

UNIVERSITY OF TECHNOLOGY, SYDNEY

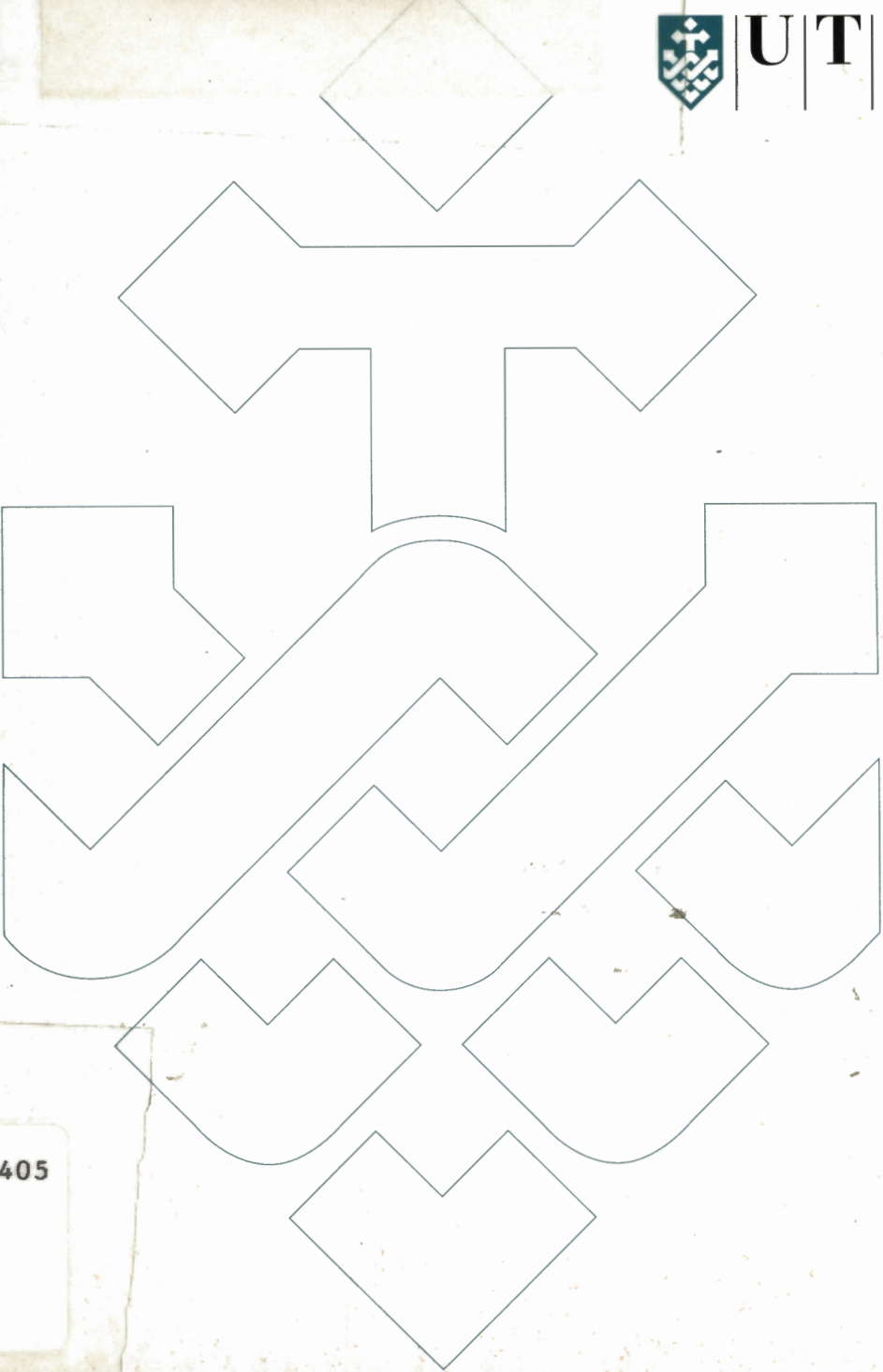
Faculty of Law  
**HANDBOOK**

**ENQUIRIES DESK**



**U|T|S**

**2000**



378.94405  
NEW  
18

UNIVERSITY OF TECHNOLOGY, SYDNEY

# Faculty of Law HANDBOOK

# 2000

## IMPORTANT YEAR 2000 NOTICE

---

The University of Technology, Sydney is taking all reasonable steps to identify and remedy any Year 2000 problems which might interfere with the courses and subjects it is proposing to offer during the Year 2000. Students and prospective students are advised that the University may still find it necessary in responding to any Year 2000 problem, to change the details of any course, subject, or class described in this or any other University publication. This could include not offering subjects in a particular teaching period, altering the mode of delivery for teaching, and changing assessment requirements. The University will endeavour:

- to confine such changes to the minimum necessary to address the Year 2000 problem
- to provide advance notice to students to the full extent possible, and
- where possible, to make other reasonable arrangements to minimise any disadvantage to students.

Students and prospective students should make appropriate inquiries to determine whether a course or subject has been affected by a Year 2000 problem by contacting the relevant Faculty Office.

## DISCLAIMER

---

This publication contains information which was current at 20 August 1999. Changes in circumstances after this date may impact upon the accuracy or currency of the information. The University takes all due care to ensure that the information contained here is accurate, but reserves the right to vary any information described in this publication without notice. Readers are responsible for verifying information which pertains to them by contacting the Faculty or the UTS Information Service.

University of Technology,  
Sydney. Faculty of Law.  
Faculty of Law handbook  
Received on: 04-11-99  
CITY CAMPUS  
University of Technology,  
Sydney Library

## **EQUAL OPPORTUNITY**

---

It is the policy of the University of Technology, Sydney to provide equal opportunity for all persons regardless of sex, race, marital status, family responsibilities, disability, sexual preference, age, political conviction or religious belief.

## **FREE SPEECH**

---

The University supports the right to freedom of speech and the rights of its members to contribute to the diversity of views presented in our society.

