



The College of Law  
New Zealand

**PROFESSIONAL LEGAL  
STUDIES COURSE *ONLINE***

**Course Manual**

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# 1 What this Manual covers

## 1.1 Contents

This Course Manual includes:

- the policies, procedures and general information
- the Professional Legal Studies Course *Online* General Rules, and
- the Professional Legal Studies Course *Online* Assessment Rules

applying to the operation of the Professional Legal Studies Course *Online*.

## 1.2 Definitions and interpretation

1.2.1 The Course Manual is referred to as “the Manual”. The Manual must be read as a whole.

1.2.2 College of Law New Zealand Limited is referred to as “the College”.

1.2.3 The Professional Legal Studies Course *Online* is the Professional Legal Studies Course conducted by the College and is referred to in this manual and the Rules as “the course” or “the PLSCO”.

1.2.4 The College includes, where the context permits, the management and staff of the College and any other persons authorised by the College to participate in conducting the course, including persons from organisations which provide facilities for the course.

1.2.5 The Executive Management Team is a committee of the College and comprises the Chief Executive Officer, the Director of Programmes—and other College staff appointed from time to time.

1.2.6 The Director is the Director of Programmes who is the principal academic officer of the College and is responsible for overseeing the delivery and assessment policies of the PLSCO. The Director is responsible to the Board for implementing the decisions of the Board.

1.2.7 Instructor includes full time and part time adjunct instructors appointed by the College to teach in the course.

1.2.8 The Professional Legal Studies Course *Online* Assessment Rules are the Professional Legal Studies Course Regulations 2004 of the New Zealand Council of Legal Education and are referred to as the “Assessment Rules”. Any reference to the Rules includes a reference to the Assessment Rules.

1.2.9 The Professional Legal Studies Course *Online* General Rules are referred to as the “General Rules”. Any reference to “the Rules” includes a reference to the General Rules.

1.2.10 Any officers, committees or boards of the College authorised or required under the Rules to exercise any authority, duty or responsibility may nominate another officer or committee to exercise that authority, duty or responsibility.

## 2 Admission as a Barrister and Solicitor

### 2.1 Professional Legal Studies Course

To be admitted as a Barrister and Solicitor in New Zealand you need to have completed:

- An approved LLB degree from a New Zealand University.
- A university course in Legal Ethics, if the LLB was completed after 31 July 2000 and
- A Professional Legal Studies Course (PLSC) that complies with the requirements of the New Zealand Council of Legal Education (CLE).

The College of Law is an accredited provider of the CLE's Professional Legal Studies Course through the Professional Legal Studies Course Online (PLSCO).

If you have an overseas law degree, or have practiced overseas, you can find advice on what you will need to do on the main page of the New Zealand Law Society's website: <http://www.nz-lawsoc.org.nz>

### 2.2 Other admission requirements

After successfully completing the PLSCO you will receive a Certificate of Satisfactory Completion from the College.

You then have to follow the procedures prescribed by three bodies:

- The New Zealand Council of Legal Education (CLE).
- The local District Law Society.
- The local registry of the High Court of New Zealand.

You can find information about these procedures on the PLSCO website toolbar under Admission.

## 3 The Professional Legal Studies Course *Online*

### 3.1 Admission to the course

Any person who has graduated in law, or has fulfilled all requirements entitling them to graduate in law, from a New Zealand university is entitled to be admitted to the course.

An overseas law graduate or practitioner may also be admitted to the course where the New Zealand Council of Legal Education requires them to complete the course.

### 3.2 Course aims

The prescribed aims<sup>i</sup> of the course are to:

- (a) bridge the gap between your academic study of law and its practice
- (b) prepare you for supervised practice, or for practice as a barrister sole
- (c) provide you with skills which, when developed through practice, will equip you to reach the level of professional competence required to represent a client without supervision

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<sup>i</sup> The course aims are prescribed by Regulation 1 of the Professional Legal Studies Course and Assessment Standards Regulations 2002.

- (d) develop for you a sense of the professional role and responsibilities required of a lawyer as a practitioner and an officer of the court
- (e) prepare you for legal practice in a culturally diverse society and the need to be sensitive to cultural and gender issues
- (f) provide a foundation for your lifelong learning of the practice of law and to encourage you to take responsibility for your ongoing professional development.

### 3.3 Course objectives

The course is designed to enable you to develop competency in:

- (a) matters of professional conduct
- (b) professional skills, and
- (c) certain practice areas

to the level expected of a barrister and solicitor on admission.

