



**The College  
of Law**

Te Whare Kura Ture o Aotearoa

# Professional Legal Studies Course

## Course Manual

**Education in practice.**

[www.collaw.ac.nz](http://www.collaw.ac.nz)

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# 1. What this Manual covers

## 1.1 Contents

This Course Manual covers:

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

applying to the operation of the Professional Legal Studies Course.

## 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 is the course conducted by the College and is referred to in the Manual and the Rules as “the course” or “the PLSC”.
- 1.2.4 Where the context permits, the College includes 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 providing facilities for the course.
- 1.2.5 The Executive Management Team is a committee of the College. It comprises the Chief Executive Officer, the Chief Academic Officer (New Zealand), the Education Support Manager, and other College staff appointed from time to time.
- 1.2.6 The Chief Academic Officer (NZ) is the principal academic officer of the course. The Chief Academic Officer (NZ) is responsible for overseeing the delivery and assessment policies of the PLSC. The Chief Academic Officer (NZ) is responsible to the Chief Executive, who 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 Assessment Rules are the Professional Legal Studies Course Regulations 2004 (consolidated 1 November 2006) (the Regulations) of the New Zealand Council of Legal Education (NZCLE) 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 General Rules are referred 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. The Professional Legal Studies Course**

### **2.1 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 NZCLE requires them to complete the course.

### **2.2 Course aims**

The course aims are prescribed by Regulation 1 of the Professional Legal Studies Course and Assessment Standards Regulations 2002. The aims are to:

- (a) bridge the gap between your academic study of law and its practice
- (b) prepare you for supervised practice
- (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
- (d) help you to develop 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 raise in you the awareness of the need to be sensitive to cultural and gender issues, and
- (f) provide a foundation for your lifelong learning of the practice of law and to encourage you to take responsibility for your on-going professional development.

### **2.3 Course objectives**

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

- (a) professional skills, and
- (b) matters of professional conduct –

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

The course learning objectives or outcomes are prescribed by the PLSC Assessment Standards Regulations 2002. Those Regulations provide detail over each skill that is to be developed, and what is to be included in that skill development.

Broadly, the skills to be developed are:

- fact investigation and analysis
- advocacy
- interviewing and advising clients

- negotiation and mediation
- office and personal management
- problem solving
- writing and drafting
- practical legal research, and
- professional conduct

## 2.4 Course subjects

The course comprises the following subjects.

### **Core practice areas**

Civil Litigation

Commercial Practice

Property Practice

### **Elective practice areas**

In-house Practice

Criminal Practice

Corporate Practice

Family Practice

### **Professional areas**

Interviewing and Advising

Negotiation and Mediation

Advocacy

The Core Practice Areas and Professional Areas are compulsory across all courses. However, you can choose your Elective Practice Area based on your professional interest.

## 2.5 Course structure

The course is a blend of online distance education and workshop sessions, which may take place online or in person. Information about the different types of courses and course modules can be found on the College website at [www.collaw.ac.nz/learnwithus](http://www.collaw.ac.nz/learnwithus).

## 2.6 Knowledge of the law

The College assumes that you have, or can acquire, knowledge of the fundamental substantive law in the core subjects and in your chosen elective subject.

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

### 3. Course participation

#### 3.1 College response times

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

- **Enquiries** – phone or email reply within 2 working days.
- **Feedback exercises** – feedback uploaded to Canvas within 3 working days of the due date.
- **Assessment Portfolios** – final Portfolio and overall skill assessment results will be available no later than 3 weeks following your course end date.
- **Extensions** – phone or email reply within 1 working day.

#### 3.2 Rules

The College's requirements in regard to participation are set out in the Assessment Rules, which can be found on Canvas in the Lawyers' Skills subject. 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 workshop sessions
- arrive late or depart early at workshop sessions
- do not take part in group discussions or other exercises at workshop sessions or as required
- in the time required, do not complete activities where these are required to be submitted as part of a subject, whether or not such activities are for feedback or as part of your Portfolio for assessment or performance 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, or
- 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. If you do not have an adequate reason for non-participation, the consequences may include you being withdrawn from the relevant assessment: Reg 4(3).

