

BAR EXAM SYLLABUS 2026

Competency Requirements for the Bar Exam

- I. A competent newly qualified lawyer of the Maldives must be able to apply fundamental legal rules and principles to client problems which s/he might encounter in practice.
- II. In relatively straightforward and routine cases s/he will, without assistance, must be able to conduct a case from start to conclusion. In order to do this s/he must be able to identify the main legal issues a client matter raises. S/he must then be able to apply the law to demonstrably progress the client's matter through its various stages while protecting the client's interests. S/he must be able to represent the client in court, putting forward the client's case and defending it reasonably effectively.
- III. In more complex cases s/he should be able to make an initial judgement about some aspects of the case and progress more routine aspects of it. S/he may need assistance from those with more experience with aspects requiring more sophisticated knowledge of the law, greater judgement and innovative solutions.
- IV. S/he must be able to recognise common situations which raise issues of ethical conduct and ensure that s/he acts in a way which upholds the ethical standards of the profession.

SUBJECT AREAS

The exam will test candidate competency in the following six subject areas:

1. Tort Law
2. Criminal Law and Procedure
3. Constitutional and Administrative Law
4. Contract Law and Practice
5. Land Law and Practice
6. Maldivian Legal System

TORT LAW

SUBJECT	TOPICS	SUB-TOPICS
TORT LAW	1. Fundamentals of Tort Law	<ul style="list-style-type: none"> a. Legal wrong b. Legal damage c. Remedies <ul style="list-style-type: none"> a. Damages b. Injunctions c. Aggravated and Exemplary Damages d. Mitigation of Loss d. Causation and Remoteness e. Fault-based Liability v. Strict Liability f. General Defences <ul style="list-style-type: none"> a. <i>Volenti non-fit injuria</i> b. Contributory Negligence
	2. Negligence	<ul style="list-style-type: none"> a. Duty of care b. Breach of duty c. Causation and Remoteness d. Damages including damages for personal injury e. Negligence claims for consequential and pure economic loss
	3. Defamation	<ul style="list-style-type: none"> a. Libel and Slander b. Elements and Defences c. Remedies
	4. Breach of Statutory Duty	<ul style="list-style-type: none"> a. Cause of action b. Elements of breach c. Remedies
	5. Trespass to the Person	<ul style="list-style-type: none"> a. Assault, Battery, and Intentional Infliction of Emotional Distress (Elements, Defences, and Remedies) b. False Imprisonment (Elements, Defences, and Remedies)
	6. Vicarious Liability	<ul style="list-style-type: none"> a. Elements b. Defences
	7. Property Torts	<ul style="list-style-type: none"> c. Trespass to Land (Elements Defences, and Remedies - including mesne profits) b. Trespass to Goods and Tort of Conversion (Elements, Defences, and Remedies) c. Nuisance (Elements, Defences, and Remedies) d. Occupiers' Liability (Elements, Defences, and Remedies)

	8. Quantum and Assessment of Damages	<ul style="list-style-type: none"> a. Pecuniary Loss (including future pecuniary loss) b. Non-Pecuniary Loss c. Aggravated Damages d. Exemplary Damages e. Nominal Damages f. Damages for Personal Injury d. Damages in fatal injury cases
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CRIMINAL LAW AND PROCEDURE		
SUBJECT	TOPICS	SUB-TOPICS
CRIMINAL LAW AND PROCEDURE	1. Elements of Crime	<ul style="list-style-type: none"> a. Actus Reus b. Mens Rea c. Causation
	2. General Defences	<ul style="list-style-type: none"> a. Mistake b. Accident c. Insanity d. Intoxication e. Necessity f. Duress g. Private defence (self defence, defence of another, defence of property) h. Consent
	3. Inchoate Offences	<ul style="list-style-type: none"> a. Attempt b. Incitement/criminal solicitation c. Conspiracy
	4. Specific Offences	<ul style="list-style-type: none"> a. Homicide under the Penal Code (Act No. 9/2014) and the Gang and Other Serious Crimes Prevention Act (Act No. 7/2025) b. Non-fatal offences against the person <ul style="list-style-type: none"> i. Assault ii. Battery c. Sexual offences under the Sexual Offences Act (Act No. 17/2014) <ul style="list-style-type: none"> i. Sexual Assault ii. Sexual Injury iii. Rape iv. Blackmail d. Offences and Procedures under the Special Provisions Act to Deal with Child Sex Abuse Offenders (Act No. 12/2009)

