FACULTY OF LAW

MASTER OF LAWS (LLM) in Energy and Environmental Law
2020-21

CUHK LAW
THE CHINESE UNIVERSITY OF HONG KONG
Welcome Messages

Energy is the “lifeblood” of the economy, but generates increasingly acute environmental challenges (such as climate change, local air pollution and water scarcity). Globally, “the currently observed changes to the Earth System are unprecedented in human history,” according to the United Nations Environmental Programme. Massive investment is needed to re-orient the global economy – and in particular energy systems - towards more secure and sustainable patterns. For instance, energy security is at the center of China’s Belt and Road interconnectivity initiative. The law plays an essential role in ensuring the reliable and secure functioning of the strategic energy industry in an environmentally friendly way. Energy law and environmental law are increasingly important legal disciplines because they directly concern the ability of society to deliver sustainable development. Countries around the world are establishing specific laws and regulations to achieve their energy security and environmental protection objectives.

The LLM in Energy and Environmental Law at The Chinese University of Hong Kong is the first programme specifically dedicated to the legal aspects of energy security and sustainability in the region. Hong Kong is a unique place to study the law applicable to energy investment, energy trade and the environment. China is a key player in the energy and environmental landscape of the 21st Century, and Hong Kong – as financial center – is central to the implementation of the region’s energy and green investment policy. In reaction to the demand of the private and public sector, an increasing number of lawyers and law firms specialise in the field of energy, environmental and infrastructure law.

The LLM in Energy and Environmental Law aims to meet the demand for lawyers with expertise in energy, environmental and infrastructure law by providing an intensive course focusing on energy projects, the promotion of clean energy investments, local air quality, global warming and more generally the law applicable to energy security and sustainable development. Besides purely legal subjects, students have the possibility to take courses on the policy and management aspects of energy and natural resources.

Christopher Gane
Simon F.S. Li Professor of Law and Dean, Faculty of Law

Thank you for your interest in the LLM in Energy and Environmental Law Programme.

Energy and environmental law concerns sectors of vital importance for contemporary society. Specialised lawyers are needed to help governments, companies and civil society ensure energy security and address the challenges of climate change and environmental degradation. According to the Intergovernmental Panel on Climate Change, “annual investments in low carbon electricity supply and energy efficiency are projected to rise by several hundred billion dollars per year before 2030.” For young lawyers, the field of energy and environmental law offers great professional opportunities and the potential to make a difference.

With its focus on China, and more generally on East and South East Asia, the LLM in Energy and Environmental Law Programme provides a unique perspective to the study of energy and environmental law. China is the world’s largest energy consumer and producer. China is also the world’s top emitter of greenhouse gases that faces acute local environmental problems. In the region, many countries need to secure investments in energy production and transportation to ensure secure and sustainable energy supply. In China and the region, massive investments are made in clean energy production. According to the People’s Bank of China, “achieving national environmental goals during the 13th Five-Year Plan period will require an annual investment of at least 2 trillion Chinese yuan (US$320 billion) into environmental protection, energy efficiency, clean energy, and clean transportation.”

The LLM in Energy and Environmental Law Programme offers specialised training in the legal aspects governing energy trade and investments, including the regulation of energy markets, the drafting of energy contracts and project finance agreements, and the resolution of cross-border energy trade and investment disputes. It gives you a deep understanding of the functioning of energy systems (electricity, natural gas, oil, coal, renewable energy) and the role of law in ensuring energy security and environmental protection at the local and global level.

We look forward to sharing with you our passion and expertise in these fields.

Christopher Gane
Simon F.S. Li Professor of Law and Dean, Faculty of Law

Anatole Boute
Professor
Director
Master of Laws Programmes
Faculty of Law

Hao Zhang
Assistant Professor
Deputy Programme Director
Master of Laws in Energy and Environmental Law
Faculty of Law
CUHK Faculty of Law

CUHK Faculty of Law ranked 39th amongst 300 law schools worldwide in the “QS World University Rankings by Subject 2019: Law”

Enriched by the intellectual and cultural heritage of its University and at the heart of the legal system, the Faculty of Law brings together common law and Chinese law with other great legal traditions and values to promote justice and safeguard the rule of law.

An international family of research-led scholars creates a dynamic, flexible learning environment. Students are encouraged to develop a deep and critical understanding of legal theory and practice. Graduates will possess the intellectual skills and ethical values to enable them to become future leaders and better serve the needs of the community.

Supported by world class research, the Faculty of Law provides a flexible, learner-centred environment in which students are actively engaged and prepared for distinction in the legal profession and for leadership roles in Hong Kong, China, and internationally.