## **NON-DISCRIMINATORY LANGUAGE**

---

UTS has adopted the use of non-discriminatory language as a key strategy in providing equal opportunity for all staff and students. Guidelines for the use of non-discriminatory language have been developed and all members of the University community are encouraged to use them.

## **ACCESS UTS ON THE WEB**

---

<http://www.uts.edu.au>

*Faculty Handbooks and Calendar*

<http://www.uts.edu.au/div/publications/>

*UTS Rules and Policies*

<http://www.uts.edu.au/div/publications/policies/>

## **EDITORIAL AND PRODUCTION**

---

Publications Branch,  
Secretariat and Corporate Affairs Unit,  
Registrar's Division

## **COVER**

---

Design by  
UTS External Relations Unit

## **COPYRIGHT STATEMENT**

---

© All rights reserved. No part of this publication may be reproduced in any form by any process, electronic or otherwise, without the prior written permission of the University of Technology, Sydney, except as permitted by the Copyright Act 1968.

# TABLE OF CONTENTS

---

<b>GENERAL INFORMATION</b>	<b>5</b>
Welcome	5
About the UTS Handbooks	5
Student inquiries	6
Applications	6
Fees and costs	6
HECS	7
Financial Help	8
UTS Library	8
Research Office	8
University Graduate School	9
Support for student learning	9
Equity and diversity	10
Other services	10
Principal dates for 2000	12
<b>FACULTY INFORMATION</b>	<b>15</b>
Message from the Dean	15
Faculty Mission Statement	16
Inquiries	16
Information for Law students	17
Prizes and scholarships	18
List of courses and codes	20
<b>UNDERGRADUATE COURSES</b>	<b>21</b>
Bachelor of Laws	28
Bachelor of Laws in Australian Indigenous Studies	32
<i>Combined degrees</i>	34
Bachelor of Business/Bachelor of Laws	34
Bachelor of Science in Computing Sciences/Bachelor of Laws	35
Bachelor of Arts/Bachelor of Laws	36
Bachelor of Science/Bachelor of Laws	38
Bachelor of Medical Science/Bachelor of Laws	38
<i>Bachelor of Arts/Bachelor of Laws</i>	39
Bachelor of Arts in Communication (Journalism)/Bachelor of Laws	39
Bachelor of Arts in Communication (Media Arts and Production)/Bachelor of Laws	40
Bachelor of Arts in Communication (Social Inquiry)/Bachelor of Laws	41
Bachelor of Laws/Bachelor of Arts in International Studies	42
<i>Undergraduate cross disciplinary program</i>	44
<b>POSTGRADUATE COURSES</b>	<b>46</b>
General information	46
<i>Research degrees</i>	51
Doctor of Philosophy	51
Doctor of Juridical Science	52
Master of Laws (by thesis)	54