Computer failure or difficulties will not normally be accepted as an adequate reason for non-participation unless you have logged your issue with the College's technical support team and applied for an extension from your instructor on this basis. 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 workshop session you must notify your instructor before the session begins. You must also inform the Chief Academic Officer (NZ) in writing giving reasons for your



absence, including proof (for example, a medical certificate if the absence is due to illness). You may need to transfer your workshop to another intake to complete this component as a result.

If you cannot complete your work within the timetabled requirements you must notify your instructor in writing (with a copy to the Chief Academic Officer (NZ)), before the work is due to be submitted, giving reasons for your inability to complete your work within the required timeframe.

The Chief Academic Officer (NZ), or a person with delegated authority, will consider these notifications in determining whether you have an adequate reason for an extension to meet these outstanding requirements.

**Note: The Regulations stipulate that work commitments may not be accepted as an adequate reason for non-participation.**

### 3.3 Course onsites

Details of your workshop subject dates are programmed in your course calendar.

These subjects also include preparatory activities, which are to be completed prior to attending a classroom session with your instructor and peers.

Activities during these workshop subjects – including the preparatory activities – include conduct of matters (court appearances), role plays, substantial interaction with other students, group discussions, individual discussions with instructors, and other activities. Your attendance and active participation is mandatory.

Failure to complete preparatory activities at the timetabled dates will result in you needing to transfer the workshop subject to a different intake, where you are able to fully participate in all requirements of that subject. This will incur a transfer fee.

### 3.4 Keeping up to date

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

You should not underestimate the demands that the course will make on your time. You cannot undertake any work or other commitments during the full-time workshops. The College will not alter rosters or change timetables in order to suit individual commitments.

For standard courses you will need to devote approximately **27** hours per week to your course work during the online phases of the course. For full time courses, you will need to devote **37** hours each working week.

Online access to all course content and your course timetable will be available to you through Canvas when you start 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 through Canvas 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 PLSC will assist you substantially in preparing you for the course assignments. Assignments may be based on the contents of these online learning resources and practice experiences.

## **4. Assessments**

### **4.1 The Assessment Rules**

The Assessment Rules are the Regulations promulgated by the NZCLE. These are on the College website under PLSC Course Regulations.

Information about skills assessments can also be found in the Lawyers' Skills subject in Canvas. In addition, each individual subject has specific assessment information in the Assignments information tab of the particular subject.

### **4.2 Disability and disadvantage**

If you require special consideration because you suffer from a disability or impairment which might cause you difficulties in undertaking course work, you must apply in writing to the Education Support Manager. Any pre-existing disability or impairment should have been communicated to the Education Support Manager upon enrolment/commencement of the course. However any other special consideration should be communicated to the Education Support Manager at least 14 days prior to the assignment and/or assessment.

You should include a medical certificate and/or other relevant evidence in your application.

The Education Support Manager will advise you of the provision of any special consideration or facilities if they are deemed necessary. Any special consideration will only be offered only to the extent it is allowed under the Assessment Rules.

### **4.3 Timetable**

Submissions of online Module activities and assessment Portfolio will be due on the dates and at the times shown in the course calendar.

For subjects taught in workshops, you will have preparatory activities that are due on the dates and at the times shown in the course calendar. For live performance assessments, the College or your instructor will allocate the times of your individual performance 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.

In terms of the PLSC Regulations, unless granted a formal deferment, you will be graded Not Yet Competent (NYC) for any assessment where you:

- fail to submit an online Portfolio Assessment by its due date, or
- fail to attend or undertake a performance assessment at the scheduled time, or
- arrive late for a scheduled performance (re)assessment, or
- fail to attend or undertake an oral (re)assessment at the scheduled time.

