

University of Cambridge: Programme Specifications

Every effort has been made to ensure the accuracy of the information contained in this programme specification. At the time of publication, the programme specification has been approved by the relevant teaching Faculty or Department. It is, however, natural for courses to develop and change over time and we reserve the right, without notice, to withdraw, update or amend this programme specification at any time.

Postgraduate Diploma in Notarial Practice

1. Awarding Institution	University of Cambridge
2. Teaching Institution	University of Cambridge Institute of Continuing Education
3. Programme accredited by	Faculty of Law
4. Final Award	Postgraduate Diploma
5. Programme Title	Postgraduate Diploma in Notarial Practice
6. UCAS Code (or other coding system if relevant)	N/A
7. Relevant QAA Subject Benchmark groups	Law
8. Qualifications Framework Level	N/A
9a. Date of production	March 2009
9b. Last Reviewed	N/A

The Postgraduate Diploma in Notarial Practice is delivered by the Institute of Continuing Education (IoCE) and forms part of the Institute's programme of credit-bearing professional development qualifications offered at FHEQ Level 7 to part-time adult students.

The course has been specifically designed at the request of the Faculty Office of the Archbishop of Canterbury, the regulatory body, to meet the needs of the professional bodies.

Aims of the Programme

The aims of the programme are:-

1. To provide students with a formal education in relevant legal subjects to enable them to qualify as notaries public.
2. To enable students of the highest calibre to achieve the academic qualification required before applying to become a Notary Public for England and Wales.
3. To provide students with opportunities to pursue a course at greater depth than that which may be studied at undergraduate level or at professional level.

4. To provide students with the opportunity to pursue a course of a specialist nature, in areas too advanced, or too focused, to be included in any undergraduate degree relating to the three specified topics.
5. To facilitate the growth of legal and general transferable skills already developed by students during their undergraduate studies and their professional experience.
6. To ensure candidates are able to demonstrate sufficient knowledge, skill and judgment to be admitted to practise as a notary in England and Wales

Learning outcomes

On successful completion of the programme, students should be able to demonstrate the following learning outcomes:

Knowledge and understanding

1. in-depth knowledge and critical understanding of the role of Notary Public
2. in-depth knowledge and critical understanding of the general principles associated with this area of the legal profession
3. comprehensive and detailed knowledge, and critical understanding, of concepts underpinning notarial acts
4. awareness of personal responsibility and professional codes of conduct in the role of a Notary Public

Cognitive/Intellectual Skills

1. ability to understand, analyse and interpret complex primary and secondary legal materials
2. ability to distinguish the relevant from the irrelevant
3. ability to think critically and independently about legal rules and institutions
4. ability to understand and to assess the reliability, currency, relevance, inter-relationships and relative importance of source material
5. ability to handle large quantities of source material and to use these skills in areas not previously studied
6. ability to demonstrate confidence and flexibility in identifying and defining complex problems in order to apply appropriate knowledge and skills to their solution

Transferable Skills

1. ability to work accurately and sensitively with others
2. ability to present material in a clear and effective way, both in oral and written form
3. ability to make correct, accurate and effective use of written and spoken English including specialist legal terminology
4. ability to make effective and independent use of information resources
5. ability to learn independently and to develop appropriate mechanisms for support and feedback

Teaching and learning methods

Teaching methods include, but are not limited to, formal lectures, interactive seminars and workshops, discussion and networking groups and structured reading.

Teaching sessions set out concepts, conceptual frameworks and theory relating to the topics to be covered; other modes of teaching and learning are designed to enable participants to achieve the stated learning aims and objectives.

Periods of self-directed study are required between teaching days; this will be enhanced through a Virtual Learning Environment (VLE), which will enable students and tutors to consolidate and expand upon the formally taught components. Students are expected to carry out significant in-depth study between taught sessions; they will be able to discuss issues with their course tutor and the Course Director through the VLE.

Assessment methods

Students will be examined by written assignments and examination. Active participation is required in all course activities.

Students will be assessed by written assignment totalling 17,000 words in addition to a final examination in each course.

Programme structure: overview

The programme is offered at FHEQ Level 7 and attracts 120 credits.

The programme consists of 3 courses. Roman Law and Private International Law each attract 20 credits; Notarial Practice is 80 credits. The curriculum is designed to facilitate in-depth study, independent research and critical analysis of the subject areas. The three courses comprising the Postgraduate Diploma are:

1. Roman Law as an Introduction to Civil Law Systems
2. Private International Law for Notaries
3. Notarial Practice

Courses will be delivered in a blended format, consisting of required attendance at a face-to-face teaching day for each course and a residential weekend session for Notarial Practice. Students are supported by a tutor-led and interactive Virtual Learning Environment (VLE). The programme involves an estimated 240 contact hours, in addition to self-managed time for preparation, assignments, further reading and contact with tutors and speakers in lecture and workshop settings, and through the VLE.

