

LAW – PROGRAMME SUBJECT IN PROGRAMMES FOR SPECIALIZATION IN GENERAL STUDIES

Dette er ei omsetjing av den fastsette læreplankosten. Læreplanen er fastsett på Nynorsk

Laid down as a regulation by the Norwegian Directorate for Education and Training on 2 March 2006 as delegated in a letter of 26 September 2005 from the Ministry of Education and Research pursuant to the Act of 17 July 1998 no. 61 relating to primary and secondary education (Education Act) Section 3-4 first paragraph.

Valid from 01.08.2015

Valid to 31.07.2016



Utdannings-

Purpose

Law and justice is one of the building blocks in a democratic society. Knowledge of laws and regulations is therefore important, not only for the individual, but also for society as a whole. Today's statutory framework is based on older Norwegian laws and European law. Law and justice in Norway are also linked to global developments. Law shall provide an insight into how international society, governed by the rule of law, functions.

Law shall provide knowledge about and an understanding of the rules of law as laid down in acts, directives and common law, and illustrate how the statutory framework is part of our cultural heritage and the democratic system on which our society is built. The discipline shall teach about the legal position of the Sámi as an indigenous minority in Norway. It shall also provide insight into the international legal system. Developing knowledge about how laws and rules regulate the legal relationship between individuals, between individuals and society and between states is central in the discipline.

Law shall develop the ability to interpret and apply the law in both private and professional capacities, and stimulate reflection and critical thought. One of the aims is to make the pupil aware of the fundamental values in a democracy and promote commitment and interest in being active in the development of society.

Law shall help the individual view an issue from more than one side, differentiate between law and justice and reflect on whether laws are legally and ethically sound. Teaching in this subject shall stimulate interest for legal issues. The use of legal method shall put the pupil in a better position to assess and resolve legal problems and conflicts.

To apply the rules of law means navigating your way through the statutory framework, interpreting it, exercising professional judgement and determining how a legal issue can be decided. Teaching in law shall be organized in such a way that studies are linked to practical assignments, and so that the pupils acquire training in applying the rules of law to solve the practical assignments.

Structure

Law comprises two programme subjects: Law 1 and Law 2. The programme subjects are structured so that they can be selected independent of one another. Methodology is common to both programme subjects and therefore has the same content.

These programme subjects have been structured into main subject areas, for which competence aims have been formulated. The main subject areas complement each other, and should be viewed in relation to one another.

Overview of the main subject areas:

Programme subject	Main subject areas					
Law 1	Methodology	Family law	Inheritance law	Labour law and equal opportunities	Criminal law	System of court practice and procedure
Law 2	Methodology	Damages law	Human rights law		Contract law	Sales and consumer law Administrative law

Main subject areas

Law 1

Methodology

The main subject area Methodology covers legal concepts, ethics and history of law, statutory interpretation and legal method as a basis for resolving juridical problems.

Family law

The main subject area Family law deals with cohabitation arrangements, with emphasis on rules concerning such arrangements and divorce in the Marriage Act. Family law covers the rules in the Children Act concerning the relationship between parents and offspring, regulations concerning children's rights, the provisions of the Guardianship Act relating to the legal capacity of children and the UN Convention of the Rights of the Child.

Inheritance law

The main subject area Inheritance law deals with the rules in the Inheritance Act relating to inheritance pursuant to both law and testament. It also deals with Sámi legal opinion in this area. The right to inherit and the position of common-law spouses and registered partners with the distribution of an inheritable estate are also included in this main subject area.

Labour law and equal opportunities

The main subject area Labour law and equal opportunities deals with the rights and obligations of the employer and employee, with emphasis on the Working Environment Act. It also covers the central rules relating to employment and discharge, the Act relating to holidays, the Gender Equality Act and the Anti-discrimination Act.

Criminal law

The main subject area Criminal law deals with the general rules in the Penal Code Act, conditions for punishment and special rules relating to larceny, embezzlement, petty theft, grievous bodily harm and homicide. In addition, the main subject area deals with the Road Traffic Act, the penal reaction system and criminology.