#### 4.4 Illness or misadventure during performance assessment

If you attempt a performance assessment (for one of the skills taught in workshops), but claim that your performance was prejudiced by circumstances beyond your control on the day of the assessment, then as provided in the Assessment Rules:

- Where you commenced but did not complete the assessment, you may apply for a deferred assessment by submitting your written application supported by evidence to the Chief Academic Officer (NZ) no later than 7 days after the date of the assessment. The Chief Academic Officer (NZ) may not alter the assessment result, but may permit you to attempt another assessment at a later date.
- You may appeal to the Assessment Review Committee within 21 days of receiving your grade.
- However if you are unwell prior to your assessment, and you elect to proceed with it despite these circumstances, you will be graded on the merits of your performance in that assessment.

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

**Note:** The outcomes of a successful appeal include being permitted to undertake the assessment again.

#### 4.5 Absence from a performance assessment

Ordinarily non-attendance for a performance or oral (re)assessment at an appointed time will result in an NYC grade. If through circumstances beyond your control you are unable to attend an assessment or reassessment, you should apply to the Chief Academic Officer (NZ) in writing for a deferment via [extensions@collaw.ac.nz](mailto:extensions@collaw.ac.nz), no later than seven days after the date of the assessment. You will need to submit a medical certificate and/or other relevant supporting evidence. The Chief Academic Officer (NZ) will consider your application and if granted may permit you to attempt another assessment at a later date.

#### 4.6 Lateness in submitting a Portfolio assessment

The Assessment Rules (Regulation 7) do not permit an online Portfolio assessment that has been submitted after the due date to be marked unless granted a formal deferment. In these circumstances, you must apply to the Chief Academic Officer (NZ) 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 supporting evidence. The Chief Academic Officer (NZ) will consider your application. If your application is granted, the Chief Academic Officer (NZ) will permit

your Portfolio Assessment to be accepted for marking. If not, the skills for that Portfolio of assessment work will be considered NYC.

#### **4.7 Medical certificates**

Medical certificates must 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.

#### **4.8 Consequences of being graded Not Yet Competent (NYC)**

The Assessment Rules prescribe the rules relating to supplementary and further skills assessments. Generally, these will be offered in a concurrent or subsequent course, but can be held at other times upon payment of the relevant fee.

##### ***Workshop performance assessments***

If you are graded NYC for one of your workshop performance assessments, you will be given an opportunity to undertake a “supplementary assessment”. This will take the form of another performance assessment.

If you are graded NYC in your supplementary assessment, you may apply to the Chief Academic Officer (NZ) to complete a “further skills assessment”. This application must be made in writing within 21 days of the end of your course.

If, having done any permitted supplementary or further skills assessments, you retain an NYC grade in an workshop performance assessment, you may at the discretion of the Chief Academic Officer (NZ) enrol in a subsequent course, pay the appropriate fees and undertake the entire course again.

Please refer to Section 10, Fees and Charges for the fees for supplementary assessments and further skills assessments.

##### ***Online Portfolio assessments***

Over the duration of the PLSC course, you will submit an online Portfolio of work for assessment, in four Practice Areas (four online Portfolio assessments in total). In each online Portfolio assessment, you will be graded on your competence in each of the following skills (called “the online skills”):

- fact investigation and analysis
- practical legal research
- problem solving
- office and personal management
- professional conduct, and
- writing and drafting.

You will receive a progress indication after each online Portfolio assessment. However, it is only once you have completed all four online Portfolio assessments that your final grade for each of the online skills is determined.

If your final grade for any of the online skills is NYC after you have completed all four online Portfolio assessments or you have not submitted any Portfolio assessment(s) within the stipulated time (without formal deferment), you will need to undertake a supplementary assessment.

There are two categories of supplementary assessments:

1. Pathway A: this is the standard supplementary assessment process. You will be reassessed in respect to each single skill that you have received an NYC grade for.
2. Pathway B: this supplementary assessment process will be invoked where:
  - (a) you have not achieved 18 points out of a total of 48 possible points across the four online Portfolio assessments, or
  - (b) you have failed to submit a Portfolio assessment by the specified due date and do not have a formal deferment.

The supplementary assessment process is outlined in the Lawyers' Skills subject on Canvas. You will be required to undertake a standard supplementary assessment in respect of each online skill in which you have received an NYC grade.

