SECTION A: POLICY AND PROCEDURES

1. Procedures Title
   Credit for prior studies

2. Purpose
   These procedures complement the University policy and procedures, with respect to the granting of
   credit in the LLB course (including the LLB degree requirements in combined courses) on the basis
   of formal studies completed at other tertiary institutions prior to enrolment. The grant of credit for
   studies undertaken at other institutions by an enrolled student is dealt with in the Faculty’s Cross-
   Institutional Units Procedures.

3. Scope
   Undergraduate students

4. Definitions

<table>
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<th>Word/term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>1. Law admission degree course</td>
<td>A law course which is recognized as meeting the academic requirements for admission to the practice of law</td>
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<td>2. Priestly 11 areas of knowledge</td>
<td>The ‘academic areas of knowledge’ prescribed in the legal Profession (Admission Rules) 2008 Sched 2</td>
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5. Policy Statement
   There is no policy statement. The following are procedures only.

6. Procedures

   1. Comparability of workload for assessment of credit points
      1.1 In determining the equivalence of units, a comparison will be made of the normal Monash
          semester workload with that of the institution at which the unit was undertaken. Monash law
          units carry a workload value of 6 or 12 credit points. A full workload for one semester is 24
          credit points. In accordance with the requirement of 80% equivalence, credit will not be given
          for a unit studied elsewhere if the workload is equivalent to less than 4.8 credit points (for a 6
          credit point Monash law unit) or 9.6 (for a 12 point Monash law unit).

   2. General requirements for credit
      2.1 Compensatory pass grades such as NP (near pass – 45-49%) are not accepted as
          a pass for credit purposes.
      2.2 Credit may be granted towards compulsory or elective units.
      2.3 Credit for law units taken elsewhere may be granted either as specified credit for a
          particular Monash law unit, or unspecified credit (6 or 12 credit points) for a law
          elective.
      2.4 Units offered by distance education which form part of an accredited Australian law
          admission degree course (see 5.1) offered by an Australian university may be
          accepted for credit, subject to assessment of equivalence.
2.5 Units based wholly on the preparation of research papers without the need for attendance at formal classes may be accepted for credit, provided that there is evidence that the self-learning or research activity is directly supervised and formally assessed by teaching staff.

2.6 A law unit in respect of which specified credit is claimed must be equivalent in learning content, in terms of the curriculum, depth of study and credit point value, to a specific Monash law unit to the extent of at least 80%. The Monash law unit must be one that is listed in the University handbook at the time of the application for credit.

2.7 Equivalence is assessed on the basis of documentation provided by the applicant. Consideration may also be given to any relevant information in the official handbook or website of the institution at which the studies were taken. Applicants are asked to provide copies of unit guides, reading guides or other curriculum documents issued to them at the time of undertaking the studies. Where the claimed equivalence is not clearly apparent, the documentation may be referred to the Chief Examiner in the unit for which credit is sought for an opinion as to the extent of equivalence.

2.8 Credit in the LLB and combined degree courses may be granted for units completed elsewhere at a postgraduate as well as at undergraduate level.

2.9 Units taught as part of a Diploma, Associate Diploma, or Certificate course are unlikely to satisfy the requirement of equivalence to Monash LLB units, even if in law or legal studies.

2.10 In the case of studies undertaken at overseas universities with which Monash does not have exchange agreements, assessment of equivalence will include assessment of the academic standing and reputation of the university.

2.11 To be eligible for credit, previous studies must have been completed within ten years prior to admission to candidature in the LLB.

2.12 Credit will be granted for studies undertaken at overseas universities only if the universities are deemed to be of good reputation and standing. Universities and courses which are accredited with a government regulator or a reputable private accrediting body such as the American Bar Association, and universities and law schools with which Monash has an exchange agreement or other form of partnership will normally be accepted as reputable for credit purposes.

3. Credit for units which meet law admission requirements

3.1 A relevant consideration in granting specified credit for units that are required for admission to legal practice arises because of the Faculty's function in certifying that the requirements of the Admissions Rules 2008 in relation to the eleven specified areas of knowledge in Schedule 2 (the 'Priestley 11') have been satisfied. Where specified credit is sought for a Monash Law unit designed to cover one or more of the Priestley 11 areas of knowledge, the assessment of 80% equivalence will include an assessment of whether the unit studied elsewhere covers the content specified by Schedule 2 for the relevant area of knowledge.

3.2 An exception may be made for Criminal Law, where the units studied elsewhere satisfy the requirements of Schedule 2 in relation to Criminal law except for the Criminal procedure component, and the Chief Examiner of Criminal Law is willing to provide supplementary tuition and assessment in Criminal Procedure on a non-award basis. Criminal Procedure is the only area for the Faculty provides supplementation of studies for credit purposes.