<i>Coursework programs</i>	56
Master of Laws (by coursework)	56
Master of Dispute Resolution	58
Graduate Certificate in Dispute Resolution	58
Master of Taxation Law	60
Master of Legal Studies	61
Graduate Diploma in Legal Studies	61
Graduate Diploma in Australian Law	63
Master of Industrial Property	64
Graduate Diploma in Trade Mark Law and Practice	64
Master of International Trade Law	65
Graduate Certificate of International Trade Law	65
Master of Laws (Mandarin International)	67
Master of Law and Legal Practice	68
Graduate Diploma in Law	68
<i>Professional program</i>	70
Graduate Diploma in Legal Practice	70
Graduate Diploma in Legal Practice (by Flexible Learning)	70
Graduate Certificate in Legal Practice	71
<i>Proposed new courses</i>	72
<i>Postgraduate cross disciplinary programs</i>	72
External award study	72
Extension (non-award) study	73
<b>SUBJECT DESCRIPTIONS</b>	<b>74</b>
Undergraduate subjects	74
Postgraduate subjects	98
Undergraduate cross disciplinary subjects	126
Subjects offered by other faculties	130
<b>ALPHABETICAL LIST OF SUBJECTS</b>	<b>145</b>
<b>CENTRES WITHIN THE FACULTY</b>	<b>149</b>
<b>BOARDS AND COMMITTEES</b>	<b>150</b>
Faculty Board in Law	150
Faculty of Law Advisory Committee	150
<b>RESEARCH INTERESTS OF STAFF</b>	<b>151</b>
<b>STAFF LIST</b>	<b>153</b>
<b>INDEX</b>	<b>156</b>
<b>UTS CONTACTS</b>	<b>161</b>
<b>MAPS</b>	<b>162</b>

# GENERAL INFORMATION

---

## WELCOME

Welcome to the University of Technology, Sydney (UTS), one of the largest universities in New South Wales – a university with an international reputation for quality programs and flexible learning. UTS develops, and regularly revises its programs of study in partnership with industry, government and professional bodies, so that its degrees are based on the latest professional standards and current practices. As a result, UTS produces graduates who are ready for work, and this is demonstrated in the high numbers of its students who enter the workforce within four months of finishing their degree.

UTS offers its students a lively, supportive and diverse learning environment across three campuses, and a range of social, cultural and sporting facilities to enrich each student's experience. UTS regards learning as a lifelong experience, and offers a range of programs to cater for the educational needs of people at a variety of stages in their lives, and from diverse backgrounds and cultures.

UTS offers a range of undergraduate and postgraduate degrees, which are developed by the Faculties of Business; Design, Architecture and Building; Education; Engineering; Humanities and Social Sciences; Law; Mathematical and Computing Sciences; Nursing, Midwifery and Health; and Science. Each of these faculties is responsible for a range of programs across a number of key disciplines, and many offer courses in conjunction with one another, or with the Institute for International Studies. Courses developed and delivered by these UTS faculties reflect the University's commitment to providing a relevant education to students through flexible and work-based modes of learning and through the ongoing internationalisation of the curriculum.

## ABOUT THE UTS HANDBOOKS

Every year UTS produces 10 faculty/institute handbooks which provide the latest information on approved courses and subjects to be offered in the following year. These handbooks include comprehensive details about course content and structure, subject and elective choices, attendance patterns, credit point requirements, and important faculty and student information. Many of them also contain faculty policies and guidelines for participation in specific courses. This provides students with the necessary information to meet the requirements of the course, complete a program of study, and receive a degree.