The Pathway B supplementary assessment process involves further participatory work in one or more online Portfolio assessments to ensure a level of participation and understanding in the PLSC course.

If you do not achieve competency in all online skills as a result of the supplementary assessment process, you may apply to undertake a further skills assessment in a skill or skills. This application must be made to the Chief Academic Officer (NZ) in writing.

If, having done any permitted supplementary or further assessments, you remain with an NYC grade in any online skill(s), you may enrol in a subsequent course, pay the appropriate fees and undertake the entire course again.

Please refer to Section 10, Fees and Charges for the fees for supplementary assessments and further assessments.

#### **4.9 Return of assessment work**

The College returns (via Canvas) online Portfolio assessments that are submitted through Canvas, along with assessment grades and any associated marking forms. We do this after all the assessments in your group are finalised.

Where performance assessments are recorded, we do not return the recording. However, if you receive an NYC grade, we send the assessor's feedback and marking sheet to you.

Students who receive an NYC grade in any skill can get further feedback from the marker before undertaking a supplementary assessment.

The Assessment Rules do not permit re-marking or re-grading of assessed work, including performance assessment, other than through the appeals processes, as outlined in the Assessment Rules.

#### 4.10 Copied work

Work submitted for assessment must be your own individual work. The Assessment Rules prohibit the submission of copied work (as defined) or work that is the result of a “group effort”. Discussion with another student about an assessment while it is in progress is also strictly prohibited.

**Copied work** is widely defined in the Assessment Rules as including:

- (a) work taken from any law firm’s precedents, and
- (b) work taken from, or the substance of which is in whole or in part identical to work of, any other trainee, former trainee, or other person –

but does not include work taken from a published precedent which is available in hard copy or electronic form.

Work submitted in breach of the Assessment Rules is automatically graded NYC. Further, any work submitted in breach of the Assessment Rules will be treated as non-submission of a portfolio, which will incur additional fees and charges as set forth at section 10.3. Lastly, work submitted in breach of the Assessment Rules will be disclosed to the New Zealand Law Society (NZLS) as part of the Certificate of Character process.

**Confidentiality of assessment information:** Work that a student receives on a confidential basis from their instructor should not be disclosed. A student should also not receive information on that basis.

#### 4.11 Assessment results and completion certificates

Assessment results are subject to an independent moderation process, which is designed to ensure fairness and consistency in marking. All College moderators are experienced practitioners who are external to the College.

Your results will be accessible via the “Grades” tab on your Canvas Dashboard.

The College will email your course completion certificate to the last known contact email address provided within 3 weeks of the course end date, unless you have achieved NYC grades.

If you need your course completion certificate earlier than 3 weeks after the course end date, you can request priority (refer to Section 10, Fees and Charges). A priority request will ensure that your marking will take priority over other students and enable your course completion certificate to be issued within 5 working days of you completing all the course

requirements. You must make a request for priority marking to our Education Support team at least 14 days prior to your course end date.

The College may withhold your course completion certificate if you owe money to the College or have failed to return any College property.

## **5. Transfers and withdrawals**

### **5.1 Credit transfer and recognition of prior learning**

The NZCLE is the only body with authority to grant exemptions from the PLSC. You should apply to the NZCLE with any request for recognition of prior learning.

### **5.2 Transfer between courses**

If you apply to transfer to another PLSC course, the College will approve that transfer if there is a place available in the course to which you wish to transfer. Transfer fees may apply: see Section 10, Fees and Charges.

### **5.3 Fees on transfer between courses and modules**

You may transfer your enrolment to another course, without any further fee, up to 14 days after the commencement date of the course. Any transfer made after that date will incur a transfer fee. Subsequent transfers will incur a transfer fee.

A transfer fee is also payable if you transfer part of your course to another course (for example one of your workshops).

See Section 10, Fees and Charges.

### **5.4 Withdrawal**

If you wish to withdraw from the PLSC, you must immediately notify the Chief Academic Officer (NZ) in writing stating the circumstances.