The Faculty is building strong and enduring links with alumni and friends so that law students are educated and fully equipped for successful careers in the legal profession, government, business, and industry.

Learning Environment

All LLM Programmes are taught at the CUHK Graduate Law Centre. The LLM students have this in common with other graduate students in the Faculty studying on the JD and PCLL courses, creating a mature and professionally oriented environment. The CUHK Graduate Law Centre is located at 2/F, Bank of America Tower, Central. Within only a few minutes’ walk can be found the High Court and the appellate courts, the major business centres and many of the other attractions and amenities for which Hong Kong is famous. Facilities at the CUHK Graduate Law Centre include lecture theatres, seminar rooms, breakout rooms, the Warren Chan Moot Court, a computer laboratory, a student common area with additional computer work stations, and a Legal Resources Centre.

Programme Aims

The LLM in Energy and Environmental Law aims to offer students an in-depth understanding of the legal aspects governing the key challenges of energy security and environmental protection. Students are trained for practice in the areas of energy investment and trade, project finance and infrastructure development, clean energy and climate change mitigation, with a focus on the specific energy and sustainability challenges of the Asia-Pacific region. The courses build on the expertise in energy and environmental law and investment and trade law at CUHK, and benefit from the participation of leading international practitioners in the field of energy and environmental law.

Programme Requirements

The programme consists of 24 units. Most courses comprise 3 units with three teaching hours per week. Students are required to complete 12 units of Required Courses and 12 units of Elective Courses. Students may enroll in full-time or part-time mode of study. Full-time students can complete the programme in one year. Part-time students can complete the programme in two years. Students must meet the minimum cumulative GPA required by the University before they may graduate.

Required Courses

International and Comparative Energy Law

This course looks at the legal responses to the challenge of energy security at the global, regional and national level. Besides the regulation of energy investment and energy trade, the course examines the liberalisation of energy markets (i.e. the opening of energy markets to competition).

Principles of Environmental Law

This course deals with the main principles underlying the regulation of the environment, with a focus on Hong Kong. The course critically studies the effectiveness of the Hong Kong legal system in the prevention of environmental harm and the enforcement of environmental law.

International and Comparative Environmental Law

This course studies the policy instruments, legal principles and strategies to address the main regional and global environmental problems at present. Subjects of study include climate change, waste management, local air pollution, marine pollution and loss of biodiversity.

International and Comparative Environmental Law

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Project Finance and Infrastructure Law

This course introduces the legal principles governing the development and financing of infrastructure projects, with a focus on the energy sector. The course explores the legal aspects of project finance, including the structuring of public private partnerships, the interrelation between financial institutions, investors and other actors, and the negotiation and drafting of energy purchase agreements and other key project and finance documents.

Students can choose from a range of Elective Courses, including:

- International and Comparative Energy Law
- Principles of Environmental Law
- Project Finance and Infrastructure Law

The courses are designed to provide a comprehensive understanding of the legal aspects of energy and environmental issues, as well as the practical skills necessary for a successful career in the field.

Required Courses

- International and Comparative Energy Law
- Principles of Environmental Law
- Project Finance and Infrastructure Law

Elective Courses

- International and Comparative Energy Law
- Principles of Environmental Law
- Project Finance and Infrastructure Law

Students can choose from a range of Elective Courses, including:

- International and Comparative Energy Law
- Principles of Environmental Law
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The courses are designed to provide a comprehensive understanding of the legal aspects of energy and environmental issues, as well as the practical skills necessary for a successful career in the field.
Chinese Energy Law

This course will introduce energy law and regulation in China with a focus on the governance and regulatory systems that underlie each type of energy supply such as electricity, coal, oil and gas. Attention will be devoted to the green economic transition and its associated legal and regulatory systems in China, including renewable energy law, energy efficiency regulation and energy conservation law. The regulatory issues surrounding China’s outbound energy investment and some emerging regulatory issues in China’s energy sector will also be addressed.

Chinese Environmental Law

This course introduces the basic environmental legal concepts, principles and mechanisms in Chinese law, considers the dynamic interaction between economic development and environmental protection in China, and investigates the development and operation of Chinese environmental law, with a focus on law-making, regulatory control and judicial remedies in both preventing and remedying the harm of air pollution, water pollution and solid waste contamination.

Clean Energy and Climate Law

This course introduces the legal principles governing the international approach to climate change mitigation and adaptation, and introduces the main concepts relating to the regulation of investments in clean energy production and trade in clean energy products. Besides climate change topics, topics covered by this course include the support of clean energy technologies, the access of clean energy producers to the network infrastructure, contracts governing the trade in clean energy.