UTS also produces a companion volume to these handbooks every year. The *UTS Calendar* contains the University Act, By-law and Rules, a list of courses offered across the University, and other useful University information. Copies of the faculty/institute handbooks and the *UTS Calendar* are held in the University's libraries and faculty offices and can be purchased at the Co-op Bookshop.

The information contained in the UTS Handbooks and Calendar is correct at the time of printing. However, UTS is continuously updating and reviewing courses and services to ensure that they meet the needs of students and industry, and as a result information contained in these publications may be subject to change.

For the latest information check with the information service, or on the website at:

<http://www.uts.edu.au/div/publications/>

## STUDENT INQUIRIES

### *City campus*

#### **UTS Information Service**

Foyer, Tower Building  
1 Broadway

#### **Postal address**

PO Box 123  
Broadway NSW 2007  
telephone: (02) 9514 1222  
fax: (02) 9514 1200

#### **Email inquiries**

within Australia – [info.office@uts.edu.au](mailto:info.office@uts.edu.au)

### *Kuring-gai campus*

#### **Kuring-gai Student Centre**

Level 6, Main Building  
Eton Road  
Lindfield

#### **Postal Address**

PO Box 222  
Lindfield NSW 2070  
telephone: (02) 9514 1222  
fax: (02) 9514 5032

### *International Programs*

10 Quay Street, Sydney

#### **Postal Address**

PO Box 123  
Broadway NSW 2007  
telephone: (02) 9514 1531  
fax: (02) 9514 1530

#### **Email inquiries**

International – [intlprograms@uts.edu.au](mailto:intlprograms@uts.edu.au)

#### **World wide web address**

<http://www.uts.edu.au>

## APPLICATIONS

### **Undergraduate**

The NSW and ACT Universities Admissions Centre (UAC) processes most applications for undergraduate courses which start at the beginning of the year. Students are required to lodge these UAC application forms between August and October. To find out more about these courses and the application procedures, check the *UAC Guide*, or the UAC website at: [www.uac.edu.au](http://www.uac.edu.au)

Students can also apply for entry to some UTS courses by lodging a UTS application form directly with the University. These are usually courses that are not available to recent school leavers.

### **Postgraduate**

Applications for postgraduate courses should be made directly to UTS. For courses starting at the beginning of the year, most applications are open from August to October, but some may have earlier closing dates. For courses starting in the middle of the year, applications close in May.

For more information about applying to study at UTS, contact the UTS Information Service.

### **International students**

International students' applications for both postgraduate and undergraduate courses can be made either directly to the International Programs Office or through one of the University's registered agents. For courses starting at the beginning of the year, applications should be received by 31 December of the previous year. For courses starting in the middle of the year, applications should be received by 31 May of that year. For more information contact the International Programs Office.

### **Non-award and external award study**

Students who want to study a single subject at UTS which is not part of a UTS degree or qualification, must apply for non-award or external award study. There are four application periods, and closing dates vary for each semester. Some faculties may have special application procedures which will depend on the subjects chosen. For more information contact the appropriate faculty office or the UTS Information Service.

## FEES AND COSTS

### **Service Fees**

Service Fees are charged to students to contribute to the cost of a range of facilities and services which are generally available to all students during the course of their study.

### **Variations and exemptions**

Fees and charges may vary from year to year. In certain circumstances, students may not be required to pay all or part of one or more of the different components of the Service Fees.

For full details of variations and exemptions to the fees listed below, contact the UTS Information Service.

## Fee Components

<b>Union Entrance Fee</b> a once-only charge for new students	\$20
<b>Union Fee</b> a semester-based charge for currently enrolled students	\$100 per semester
<b>Students' Association Fee</b> a yearly charge for currently enrolled students	\$48 per year
<b>Student Accommodation Levy</b> a yearly charge for currently enrolled students	\$56 per year
<b>Student Identification Card Charge</b> a yearly charge for students enrolled on a tuition fee basis	\$15 per year

## Course Fees

Some courses (not local undergraduate courses) at UTS attract a course fee. This is charged to students for the course itself, in addition to the Service Fees outlined above. The level of such fees is calculated by individual faculties on a course by course basis. Payment of course fees may vary depending on a student's status, and on conditions laid down by the faculty. Please contact your faculty office for full details.

