

LAW SOCIETY OF IRELAND

Rules Governing the Final Examination – First Part

The rules governing the Final Examination – First Part are set out in the Solicitors Acts 1954 and 1960 (Apprenticeship and Education) Regulations, 1991 (SI No. 9 of 1991) and the Solicitors Acts 1954 and 1960 (Apprenticeship and Education) (Amendment No. 2) Regulations, 1992 (SI No. 360 of 1992) and the Solicitors Acts 1954 and 1960 (Apprenticeship and Education) (Amendment) Regulations, 1993 (SI No. 320 of 1993) and the Solicitors Acts 1954 to 1994 (Apprenticeship and Education) Regulations, 1997 (SI No. 287 of 1997) and the Solicitors Acts 1954 to 1994 (Apprenticeship and Education) Regulations, 2001 (SI No. 546 of 2001).

The examination comprises papers in the following eight subjects:

The Law of Torts;
The Law of Contract;
The Law of Property;
Equity;
Criminal Law;
The Law of the European Union;
Company Law and
Constitutional Law

The following are the rules for the Final Examination – First Part:

The Examination means the Final Examination – First Part.

First time means the first attempt at the Examination and includes any subsequent attempt when the candidate still has to pass all eight subjects.

1. The pass mark in each examination subject is 50%.
2. No compensations rule shall apply.
3. There shall be no limit to the number of attempts a candidate may make to pass the Examination, provided that a candidate shall not be declared to have passed the Examination unless that candidate is deemed to have passed (i.e. obtained at least 50% in) the examinations in all eight subjects comprising the Examination within a period of not more than five years from the 31st of December of the year in which that candidate is deemed to have passed no fewer than three examinations in accordance with paragraphs 4 and 5.
4. A candidate sitting the Examination for the first time must **sit** examinations in at least four of the eight subjects. The candidate may choose any four of the eight subjects.
5. A candidate sitting the Examination for the first time who is sitting four or more examinations must achieve a pass mark in at least three of the examinations in order to be deemed to have passed those examinations.
6. A candidate sitting the Examination for the first time who is entitled to exemptions from five or more of the examinations must sit all the remaining examinations together at one sitting of the Examination.

Such a candidate who is sitting three examinations must achieve a pass mark in at least two of the examinations in order to be deemed to have passed those examinations.

7. A candidate who has previously sat the Examination and who has been deemed to have passed three or more examinations, may sit the remaining examination or examinations at one sitting of the Examination or may sit them individually, or in combinations less than the total remaining, in separate sittings of the Examination, and shall be deemed to have passed each such remaining examination by obtaining the pass mark.

The Education Committee brings to the attention of all candidates the following:

PROCEDURE FOR THE MARKING OF EXAMINATION SCRIPTS

- (a) Each question on each examination paper shall be allocated an equal number of maximum marks.
- (b) Marks cannot be given for a question not attempted.
- (c) All examination scripts marked by the internal examiner (or an assistant internal examiner) are subject to re-check by the extern examiner as part of the standards verification process.

THE BOARD OF EXAMINERS AND THE DECLARATION OF RESULTS

- (a) The Board of Examiners shall comprise all of the internal, assistant and extern examiners for each of the eight individual subjects comprising the Examination; such member or members of the staff of the Society (not exceeding three) as the Committee designate to perform the administrative functions of the Board of Examiners; and such other suitably qualified and independent person or persons (not exceeding three) nominated by the Committee to represent the public interest.
- (b) The Board of Examiners shall consider the marks obtained by each candidate in each examination sat by that candidate and shall recommend to the Society's Education Committee:
 - (i) the candidates who should be declared to have passed the Examination;
 - (ii) the candidates who should be deemed to have passed individual examination(s) within the Examination; and
 - (iii) the candidates who should not be declared to have passed the Examination or should not be deemed to have passed individual examination(s) within the Examination.
- (c) The Board of Examiners in its deliberations shall only consider the marks of a candidate by reference to that candidate's examination number and under no circumstances in the course of its deliberations shall the Board of Examiners for any reason be made aware of the identity of any candidate.
- (d) The Board of Examiners, following its deliberations, shall make its recommendations to the Society's Education Committee and the Education Committee shall declare the results of the Examination as so recommended.
- (e) Following the declaration of results by the Education Committee, each candidate shall be notified in writing of his or her overall result of the Examination and of the individual subjects he or she is deemed to have passed.

RE-CHECKING OF EXAMINATION SCRIPTS

- (a) A candidate may apply to the Society for a re-check of any examination script which he or she is deemed not to have passed, provided that the application for such a re-check is received in writing by the Society within fourteen days following the declaration of results, accompanied by a re-check fee of €120 per examination script.
- (b) Each script subject to re-check shall be re-checked by the external examiner for the individual examination in question (irrespective of whether that script has previously been the subject of a re-check by the external examiner as part of the standards verification process).
- (c) A candidate shall not be entitled to a re-check of an examination script which he or she is deemed to have passed.