

## Subject Description Form

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| <b>Subject Code</b>                                   | CSE374                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Subject Title</b>                                  | Environmental and Safety & Health Legislation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Credit Value</b>                                   | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Level</b>                                          | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Pre-requisite/<br/>Co-requisite/<br/>Exclusion</b> | Pre-requisite: CSE376                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Objectives</b>                                     | This subject aims to provide students with a basic knowledge on the legal system of Hong Kong through explanation of basic legal concepts and to have a sound understanding on environmental and occupational safety & health legislations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Intended Learning Outcomes</b>                     | <p>Upon completion of the subject, students will be able to:</p> <ol style="list-style-type: none"> <li>recognize the historical development in Hong Kong Legal System;</li> <li>prioritize the legal status of both legal document and general guidance;</li> <li>interpret the importance of general and specific legislation;</li> <li>critically review the legal implication of current and future trend development;</li> <li>demonstrate an ability to adapt the change and continuing improvement in good practice with reference to the minimum legal requirement;</li> <li>construct the logical way of thinking in interpreting legal matters.</li> </ol>                                                                                                                                |
| <b>Subject Synopsis/<br/>Indicative Syllabus</b>      | <p><b>The Hong Kong Legal Studies</b></p> <ol style="list-style-type: none"> <li><u>Brief Introduction of the Hong Kong Legal System</u><br/>Legal framework in Hong Kong SAR; Sources of Hong Kong Law; Hong Kong Courts.</li> <li><b>Specific Legal Concept</b></li> <li><u>The Law of Contract</u><br/>Essential elements of a valid contract. Misrepresentation, privity of contract, discharge of contract; The doctrine of fundamental breach; Remedies for breach of contract. Exemption Clauses.</li> <li><u>The Law of Tort</u><br/>Civil liability including occupier's liability; vicarious liability: employer, agent, independent contractor; negligence: essential elements, duty of care, standard of care, negligent statement, damages, defences; compensation in tort.</li> </ol> |

