



هيئة جودة التعليم والتدريب  
Education & Training Quality Authority  
Kingdom of Bahrain - مملكة البحرين

# **Directorate of Higher Education Reviews Programme Review Summary**

**Applied Science University  
College of Law  
Master in Commercial Law  
Kingdom of Bahrain**

**Site Visit Date: 24 – 26 May 2021**

**HA016-C3-R016**

## I. Introduction

In keeping with its mandate, the Education & Training Quality Authority (BQA), through the Directorate of Higher Education Reviews (DHR), carries out two types of reviews that are complementary. These are: Institutional Reviews, where the whole institution is assessed; and the Academic Programme Reviews (APRs), where the quality of teaching, learning and academic standards are assessed in academic programmes within various colleges according to specific standards and indicators as reflected in its Framework.

Following the revision of the APR Framework at the end of Cycle 1 in accordance with the BQA procedure, the revised APR Framework (Cycle 2) was endorsed as per the Council of Ministers' Resolution No.17 of 2019. Thereof, in the academic year (2019-2020), the DHR commenced its second cycle of programme reviews.

The Cycle 2 APR Review Framework is based on four main Standards and 21 Indicators, which forms the basis the APR Reports of the Higher Education Institutions (HEIs).

The **four** standards that are used to determine whether or not a programme meets international standards are as follows:

*Standard 1: The Learning Programme*

*Standard 2: Efficiency of the Programme*

*Standard 3: Academic Standards of Students and Graduates*

*Standard 4: Effectiveness of Quality Management and Assurance*

The Review Panel (hereinafter referred to as 'the Panel') decides whether each indicator, within a standard, is 'addressed', 'partially addressed' or 'not addressed'. From these judgments on the indicators, the Panel additionally determines whether each of the four standards is 'Satisfied' or 'Not Satisfied', thus leading to the Programme's overall judgment, as shown in Table 1 below.

**Table 1: Criteria for Judgements**

<b>Criteria</b>	<b>Judgement</b>
All four Standards are satisfied	Confidence
Two or three Standards are satisfied, including Standard 1	Limited Confidence
One or no Standard is satisfied	No Confidence
All cases where <b>Standard 1</b> is not satisfied	

The APR Review Report begins with providing the profile of the Programme under review, followed by a brief outline of the judgment received for each the indicator, standard, and the overall judgement.

The main section of the report is an analysis of the status of the programme, at the time of its actual review, in relation to the review standards, indicators and their underlying expectations.

The report ends with a Conclusion and a list of Appreciations and Recommendations.

## II. The Programme's Profile

Institution Name*	Applied Science University
College/ Department*	College of Law
Programme/ Qualification Title*	Master in Commercial Law
Qualification Approval Number	It is approved for the ASU by the Ministry of Education – Kingdom of Bahrain, according to the decision no. (140/2004) issued by the Council of Ministers on 5 <sup>th</sup> July 2004.
NQF Level	9
Validity Period on NQF	5 years from Validation Date
Number of Units*	9 courses in addition to the dissertation course
NQF Credit	144
Programme Aims*	<ol style="list-style-type: none"> <li>1. Meeting the need of the society with graduates specialized in the field of commercial law who are able to serve the community, and work efficiently, by enabling the student to acquire critical knowledge, use professional skills, and be creative in applying them.</li> <li>2. Preparing a graduate who is able to use a combination of approaches for interpretation and critical analysis, weighting and reasoning in the field of commercial law, and updated relevant legal topics.</li> <li>3. Encourage the student to contribute with thoughtful research and innovation in the field of commercial law, through developing his skills to use proper methods, approaches, and ethics of research and own its tools.</li> <li>4. Develop and improve the student's scientific capabilities, as well as, create the appropriate climate for creativity and innovation in the legal field, in accordance with professional ethics and social responsibility.</li> </ol>

	<p>5. Develop the student's communication skills to convey complex information and ideas in the field of commercial law, and work independently in this regard within changing contexts.</p>
<p>Programme Intended Learning Outcomes*</p>	<p>A. Understanding and knowledge:</p> <p>A1. Demonstrate critical knowledge and understanding of all important contemporary legal issues and controversial jurisprudence ones related to topics and rules of commercial law, applicable locally and regionally in this regard, as well as, to their historical origins and judicial applications.</p> <p>A2. Demonstrate detailed comprehensive knowledge and understanding of the procedural rules, applicable regionally and locally, which are governing the work of institutions and organizations relevant to legal commercial work.</p> <p>B. Subject-specific skills:</p> <p>B1. Demonstrate creativity in the practical application of legal texts by dealing with complex and unexpected situations, issues, or problems related to legal commercial matters.</p> <p>B2. Demonstrate a professional level in planning and implementing research and a specialized rigorous thesis in the aspects and details of the commercial law.</p> <p>C. Critical thinking skills:</p> <p>C1. Demonstrate a professional interpretation of the legal rules specialized in commercial law topics, in an authentic expression that can find definite meaning for legal texts, conclude judgments, and analyze them accurately.</p> <p>C2. Demonstrate the ability to critically analyze theories, jurisprudence opinions, judicial provisions, and the provisions of commercial arbitral tribunals, and to form an opinion about them.</p> <p>D. General and Transferable Skills:</p> <p>D1. Use professional skills to communicate effectively verbally and in writing during discussion or presentation of research, legal topics, and</p>

	<p>jurisprudence opinions, as well as, through communication with peers and specialists, in a language appropriate to the commercial law field.</p> <p>D2. Work professionally within changing contexts, while maintaining responsibility towards individuals and groups during group discussions, as well as, preparing reports and individual and/ or group research articles in the commercial law field.</p>
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\* Mandatory fields