The course objectives are that at the end of the course you will be able to demonstrate the ability to:

- (a) identify and explain matters of professional conduct, including:
  - the structure, role and responsibilities of the profession
  - the legal and ethical rules and obligations governing lawyers in the practice of law
  - the resources available to new practitioners to assist in resolving professional responsibility issues
- (b) acquire skills in:
  - fact investigation and analysis and in advocacy – so as to be able to:
    - analyse a mixed mass of fact and law to structure a court case, and
    - present a case orally in court
  - interviewing, research, and advising:
    - to conduct a legal interview to identify a client's problems and gather relevant information
    - to undertake thorough investigation of factual and legal issues
    - to advise, and report to, the client and assist the client to reach decisions
  - negotiation and mediation:
    - to resolve legal disputes by agreement between the parties and by using a third party as a facilitator
  - office and personal management:
    - to operate systems which promote efficient office, personal and ethical practices
  - problem solving and risk management:
    - to analyse and evaluate client options in order to determine the legal rights and obligations of parties and for the resolution of problems
  - writing and drafting:
    - to draft letters and documents in clear and precise language
- (c) apply skills, and knowledge of the procedures, in the practice areas of:
  - commercial practice
  - litigation practice

- property practice, and

where acting for either the corporate client or the private client.

### 3.4 Course subjects

The course comprises the following compulsory subjects.

#### Professional Conduct and Skills

Fact Investigation, Analysis and Advocacy  
 Interviewing, Research and Advising  
 Negotiation and Mediation  
 Office and Personal Management  
 Problem Solving and Risk Management  
 Professional Conduct  
 Writing and Drafting

#### Core Practice Areas

Commercial Practice  
 Litigation Practice  
 Property Practice

#### Elective Practice Areas

One of *either*:  
 Acting for the Corporate Client  
*or*  
 Acting for the Private Client

All Professional Skills and Core Practice Areas are compulsory, but you have a choice of your subject in the elective practice areas.

### 3.5 Course structure

The course involves online distance education combined with onsite face to face sessions. It is conducted over 18 weeks in the following structure:

18 week course				
Week 1	Weeks 1-7	Weeks 8-9	Weeks 10-16	Weeks 17-18
<b>Orientation</b>	<b>Online phase</b>	<b>Onsite phase</b>	<b>Online phase</b>	<b>Online phase</b>
	<b>Litigation Module</b>	<b>Litigation Module</b>	<b>Legal Practice Module</b>	<b>Legal Practice Module</b>
Half-day onsite	Online	8 day onsite	Online	9 day onsite

### 3.6 Knowledge of the law

The College assumes that you have, or can acquire, a knowledge of the fundamental substantive law in the compulsory subjects and in the elective subject which you choose to undertake.

No allowance will be made in assessments for inadequate performance on the basis that you did not study the relevant substantive law at law school.

The relevant substantive law content for the subject Professional Conduct and for the practice area subjects is listed below.

<b>Course Subject</b>	<b>Substantive Law</b>
Professional Conduct	Ethics and Professional Responsibility
Commercial Practice	Company Law, Commercial Law, Contracts, Equity, Trusts, Personal Property and Taxation
Litigation Practice	Evidence, Procedure, Pleading, Equity, Contracts and Torts
Property Practice	Property (Land) Law, Contracts, Company Law, Commercial Law and Taxation
Acting for the Corporate Client	As for Commercial Practice and Litigation Practice
Acting for the Private Client	Criminal Law, Family Law, Equity, Trusts and Succession

## 4 Course participation

### 4.1 The rules

The College's requirements in regard to participation are set out in the Assessment Rules. See in particular Regulation 4 of the Professional Legal Studies Course Regulations which are on the PLSCO website toolbar under Course Information/Course Regulations.

The following paragraphs on course attendance and participation must be read subject to the Assessment Rules.

You must fully and actively participate in the course. Your participation may not satisfy the College's requirements, if you:

- are absent from any onsite sessions
- arrive late or depart early at onsite sessions
- do not take part in group discussions or other exercises at onsite sessions or as required
- do not complete, in the time required, written work or other exercises (onsite or online), where these are required to be submitted for feedback or assessment
- do not access online learning resources or undertake exercises even though they are not required to be submitted to your instructor – not doing so may be taken into consideration if it becomes necessary to determine your participation
- do not demonstrate your best efforts in participating in the course.

The consequences of not satisfying the participation requirements are fully set out in the Assessment Rules. The consequences include, if you do not have an adequate reason, that you may be withdrawn from the relevant assessment: (Regulation 4(3)).

Computer failure or difficulties will not normally be accepted as an adequate reason for non-participation. It is your responsibility to notify the College's technical support promptly of any technical problems (in relation to the College system), or to have the problem rectified promptly by yourself (in any other case).

If for any reason, such as illness or a medical or dental appointment, you will be absent from a programmed onsite session you must notify your instructor before the session begins. You

must also inform the Director in writing giving reasons for your absence, including a medical certificate if the absence is due to illness.

If you cannot complete online sessions within the timetable requirements you must notify your instructor before the work is due. You must also notify the Director in writing, giving reasons for your inability to complete your work within the required timeframe, including a medical certificate, where appropriate.

The Director will take these notifications into account in determining whether you have an adequate reason for not participating in the sessions.

