

Regulatory Theory and Practice

Module Code:	LAW7035-B
Academic Year:	2018-19
Credit Rating:	20
School:	School of Law
Subject Area:	Law
FHEQ Level:	FHEQ Level 7 (Masters)

Pre-requisites:

Co-requisites:

Contact Hours

Type	Hours
Tutorials	24
Directed Study	176

Availability Periods

Occurrence	Location/Period
BDA	University of Bradford / Semester 2 (Feb - May)

Module Aims

This module will provide a theoretical underpinning to enable you to deconstruct the various forms of regulatory theory within a legal context. Three key questions will be initially discussed to enable a broad foundation to be established: (1) Is regulation necessary at all? (2) What approach to regulation should be adopted? and (3) What should the regulatory architecture be comprised of. From these deceptively simple questions a number of key themes will be explored including but not limited to the approaches based on risk, better, public choice, public interest and responsive based regulation.

This module aims to provide an understanding of the legal challenges and the key issues regarding the theory and practice of regulation. Students will develop a critical understanding of the regulatory approaches and frameworks in which disputes are resolved.

Outline Syllabus

An introduction and rationale in relation to the main themes behind regulation: Regulation will be introduced under the umbrella of the following definition: The employment of legal instruments for the implementation of social-economic policy objectives. A characteristic of legal instruments is that individuals or organizations can be compelled by government to comply with prescribed behavior under penalty of sanctions.

Once these foundations have been laid, the following topics will be subsequently explored: The general theories of regulation, institutional regulation, sanctions and context, positive and normative theories of regulation, formulating and implementing regulation, the creation and implementation of regulatory policy and the cost of compliance.

Module Learning Outcomes

On successful completion of this module, students will be able to...

- 1 Critically evaluate the rationale for regulation and how regulation operates in a number of different formats.
- 2 Analyse and evaluate the characteristics of each type of regulatory control and understand the potential for implementation in a practical context.
- 3 Evaluate and subsequently utilise arguments in the area of regulation with a critical awareness of the theoretical underpinnings, substantive concepts, values, principles and rules found in the various forms of regulation.
- 4 Provide a detailed assessment of how regulations fits within the legal field and wider public policy.
- 5 Present your work to an acceptable academic standing, both orally and in writing.
- 6 Write appropriately for professional and academic audiences and develop and advance reasoned advice.

Learning, Teaching and Assessment Strategy

Your learning will be directed, supported and reinforced through weekly 2 hour workshops. The sessions will use theoretical discussions and practical applications of cases and case studies, with oral feedback given in classes. Some of the sessions will be student-led presentations. Drawing on primary and secondary sources, you will complete research and presentation exercises. You will be set tasks to monitor your progress, in addition to formal assessment. All teaching will be supported by information supplied on the virtual learning environment, Canvas. Directed study will be provided to enable you to work towards the final summative assessments.

The assessment for this module has two parts:

- a. An oral presentation on a module topic followed by a discussion. The presentation will take place in class. The presentation will count towards 30% of the overall module marks.
- b. An essay on the topic of your presentation. The essay will count towards 70% of the overall module marks.

The opportunity for students to practice before the summative assessment takes place.

Formative work in relation to both elements of summative assessment will lead to the final submission.

Mode of Assessment

Type	Method	Description	Length	Weighting	Final Assess'
Formative	Presentation	Practice presentation carried out in the later stages of the module.	7 minutes	%	No
Summative	Presentation	Presentation and discussion with student.	15 minutes	20%	No
Formative	Coursework	Practice coursework carried out in the later stages of the module	0-1000 words	%	No
Summative	Coursework	Essay.	0-2000 words	80%	Yes

Legacy Code (if applicable)

Reading List

To view Reading List, please go to [rebus:list](#).