Disaster Law

This course concentrates on the links between environmental law, climate change and the regulation of domestic and cross-border energy undertakings from the perspective of disaster risk reduction. What can comparative and international environmental law contribute, at a time when: (i) climate change will almost certainly increase the risks posed by the natural environment; and (ii) the energy industries are operating in more remote and environmentally pristine (e.g. the Arctic) regions?

Dispute Resolution in the Natural Resources and Energy Sector

This course studies the law applicable to the resolution of energy disputes, with a focus on investment arbitration and commercial dispute settlement. The rapid increase in the number of arbitral awards and trade-related decisions in the energy industry has highlighted the crucial importance of investment, trade and commercial law for the energy industry.

Financial Markets: Law and Operation

This course examines the growth of securities markets in Hong Kong against the theoretical backdrop of market structure and quality, addressing recent important topics like high frequency trading, dark pools, distributed ledger technology (‘blockchain’) and the dramatic growth of available derivatives products and their trading on the markets. Special attention will be given to development of markets in fossil fuels and energy contracts.

Oil and Gas Law

This course focuses on the means by which the state controls exploitation of its oil and gas reserves. Following a number of introductory lectures, students will participate in interactive seminars considering topics such as: energy security; licensing; upstream taxation; health, safety and environmental regulation; and international maritime boundaries and joint development.

Other Elective Courses

In addition to the aforementioned Elective Courses, students may choose, subject to availability and enrolment priority, from a wide range of Elective Courses offered under the LLM Programmes and the JD Programme, including: International Investment Law, World Trade Law, International Commercial Dispute Resolution and International Taxation.

Students who would like to undertake independent research project in an area of significant personal interest in the field of energy and/or environmental law may choose to take Independent Research (2 units) or Independent Research Dissertation (6 units).

Students may also choose courses offered by respective CUHK departments of the Faculty of Social Science subject to place availability and approval. These courses are delivered at the Shatin Campus. For example, Environmental Policy Analysis and Global Resources and Energy.

Site Visits

Taking into account the importance for energy and environmental lawyers to understand the basic principles of energy systems and environmental protection measures, the LLM in Energy and Environmental Law Programme organizes various visits to important energy and environmental sites. These site visits may include:

- CLP Castle Peak Power Station (4,108MW coal-fired power station);
- CLP Power Low Carbon Energy Education Centre;
- Guangdong Daya Bay Nuclear Power Plant;
- T-Park waste-to-energy facility; and
- Water treatment works.

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Expertise in Energy and Environmental Law

Professor Anatole BOUTE
Professor Anatole Boute is a member of the Brussels bar (2005-2009) specialising in the field of energy and environmental law, in particular energy market liberalisation, renewable energy and energy tariff regulation. He holds a PhD in law from the University of Groningen (2007-2010), was a Lecturer in Law at the University of Aberdeen Center for Energy Law (2011-2015), and a Legal Advisor to the World Bank Russia Renewable Energy Programme (2011-2016). He is the author of Russian Electricity and Energy Investment Law (London: Boston Brill Nijhoff, 2013).

Professor David DONALD
Professor David Donald is an expert on the historical development and operational infrastructure of financial markets, and their interrelation with energy markets. He has written on the Hong Kong stock and futures exchanges and the operation of derivative products. He is currently studying ‘financialisation’ - which is how the financial markets affect the real economy and the price of its commodities, including through energy commodity derivatives.

Mr. Denis EDWARDS
Mr. Denis Edwards has practised and taught law for over 25 years. He represented clients in several leading energy and environmental cases in the UK and advised the UK government in 2012-2013 on the balance of competences between the EU and the Member States in the field of energy law. He has written on the role of judicial review in Environmental Impact Assessments and the protection of habitats. His current interests include the relationship between environmental law and disaster risk reduction.

Professor Benoit MAYER
Professor Benoit Mayer is an expert in climate change law and international environmental law. His research has focused in particular on the international law on climate change, the concept of climate migration in international law, and the application of customary international law to environmental matters.