System of court practice and procedure

The main subject area System of court practice and procedure deals with how legal protection is taken care of through the judicial system and the most important international courts.

Law 2

Methodology

The main subject area Methodology covers legal concepts, ethics and history of law, statutory interpretation and legal method as a basis for resolving juridical problems.

Damages law

The main subject area Damages law deals with both statutory rules (the Act relating to compensation in certain circumstances and the Motor Vehicle Liability Act) and non-statutory rules relating to liability in negligence and strict liability in connection with damages. Liability in child welfare, parent liability and employer liability are core topics.

Human rights law

The main subject area Human rights law is concerned with central conventions and treaties relating to human rights, including the European Convention on Human Rights (ECHR). The main subject area also deals with the rules relating to personal protection.

Contract law

The main subject area Contract law covers the main principle in contract law, the rules relating to entering into contract, contractual authority, lack of legal enforcement and the principle for supplementing and interpreting contracts.

Sales and consumer law

The main subject area Sales and consumer law deals with the rights and obligations of the purchaser and seller pursuant to the Sale of Goods Act, the Consumer Purchases Act and the Return of Goods Act. The Consumer Disputes Act and the Marketing Control Act are also important topics.

Administrative law

The main subject area Administrative law is concerned with how the public administration is organized. The provisions of the Public Administration Act relating to disqualification and administrative proceedings are central. The main subject area also deals with the Access to Public Information Act and important regulations in environmental law.

Teaching hours

Teaching hours are given in 60-minute units.

Law 1: 140 teaching hours per year

Law 2: 140 teaching hours per year

Basic skills

Basic skills are integrated into the competence aims for this course in areas where they contribute to the development of and are part of the subject competence. In the Law programme subject, basic skills are understood as follows:

Being able to express oneself orally in Law involves discussing legal problems, drawing conclusions, formulating opinions and discussing ethical and political issues that apply to law.

Being able to express oneself in writing in Law involves resolving legal assignments and discussing them in writing. It means expressing oneself clearly and precisely when preparing legal presentations.

Being able to read in Law involves developing good reading strategies for studying theory and other sources of law and understanding the content in a case of law and thus the legal issue at stake. It also involves using bodies of laws, reference works and statistical material and keeping abreast of legal issues in the media.

Numeracy in Law involves using calculations in solving problems, for example in connection with inheritance settlements and the division of estate in separation and divorce cases.

Being able to use digital tools in Law means finding relevant sources on the Internet, using a word processor and using a pocket calculator or spreadsheet to solve assignments. It also involves using presentation tools.

Competence aims

Law 1

Methodology

The aims of the studies are to enable pupils to

- give an account of the main principles of legal method
- give an account of and differentiate between rules of law from other rules in society
- identify legal issues and use the principles in legal method to resolve them
- reflect on the ethical and historical aspects of rules of law
- create digital presentations of judicial themes

Family law

The aims of the studies are to enable pupils to

- use rules of law in connection with the entering into and the dissolution of marriage, registered partnership and non-marital cohabitation
- apply the principal rules relating to possession, duty to provide maintenance and liability for debt in marriage, registered partnership and non-marital cohabitation
- apply the principal rules relating to the division of property and chattels in connection with the dissolution of marriage, registered partnership and non-marital cohabitation
- apply the rules in the Guardianship Act and the Children Act relating to the rights and obligations for children and parents and give an account of the most important rules in the UN Convention on the Rights of the Child

Inheritance law

The aims of the studies are to enable pupils to

- apply the principal rules relating to inheritance pursuant to both law and testaments, and give an account of the Sámi's general views of legal issues pertaining to family and inheritance in this area
- apply the principal rules for the administration of an estate
- elaborate on and discuss the position of co-habitants with respect to the law on inheritance and succession
- give an account of the difference between private and public administration of a deceased's estate

Labour law and equal opportunities

The aims of the studies are to enable pupils to

- give an account of the most important rights and obligations of the employer and the employee
- resolve conflicts related to employment, discharge and redundancy
- apply the principal rules in the Gender Equality Act and Anti-discrimination Act and analyze their impact on society

