1. **Title of the module**

LAWS9300 (LW930) Banking Law

1. **School or partner institution which will be responsible for management of the module**

Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 7

1. **The number of credits and the ECTS value which the module represents**

20 credits (10 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring

1. **Prerequisite and co-requisite modules**

None

1. **The programmes of study to which the module contributes**

LLM in (Specialisation); LLM in Law; PG Diploma in (Specialisation); PG Certificate in Law

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Demonstrate a comprehensive critical understanding of the nature and legal status of the banker-customer relationship in the UK;
   2. Demonstrate a sophisticated critical understanding of the interaction between law and banking operations including the operation of customer accounts and the scope of a bank’s duties to its customers, the provision of credit, the taking of security and enforcement of security for loans;
   3. Recognise and critically evaluate the issues related to the provision of banking services and regulation of the banking industry;
   4. Critically analyse and evaluate the relationship between banking business and the law;
   5. Demonstrate a systematic understanding of changing trends in banking services as well as the broader social, economic and political issues underlying the provision of banking services and the attempts to regulate these.
   6. Demonstrate comprehensive knowledge and understanding of key concepts, policy issues, principles and relevant sources of law;
   7. Demonstrate a sophisticated understanding of the practical application of the law and the importance of evaluating law alongside its theoretical and practical contexts;
2. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Demonstrate a critical identification of the relevant issues from potentially complex factual situations;
   2. Formulate complex written arguments and to provide reasoned and justified opinions as to the possible legal consequences in particular circumstances;
   3. Demonstrate sophisticated independent research;
   4. Concisely and accurately summarise detailed and complex bodies of information.
3. **A synopsis of the curriculum**

The module will focus on the law relating to retail banking. We will be looking at banks as deposit takers in the UK. This will involve an examination of the banker-customer relationship which will include the following: the rights and obligations of the parties in a banking relationship; the operation of the customer’s account; the use of different methods of payment by customers such as cheques and plastic cards; and the challenges that electronic banking poses to the banking relationship. The module will also consider the regulatory roles of the Bank of England, the Prudential Regulation Authority and the Financial Conduct Authority as well as the effect of various EU Directives and international measures on UK law. In the latter half of the module, focus will be given to the other core activity of banks as deposit takers, i.e., lending money. This will involve looking at the various types of loans provided by banks, the types of security that banks take and the enforcement of such security. Other ancillary issues such as the impact of insolvency on the banker-customer relationship and anti-money laundering measures will also be examined.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

Arora: Banking Law (Pearson, 2014)

Clarke, How the City of London Works (7th ed, Sweet & Maxwell, 2008)

Cranston, Principles of Banking Law (OUP, 3rd ed, 2014)

Ellinger, Lomnicka and Hare, Ellinger's Modern Banking Law (5th ed, Oxford University Press, 2011)

Millman, Around the world on a trillion dollars a day (Bantam, 1995)

Robinson, The Laundrymen: Inside the world’s third largest business (Pocket Books, 1998)

Wadsley and Penn: The Law of Domestic Banking Vol. 1 (Sweet & Maxwell, 2000)

1. **Learning and teaching methods**

Total study hours: 200

Contact hours: 18

Private study hours: 182

1. **Assessment methods.**

13.1 Main assessment methods

Essay, 5000 words (100%)

13.2 Reassessment methods

Reassessment instrument: 100% coursework

1. **Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 9.1 | 9.2 | 9.3 | 9.4 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |  |
| Lecture/  Seminars | X | X | X | X | X | X | X | X | X | X | X |
| Private Study | X | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |  |
| Essay | X | X | X | X | X | X | X | X | X | X | X |

1. The School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, the lecture/seminars will not be recorded as they are heavily discussion-based

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

The module is primarily focused on UK banking law but will consider the effect of various EU Directives and international measures on UK banking law.

**FACULTIES SUPPORT OFFICE USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
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