**The Professional Legal Studies Course Regulation 2004 specifies that work commitments are not regarded as an adequate reason for non-participation.**

Note that the technology platform which delivers the online programme also enables the College, for the purposes of determining participation, to track your progress through the various online components.

## 4.2 Course times during onsites

Usual hours of attendance during delivery of the onsites are 9:00am to 4:30pm. You will be required to complete pre-reading or other activities outside these hours. Details of dates and times of programmed activities are in the course timetable.

The range of activities during the face to face sessions include conduct of matters, interaction with other students, group discussions, individual discussions with instructors, workshops and practice courts. Your attendance is essential – for your sake and the sake of other students.

## 4.3 Keeping up to date

You need to plan your coursework and coordinate it with your other commitments.

You should not underestimate the demands the PLSCO will make on your time. You cannot undertake any work or other commitments during the full time face to face onsites. The College will not alter rosters or change timetables in order to suit individual commitments. Apart from the full time onsites, you will need to devote about 23 hours per week during the online phases to your course work.

Course content and the timetable will be available to you online when you commence the course. As the course progresses there may be additions and revisions to content and the timetable. Please keep this in mind, particularly if you are working ahead. You will be notified by email or in the timetable of any substantial change that will affect you. Check with your instructor if you are in any doubt about these matters.

In addition to satisfying participation requirements, you will find that your work with the non-assessable learning resources and practice experiences in the PLSCO will assist you substantially in preparing you for the course assessments. Note that where an assessment is an exercise or examination (written or oral), questions may be based on the contents of these learning resources and practice experiences.

# 5 Examinations and assessments

## 5.1 The Assessment Rules

The Assessment Rules are the Professional Legal Studies Course Regulations 2004 promulgated by the New Zealand Council of Legal Education. These are on the PLSCO website toolbar under Course Information/Course Regulations.

Information about assessments can be found under Course Information on the PLSCO toolbar.

The following paragraphs and the above documents on examinations and assessments must be read subject to the Assessment Rules, which govern assessment policy and procedures.

## **5.2 Disability and disadvantage**

If you require special consideration because you suffer from a disability or impairment which might cause you difficulties in assessments, you must lodge a written application with the Director at least 14 days prior to the assessment. You should include a medical certificate and/or other relevant evidence in your application. The Director will advise you of the provision of any special consideration or facilities if they are deemed necessary.

## **5.3 Timetable**

Assessments will be on the dates and at the times shown in the course timetable. The Director or your instructor will allocate the times of your individual assessments where appropriate.

The College may alter the timetable and may reschedule assessments for any reason during the course and will notify you of such changes.

The Director may refuse permission for you to undertake an assessment if you:

- fail to attend or undertake it at the scheduled time, or
- arrive more than 30 minutes late.

## **5.4 Assessment centres**

Onsite assessments will be held at designated venues in Auckland, Christchurch, Dunedin, Hamilton and Wellington. You can choose whichever centre you wish, but must advise us at least 4 weeks prior to the onsite if it is different to the onsite venue specified in your application form.

In exceptional circumstances the College will consider conducting written or oral examinations at other places, including other colleges in the College of Law Alliance in Australia and England. However, there will be an additional charge to cover costs.

## **5.5 Illness or misadventure during an assessment**

If you attempt an assessment but claim that your performance was prejudiced by circumstances beyond your control on the day of the assessment, you may, as provided in the Assessment Rules:

- where you commenced but did not complete the assessment, apply for a deferred assessment by submitting your application to the Director, in writing, no later than seven days after the date of the assessment. The Director may not alter the assessment result but may permit you to attempt another assessment at a later date, and
- appeal to the Assessment Review Committee within 21 days of receiving your grade.

You will need to submit a medical certificate and/or other relevant evidence.

## **5.6 Absence from an entire assessment**

If through circumstances beyond your control you are unable to attend an assessment, you should apply under the Assessment Rules for a deferred assessment. Apply to the Director in

writing, no later than seven days after the date of the assessment. You will need to submit a medical certificate and/or other relevant evidence. The Director will consider your application and may permit you to attempt another assessment at a later date.

### **5.7 Lateness in submitting an assessment**

The Assessment Rules (Regulation 7) do not permit an assessment that has been submitted after the due date to be marked. In these circumstances you must apply to the Director for a deferment of assessment (Regulation 18). When applying for a deferment you must supply any evidence required (for example, medical certificate) in support of your application.

### **5.8 Medical certificates**

All medical certificates shall specify the severity and duration of the complaint and its effect on your ability to undertake the assessment. A receipt for medical or hospital fees will not be accepted instead of a medical certificate.

### **5.9 Consequences of failure**

If you fail a subject (after doing any permitted supplementary or further assessment and exhausting any appeal process), you must enrol in a subsequent course, pay the appropriate fees and undertake assessment as required.