		<ul style="list-style-type: none"> e. Property offences: <ul style="list-style-type: none"> i. Theft offences under Chapter 210 of the Penal Code (Act No. 9/2014) ii. Criminal property damage under the Penal Code (Act No. 9/2014) iii. Criminal trespass under the Penal Code (Act No. 9/2014) f. Corruption offences g. Offences under Drugs Act (Act No. 17/2010) h. Money Laundering Offence under the Prevention of Money Laundering and Terrorist Financing Act (Act No. 10/2014) (Sections 5, 6, 7, 8 and 53)
	5. Criminal Procedure	<ul style="list-style-type: none"> a. Powers and processes of arrest, search, and seizure b. Powers and processes of search and seizure of places and property c. Procedures following arrest d. Rights of a person under arrest e. Remand f. Bail g. Jurisdictions of the courts in criminal matters h. Pre-trial procedure i. Trial procedure j. Sentencing Principles (including of aggravating and mitigating factors under the Penal Code) k. Incarceration and Alternative Punishments l. Appeals
	6. Criminal Evidence	<ul style="list-style-type: none"> a. Relevance and admissibility of evidence b. Burden and standard of proof c. Confessions and declarations d. Examination of witnesses (including cross-examination and re-examination) e. Hearsay m. Privilege (including the privilege against self-incrimination)

CONSTITUTIONAL AND ADMINISTRATIVE LAW

SUBJECT	TOPICS	SUB-TOPICS
CONSTITUTIONAL AND ADMINISTRATIVE LAW	1. Fundamental Principles of the Maldives Constitution	<ul style="list-style-type: none"> a. Constitutional supremacy and parliamentary sovereignty; b. Separation of powers c. Rule of law to include military and police powers d. The Individual and the State
	2. The Organs of the State	<ul style="list-style-type: none"> a. The functions, processes, role, and interrelationships of <ul style="list-style-type: none"> i. the Executive, ii. the Legislature, and iii. the Judiciary
	3. Fundamental Rights and Freedoms	<ul style="list-style-type: none"> a. Current status of Human Rights law in the Maldives including instruments to which the Maldives is a party and its reservations b. Restrictions on fundamental rights and freedoms, including the constitutional powers, legal grounds, and procedural requirements for limiting those rights c. Freedom of expression d. Freedom of the media e. Freedom of acquiring and imparting knowledge f. Freedom of association g. Freedom of assembly h. Right to information i. Right to work j. Right to strike
	4. The Functions and Powers of Independent Commissions and Institutions	<ul style="list-style-type: none"> a. Judicial Service Commission b. Civil Service Commission c. Human Rights Commission d. Auditor General's Office e. Prosecutor General's Office f. National Integrity Commission g. Anti-Corruption Commission h. Elections Commission
	5. Judicial Review	<ul style="list-style-type: none"> a. Illegality b. Procedural Impropriety <ul style="list-style-type: none"> i. Breach of statutory procedure ii. Natural Justice c. Irrationality / Unreasonableness d. Legitimate Expectation <ul style="list-style-type: none"> i. Proportionality

CONTRACT LAW AND PRACTICE

SUBJECT	TOPICS	SUB-TOPICS
CONTRACT LAW AND PRACTICE	1. Formation of Contracts	Offer, acceptance, intention, certainty, consideration, and capacity
	2. Privity of Contract and Third-Party Rights	<ul style="list-style-type: none"> a. Agency b. Third party rights
	3. Contents of Contracts	Express terms, terms v representations, incorporation of terms, importance of terms (warranties, conditions, and innominate terms), implied terms (Sale of Goods Act, Consumer Protection Act), unfair terms, exclusion clauses and boiler plate clauses
	4. Vitiating Factors	Duress, undue influence, misrepresentation, mistake, and illegality
	5. Discharge of Contract	Agreement, breach, performance, and frustration
	6. Remedies	Damages (including causation, remoteness, duty to mitigate and penalty clauses v liquidated damages), rescission, injunction, specific performance and unjust enrichment.
	7. Business Structures: sole traders, partnerships, including limited liability partnerships, limited companies (but only as covered by the Companies Act; excluding Regulations made under it)	<ul style="list-style-type: none"> a. Formation, registration, constitution, and termination b. Legal personality c. Funding a business and liability for debts d. Management and decision making/default position under statute e. Roles and responsibilities of officers, directors, partners, members, shareholders
	8. Elements of Contract in Employment Law	<ul style="list-style-type: none"> a. Unlawful dismissal b. Substantive due process c. Remedies d. Types of Employment Contracts (fixed-term, indefinite term)