3.3 Credit for units claimed to be equivalent to Monash units that are designed to cover a Priestley 11 area of knowledge will ordinarily be granted only if they have been successfully completed at degree level within a law course which is accredited by the Council of Legal Education or by an equivalent regulator in another State or Territory for purposes of meeting academic requirements for admission to legal practice in Victoria or in the other jurisdiction ('an admission degree course').
3.4 A few Australian law schools teach certain of the Priestley 11 areas of knowledge across multiple units, instead of devoting one cognate unit to each Priestley area. If an applicant for credit has studied all the topics specified for one of the Priestley 11 areas of in two or more units at another institution, with no single unit being 80% equivalent to a Monash law unit, the applicant may be exempted from the requirement to complete the Monash unit on the basis of recognition of prior learning (RPL), and may also be granted unspecified credit for the units previously completed.

4. **Law elective units**

4.1 Specified credit may be granted when a degree level unit (or combination of such units) taught at another law school is regarded as being at least 80% equivalent to a specified Monash law elective.

4.2 Even when there is no direct equivalence to any Monash law unit, the successful completion of a law unit at another Australian or overseas law school may entitle the applicant to unspecified credit for a certain number of credit points based on assessment of the academic standard, assessment and workload. The grant of an unspecified credit of 6 points reduces the studies to be undertaken at Monash by one elective.

4.3 If the unit for which credit is claimed is not part of a law admission degree course, credit will not be granted unless there is evidence that the law school at the university where the unit was taken is willing to grant credit for it towards its own law admission degree course.

4.4 Studies prescribed by accreditation and standards bodies

4.4.1 Application for credit for exam results in subject areas prescribed by professional accreditation and standards bodies (e.g. accountancy, migration agents, patent and trademark attorneys, police prosecutor or detective training, or specialisation in law practice) will be considered on a case by case basis. It is relevant whether the accreditation body actually conducts or supervises courses of instruction in defined areas followed by an exam as opposed to simply setting exams for which persons seeking accreditation prepare by some form of unsupervised self-learning. In the latter instance, credit will not be granted.

4.4.2 The fact that successful completion of certain units in the faculty is accepted for accreditation purposes by a board, does not imply a reciprocal obligation on the faculty to accept the result of the board's exam for credit purposes if there has been no supervised course of instruction or research training under the auspices of that accreditation board.

5. **Non-law electives**

5.1 An applicant who has successfully completed non-law units in another Monash faculty or at another tertiary institution may be granted credit for non-law electives in the four-year LLB, subject to assessment of the academic standard and credit points.

5.2 An application for credit for the non-Law component of a combined degree course will be referred to the partner faculty. For example, where a student enrolled in a BSc/LLB course seeks credit for Science subjects taken at another institution, the Faculty of Law will ask the Faculty of Science to assess whether to grant credit in the BSc.

5.3 A student enrolling in the 192 credit point LLB course (LAW2708) who has successfully completed a minimum of 48 credit points of study in a bachelor's degree course in a discipline other than law at Monash or at another university will be granted 36 points of unspecified credit (comprising 12 points of non-law electives plus 24 points of non-law electives unspecified).
6. **Limit on total credit granted**

In accordance with r 5 of the Regulations, students enrolled in the LLB or combined course must complete at least 96 credit points of law units at Monash.

7. **Applications for credit**

7.1 Applications for credit must be made to Student Services in accordance with the application process, timing and documentation requirements set out in the Credit Transfer Procedures.

7.2 In addition to the requirements of the Credit Transfer Procedures, the application must be accompanied by documentary evidence sufficient to enable an assessment of equivalence to be made. This will include the academic transcript showing the studies undertaken, their credit points value, whether they were undertaken as part of a law admission degree, a handbook description and reading and/or unit guides relating to the units studied. Documentary information must also be provided showing the number of points which are equivalent to a full time semester workload at the institution where the studies were undertaken.

8. **Decisions and Review**

8.1 The Faculty Board has delegated to the Associate Dean (Education) its power to grant credit in the LLB degree course.

8.2 The Associate Dean (Education) may determine that specified or unspecified credit or an exemption from undertaking a specified unit or units is to be granted for specified studies taken at other institutions, and may authorise Student Services staff to approve credit applications falling within those approvals as his or her agent.

8.3 An enrolled student who is dissatisfied with a decision on his or her application for credit may apply for review of the decision by the faculty’s Credit Review Officer. Applications for review must be made in writing within 14 days of notification of the decision, and addressed to the Credit Review Officer, care of Student Services in the Faculty of Law.