Details of course fees are outlined under each course entry in this Handbook, but are subject to change. Always check with the faculty for the latest information.

### Course Fees for International Students

Annual Course Fees for undergraduate international students range from A\$11,500 to A\$16,500, and for postgraduate international students from A\$12,000 to A\$16,500. For more information contact the International Programs Office.

## Other costs

Students may incur other costs while they study at UTS. These may include books, photocopying, equipment hire, the purchase of computer software and hardware, and email and internet services.

The University's recommended internet service provider currently charges \$20 per month for 30 hours access or \$30 per month for \$70 hours access. These prices are subject to change.

## HECS

### (Higher Education Contribution Scheme)

HECS is a financial contribution paid to the Commonwealth Government by tertiary students towards the cost of their education. It is payable each teaching period and the amount paid will vary according to the number of credit points undertaken and the method of payment nominated by the student.

Most students have three choices in the way they pay HECS:

1. Paying all of the HECS up front and receiving a 25% discount
2. Deferring all payment until a student's income reaches a certain level, or
3. Paying at least \$500 of the HECS contribution up front and deferring the remainder.

**Note:** these options may not apply to New Zealand citizens and Permanent Residents.

Commonwealth legislation sets strict conditions for HECS over which the University has no control. HECS charges are based on the subjects in which students are enrolled on the HECS census date. It is important for students to realise that any reductions in their academic workload after the census date for a particular semester will not reduce their HECS liability.

Students who defer their HECS payments become liable to commence repayment once their taxable income reaches the repayment threshold. This does not necessarily mean at the conclusion of their studies – a student's income may reach this threshold before then.

New students, students returning from leave and students who are commencing a new or second course, must complete a Payment Options Declaration Form. This form must be lodged with the University by the census date and should show a valid Tax File Number.

For Autumn Semester the HECS census date is 31 March, and for Spring Semester the HECS census date is 31 August. HECS census dates for other teaching periods can be obtained from the UTS Information Service.

**There are a number of variations to these guidelines. It is the responsibility of each student to find out which HECS conditions apply to them.** Information can be obtained from the booklet *HECS Your Questions Answered*, which is available from the HECS office on 1800 020 108 or the UTS Information Service.

## FINANCIAL HELP

### **Austudy/Youth Allowance**

Students under 25 years old, may be eligible to receive financial assistance in the form of the Youth Allowance.

Full-time students over 25 years old may be eligible to receive Austudy which provides financial help to students who meet its income and assets requirements. Application forms and information about eligibility for Austudy are available from Student Services at Kuring-gai or City campuses.

Commonwealth legislation sets strict requirements over which the University has no control. It is important for the students concerned to understand these requirements.

Students who receive Austudy and decide to drop subjects during the semester, need to be aware that to remain eligible for Austudy they must be enrolled in a minimum of 18 credit points, or have a HECS liability for the semester of .375. The only exceptions made are for students with disabilities which interfere with their studies, students who are single supporting parents or, in some exceptional cases, those who have been directed by the University to reduce their study load.

For more information, talk to a student welfare officer in the Student Services Unit.

telephone: (02) 9514 1177 (City)  
or (02) 9514 5342 (Kuring-gai)

Application forms for both schemes should be lodged as soon as possible with any Centrelink office, or:

Centrelink Student Services  
Parker Street, Haymarket  
Locked Bag K710  
Haymarket NSW 2000

### **Abstudy**

Abstudy assists Aboriginal and Torres Strait Islander tertiary students by providing income support and other assistance. For more information about Abstudy, contact the staff at Jumbunna Centre for Australian Indigenous Studies, Education and Research.