### **5.5 Fees refunds on withdrawal**

If you withdraw 14 days or more before the course commencement date, you will receive a full refund of the course fee.

If you withdraw within 8 days or less after the course commencement date, you will receive a refund of the course fee, less \$500 (including GST).

If you withdraw more than 8 days after the course commencement date, you will not be entitled to any refund. Any refund will be at the College's discretion and will depend on individual circumstances.

It is recommended that you first obtain legal rights to study in New Zealand prior to enrolling in a course, however if you have enrolled and Immigration New Zealand have declined your visa application, you will be entitled to a full refund. Proof of this needs to be supplied to the College of Law.

## 5.6 Outstanding for completion

Part of our reporting to the Ministry of Education requires us to disclose any students who have passed their course end date without completing the course.

Students are only allowed a certain period of time where they can be incomplete before the Ministry of Education requires us to withdraw the student. The student must start the course again.

If this situation applies to you, we will be in touch with the relevant dates as they apply to you.

## 5.7 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.

## 5.8 Subject credit on transfer or withdrawal

The Regulations (the Assessment Rules) prescribed by the NZCLE do not permit the transfer of credits from course to course.

# 6. System requirements for the course

## 6.1 System requirements and internet access

You will need to have access to a computer that has access to the Internet, and you will need an email address.

You are responsible for any charges levied by your internet service provider for the provision of data associated with your participation in the course.

We emphasise that a reliable data connection is a prerequisite for successful completion of the PLSC. While the College will help you sort out technical problems, you must understand that the quality of your connection can affect data exchange. The College is unable to accept



any responsibility if reliable data connections from a particular location cannot be established and maintained.

You will also need to ensure that your computer's hardware and software meet the recommended minimum specifications for accessing Canvas, which is 1.5Mbps for download.

You will need the following operating system:

- PC: Windows 10 and above
- Mobile devices: Android Tablets/Smartphones with Android OS 8.0 and above, and
- Apple iMac, Macbook Air/Pro or Mac Mini running OSX 10.10 (Yosemite) and above.

## 6.2 Browser

Whether joining from a PC or a Mac, you must first make sure your web browser is compatible and supported. Supported web browsers are:

- Google Chrome 83 and 84 - Windows and Mac
- Mozilla Firefox 78 and 79 - Windows and Mac
- Apple Safari 12 and 13 – Mac only, and
- Microsoft Edge 83 and 84 – Windows only.

## 6.3 Software

You will need Microsoft Word to undertake the course. You can purchase a monthly license from the Microsoft website.

## 6.4 Bringing your device and other personal property to onsites

Onsite workshops are paperless, so you will need to bring a device to onsite workshops (if you have opted for onsite workshops), or otherwise download/print the workshop materials in advance. These materials are available on Canvas.

If you bring a device to the onsite you are responsible for its security, along with any other personal property you bring to onsites.

## 6.5 Online only courses

If you have chosen to undertake an online only course, with online workshops, you will need the following to ensure you can participate in the online classroom:

- Speaker and microphone
- Webcam

## 6.6 Email access

You must have an email address. The email address you provided at enrolment will be used for course-related purposes. You can verify your email address in Canvas for the purposes of receiving notifications or other communications within Canvas.

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 Canvas for your course for six months after it commences. Note that the content of your course website will not be revised or updated after its conclusion.

## 6.7 IT Support

IT Support hours are Monday to Friday, 9.00 am – 9.00 pm (excluding public holidays).

To contact IT Support:

- use the **Help** icon on your Canvas Portal
- email: [itsupport@collaw.ac.nz](mailto:itsupport@collaw.ac.nz) and copy your communication to your online instructor for their information, or
- call the IT Service Desk on 0800 447 457.

## 7. Safety, security and welfare

### 7.1 Conduct at workshops

If you elect to take workshops onsite, these may be held at teaching venues hired by the College for that purpose. You must comply with all the requirements of the place at which your onsites are held, in particular those relating to your conduct, to avoid endangering the health, safety or well-being of yourself and other users.