9. **Recording of Credit**

9.1 Where specified credit is granted, it will be recorded by reference to the unit name and code, e.g. ‘Contract A LAW2101 exemption, 6 credit points’). No grade is shown on the transcript. Specifying the units by name ensures that they will appear on the student's academic record and thereby avoid the need to provide the student with a Certificate under Rule 5.03(c)(ii) of the Legal Practice (Admission) Rules for the purpose of proving that the academic requirements for admission to legal practice in Victoria have been met.

9.2 Where unspecified credit is granted, the credit need only be recorded as a specified number of credit points, eg ‘Elective law units totalling twelve credit points’ – [name of University]. No mark and grade is recorded. The student must rely on the transcript of the original University for the purpose of demonstrating the level of performance. Exchange student entries will show ‘LEH Law xxxx Exchange (no. of points)’. Additional codes are LSA Law xxxx Study Abroad; LCL Law xxxx Cross-institutional course; Result SFR (i.e. the result has satisfied faculty requirements).

9.3 Where an exemption from taking a Monash compulsory or quasi-compulsory unit is granted without specified credit, it will be recorded as, eg, ‘Contract A LAW2101 exempted’. The reasons for granting the exemption without specified credit will be noted in Callista.

9.4 Studies taken at other institutions for which credit is given are disregarded for any purposes that require calculation of a Monash Law grade point average or Law honours weighted average mark.
10. **Preclusion**

If specified credit is granted for a law unit completed elsewhere, the Faculty will normally formally preclude the student from enrolling in the equivalent unit at Monash.

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**SECTION B: GOVERNANCE**

1. **Related legislation, policy or other documents**

   i. **Related Monash legislation**

      The University Admissions Statute 6.1.4 provides:

      Subject to any regulation under section 2, a faculty may admit a person to candidature for a degree or diploma with such credit towards the degree or diploma as the faculty determines, and for this purpose a faculty may recognise, in lieu of any requirement of a course of study -

      1.1.1 work completed in any educational institution; and

      1.1.2 any other relevant qualifications or experience.

   ii. **Related Faculty of Law legislation:**

      The Law Faculty grants credit to candidates enrolled in its LLB or combined degree courses for units (i.e. a course of supervised instruction in a defined area together with a formal assessment) completed at another tertiary-level teaching institution in accordance with the University policy and procedures and the Faculty of Law Bachelors Degree Regulations, s5:

      *Faculty of Law Regulations for the Bachelor of Laws*

      **Reg 5. Credit for equivalent work**

      5.1 A candidate who has completed work which the dean is satisfied is equivalent to or a satisfactory substitute for particular work in the course of study, may be granted credit in respect of the particular work.

      5.2 Despite sub-section 5.1, a candidate must satisfactorily complete work in the course of study totalling at least 96 credit points.

      5.3 Except where the dean in any particular case otherwise determines, credit under subsection 5.1 must not be granted in respect of work completed more than ten years prior to admission to candidature.

      5.4 Where credit is granted to a candidate under this section, the candidate must complete the course of study within the time specified by the dean.

   ii. **Related Monash policies**

      1.1 Academic Board has made the Credit towards a Degree or Award Regulations (Credit Regulations). The Credit regulations set out the rules and requirements regarding the granting of credit toward a degree or award, applicable to all faculties across the University.


      1.2 These procedures complement the University policy and procedures, with respect to the granting of credit in the LLB course (including the LLB degree requirements in combined courses) on the basis of formal studies completed at other tertiary institutions prior to enrolment. The grant of credit for studies undertaken at other institutions by an enrolled student is dealt with in the Faculty’s Cross-Institutional Units Procedures.
1.3 The Credit Policy provides that credit transfer may be granted for units passed in a university or accredited course offered by a Registered Training Organisation, subject to an assessment of equivalence as set out below:

Credit transfer is assessed on the basis of equivalence of learning content in terms of the curriculum, depth of study and credit point value of the previous unit of learning. For specific credit to be granted, a unit or units of previous study must be equivalent to at least 80% of the curriculum and credit point value of a Monash University unit.

iii. Related documents
N/A

2. Approval

Committee Meeting Date:
Faculty Board of Law Meeting 2/2009
23 July 2009
APPROVED

OR

Responsible Officer approval date:
N/A

3. Procedures status

These procedures have been updated to reflect the University Credit Regulations made by Academic Board in February 2012.


SECTION C: OFFICE USE ONLY (PLEASE DO NOT COMPLETE)

1. Category

2. Keywords

3. Review Date
31 May 2012

4. Location (intranet or public website)
5. Change History (OFFICE USE ONLY: PLEASE DO NOT COMPLETE)

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