The Assessment Rules prescribe the rules relating to supplementary and further assessments. Generally, these will be offered after the course or concurrently with assessments during a subsequent course.

If you have:

- more than one examination or assessment to complete, or
- failed a particular examination or assessment more than once

the provisions of the Assessment Rules relating to further skills assessments apply and you must have the permission of the Director before being eligible to re-sit in a subsequent intake.

While the College will always endeavour to make every effort to have re-sat assessments marked in time for the next admission ceremony, it cannot guarantee that this will always happen.

Examinations are held at onsite venues. The dates for these will be published in the course timetable.

### **5.10 Return of assessment work**

Work submitted for assessment is not returned. However, copies of marking schedules are available on request. These will be provided free of charge if you have been assessed Not Yet Competent in an assessment event. However, in all other circumstances there is a charge for copies. Refer to section on fees and charges.

If you have failed an assessment you will receive specific feedback.

The Assessment Rules do not permit re-marking or re-grading of assessed work, including skills performances and examinations, other than through the appeals processes under the Assessment Rules.

Moderation procedures ensure that marking is carried out fairly and consistently. Any inconsistencies in the marking of assessments are investigated before students are advised of

grades. All failures are reviewed by a second marker and an external independent moderator before results are issued to any student in the course. As a consequence there can be delays in providing results.

### 5.11 Response times for feedback and marking

The College sets target turnaround times for the return of feedback and marked work to students. Instructors have the following response time targets:

- Simple email enquiries – by phone or email within one working day.
- Non-assessable feedback exercise – by email within four working days.
- Assessable work and examinations – by results on website within three weeks.

Note: All examinations and other assessable work must pass through an independent moderation process. The moderators are external to the College. The College and moderators will work hard to ensure the results timeframes are met. The moderation process ensures fairness and consistency of marking.

You should note that your instructors are not permitted to assist with or comment on assessable work. This would be potentially unfair to other students and defeat the purpose of the assessment.

Work submitted for assessment must be your own individual work and the Assessment Rules prohibit the submission of copied work or work that is the result of a 'group effort'. Copied work is widely defined to include work that is in whole or part identical to work of another student or person. Work submitted in breach of the Rules is automatically graded as 'Not Yet Competent'.

### 5.12 Notification of results

You will be progressively notified of your results for each assessable item of work, as soon as they are available, through the College's results website: <http://results.collaw.ac.nz>

Should you receive a Not Yet Competent grade you will be notified of this by email before the results are published on the results website.

You should make sure that the College has your correct postal address after the course concludes, if that address differs from the address shown on our records during the course. At your request, we will either:

- forward your Assessment Record to you by post, or
- hand it to you when you call at the College office in Auckland.

The College may at its discretion withhold your results if, on any account, you owe money to the College or have not returned to the College any property of the College.

## 6 Transfers and withdrawals

### 6.1 Credit Transfer and Recognition of Prior Learning (RPL)

The Council of Legal Education is the only body with authority to grant exemptions from the Professional Legal Studies Course. An application should be made to the Council.

### 6.2 Transfer between courses

If you apply to transfer to another course, the College will approve that transfer if there is a place available in the course to which you wish to transfer:

Note: The Assessment Rules do not permit you to transfer to another course with any credit for work done on the course from which you are transferring. You will have to complete the whole course.

### **6.3 Fees on transfer between courses**

If you wish to transfer to a course being offered in the same year, there is no transfer fee.

If you wish to transfer to a course in a later year there is a transfer fee. Refer to section on fees and charges.

### **6.4 Withdrawal**

If you wish to withdraw from the PLSCO, you must immediately notify the Director in writing stating the circumstances.

### **6.5 Fees refunds on withdrawal**

If you withdraw within seven days after the first day of the course, you are entitled to a refund of your course fee less 10% of the course fee, or \$500, whichever is the smaller amount.

If you withdraw after the seventh day of the course you are not entitled to any refund.

However, you may apply to the Director in writing and the College may, upon cause being shown:

- (a) transfer you to a subsequent course with full credit for the fees paid; or
- (b) in exceptional circumstances where demonstrable personal hardship is involved, refund course fees less an appropriate administration charge.

### **6.6 Re-admission to the College**

If you:

- withdraw from the course
- abandon the course
- have been excluded from the course, or
- had your enrolment terminated while on the course

and you wish to be re-admitted, whether in the same or a different course, you must apply and be selected for admission in the same way as persons who have not previously been students of the College. You must pay all fees for the course for which you seek admission.

### **6.7 Subject credit on transfer or withdrawal**

The Professional Legal Studies Course Regulations 2004 (the Assessment Rules) as prescribed and interpreted by the New Zealand Council of Legal Education do not permit the transfer of credits from course to course.:

## **7 Computer access to the course**

### **7.1 Your computer**

You will need to have your own computer or you may be able, with your employer's permission, to use a work computer.