### III. Judgment Summary

## The Programme's Judgment: Confidence

Standard/ Indicator	Title	Judgement
<b>Standard 1</b>	<b>The Learning Programme</b>	<b>Satisfied</b>
Indicator 1.1	The Academic Planning Framework	Addressed
Indicator 1.2	Graduate Attributes & Intended Learning Outcomes	Addressed
Indicator 1.3	The Curriculum Content	Partially Addressed
Indicator 1.4	Teaching and Learning	Addressed
Indicator 1.5	Assessment Arrangements	Addressed
<b>Standard 2</b>	<b>Efficiency of the Programme</b>	<b>Satisfied</b>
Indicator 2.1	Admitted Students	Partially Addressed
Indicator 2.2	Academic Staff	Partially Addressed
Indicator 2.3	Physical and Material Resources	Addressed
Indicator 2.4	Management Information Systems	Addressed
Indicator 2.5	Student Support	Addressed
<b>Standard 3</b>	<b>Standard 3: Academic Standards of Students and Graduates</b>	<b>Satisfied</b>
Indicator 3.1	Efficiency of the Assessment	Addressed
Indicator 3.2	Academic Integrity	Addressed
Indicator 3.3	Internal and External Moderation of Assessment	Partially Addressed
Indicator 3.4	Work-based Learning	Not Applicable

Indicator 3.5	Capstone Project or Thesis/Dissertation Component	Partially Addressed
Indicator 3.6	Achievements of the Graduates	Addressed
<b>Standard 4</b>	<b>Effectiveness of Quality Management and Assurance</b>	<b>Satisfied</b>
Indicator 4.1	Quality Assurance Management	Addressed
Indicator 4.2	Programme Management and Leadership	Addressed
Indicator 4.3	Annual and Periodic Review of the Programme	Addressed
Indicator 4.4	Benchmarking and Surveys	Partially Addressed
Indicator 4.5	Relevance to Labour Market and Societal Needs	Addressed

## IV. Conclusion

Taking into account the institution's own self-evaluation report, the evidence gathered from the interviews and documentation made available during the virtual site visit, the Panel draws the following conclusion in accordance with the *DHR/BQA Academic Programme Reviews (Cycle 2) Handbook, 2020*:

**There is Confidence in the Master in Commercial Law of College of Law offered by the Applied Science University.**

**In coming to its conclusion regarding the four Standards, the Panel notes, with appreciation, the following:**

1. The equipment of classes, laboratories, and faculty offices is efficiently suitable and sufficient.
2. The IT Facilities are suitable and adequate to meet the student needs.

**In terms of improvement, the Panel recommends that the Applied Science University should:**

1. Reconsider identifying the link between the CILOs and the programme learning output (D2).
2. Review the time limit identified for the thesis completion.
3. Add the bankruptcy law course to the study plan.
4. Modify the title and content of the commercial arbitration course, to become a course in the settlement of commercial disputes, covering all means of dispute settlement including judiciary, arbitration, reconciliation, conciliation, and mediation.
5. Examine the possibility of adding elective courses on Aviation Law, and consider replacing the courses of Civil Law and Trade Law with more in-depth courses on commercial law.
6. Reformulate the course contents to reflect adherence to the approach of dividing the course into a general course and a specific course, in addition to the commitment to teach the subject of the specific course in-depth, in order to cover both depth and breadth aspects.
7. Limit the foundation exam for the programme applicants to commercial law only, instead of giving an exam for the student in issues irrelevant to the programme.
8. Modify the admission criteria for the programme, so that it does not allow the admission of students without a bachelor's degree in law to be accepted in the Master in Commercial Law programme.

9. Accurately implement the academic standards by the equivalence committee at the college when making courses equivalence.
10. Decrease the weekly workload of faculty members, and increase the number of weeks of their annual leave to match the common rates locally and regionally.
11. Work closely on better representation of women within the faculty members, taking into account the reasonable rate of professors and associate professors, and to scrutinize, when appointing, the selection of degree holders based on the level of the awarding universities.
12. Apply mechanisms to survey opinions of the faculty members about the professional development activities provided to them and measure their relevance and effectiveness.
13. Subscribe to law-specialized databases such as (Lexis Nexis, The West Law), and increase the number of specialized databases in Arabic.
14. Develop a timetable that is regularly scheduled in advance for maintenance of all facilities and resources of the University.
15. Discuss the reasons behind the delayed graduation of the students and provide the appropriate remedial plan.
16. Commit that all external auditors of the Master in Commercial Law Programme and its courses should be specialists in commercial law, taking into account the diversity in the selection of external moderators to be from different legal schools.
17. Revise the policy of external moderator by requiring that he holds a certain degree such as a professor or an associate professor at least.
18. Develop appropriate formal mechanisms to develop both external and internal moderation processes, based on the assessments and the follow-up processes carried out for each.
19. Ensure that the topics and titles of all scientific dissertations are specialized and in-depth, and that the research approach used fits with their content.
20. Ensure, when appointing an external examiner for scientific dissertations, that he or she is a professor or an associate professor at least
21. Examine the reasons behind the low progress rate of the student over the years of the programme, and the longer time he/or she spent to be graduated, in addition to develop the appropriate remedial plan.
22. Ensure availing all university's policies in both Arabic and English.
23. Ensure that the annual report is further in-depth and contains recommendations for improvement at the programme and the course levels, based on more than one input.

24. Audit the development of a clear improvement plan including specific actions to implement all recommendations involved in the annual audit report of the programme.
25. Ensure that the sample size for the various programmes is identified in all surveys, and develop a mechanism to ensure further participation of both internal and external stakeholders in the surveys
26. Conduct an integrated formal study for the labor market needs, based on clear figures and data relevant to The Master in Commercial law programme, and use them in its improvement.