Mr. Mitchell STOCKS
Mr. Mitchell Stocks is a former partner, Project Development and Finance at Latham & Watkins, Hong Kong. He has completed projects in Bangladesh, China, Hong Kong, Philippines, Taiwan and Thailand. His significant accomplishments include representing both Remontowa and US dollar lenders on the project financing of the USA 4.2 billion Nakai Petrochemical Plant, and representing investors and lenders in connection with projects for power, wastewater treatment, telecommunications and aircraft maintenance facilities. He was listed as a leading lawyer in The Asia Pacific Legal 500, The World’s Leading Lawyers (Chambers Global), AsiaLaw Leading Lawyers and Lenders in connection with projects for power, wastewater treatment, telecommunications and aircraft maintenance facilities. He was listed as a leading lawyer in The Asia Pacific Legal 500, The World’s Leading Lawyers (Chambers Global), AsiaLaw Leading Lawyers and International Who’s Who of Project Finance Lawyers.

Professor ZHAO Hao
Professor Zhao holds a PhD from Melbourne Law School, the University of Melbourne in Australia. His research focuses on Chinese and comparative energy and climate law and has published widely on these topics. He serves as the associate editor for the refereed journal – Climate Law.

Endorsements from the Professors

Ms. CHEN Zhen
Founding Partner, Sunshine Law Firm
Vice Chairperson, Energy Law Academy of China Law Society

The CUHK LLM Programme is the first international master programme in China in Energy and Environmental Law. The rapid energy and economic development in China and elsewhere in the world amidst the growing global concern for climate change requires legal practitioners to be environmentally savvy as well as being proficient in their normal legal practice. Legal practitioners will need to develop skills to be able to identify and help address environmental issues whether they practice in the contentious or non-contentious areas. I believe the CUHK LLM Programme will make a great contribution in building a future talent pool to effectively handle clients’ requirements to address environmental issues.

Ms. M. May Tai
Partner
Herbert Smith Freehills
Hong Kong

With the growth of cross-border energy deals and disputes, and concerns over climate change driving growth in renewable energy, specialised practitioners and academicians in energy law are more in demand than ever. Our energy clients require the lawyers that advise them to have a solid understanding of their business and the particular legal challenges that they face.

Mr. Vincent CONNOR
Partner & Head of Hong Kong Office
Present MASavings

In the context of increasing investment in energy in a range of jurisdictions and consequently the likelihood of disputes which arise, the need for lawyers specialized in energy and infrastructure law has never been stronger. This LLM Programme provides a great opportunity for learning in these areas.

Dr. Christian HÜBNER
Director
Konrad-Adenauer-Stiftung (KAS) Regional Energy Security and Climate Change (Asia Pacific)

Tackling the issues of energy security and climate change are crucial in Asia’s next step of development. National and international law is indispensable in creating incentives for sustainable development, preventing regional and global conflicts and enhance transborder cooperation. The new Master Programme strengthens Hongkong’s role as an international hub of academic and professional exchange - and as a bridge between Asia-Pacific and Europe.

Mr. ZHANG Libin
Associate, 3 Verulam Buildings
Chair, SCC Arbitration Institute

Mr. ZHANG Hao

International Cooperation

In addition to the expertise within CUHK Law, the LLM in Energy and Environmental Law Programme benefits from the participation and support of international experts in the field of energy, environmental and infrastructure law. These experts include practitioners of leading law firms and scholars from renowned academic institutions in Hong Kong, Beijing, Sweden and the United Kingdom.
Scholarship and Internship Opportunities

Konrad-Adenauer-Stiftung (KAS)

The Regional Programme Energy Security and Climate Change Asia-Pacific (RECAP) of the Konrad-Adenauer-Stiftung (KAS) is committed to support students who will shape the Asian energy and climate politics as future decision makers. In this sense, RECAP-KAS is very pleased to cooperate with CUHK Law and support the LLM in Energy and Environmental Law Programme by providing individual scholarships and internship opportunities. KAS is aimed at mutual exchange of ideas and experiences. The goal of KAS is to establish long-term relationships with the alumni/ae, who will become part of the global network of KAS. KAS is a Political Foundation in Germany, funded by the German Parliament. In Germany, 16 KAS regional offices offer a wide variety of civic education conferences and events. Our offices abroad are in charge of over 200 projects in more than 120 countries. As a think-tank and consulting agency, our soundly researched scientific fundamental concepts and current analyses are meant to offer a basis for possible political action. RECAP-KAS is based in Hong Kong SAR / PR China and supports the political dialogue in the Asia-Pacific region and with Europe concerning challenges of energy security and climate change. For further details please refer to www.kas.de/recap/en/ or email to recap@kas.de for more information.