Computers may be desktop machines or laptops as long as they meet all the College's stated specifications. The minimum specifications required for the online components of the course are:

- Pentium II processor
- Microsoft Windows 98 or later
- Word 97 or later
- Internet Explorer 5 or later
- Internet access
- Anti-virus software
- Adobe Acrobat Reader 5 or later (free download).

You will need to arrange your own Internet Service Provider. You should have a basic level of proficiency in the operation of these applications (e.g. Microsoft Word, Internet Explorer).

You **must** ensure your anti-virus software is up to date.

You are responsible for the maintenance of your own computer hardware, including printers, and software.

## **7.2 Bringing your computer and other personal property to onsites**

You are not required to bring a laptop computer to the onsites. You are largely doing skills based work or assessments at this time.

If you do bring a laptop to the onsites you are responsible for its security. There are no mains power connections available for laptops at onsite venues. Similarly, you are responsible for the security of any personal property you bring to onsites.

## **7.3 Internet and email access**

To complete much of the work in the online phases it is necessary to access the Internet. For this, you will need your own Internet Service Provider (ISP). If you have difficulties in finding or obtaining an ISP, please contact the College.

You are responsible for any charges levied by the ISP for the provision of the data connection.

We emphasise that a reliable data connection is a prerequisite for successful completion of the PLSCO. While the College will offer you every possible assistance in rectifying technical problems arising from the need for remote connections, you must understand that the quality of your line can affect data exchange. As the line is the responsibility of the telephone authorities, the College is unable to accept any responsibility if reliable data connections from a particular location cannot be established and maintained.

You will be provided with a College of Law email address for the duration of the course. Your instructor will send all emails to this address, so please check it regularly.

All queries and submissions should be sent from your College of Law email address.

Details on how to access your email using the College's webmail system are contained in the PLSCO User Guide.

The College will give you access to a range of online legal publishing services and resources. Note that access to online libraries is provided to you solely for the purposes of the course. If

you access the libraries through your firm's computer system you must only use the library service for course purposes. For firm or client work you must use your firm's online library resources.

You will be able to access the PLSCO site for your course for four months after completing the PLSCO. Note that the content of your course website will not be revised or updated after the conclusion of your course.

Your College email account will become inactive 4 weeks after the end of the course.

For more information on the technical requirements, please refer to the PLSCO User Guide.

## 7.4 Printing

There are approximately 2,864 pages (in screens or documents) on the PLSCO. It is not consistent with an electronic programme to supply printed copies of materials available online. You should use your discretion as to which materials to print. It is not necessary to print the course materials (such as online tutorials).

Sometimes it is useful to have course resources to refer to offline. There are a number of alternatives to printing:

- Save a copy of useful PDF documents, such as base files, to your hard drive to access offline.
- Keep a Word document open when working through Online Tutorials to take brief notes
- Paste a screen capture of a screen into a Word document and save it to refer to offline (to take a screen capture press Ctrl + Print Screen, open your Word document and click the Paste icon or use the keystroke Ctrl + V).

## 7.5 Computer support

- cannot be responsible for your computer's operation.
- the College will not provide individual tuition in any software applications.
- computer support hours are:
  - Monday to Friday – 9.00 am - 5.00 pm (excluding public holidays).
- the Help Desk can be contacted on:
  - Tel: 0800 265 529 or
  - Email: [support@collaw.ac.nz](mailto:support@collaw.ac.nz)

# 8 Safety, security and welfare

## 8.1 Conduct at onsite sessions

The onsites will be held at teaching venues hired by the College for that purpose. You must comply with all the requirements of the institution at which your onsites are held, in particular those requirements which relate to your conduct which might endanger the health, safety or well being of other users.

## 8.2 Occupational safety and health

If you become aware of any hazard or potential hazard at the venues used for the onsites, please report it to College staff who will follow up the matter with the venue itself.

You must report any accidents to College staff so they may be recorded in the Accident Book and investigated.

### **8.3 Working with your computer**

Much of the PLSCO is delivered by computer. This will involve you in spending many hours in front of the computer. Prolonged or improper use of a computer workstation may pose a risk of serious injury. The PLSCO User Guide, which has been distributed to you as well as being available under Help on the toolbar of the course website, contains essential reading for you on working with your computer and reducing your risk of injury.

Remember that some nerve, tendon and muscle disorders may be associated with repetitive activities, improper work environment and incorrect work habits. Some activities related to using the computer may aggravate existing musculoskeletal disorders. Some people are more susceptible than others to developing these disorders.

If you experience discomfort while working at your computer or afterwards, even at night, contact a doctor as soon as possible. Signs of discomfort might include pain, tenderness, swelling, burning, cramping, stiffness, throbbing, weakness, soreness, tingling and/or numbness in the hands, wrists, arms, shoulders, neck, back, and/or legs.