Programme structure: detail

Roman Law as an Introduction to Civil-Law Systems (20 credits)

- The law of obligations: Contract – including quasi-contractual obligations
The development of agency
Delict and its development
- The law of property: Classifications
The concept of ownership
Rights attached to property
- The law of persons: Issues of personal status
Patria potestas
Marriage and divorce
- The law of succession: Wills and intestacy
The position of heirs
Legacies and *fideicommissa*

- Issues of procedure and evidence where modern parallels apply.

On successful completion of the Roman Law course, the student will have demonstrated a depth of knowledge and an ability to identify, comprehend, distinguish and elucidate Roman Law principles in aspects of modern civil law such as might be met by a notary.

Private International Law for Notaries (20 credits)

- Structure of conflict of laws: jurisdiction, choice of law, recognition and enforcement, proof of foreign law
- Classification (characterisation) and the distinction between rules of substance and rules of procedure
- Domicile and residence
- Introduction to choice of law:
 - contractual obligations
 - tortious obligations
 - moveable and immoveable property
 - husband and wife and civil partnerships
 - succession
- Introduction to the jurisdiction of the English courts
- Recognition and enforcement of foreign judgments, arbitration awards and authentic instruments

On successful completion of the Private International Law course the student will have demonstrated a depth of knowledge and an ability to identify, comprehend, distinguish and elucidate such aspects of Private International Law as might be met by a notary.

Notarial Practice (80 credits)

- History, authority and organisation
- Notarial equipment and records
- Professional practice and records
- Notarial statutes and rules
- Notarial Acts - formalities, evidential status and executive force
- Attestation of signatures
- Execution of documents by individual and company documents
- Powers of attorney
- Registration of British ships and shipping protests
- Bills of Exchange - definitions, time, acceptance, payment, dishonour

On successful completion of the Notarial Practice course the student will have demonstrated an ability to deal with complexity, gaps and contradictions in a complex knowledge base in accordance with the highest professional standards of a notary public when carrying out a notarial act.

Delivery

The programme is offered on a part-time basis, and students will normally take up to 24 months to complete the Postgraduate Diploma. The maximum time for completion will normally be 36 months.

Programme Requirements

In England and Wales, notaries are appointed by the Faculty Office of the Archbishop of Canterbury which regulates the profession and is responsible for determining training requirements. Entrants to the profession must normally be a barrister, solicitor or graduate. All applications to enter into the profession are initially considered by the Qualifications Board of the Faculty Office of the Archbishop of Canterbury. If the Board is satisfied that the applicant has completed or is deemed to have completed the academic stage of training, the Board shall certify the same to the University of Cambridge, Institute of Continuing Education, by the granting of a Certificate of Exemption confirming that the applicant has completed the academic requirements for entry into the profession and as such is eligible to apply for admission to the professional qualification of the Postgraduate Diploma. The University of Cambridge will make the final decision as to admissibility of any applicant. A Certificate of Exemption shall remain valid for two years from the date of issue, after which time it will lapse and a new application to the Board will be required.

Applicants to the programme will be expected to demonstrate proficiency in the English language; students whose first language is not English must be able to satisfy the current English Language Competence requirements of the University's Board of Graduate Studies in the year in which they apply for admission to the course

Progression

The coursework (assignments and exercises) accounts for 50% of the marks available for the course; the examination for each course accounts for the remaining 50%. Candidates are not permitted to sit the examination unless they have achieved an average mark for the coursework of at least 50%. Candidates who have not achieved an average mark of at least 50% in the coursework may be permitted to submit a re-sit assignment on one occasion only for the course. A candidate who fails to achieve a pass mark in the examination may apply to resit the examination on one occasion only.

Employability

Students completing the Postgraduate Diploma in Notarial Practice will normally already be in employment; the Postgraduate Diploma is the only approved pathway for practising solicitors in the UK to acquire the knowledge, skills and understanding required to practice in this specialised area of legal practice. The Faculty Office has identified an urgent need to recruit new notaries public over the next decade as current notaries retire.

Managing Teaching Quality and Standards

The teaching quality and standards of the programme will be monitored by the Programme Advisory Committee and the Subject Moderation Panel, consisting of the University and external moderators and other Faculty and IoCE members as agreed by the Education Committee.

Student Support

Academic advice to students is available both before and after they have registered for a course: first, from the appropriate member of the academic staff and, once the course has begun, from the course director and/or the course tutor. In addition, the administrative staff assigned to the programme are able to provide information. All students are provided at the start of a course with the IoCE Student Handbook.

Administrative staff work closely with the academic team throughout the programme, and are able to provide appropriate levels and types of student support – for instance, support in technical matters, such as using the VLE.

Periods of self-directed study and research between blocks of attendance are required; this will be enhanced through a Virtual Learning Environment (VLE), which will enable students and tutors to consolidate and expand upon the formally taught components, whilst continuing discussions related to the programme. Students will be expected to carry out significant in-depth research and analysis between taught sessions; they will be able to discuss issues with their course tutor and the Course Director through the VLE.