Sunshine Law Firm

CUHK has established a close working relationship with Sunshine Law Firm. Sunshine Law Firm has been consistently recognized as a leading PRC law firm in energy and environmental law by Chambers, International Financial Law Review, Asian Legal Business, China Law and Practice, etc. The firm provides scholarships for two LLM students at CUHK in the 2018 academic year and offers these LLM students internship opportunities in the firm’s general corporate or M&A practices or with the firm’s Environment, Resources and Energy Center in the firm’s offices in Beijing, Shanghai, Hangzhou or Guangzhou. For further details of Sunshine Law Firm, please refer to www.sunshinelawfirm.com.

Applicants for the LLM in Energy and Environmental Law Programme will be considered for the above scholarships based on their application materials and interviews with the Donor, if any. Applicants should also submit a personal statement and two reference letters.

Guest Lectures

The LLM in Energy and Environmental Law Programme organises a series of guest lectures to enrich students’ understanding about the topical issues and legal practices related to energy and environmental law. The guest lectures are delivered by prominent and experienced legal practitioners and experts from leading law firms, consultancy and pestige academic institutions to share ideas and practices that help students gain a broader perspective and develop practical insights into areas such as energy security and WTO law, and merger and acquisition transactions in the energy industry. The guest lectures also offer students opportunities to enhance their learning experience by exploring interdisciplinary perspectives and connecting with the dynamic and cutting-edge energy and environmental law community.

Mr. Paul Deemer (Vision & Elkins LLP) spoke on “Merger and Acquisition (M&A) Transactions in the Energy Industry.”

Dixon LAI

LLB (Exeter), LLM (CUHK)
The Environmental and Energy LLM provided me with remarkable opportunities to experience international knowledge sharing through participation in two international conferences, both in Environmental and Energy aspects. It has equipped me with the skills and knowledge to confidently pursue a career in the environmental and energy field or a possible Ph.D. in the future. This LLM challenges your understanding of real-life law that also draws in aspects of economics and geopolitics that help you understand the complex nature of regulating these areas both locally and internationally.

Anjle GUPTA

BA (Delhi), MA (Delhi), LLB (JGLS), LLM (CUHK)
I have been fortunate to be awarded the Konrad-Adenauer-Stiftung Scholarship from KAS RECAP for LLM in Energy and Environmental Law. The LLM program provides a micro and macro understanding of energy and the relationship between energy and the environment. The lectures are well-organized and well-structured and the faculty offers a large number of elective courses. The faculty hosts diverse and interactive lectures and sessions by visiting professionals which provide an opportunity to engage with various ideas and valuable chance to network. Being part of the vibrant culture of Hong Kong has been a culturally enriching experience.
Admission Requirements

Applicants must have:

1. a qualification to practise law in the jurisdiction of the student’s residence; or
2. a Bachelor of Laws (LLB) degree or a degree of equivalent standing; or
3. a Bachelor’s degree in a non-law subject with substantial law-related working experience.

As many areas of professional activity are related to law, we welcome applications from applicants who work in the areas of energy, environmental preservation, public administration, and similar relevant fields.

Applications can be made before completion of an undergraduate degree, provided that the applicant is in the final year of study. In this situation, any offer will be conditional upon successful completion of the undergraduate degree, and satisfaction of the other admission requirements, prior to enrolment in this LLM Programme.

Applicants whose undergraduate studies were not conducted and assessed in English are required to take an appropriate English language proficiency test and achieve a sufficient score, such as a score of 570 or above in TOEFL (Paper Based Test), 88 or above in TOEFL (Internet-Based Test); Band 6.5 or better in IELTS; or equivalent. The test results must be obtained not more than two years prior to the date of applying to join this LLM Programme.

For more information about the General Admission Requirements and the English Language Proficiency Requirement prescribed by the University’s Graduate School, please visit their website at http://www.gs.cuhk.edu.hk/admissions.

Tuition Fee*

The tuition fee for 2019/20 is HK$5,600 per unit for a total of 24 units within the normative study period. The tuition fee for 2020/21 is to be announced.

* subject to annual review

Applications should be submitted online. For details, please visit the website of the University’s Graduate School at https://www.gs.cuhk.edu.hk/admissions/programme/law.

Applicants are required to provide copies of certificates as evidence that they have met the Admission Requirements. Applications will not be considered until all the required documents have been received.

Applicants may provide a personal statement which addresses the applicant’s reasons to join this LLM Programme. There is a non-refundable application fee of HK$300.

Application Deadlines

Applications will be processed on a rolling basis until all places have been filled, thus early applications are strongly encouraged. Applications received after 9 April 2020 may still be considered subject to the availability of places.

Contact Us

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Facebook: CUHK Law
LinkedIn: CUHK Faculty of Law

* subject to annual review

This brochure contains information as at August 2019. The University has the right to change its rules, regulations and procedures at any time.