### **8.4 Prevention of harassment or discrimination**

The College is committed to ensuring that all students and staff are treated fairly and equitably, and that their right to study and work in an environment free of harassment or discrimination is recognised. The College requires all staff and students to respect each other's dignity and to treat each other with courtesy, honesty and sensitivity to their rights.

The College does not allow or condone harassment or discrimination of staff or students by other members of staff, students, or other persons, nor does it allow or condone harassment or discrimination of students by members of staff or other students on the grounds of age, race, gender, political or religious belief. The Director will ensure that this policy is implemented and the College will treat any complaint seriously and sympathetically in appropriate ways which ensure that complainants and witnesses are not victimised. Complaints will be investigated thoroughly, fairly and confidentially in accordance with the College's complaints policy guidelines.

Disciplinary action may be taken against anyone found to have committed harassment or discrimination on any basis. All students and staff have responsibility to contribute to productive, safe and equitable study in any work environment by avoiding practices which lead to, support or condone harassment or discrimination on any basis.

## **9 Intellectual property and privacy**

### **9.1 Copyright**

All course materials (including online materials), practice papers, audio-visual material and other publications of the College are subject to copyright. Enquiries regarding publications should be directed to the College's Finance and Administration Manager.

Access to online libraries such as LexisNexis or CCH is provided solely to students for course purposes and must not be used for firm or client purposes.

### **9.2 College logo**

You must not use, depict or display the College logo except in such a manner and circumstances as the College may approve.

### **9.3 Students' work**

The College of Law reserves the right to retain the original or one copy of work executed by you as part of your course or submitted for any award or competition conducted by the College. Any retention does not affect any copyright or other intellectual property right that may exist in such work.

#### 9.4 Privacy of student records

The College will always observe the provisions of the Privacy Act in relation to student records.

## 10 General information

### 10.1 Language proficiency

You need to be proficient in spoken and written English. Assessments may be completed in the Maori language as provided in the Assessment Rules.

### 10.2 Student cards

Upon enrolment, you will be issued with an identification card which will bear your photograph, name, student number, course number and expiry date.

You will be required to carry this card at all times when at onsites. You must produce the card to the invigilator at examinations and other face to face assessments.

If you lose your card, you will be re-issued with a replacement upon production of adequate identification and payment of a \$10.00 fee.

### 10.3 Access to libraries

The College has made arrangements with law libraries in major centres throughout the country to permit you to use their libraries as a student of the course.

You will be able to access the following law libraries:

Auckland	University of Auckland	reading rights only
Christchurch	University of Canterbury	no access to electronic databases reading rights only
Dunedin	University of Otago	
Hamilton	University of Waikato	no access to electronic databases
Wellington	Victoria University of Wellington	reading rights only

You must comply with the requirements of the library you are using, including to produce your student card. Please introduce yourself to the library staff when you first visit the library. The library staff may require you to hand over your student card while you use the library. Your card will be returned when you leave the library.

### 10.4 Admissions and Enrolments Officer

The role of the Admissions and Enrolments Officer is to give you guidance in the conduct of complaints and disputes. Contact the Admission and Enrolments Officer by phoning the College.

If you have a grievance or complaint that cannot be resolved internally, you can seek further assistance externally. The policy and practice in regard to complaints and disputes is set out in the General Rules at the end of this Manual.

## 10.5 Correspondence

Please address all correspondence to the Director of Programmes, quoting your student number.

## 10.6 Change of home address and contact details

Please notify the College of any change in your home address, phone numbers or other contact details. Notification must be sent in writing or by email to [enquiries@collaw.ac.nz](mailto:enquiries@collaw.ac.nz). The College will not accept responsibility if communications fail to reach you because you have changed your home address and not notified us.

After the commencement of the course all email communications will be sent to your College email address, not to any personal email address you may have specified.

## 10.7 Notices

The College may display notices in the teaching rooms at the teaching venues used for our onsites.

If you fail to read any notices or misread or misunderstand any notice this will not be accepted as a reason for your being unaware of the contents of the notices.

Notices may also be posted online in the Notes section of the weekly timetable. You should check the timetable several times a week at least. The College recommends you check the online timetable daily.

## 10.8 Mobile telephones

During all teaching and assessment sessions at onsites, you must switch off your mobile phone so that it does not disturb other students or interrupt teaching and learning.

## 10.9 Statement on the protection of student fees

In accordance with its obligations as a private training provider the College is required to state that it has an arrangement in place with a private insurer to ensure that your fees are protected and available during your course. In the unlikely event of the College being unable to continue operating, you should contact the Public Trust Office, 117 Lambton Quay, Wellington. Tel: (04) 474 3863.

## 10.10 Evaluations

The College actively seeks comprehensive feedback on all aspects of the PLSCO including teaching, materials and administration. Your participation in the evaluation process is encouraged and appreciated. Changes will be regularly incorporated in the PLSCO as a result of feedback from students.

