

COUNCIL FOR VOCATIONAL LEGAL EDUCATION

INSTRUCTIONS FOR BARRISTERS' AND ATTORNEYS' EXAMINATION, 2017

(Section 5(b) of the Law Practitioners Act 1984 as amended)

1. The Examinations will consist of SEVEN (7) written papers and an oral test in Advocacy.

2. (1) The written papers will all be of three (3) hours except for Paper III which will be of three and three quarter (3¾) hours and will be on the following subjects:

PAPER I - CONSTITUTION LAW AND ADMINISTRATIVE LAW

PAPER II - CIVIL PROCEDURE

PAPER III - COMMERCIAL AND BUSINESS LAW

PAPER IV - CRIMINAL PROCEDURE

PAPER V - EVIDENCE

PAPER VI - FAMILY LAW AND ARBITRATION

PAPER VII - DRAFTING AND OPINION WRITING

PAPER VIII - ADVOCACY

(2) Candidates will be expected to deal with Ethical issues in any of the Papers.

(3) Questions in all the SEVEN WRITTEN PAPERS may be in one or more PARTS and may contain COMPULSORY questions.

(4) Questions must be answered in English unless, with regard to any particular question, it is expressly stated that the answer may be either in English or in French.

3. (1) At the start of each written paper, candidates will be allowed TEN MINUTES to study the question paper before they start writing.
- (2) Questions will be set on the law in force as at 30 June 2017.
4. (1) Paper I will contain FOUR questions on Constitutional Law out of which TWO must be answered and FOUR questions on Administrative Law out of which TWO must be answered.
- (2) Paper II, IV and V will each contain SIX questions out of which FOUR must be answered.
- (3) Paper III will be divided into THREE parts: Part I on Company Law; Part II on Code de Commerce and Part III on Bills of Exchange, Banking Law and the Financial Services.

Part I will contain FIVE questions out of which THREE must be answered. Parts II and III will each contain TWO questions out of which ONE has to be answered.

Candidates will be given three and three quarter (3¾) hours for Paper III and in all FIVE questions to be answered.
- (4) Paper VI will be in TWO parts. Part I on Family Law, THREE questions to be answered out of FIVE and Part II, on Arbitration, ONE question to be answered out of TWO.
- (5) Paper VII will be in two parts. Part I will be on Drafting and Part II on Opinion Writing. There will be FOUR questions in each part out of which TWO must be answered.

For Paper VII, candidates will be expected to draft a variety of legal documents like pleadings, affidavits, notices, notice and grounds of appeal, skeleton arguments, agreement reached either before court or mediation, simple contract.
- (6) For Paper VIII, candidates will be supplied with a brief three hours before the test and will have not more than 15 minutes to address the Bench constituted for the purpose. The candidates will also be expected to examine or cross-examine witnesses and make submissions.
5. All seven papers and the Oral Test in Advocacy will be marked each on 100.
6. (1) To pass in a paper, a candidate will have to score at least 50% of the marks. However, to succeed in an examination, the candidate must score at least 60% of the aggregate marks in respect of the EIGHT PAPERS.

The grades will be marked as follows:

Grade A :	70% or more
Grade B :	60% or more but less than 70%
Grade C :	50% or more but less than 60%
Grade D :	40% or more but less than 50%
Grade E :	Less than 40%

The percentage referred to here shall be a percentage of the total marks allotted in respect of a particular paper.

- (2) Candidates obtaining 80% or more of the aggregate of marks in all the papers at one and the same sitting will obtain a Honours Certificate. The other successful candidates obtaining 60% or more of the aggregate of marks but less than 80% will obtain a pass certificate.
- (3) A candidate will be allowed to a resit in not more than two papers provided that he/she:-
 - (a) obtains the minimum overall percentage of 60%; and
 - (b) secures at least 40% in the paper(s); and
 - (c) passes in the other papers.

If the candidate secures at least a pass (50%) in the papers in which he has been allowed a resit, he will be deemed to have passed the whole examination, failing which he will, at any future examination and subject to (4), be required to sit for the whole examination.

- (4) Where a candidate had, at an examination held in the preceding year, scored not less than 70% in the oral test in Advocacy but sits again for the whole examination in the following year, he may, upon application to the Council be exempted from taking the oral test anew.
- (5) A candidate will be given his grades only and on no account will the candidate be entitled to have his marks.
- (6) Subject to the payment of the prescribed fees, a candidate, who is allowed to resit a paper, shall resit the examination at such time as the Council may decide except where he is allowed by the Council to take his resit at the next annual examination.
- (7) A candidate may, within 15 days of the publication of the examination results and on payment of the prescribed fee, apply to the Secretary of the Council for a review in respect of any examination paper other than the oral test.

7. (1) Except on good cause, no candidate will be allowed to enter the examination room more than 15 minutes after a written examination has started or to leave the room until 15 minutes before the examination is due to end.
 - (2) A candidate for the oral test in Advocacy will be allowed 15 minutes' grace after the time set for collecting the documents but the argument must be presented at the scheduled time.
 - (3) Candidates should write their index numbers on the top right-hand corner of every sheet on which they answer. Otherwise the scripts should contain no word, mark or writing other than the actual answers to the questions and the index numbers thereof.
 - (4) Where a candidate attempts a question containing two or more parts, the answer to each part should begin on a fresh sheet.
 - (5) Candidates must, before they take their seats, leave all their personal belongings with the invigilators. They must, on handing in their scripts, return to the invigilators every sheet of paper, marked or unmarked, which they have used during the examination.
8. No candidate will be allowed more than SIX ATTEMPTS. These six attempts should be made within an overall period of not more than six years from the first attempt at the Vocational Examinations except where the period is extended on good cause shown to the satisfaction of the Council.
9. (a) Subject to paragraph (b), no candidate will be allowed to register for a vocational examination if his/her attendance during the vocational course provided by the accredited person is less than 80 %.
 - (b) On good cause shown, the Council may, subject to conditions, exempt a candidate who is a repeater from the need of complying with paragraph (a).
10. (a) No mobile phones or any other communication/electronic device should be brought inside the examination rooms. Candidates are forbidden to take to their desk or make use of any unauthorised material including books, manuscripts, papers, articles or notes of any kind, or any case, bag or other container in which books, manuscripts, papers or other unauthorised material can be carried including any equipment, apparatus or technological device in the examination room.
 - (b) Any candidate found to be in breach of any of the above provisions would be disqualified from taking part in the Vocational Examinations.

11. Any candidate who fails or omits to comply with any rule or instruction issued by or on behalf of the Council with regard to the conduct of the Vocational Examinations may at any stage of the examinations be disqualified from taking part in the examinations.

JULY 2017