### 7.2 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.

### 7.3 Working with your computer

Much of the PLSC is delivered electronically via the Internet. 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 Learning Portal User Guide (available on Canvas under the Lawyers' Skills subject course) 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 are 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.

#### **7.4 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 Chief Academic Officer (NZ) 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 that lead to, support or condone harassment or discrimination on any basis.

#### **7.5 Emergency contact/nominated contact person**

On enrolment with the College, you would have provided contact details for a person that the College can contact in order to respond to wellbeing and safety matters.

The College will contact this person in the event of an emergency, under the provisions of our Emergency Response Plan, Critical Incidents Policy, or in any other emergency situation that the College deems it necessary to require immediate contact of your nominated person.

In addition, the College will contact your nominated contact in the following situations relevant to your wellbeing and safety:

- Where the College believes that disclosure is necessary to prevent or lessen a serious threat to your life or health;
- Where you have failed to attend a workshop, or submit timetabled online work by the due deadline, and where the College has been unable to contact you directly to

determine the reason for this, and where your absence or lack of contact is out of character; or

- Any other situation where the College has concerns for your wellbeing and safety, and is unable to contact you directly.

## **8. Intellectual property and privacy**

### **8.1 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 sent to the Chief Academic Officer (NZ).

Access to the LexisNexis and Westlaw online libraries and research services is provided solely to students for course purposes and must not be used for firm or client purposes.

### **8.2 College logo**

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

### **8.3 Students' work**

The College reserves the right to retain the original or one copy of work completed 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.

### **8.4 Privacy of student records**

The College will always observe the provisions of the Privacy Act 2020 in relation to student records.

## **9. General information**

### **9.1 Language proficiency**

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

### **9.2 Complaints**

Contact the Chief Academic Officer (NZ) by phone, email or by correspondence.

If your complaint is about the Chief Academic Officer (NZ), contact the Chief Executive Officer.

The policy and practice concerning complaints and disputes is set out in the General Rules at the end of this Manual.

### 9.3 Correspondence

All correspondence should be sent by email to the Chief Academic Officer (NZ), quoting your name, intake and student number.

### 9.4 Change of home address and contact details

Please ensure that we have your *current* contact address and other contact details. The College will not accept responsibility if communications fail to reach you because you have changed your home or your primary email address and not notified us.

During the course all email communications will be sent to the primary email address that you nominated at enrolment, unless you advise us of a new email.

### 9.5 Announcements

Announcements are posted from time to time on Canvas. You must check the Dashboard on Canvas several times a week at least. Alternatively, if you have configured your settings and verified your email within Canvas to receive notifications, you will be notified of any announcements according to these settings.

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

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

### 9.6 Mobile phones

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

### 9.7 Statement on the protection of student fees

In accordance with its obligations as a Private Training Establishment (PTE), the College is required to state that it has a student fee protection arrangement in place, to ensure that your fees are protected and available in the unlikely event of the College being unable to continue operating.

### 9.8 Evaluations

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

In order to provide feedback, you are 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 Chief Academic Officer (NZ). Alternatively, you may pass them on through your instructor.

## 10. Fees and charges

### 10.1 Supplementary assessment – Regulation 12 and Regulation 16

#### *Standard supplementary assessment*

The fee for an application for a standard supplementary skills assessment (made pursuant to Regulation 12 of the Regulations) is \$100 (including GST) per skill.

**Note:** There is an additional fee of \$50 (including GST) if you wish to undertake your supplementary assessment on a date other than that scheduled by the Chief Academic Officer (NZ).

#### *Pathway B supplementary assessment*

The fee for an application for a Pathway B supplementary skills assessment (made pursuant to Regulation 12 of the Regulations) is \$600 (including GST).

This fee for Pathway B includes:

- your supplementary skills assessment
- any further skills assessment that may be required under Regulation 13 and Regulation 17 of the Regulations, and
- additional mentoring as required by an instructor in respect of your supplementary or further skills assessment.

If after engaging in the supplementary skills assessment and any further skills assessment as noted above, you are still graded as NYC in any skill, an additional fee of \$100 (including GST) per skill, up to a maximum of three skills (\$300 including GST), will be charged.