In order to provide feedback, you will be asked to complete questionnaires throughout the course. You may also be approached for feedback by the College or market researchers on behalf of the College, either during or after the course. The responses are confidential and will be used to develop and improve the course.

If you have, at any other time, any comments, concerns or suggestions which you think would be helpful to us, please address them to the Director. Alternatively, you may pass them on through your instructor.

## **11 Fees and charges**

### **11.1 Further skills assessments - Regulation 17**

The fee for an application for a further skills assessment (made pursuant to Regulation 17 of the Professional Legal Studies Course Regulation 2004) is \$100 (plus GST).

### **11.2 Appeal to Assessment Review Committee – Regulation 19**

The fee for an appeal to the Assessment Review Committee (made pursuant to Regulation 19 of the Professional Legal Studies Course Regulation 2004) is \$200 (plus GST).

### **11.3 Transfer between course**

The fee for a transfer between courses is \$250 (plus GST).

### **11.4 Copy of assessment marking schedule**

The fee for a copy of an assessment marking schedule is \$20 (plus GST) per assessment event.

## PLSCO General Rules

### 1. Enrolment and readmission

- 1.1 Except where otherwise provided for by the College, an application for admission must be made in accordance with the policy and procedures of the College.
- 1.2 Unless express exemption is made by the Director, with the concurrence of the Council of Legal Education, the College will not accept you into the PLSCO if you have failed to fulfil all the requirements of a law qualification which is a prerequisite for admission to the PLSCO.
- 1.3 You are deemed to be a student of the College while you remain enrolled and until you have passed the course. You will cease to be a student of the College if:
  - (a) you withdraw from the PLSCO;
  - (b) you are excluded from the PLSCO; or
  - (c) your enrolment is otherwise withdrawn or terminated in accordance with these Rules.
- 1.4 You are deemed to be enrolled on the PLSCO on the basis of the information provided on your current application form, subject to any variations later approved under these Rules.
- 1.5 If you have:
  - abandoned or withdrawn from the PLSCO
  - been excluded or had your enrolment terminated

and you subsequently wish to be readmitted to the College, whether into the same or a different PLSCO, you must apply and be selected for admission in the same way as persons who have not previously been students of the College. You will be required to pay the course fee in full.

### 2. Payment of fees and charges

- 2.1 You must pay any prescribed fees by the dates specified by the Director.
- 2.2 You must pay any fees or charges in accordance with the policies and procedures of the College.
- 2.3 If you owe the College any money and/or retain any of its property the College may withhold your assessment results until you have paid the debt or returned the property in a satisfactory condition.

### 3. Conduct and discipline

#### *Compliance with rules, policies and procedures*

- 3.1 You will be enrolled on the basis that you comply with these Rules, the Assessment Rules and the College's policies and procedures.

### *Academic conduct*

- 3.2 You must complete any assessment, including examination, test, exercise, assignment, course work, video assessment, court appearance, panel of review, viva voce or any other assessment task, undertaken as part of the PLSCO requirements in accordance with directions of the College and using only the resources authorised by the College.
- 3.3 You must not, by any improper means, obtain or endeavour to obtain assistance in any assessable work or endeavour to give assistance to any other student with respect to assessable work.
- 3.4 You must not do anything to disadvantage other students during an assessment.
- 3.5 You are only allowed to use material or equipment in an examination room if the examination paper specifies it. No mobile phones, computers or other electronic equipment (apart from a calculator) are permitted in any examination.
- 3.6 You must produce your student card at any assessment, if requested.

### *Other conduct*

- 3.7 You must comply with any reasonable directive of the College.
- 3.8 You must not prejudice the good order and governance of the College or interfere with the freedom of other persons to pursue their studies, carry out their functions or participate in the life of the College.
- 3.9 Access to the PLSCO site and the course materials online is supplied exclusively to you solely for the purposes of participating as a student in the PLSCO. You must not copy the materials, supply them to any other person or grant access to the PLSCO site to any other person without the prior written consent of the College. You must keep your User ID and Password confidential.
- 3.10 The LexisNexis NZ online library facilities (and the online library facilities of other publishers such as CCH) are provided solely for your educational purposes as you complete the course. You must not use them for any commercial or other private benefit to yourself, your firm or your firm's clients or any other persons.
- 3.11 You must keep your student ID and password for the PLSCO (and any passwords for online libraries) confidential.

## **4. Procedure (for non-compliance with Part 3) for summary exclusion**

### *Summary exclusion from sessions or the PLSCO*

- 4.1 A member of staff or other authorised person, who is conducting a session (including supervising an assessment), may exclude you from the session (or assessment) if he or she reasonably suspects you of non-compliance with Part 3 and will advise you of the grounds of his/her suspicion at the time of exclusion or as soon as practicable.
- 4.2 Any member of staff or other authorised person responsible for the operation or maintenance of any facility of the College or of a teaching or other venue being used by the College may exclude you from the facility or from the use of the facility if he or she suspects you of non-compliance with Part 3 in relation to the facility.
- 4.3 Unless sooner revoked, an exclusion under this clause ceases to have effect:

- (a) in the case of the exclusion from a session (including assessment) at the end of the day on which you were excluded; and
- (b) in any other case, at the expiration of seven days from the day on which the alleged breach of discipline occurred.