|                                                                        | <p>Statutory Liability including Occupiers Liability Ordinance, Employees’ Compensation Ordinance, Pneumoconiosis (Compensation) Ordinance; Occupational Deafness (Compensation) Ordinance.</p> <p><b>Selected Legislation Affecting the Environmental and Occupational Safety &amp; Health Professionals</b></p> <p>4. <u>Environment related legislation</u><br/>Air Pollution Control Ordinance Cap 311; Noise Control Ordinance Cap 400; Waste Disposal Ordinance Cap 354; Water Pollution Ordinance Cap 358; Environmental Impact Assessment Ordinance Cap 499.</p> <p>5. <u>Factories and Industrial Undertakings related legislation</u><br/>Factories and Industrial Undertakings Ordinance Cap 59 and its subsidiary legislation.</p> <p>6. <u>Occupational Safety and Health related legislation</u><br/>Occupational Safety and Health Ordinance Cap 509 and its subsidiary legislation.</p>                                                                                                                                                                                                                                                   |                                   |             |                                                   |   |   |   |  |  |   |   |   |   |   |   |                  |     |   |   |   |   |   |   |                      |    |  |  |  |   |   |   |         |     |  |   |   |   |  |   |                      |     |  |  |   |   |   |   |       |      |  |  |  |  |  |  |
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| <b>Teaching/Learning Methodology</b>                                   | <p>A case-based approach will be used to facilitate the learners to learn after they have appreciated the essential elements of the Hong Kong Legal System and the imposed legal duties arising from civil and statutory requirements. Local cases and precedent case laws will be used to enhance students’ analytical skills. Site visit to court of Hong Kong will be arranged to let students experience the real life situation in a synthesis scenario.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   |             |                                                   |   |   |   |  |  |   |   |   |   |   |   |                  |     |   |   |   |   |   |   |                      |    |  |  |  |   |   |   |         |     |  |   |   |   |  |   |                      |     |  |  |   |   |   |   |       |      |  |  |  |  |  |  |
| <b>Assessment Methods in Alignment with Intended Learning Outcomes</b> | <table><tr><th rowspan="2">Specific assessment methods/tasks</th><th rowspan="2">% weighting</th><th colspan="6">Intended subject learning outcomes to be assessed</th></tr><tr><th>a</th><th>b</th><th>c</th><th>d</th><th>e</th><th>f</th></tr><tr><td>1. Group Project</td><td>15%</td><td>✓</td><td>✓</td><td>✓</td><td>✓</td><td>✓</td><td>✓</td></tr><tr><td>2. Individual Report</td><td>5%</td><td></td><td></td><td></td><td>✓</td><td>✓</td><td>✓</td></tr><tr><td>3. Test</td><td>10%</td><td></td><td>✓</td><td>✓</td><td>✓</td><td></td><td>✓</td></tr><tr><td>4. Final Examination</td><td>70%</td><td></td><td></td><td>✓</td><td>✓</td><td>✓</td><td>✓</td></tr><tr><td>Total</td><td>100%</td><td colspan="6"></td></tr></table> <p><b>Students must pass the final examination and achieve a passing overall score / grade to pass the subject.</b></p> <p>For continuous assessment: 3 assignments are used to assess students’ knowledge in achieving outcomes a, b and c based on case scenario and court visit.</p> <p>Written examination is to test the understanding / application of principles related to outcomes a to g.</p> | Specific assessment methods/tasks | % weighting | Intended subject learning outcomes to be assessed |   |   |   |  |  | a | b | c | d | e | f | 1. Group Project | 15% | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | 2. Individual Report | 5% |  |  |  | ✓ | ✓ | ✓ | 3. Test | 10% |  | ✓ | ✓ | ✓ |  | ✓ | 4. Final Examination | 70% |  |  | ✓ | ✓ | ✓ | ✓ | Total | 100% |  |  |  |  |  |  |
| Specific assessment methods/tasks                                      | % weighting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                   |             | Intended subject learning outcomes to be assessed |   |   |   |  |  |   |   |   |   |   |   |                  |     |   |   |   |   |   |   |                      |    |  |  |  |   |   |   |         |     |  |   |   |   |  |   |                      |     |  |  |   |   |   |   |       |      |  |  |  |  |  |  |
|                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | a                                 | b           | c                                                 | d | e | f |  |  |   |   |   |   |   |   |                  |     |   |   |   |   |   |   |                      |    |  |  |  |   |   |   |         |     |  |   |   |   |  |   |                      |     |  |  |   |   |   |   |       |      |  |  |  |  |  |  |
| 1. Group Project                                                       | 15%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ✓                                 | ✓           | ✓                                                 | ✓ | ✓ | ✓ |  |  |   |   |   |   |   |   |                  |     |   |   |   |   |   |   |                      |    |  |  |  |   |   |   |         |     |  |   |   |   |  |   |                      |     |  |  |   |   |   |   |       |      |  |  |  |  |  |  |
| 2. Individual Report                                                   | 5%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                   |             |                                                   | ✓ | ✓ | ✓ |  |  |   |   |   |   |   |   |                  |     |   |   |   |   |   |   |                      |    |  |  |  |   |   |   |         |     |  |   |   |   |  |   |                      |     |  |  |   |   |   |   |       |      |  |  |  |  |  |  |
| 3. Test                                                                | 10%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                   | ✓           | ✓                                                 | ✓ |   | ✓ |  |  |   |   |   |   |   |   |                  |     |   |   |   |   |   |   |                      |    |  |  |  |   |   |   |         |     |  |   |   |   |  |   |                      |     |  |  |   |   |   |   |       |      |  |  |  |  |  |  |
| 4. Final Examination                                                   | 70%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                   |             | ✓                                                 | ✓ | ✓ | ✓ |  |  |   |   |   |   |   |   |                  |     |   |   |   |   |   |   |                      |    |  |  |  |   |   |   |         |     |  |   |   |   |  |   |                      |     |  |  |   |   |   |   |       |      |  |  |  |  |  |  |
| Total                                                                  | 100%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                   |             |                                                   |   |   |   |  |  |   |   |   |   |   |   |                  |     |   |   |   |   |   |   |                      |    |  |  |  |   |   |   |         |     |  |   |   |   |  |   |                      |     |  |  |   |   |   |   |       |      |  |  |  |  |  |  |

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| <b>Student Study Effort Expected</b> | Class contact:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Average hours per week |
|                                      | ▪ Lectures / Tutorial / Site Visits                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 3 Hrs.                 |
|                                      | Other student study effort:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                        |
|                                      | ▪ Coursework                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 3 Hrs.                 |
|                                      | ▪ Self Study                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 3 Hrs.                 |
|                                      | Total student study effort                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 9 Hrs.                 |
| <b>Reading List and References</b>   | <p><b>Essential Textbooks:</b></p> <p>Dobinson, I. and Roebuck, D. (2001). <i>Introduction to Law in the Hong Kong SAR</i>. Hong Kong: Sweet &amp; Maxwell.</p> <p>Wesley-Smith, P. (1998). <i>An Introduction to the Hong Kong Legal System</i>. (Third Edition). Hong Kong: Oxford University Press.</p> <p><b>Reference Textbooks:</b></p> <p>Roger, W. V. H. (2006). <i>Winfield and Jolowicz on Tort</i>. (17<sup>th</sup> Edition). London: Sweet &amp; Maxwell.</p> <p>Stone, R. (2005). <i>Contract Law Q &amp; A Series</i>. (6<sup>th</sup> Edition). London: Cavendish.</p> <p>Justice Department, HKSAR, <a href="http://www.doj.gov.hk/eng/index.html">http://www.doj.gov.hk/eng/index.html</a></p> |                        |