Criminal law

The aims of the studies are to enable pupils to

- discuss the causes and ramifications of criminality
- give an account of the penal reaction system and fundamental rules relating to statutory authority in accordance with Norwegian law and the European Convention on Human Rights (ECHR)
- apply the rules relating to general conditions for punishment, including the rules relating to attempt and to aiding and abetting
- apply the rules concerning larceny, embezzlement and petty theft
- apply the rules relating to grievous bodily harm and homicide
- discuss the rule relating to environmental crime in § 152b of the Penal Code Act
- apply the rules relating to drink-driving and the general penal provisions in the Road Traffic Act

System of court practice and procedure

The aims of the studies are to enable pupils to

- give an account of the court system, the independent position of the courts and the role of the Mediation Board
- give an account of the procedure in a civil case and a criminal case
- give an account of the rules concerning the right to fair trial as set forth in the European Convention on Human Rights (ECHR)
- give an account of the most important national and international courts

Law 2

Methodology

The aims of the studies are to enable pupils to

- give an account of the main principles of legal method
- give an account of and differentiate between rules of law and other rules in society
- identify legal issues and apply the principles in legal method to resolve them
- reflect over the ethical and historical aspects of rules of law
- create digital presentations of judicial themes

Damages law

The aims of the studies are to enable pupils to

- explain the content of the four basic conditions for obtaining compensation and determine whether these conditions are met
- apply the rules relating to liability in negligence and non-statutory strict liability
- apply the rules concerning the liability that children and parents have
- apply the rules relating to employer liability
- explain in detail the meaning of motor vehicle liability and product liability
- present the principle of measure of indemnity and explain how a claim for damages can be reduced or dismissed altogether

Human rights law

The aims of the studies are to enable pupils to

- explain the concept 'human rights'

- give an account of the rules relating to religious freedom and freedom of expression pursuant to the European Convention on Human Rights (ECHR)
- give an account of the rights of indigenous and tribal peoples pursuant to Articles 1 and 27 of the UN Convention on Civil and Political Rights and the ILO Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries
- give an account of the fundamental principle governing the collection, filing and processing of personal information
- weigh privacy protection interests against other considerations

Contract law

The aims of the studies are to enable pupils to

- apply the fundamental principles in contract law
- apply the rules relating to entering into contract, contractual authority and lack of legal enforcement
- apply principles for interpreting and supplementing contracts

Sales and consumer law

The aims of the studies are to enable pupils to

- give an account of the obligations of the seller and purchaser with respect to consumer purchases and private purchases
- determine whether a court will find in favour of the purchaser or the seller in the event of a breach of contract
- apply the rules pursuant to the Return of Goods Act
- give an account of the procedure used in a consumer dispute
- evaluate problems relating to the rules in the Marketing Control Act on consumer protection and equality, and give an account of how the law is enforced

Administrative law

The aims of the studies are to enable pupils to

- give an account of what an administrative body is, and explain what an administrative decision is
- apply the rules in the Public Administration Act relating to disqualification and administrative procedure in connection with an individual decision
- give an account of the main principles on which the courts can try an administrative decision
- give an account of the rights of the public pursuant to the Public Administration Act
- apply the general rules relating to pollution in the Pollution Prevention and Control Act, the provisions of the Environmental Information Act and the rules relating to public rights pursuant to the Outdoor Recreation Act

Assessment

Provisions for final assessment:

Overall achievement grades

Programme subject	Provision
Law 1	The pupils shall have an overall achievement mark.
Law 2	The pupils shall have an overall achievement mark.

Examination for pupils

Programme subject	Provision
Law 1	The pupils may be selected for an oral exam. The oral exam is prepared and marked locally.
Law 2	The pupils may be selected for a written or oral exam. The written exam is prepared and marked centrally. The oral exam is prepared locally.

Examination for external candidates

Programme subject	Provision
Law 1	The external candidates shall sit for an oral exam. The oral exam is prepared and marked locally.
Law 2	The external candidates shall sit for a written exam. The written exam is prepared and marked centrally.

The provisions for assessment are stipulated in the regulations of the Norwegian Education Act.