4.4 A person who excludes you from a session or from a facility used by the College must notify the Director as soon as practicable after the exclusion takes place.

4.5 If a staff member or other authorised person suspects you of non-compliance with Part 3 in relation to academic conduct during an examination or other assessment task, the staff member or other authorised person has the right to take prompt action to prevent the continuance of the suspected non-compliance and must provide a written report to the Director as soon as practicable.

#### *Inquiries into alleged non-compliance with Part 3*

4.6 The Director may (whether as a consequence of the making of a complaint or otherwise) cause inquiries to be made in relation to any non-compliance with Part 3 that is alleged to have been committed by you.

4.7 The Director may exclude you from College activities while such enquiries are being made, provided that such exclusion does not exceed seven days.

#### *Director to issue show cause notice*

4.8 If the Director, after enquiry, determines that you have not complied with Part 3, the Director:

- (a) must notify you and the Executive Management Team of the College;
- (b) must give you a reasonable opportunity (being a period of not less than seven days) within which to make written representations to the Executive Management Team in relation to the alleged non-compliance with Part 3; and
- (c) must take into account any written representations you make during that period.

#### *Executive Management Team to dismiss certain matters*

4.8 If the Executive Management Team determines that:

- (a) you have complied with Part 3; or
- (b) after inquiries have been completed into the matter and having heard your representations, the breach alleged has not been proved to its satisfaction

the Executive Management Team must dismiss the matter and inform you accordingly.

## **5. Consequences of non-compliance with Part 3**

5.1 If, after taking into account any written representations you have made, the Executive Management Team determines that you have not complied with Part 3, the Executive Management Team may, taking into account your previous disciplinary record, do any one or more of the following things:

- (a) withhold your results;
- (b) suspend you for a period not exceeding six months;

- (d) exclude you from specified sessions or parts of the course for a specified period not exceeding six months;
- (e) exclude you from specified facilities used by the College for a specified period not exceeding six months;
- (f) if the non-compliance with Part 3 involves loss or damage to property of the College or of a teaching, examination or other venue used by the College, the College will require you to repay to the College or the venue a specified amount not exceeding the amount of the loss or damage;
- (g) impose conditions in relation to your participation in the PLSCO or your use of College facilities or its teaching, examination or other venues; or
- (h) caution or reprimand you.

5.2 The Executive Management Team may and, where obliged to, will report the fact and circumstances of the non-compliance to any one or more of the following:

- the High Court of New Zealand
- the Council of Legal Education
- the Council of the New Zealand Law Society and any relevant District Law Society.

*Executive Management Team to give notice of decision*

5.3 The Executive Management Team must notify you as soon as practicable of:

- any decision made pursuant to these Rules, and
- its reasons for the decision.

## **6. Complaints and Disputes**

*Making a complaint*

6.1 If you have a complaint (or dispute) relating to a member of staff or other authorised person, another student or in relation to the administration of the course, you may bring the complaint to the Director who will refer the matter to the Executive Management Team.

6.2 If after 21 days, the complaint is not satisfactorily resolved or appropriate action taken, you will be advised to refer the complaint to:

- the New Zealand Qualifications Authority, P.O. Box 160, Wellington. Telephone (04) 802 3000.

*Dealing with a complaint*

6.3 The College will apply these principles when dealing with student complaints:

- resolution will be sought at the most appropriate level commensurate with the seriousness of the complaint
- mediation will occur wherever possible
- the principles of natural justice will be observed
- documentation will not be necessary at the initial stage but will be required if a complaint is of a serious nature or is not readily resolved

- confidentiality will be preserved to the extent possible to achieve resolution of the complaint.

6.4 The College will follow these guidelines:

- where the complaint relates to a staff member or other authorised person, the College will not discuss it with that staff member nor reveal your identity without first advising you
- written material will be kept confidential and will not be shown to anyone who is not directly involved in handling the complaint. On finalisation of a complaint, all written material will be placed on a confidential file (not the student's or staff member's personal file) or destroyed
- the assistance of the Admissions and Enrolments Officer will be sought, where appropriate, with your consent
- where a complaint involves an allegation of serious misconduct by a staff member or other authorised person, the Director will report the matter to the Board and take no further action unless directed by the Board
- the College will not act if the complaint relates to circumstances outside the College, the course or staff employment and/or outside your identity as a student.

## 7. Conflict of Rules

- 7.1 Where any conflict arises between these General Rules and the Council of Legal Education's Professional Legal Studies Course Regulations 2004, the Council's Regulations prevail.