Level 17, Tower Building  
telephone (02) 9514 1905

## UTS LIBRARY

The University Library collections are housed in three campus libraries which contain over 650,000 books, journals and audiovisual materials as well as a large range of electronic citation and full-text databases. Services for students include assistance in finding information through Inquiry and Research Help Desks and training programs, loans, reservations, reciprocal borrowing and copying. The Library provides as much information as possible electronically so that users can also access it remotely. More information about the Library can be found at:  
<http://www.lib.uts.edu.au>

### **City Campus Library**

Corner Quay Street and Ultimo Road,  
Haymarket  
telephone (02) 9514 3388

### **Kuring-gai Campus Library**

Eton Road, Lindfield  
telephone (02) 9514 5234

### **Gore Hill Library**

Corner Pacific Highway and Westbourne  
Street, Gore Hill  
telephone (02) 9514 4088

## RESEARCH OFFICE

The Research Office is responsible for ensuring that the University develops its research potential. It provides a broad range of services aimed at meeting the research goals of the University and its staff.

The main objectives of the Research Office include ensuring that a deep understanding of the research priorities, interests and capacity of the University, its research teams, centres and individual academics is maintained. It is involved in formulating policy and monitoring national trends in research policy and funding to position the University so that it can react to opportunities and challenges in key fields of research.

Research Office  
Level 7, Tower Building  
telephone (02) 9514 1252/1264/1419  
<http://www.uts.edu.au/research/ro/resoff.html>

## UNIVERSITY GRADUATE SCHOOL

The University Graduate School is a pan-university organisation which enhances the quality of graduate courses and supports research degree students, providing leadership in framing policy for postgraduate development in partnership with the faculties. It provides a contact point for postgraduate students and supports them in their studies.

The University Graduate School is located in Building B2, Blackfriars, City campus.

telephone (02) 9514 1336

<http://www.gradschool.uts.edu.au>

## SUPPORT FOR STUDENT LEARNING

The following services and facilities are available to all UTS students.

### Student Services

#### Transition to university programs

UTS offers a free 'Study Success' program of integrated lectures and activities before semester begins, to help new students manage the transition to university study. Students are informed of academic expectations, the skills needed to be an independent learner, and learning strategies which can help them successfully manage the work load. They are also provided with valuable information about how the university and its faculties operate, and the services provided.

For more information contact Student Services Unit.

telephone (02) 9514 1177 (City)

or (02) 9514 5342 (Kuring-gai)

#### Careers Service

The Careers Service offers career guidance, and assists with job placement for students seeking permanent or casual employment.

telephone (02) 9514 1471 (City campus)

#### Counselling

Counsellors are available at the City and Kuring-gai campuses for individual consultation, and group programs are also held throughout the year.

telephone (02) 9514 1471 (City campus)

or (02) 9514 5342 (Kuring-gai campus)

### Health

The Health Service offers a bulk billing practice to students at two locations:

telephone (02) 9514 1166 (City campus)

or (02) 9514 5342 (Kuring-gai campus)

### Housing

University Housing provides assistance to students in locating private accommodation. A limited amount of UTS-owned housing is also available.

telephone (02) 9514 1509 (listings)

or (02) 9514 1199 (UTS accommodation)

### Special Needs Coordinator

Support is also available for students with special needs. Students with a physical, sensory or learning disability can contact the Special Needs Coordinator for information and advice.

telephone (02) 9514 1177

### Welfare

Welfare officers assist students with personal financial matters, including loan and financial counselling, Youth Allowance, Austudy and other Social Security claims and appeals advice.

telephone (02) 9514 1177

### Chemistry Learning Resources Centre

Room 211, Building 4, City campus.

Rosemary Ward

telephone (02) 9514 1729

email [rosemary.ward@uts.edu.au](mailto:rosemary.ward@uts.edu.au)

<http://www.science.uts.edu.au/depts/chem/clrc/index.html>

### English Language Study Skills Assistance (ELSSA) Centre

ELSSA Centre provides free English language and study skills courses for all UTS students.