LAND LAW AND PRACTICE

SUBJECT	TOPICS	SUB-TOPICS
LAND LAW AND PRACTICE	1. Introduction	Distribution of land (land allocation for governmental purposes, land leased for tourism activities, environmental purposes, and protected land)
	2. Concept of Land	<ul style="list-style-type: none"> a. Nature of land b. Definition of land c. Creation of land registry and title d. Law relating to fixtures e. Categorisation of land (residential, agricultural, and industrial)
	3. Tenure, Possession, and Ownership	<ul style="list-style-type: none"> a. Tenure (Maldives) b. Forms and grants (Maldives) c. <i>Hiba</i> (including <i>Hiba</i> in respect of buildings on <i>Bandaara</i> and <i>Amilla Goathi</i>) d. Exchange of Land (<i>Laa jehssun</i>) e. <i>Wasiyah</i> (including <i>Wasiyah</i> in respect of buildings on <i>Bandaara Goathi</i>) f. <i>Belun Sharuthukoh dhinun</i> g. Co-ownership
	4. Land and Freehold Estates	<ul style="list-style-type: none"> a. Freehold and legal estate distribution of estate in the Maldives b. <i>Bandaara Goathi</i> and <i>Amilla Goathi</i> c. Partition of land d. Building regulations e. Grants, allocations, Sale and / or transfer of land for residential purposes, registration, conditions to be fulfilled before registration f. Allocating land for residential purpose g. Sale of Land (<i>Amilla Goathi</i> and <i>Bandaara Goathi</i>) h. Freehold covenants
	5. Leases	<ul style="list-style-type: none"> a. Types of leases b. Creation and formalities c. Overview of leasehold covenants d. Termination e. Assignments and transfers f. Obligations of landlord and tenant, including express and implied covenants g. Breach of covenants by tenants and landlord h. Remedies for breach
	6. Licenses	<ul style="list-style-type: none"> a. Distinction between leases and licenses, the scope, different types b. Nature, creation, revocability

	7. Mortgages	<ul style="list-style-type: none"> a. Informal and defective legal mortgages b. Protection of mortgagor and mortgagee c. Right to redeem, option to purchase, postponement. d. Unconscionable conduct, oppressive terms, undue influence, and misrepresentation e. Remedies available to legal mortgagee; possession, foreclosure, sale.
	8. Easements and <i>Profits a prendre</i>	<ul style="list-style-type: none"> a. Creation, rules, positive and negative easements b. Remedies and extinguishment.
	9. Trusts and Trusteeship Remedies	<ul style="list-style-type: none"> a. Damages b. Rectification c. Restitution d. Estoppel e. Injunction and specific performance f. Rescission g. Constructive trust

MALDIVIAN LEGAL SYSTEM		
SUBJECT	TOPICS	SUB-TOPICS
MALDIVIAN LEGAL SYSTEM	1. Sources of Law, their interpretation, and their interrelationships	<ul style="list-style-type: none"> a. Constitution b. Legislation (including secondary legislation) c. Islamic Shariah including the position of Islamic criminal and Islamic Family law d. Judicial precedent: Stare Decisis e. Treaties and Conventions f. Practice of Open Democratic States g. Statutory Interpretation: Literal Rule, Golden Rule, Mischief Rule, Purposive Rule
	2. Courts, Tribunals, and the Appeal System	<ul style="list-style-type: none"> a. Court structure and specialized tribunals b. Jurisdiction, types, and powers c. Appellate courts and Leave of Court d. Appeals (incl civil procedure code)
	3. Alternatives to Court Proceedings	<ul style="list-style-type: none"> a. Arbitration Act v Courts b. Maldives International Arbitration Centre
	4. Legal Profession and Ethics	<ul style="list-style-type: none"> a. Officers of Law v Officers of Court b. Client Confidentiality and Privilege c. Duty of Care

		<ul style="list-style-type: none"> d. Conflict of Interest e. Legal Fees (Contingent/Project/Hourly) f. Professional Standards and Ethics g. Bar Council and Oversight
	5. Civil Procedure Code	<ul style="list-style-type: none"> a. Jurisdiction b. Limitation periods c. Enforcement of judgements d. Counter claims e. Default and Summary judgements f. Disclosure and Inspection g. ex parte hearing and reviews h. Costs i. Interlocutory relief (including interim payments, security for costs, and interim injunctions) j. Evidence (including Expert Evidence) k. Abuse of process