



## Course Syllabus

<b>Course Code</b> LAW-343	<b>Course Title</b> Banking Law I	<b>ECTS Credits</b> 6
<b>Prerequisites</b> None	<b>Department</b> Law	<b>Semester</b> Fall
<b>Type of Course</b> Elective	<b>Field</b> Law	<b>Language of Instruction</b> English
<b>Level of Course</b> 1 <sup>st</sup> Cycle	<b>Lecturer</b> Peter Pafitis	<b>Year of Study</b> 3 <sup>rd</sup> / 4 <sup>th</sup>
<b>Mode of Delivery</b> Face-to-face	<b>Work Placement</b> N/A	<b>Co-requisites</b> None

### Course Objectives:

The main objectives of the course are to:

- Provide students with a clear understanding of the legal concepts and principles governing operations and the provision of financial services.
- Enable students to identify and interpret the implication of applicable legal principles and to apply them, as appropriate to any given situation in the banking environment.
- Present a clear perspective of the inter-relationship and relevance of the common law and legislation, banking practice and non-statutory codes of conduct.
- Develop analytical and critical thinking to facilitate an understanding of the ways in which the interests of bank and customer are catered for by the existing legal framework in the banking industry.

### Learning Outcomes:

After completion of the course students are expected to be able to:

1. Discuss the sources of law in relation to banking
2. Demonstrate knowledge of the provisions of the voluntary Banking Code and its implications
3. Analyse the role and functions of the Ombudsman

4. Identify the operation of the different types of bank accounts and their significance in the legal environment, with due regard to the circumstances in which banks will engage in appropriation and combination
5. Assess the importance of the banker-customer relationship, the contractual implications thereof and the rights and duties of bank and customer
6. Explain the key aspects of money laundering, confidentiality and data protection
7. Evaluate the relevance of constructive trusts, bailment and lien in the banking domain
8. Identify the need for acquiring problem-solving skills with a view to applying legal principles to factual situations and scenarios

**Course Content:**

(a) Introductory Principles	Outline of the Sources of Law
(b) Regulation	Self and Statutory Regulation Banking Code Ombudsman
(c) The Bank Account	Types Appropriation Combination
(d) Banker – Customer Relationship	Formation of contract Rights & Duties Money Laundering & Confidentiality Data Protection Constructive Trusts Bailment Lien

**Learning Activities and Teaching Methods:**

Interactive lectures, tutorials, written examinations and assignments

**Assessment Methods:**

One written assignment and/or oral presentation, mid-term examination and final examination

**Required Textbooks / Readings:**

<b>Title</b>	<b>Author(s)</b>	<b>Publisher</b>	<b>Year</b>	<b>ISBN</b>
Law Relating to Financial Services	Graham Roberts & Anat Keller	Global Professional Ltd	2013	9781906403867
Law & Practice of Domestic Banking	Graham Ross, Graham Penn & Joan Wadsley	Sweet & Maxwell	2000	9780421413801

**Recommended Textbooks / Readings:**

<b>Title</b>	<b>Author(s)</b>	<b>Publisher</b>	<b>Year</b>	<b>ISBN</b>
Ellingers Modern Banking Law	Ellinger, Lomnicka & Hooley	Oxford University Press	2009	9780199232093
Principles of Banking Law	Ross Cranston, Emiliios Avgouleas, Kritin Van Zwieten, Christopher Hare, Theodor van Sante	Oxford University Press	2018	9780199276080
Banking Law	Anum Arora	Pearson	2014	9781408297841
Paget's Law of Banking	Ali Malek, John Odgers	Lexis Nexis	2014	9781405763424