ELSSA Centre

Alex Barthel (Director)

Level 19, Tower Building

telephone (02) 9514 2325

email [alex.barthel@uts.edu.au](mailto:alex.barthel@uts.edu.au)

or

Room 2-522

Kuring-gai campus

telephone (02) 9514 5160

<http://www.uts.edu.au/div/elssa/>

## 10 General information

### Physics Learning Centre

Level 11, Tower Building (with an adjoining computer laboratory).

Peter Logan  
telephone (02) 9514 2194  
email peter@phys.uts.edu.au

### Mathematics Study Centre

Level 16, Tower Building; and at Kuring-gai campus, Room 2-522.

City campus  
Leigh Wood (Director)  
telephone (02) 9514 2268  
email leigh@maths.uts.edu.au  
Kuring-gai campus  
Dr Jules Harnett  
telephone (02) 9514 5186  
email jules@maths.uts.edu.au

### Computer laboratories

Computer laboratories are located throughout the University and are available for all students and staff to use. Details of locations and availability of the computer laboratories may be obtained from the Information Technology Division Resource Centre.

telephone (02) 9514 2118

#### *Computer training*

In general, where computer training is necessary as part of a course that attracts HECS, it is provided.

### Jumbunna Centre for Australian Indigenous Studies, Education and Research (CAISER)

Jumbunna CAISER is run by a predominantly Australian indigenous staff who provide specialist advice and a range of services to assist Aboriginal and Torres Strait Islander students.

Jumbunna CAISER  
Level 17, Tower Building  
telephone (02) 9514 1902

## EQUITY AND DIVERSITY

It is the policy of the University of Technology, Sydney to provide equal opportunity for all persons regardless of sex, race, marital status, family responsibilities, disability, sexual preference, age, political conviction or religious belief. UTS has a strong commitment to ensure that the diverse nature of the Australian society is reflected in all aspects of its employment and education.

The Equity and Diversity Unit provides a range of services for students and prospective students. These include community outreach programs to support the participation of disadvantaged students/under-represented groups; coordination of the inpUTS Educational Access Scheme for students who have experienced long-term educational disadvantage; coordination of financial scholarships and awards for commencing low-income students; and the provision of confidential advice and assistance with the resolution of equity-related student grievances, including complaints about racism, sexism, sex-based harassment, homophobia, pregnancy/family responsibilities, or other equity issues.

Equity and Diversity Unit  
Level 17, Tower Building  
telephone (02) 9514 1084

## OTHER SERVICES

### UTS Union

The UTS Union is the community centre for the University. It provides food and drink services, lounges and recreational areas, comprehensive social and cultural programs, sports facilities and programs, stationery shops, a newsagency and resource centres. Off campus the Union provides access to a ski lodge, rowing club, sailing club, athletics club and basketball stadium.

Union Office (02) 9514 1444  
Haymarket (02) 9514 3369  
Kuring-gai (02) 9514 5011

### Union Sports Centre

The centre contains multi-purpose spaces, squash courts, weights rooms, circuit training room and climbing wall.

Lower ground floor, Building 4  
telephone (02) 9514 2444

**UTS Rowing Club**

Dobroyd Parade, Haberfield  
telephone (02) 9797 9523

**Child care**

UTS Child Care Inc. (UTSCC) coordinates all child care services at UTS. Child care is available from 8.00 a.m. to 10.00 a.m. at both City and Kuring-gai campuses.

Students and staff of UTS receive priority access and a small rebate on fees. Normal Government assistance is available to low and middle income families.

telephone (02) 9514 1456 (City)  
or (02) 9514 2960 (Blackfriars)  
or (02) 9514 5105 (Kuring-gai)

**Co-op Bookshop**

The Co-op Bookshop stocks the books on student's reading lists, and a variety of general titles and computer software. It has branches at the City and Kuring-gai campuses (Room 2.401), and, at the start of semester, at Haymarket and Gore Hill.

