPA of 4.0 or above is entitled for a distinction award. However the candidate should not obtain any grade below the C grade during the entire degree programme.

49. Only the GPA and the grades obtained for each subject will be released to the candidate. In the case of a referred candidate the subject modules that he has to re-sit will also be informed.

Interpretations

50. Any doubts regarding the interpretation of these by-laws shall be referred to the BOM of KDU whose decision thereon shall be final.

Note:

- ❖ **By-Laws and Regulations subject to amend as per the University Board of Management decisions.**