### 10.2 Further skills assessments – Regulation 13 and Regulation 17

The fee for an application for a further skills assessment (made pursuant to Regulation 17 of the Regulations) is \$150 (including GST) per skill.

**Note:** There is an additional fee of \$50 (including GST) if you wish to undertake your further assessment on a date other than that scheduled by the Chief Academic Officer (NZ).

### 10.3 Copied work

There is a \$600 fee (including GST) if you are found to have submitted any work in breach of the copying rules.

#### **10.4 Unexcused absence from workshop(s)**

You will incur a \$200 (including GST) fee for an unexcused absence from any one day of a workshop, either onsite or online. This is a transfer fee, as an unexcused absence from a workshop will require you to transfer into another workshop at a later date.

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

The fee for an appeal to the Assessment Review Committee (made pursuant to Regulation 19 of the Regulations) is \$250.00 (including GST).

#### **10.6 Fee for transfer between courses and modules**

The fee for a transfer between courses and course modules is \$200 (including GST).

#### **10.7 Fee for priority issue of a completion certificate**

The fee for priority issue of a completion certificate within five working days of completing all your course requirements is \$200 (including GST). Please note that you must have applied for priority issue at least 14 days prior to your course end date.

### **11. International students**

#### **11.1 Definition of international student**

If you are enrolled in the PLSC course, and you are not a New Zealand citizen, or do not hold a residence class visa, you are likely to be considered an 'international student' while studying in the PLSC course.

#### **11.2 Pastoral care and support of international students**

Our Education Support Team is available to assist all students with queries in regards to their PLSC study, or other wellbeing and safety needs.

If you have any questions relating to: accommodation, community services, transport, visas, your PLSC course, or other items, please contact the Education Support team for assistance.

Please note that the team may not be able to answer your questions directly, but will be able to direct you to the most appropriate organisation to assist.

You can contact the Education Support Team on: [enquiries@collaw.ac.nz](mailto:enquiries@collaw.ac.nz)

#### **11.3 Visas and insurance**

As an international student studying in New Zealand, you must have the appropriate visa for study in New Zealand, as well as the appropriate insurance. As there are many insurance

companies, it is recommended that you do your due diligence. Your insurance should cover repatriation as a result of illness, injury or death.

### **Visa**

On enrolment with the College, you will need to provide us with evidence of your visa, which demonstrates that you are entitled to study in New Zealand under the Immigration Act 2009.

### **Insurance**

For the duration of your study with College of Law, you must have appropriate insurance that covers:

- your travel to and from New Zealand (if applicable)
- travel within New Zealand
- medical care in New Zealand, including diagnosis, prescription, surgery and hospitalisation
- repatriation or expatriation as the result of a serious illness or injury, including cover of travel costs incurred by family members assisting repatriation or expatriation, and
- death, including cover of travel of family members, costs of repatriation or expatriation of the body, and funeral expenses.

## **11.4 Complaints and Dispute Resolution**

Please refer to the “Complaints” section of this Course Manual for details of how you may make a complaint about the course, or a person employed by the College of Law.

## **11.5 Fees, fee protection and refunds**

Please refer to sections 5, 9 and 10 of this Course Manual for information regarding fees, fee protection and refunds.

The Public Trust form is a regulatory document that the College of Law is required to supply to Public Trust. This form is submitted to the Public Trust in order for them to release your fees to the College.

The Public Trust Form States:-

***“My education provider has appointed Public Trust as trustee and my fees will be held by Public Trust in a trust account to comply with the requirements of the Education Act 1989 (Act). The rules for this trust account are set out in a Trust Deed a between my education provider and Public Trust”***

It is important that this form is signed page 1 and initialed page 2, electronic signatures will **not be accepted**. If are scanning the document, please ensure that the information in the footers at the bottom of each page are included in the scanned document and not cut off.

Until we receive your completed Public Trust From, your fees will show has outstanding. Please ensure this form is returned before your course start date.



## 11.6 Your rights under the Education (Pastoral Care of Tertiary and International Learners) Code

The College of Law is a signatory to the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021.

The code sets out the expectations that tertiary education organisations and schools enrolling international students must meet for learners' safety and wellbeing.

We advise you to find out more about what you can expect for your wellbeing and safety while studying. The NZQA website has a range of video and other resources to explain this. Please find those resources here: < <https://www.nzqa.govt.nz/providers-partners/tertiary-and-international-learners-code/know-the-code/know-the-code-videos/> >.

## PLSC 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 Chief Academic Officer (NZ), with the concurrence of NZCLE, the College will not accept you into the PLSC if you have failed to fulfil all the requirements of a law qualification, which is a prerequisite for admission to the PLSC.
- 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 PLSC
  - (b) you are excluded from the PLSC, or
  - (c) your enrolment is otherwise withdrawn or terminated in accordance with these Rules.
- 1.4 You are deemed to be enrolled on the PLSC based on 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 PLSC, or
  - been excluded or had your enrolment terminated

and you subsequently wish to be readmitted to the College, whether into the same or a different PLSC, 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 Chief Academic Officer (NZ).
- 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, and completion documents 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. The College's policies and procedures can be found in the College's website under "Policy Index". This includes the Student Code of Conduct which covers ethics, integrity and behaviour during the course of enrolment with the College.

#### **Academic conduct**

- 3.2 You must complete any assessment (whether that is by way of test, exercise, assignment, course work, video assessment, video submission, practice court appearance, panel of review, oral briefing or any other assessment task undertaken as part of the PLSC 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 If requested, you must produce identification at any assessment.

#### **Other conduct**

- 3.6 You must comply with any reasonable directive of the College.
- 3.7 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.
- 3.8 Access to Canvas and course materials is supplied exclusively to you solely for the purposes of participating as a student in the PLSC. You must not copy the materials, supply them to any other person or grant access to Canvas to any other person without the prior written consent of the College. You must keep your User ID and Password confidential.
- 3.9 The online library facilities supplied by LexisNexis, Westlaw and other publishers 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.
- 3.10 You must keep your passwords for online libraries confidential.

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

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

- 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 if he or she reasonably suspects you of non-compliance with Part 3 and will advise you of the grounds of their 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 they suspect 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, at the end of the day on which you were excluded, and
  - (b) in any other case, at the expiration of 7 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 Chief Academic Officer (NZ) 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 any 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 Chief Academic Officer (NZ) as soon as practicable.

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

- 4.6 The Chief Academic Officer (NZ) 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 Chief Academic Officer (NZ) may exclude you from College activities while such enquiries are being made, provided that such exclusion does not exceed 7 days.

##### **Chief Academic Officer (NZ) to issue show cause notice**

- 4.8 If the Chief Academic Officer (NZ), after enquiry, determines that you have not complied with Part 3, the Chief Academic Officer (NZ):
  - (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 7 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**

4.9 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 6 months
- (c) exclude you from specified sessions or parts of the course for a specified period not exceeding 6 months
- (d) exclude you from specified facilities used by the College for a specified period not exceeding 6 months
- (e) if the non-compliance with Part 3 involves loss or damage to property of the College or of a teaching 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
- (f) impose conditions in relation to your participation in the PLSC or your use of College facilities or its teaching or other venues, or
- (g) 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 NZCLE, and
- the NZLS and any relevant branch.

**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 Chief Academic Officer (NZ), 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 can escalate the matter to the Disputes Resolution Scheme (DRS).
- 6.3 For domestic students, the DRS is the Tertiary Education Learner Dispute Resolution service. Their website is <tedr.org.nz>.
- 6.4 For International students, the DRS is the iStudent Complaints service. Their website is <istudent.org.nz>.

### Dealing with a complaint

- 6.5 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, and
  - confidentiality will be preserved to the extent possible to achieve resolution of the complaint.
- 6.6 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 Education Support Manager 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 Chief Academic Officer (NZ) will report the matter to the Board and take no further action unless directed by the Board, and
  - 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 NZCLE's Professional Legal Studies Course Regulations 2004, the NZCLE Regulations prevail.