City campus  
telephone (02) 9212 3078  
email [uts@mail.coop-bookshop.com.au](mailto:uts@mail.coop-bookshop.com.au)

Kuring-gai campus  
telephone (02) 9514 5318  
email [kuringgai@mail.coop-bookshop.com.au](mailto:kuringgai@mail.coop-bookshop.com.au)  
<http://www.coop-bookshop.com.au>

**Students' Association**

The Students' Association (SA) is the elected representative body of students at UTS: it is an organisation run by students for students. UTS students have the right to stand for election of the SA and to vote in the annual elections.

City campus office:  
Level 3 of the Tower Building  
telephone (02) 9514 1155

Kuring-gai campus office:  
(next to the cashier service)  
telephone (02) 9514 5237

**Freedom of Information**

Under the *Freedom of Information Act 1989* (NSW), students have the right to apply for access to information held by the University.

George Bibicos  
FOI Coordinator  
Level 4A, Tower Building  
telephone (02) 9514 1280  
email [George.Bibicos@uts.edu.au](mailto:George.Bibicos@uts.edu.au)

**Student Ombud**

Enrolled or registered students with a complaint against decisions of University staff may seek assistance from the Student Ombud.

All matters are treated in the strictest confidence and in accord with proper processes.

Room 402, Building 2  
City campus, Broadway  
telephone (02) 9514 2575  
email [ombuds@uts.edu.au](mailto:ombuds@uts.edu.au)

**Radio Station 2SER (107.3 FM)**

2SER-FM is a community radio station run by hundreds of volunteers who are involved in producing and presenting a smorgasbord of programs focusing on education, information, public affairs and specialist music. Students interested in community media, are welcome to visit the 2SER studios or to attend a volunteer recruitment meeting. Contact the station for more details.

Level 26, Tower Building  
telephone (02) 9514 9514

**UTS Gallery and Art Collection**

The UTS Gallery is a dedicated public gallery located on Level 4, Building 6, City campus, 702 Harris Street, Ultimo. The UTS Gallery presents regularly changing exhibitions of art and design from local, interstate and international sources.

The UTS Art Collection comprises a diverse range of paintings, prints, photographs and sculptures which are displayed throughout the University and, at times, in the UTS Gallery.

telephone (02) 9514 1284  
fax (02) 9514 1228  
<http://www.utsgallery.uts.edu.au>



## PRINCIPAL DATES FOR 2000

### January

- 6 UTS Advisory Day
- 7 Closing date for changes of preference to the Universities Admissions Centre (UAC), by mail or in person
- 8 Closing date (midnight) for changes of preference UAC Infoline
- 10 Formal supplementary examinations for 1999 Spring semester students
- 14 Final examination timetable for Summer session
- 14 Last day to submit appeal against exclusion from Spring 1999
- 21 Main Round of offers to UAC applicants
- 21 Last day to submit 'Show Cause' appeal for Spring 1999
- 24-29 Enrolment of new main round UAC Undergraduate students at City campus
- 25 Closing date for changes of preference to Universities Admissions Centre (UAC) for final round offers
- 26 Australia Day – public holiday
- 27 Public school holidays end
- 28 Last day to submit application for Postgraduate Equity Scholarships for Autumn semester 2000
- 28 Summer session ends (commenced 29 November 1999) for subjects with formal exams
- 31 Summer session examinations commence (to 11 February)

### February

- 3-16 Enrolment of new Undergraduate students at City campus (and 24-29 January)
- 1-11 Formal examinations for Summer session
- 4 Final round of offers (UAC)
- 4 Last day to lodge a Stage 2 appeal against assessment for Spring semester 1999

- 7 Closing date third round, Postgraduate courses for Autumn 2000 (except Faculty of Business – closing date 11 February)
- 14 Welcome and Registration for International Students – International Student Orientation programs commences and runs until 25 February
- 17 Official welcome and Study Success (Learning Skills) Program for all students studying on the Kuring-gai campus
- 17-18 Enrolment for International students
- 21-25 Orientation week for new students
- 21 Release of results for Summer session
- 21 Official Vice-Chancellor's welcome for all UTS students and commencement of Orientation 2000 (includes campus tours, student workshops, and the Study Success Program).
- 23 Union 'O' Day – Clubs and activities day
- 24 Late enrolment day
- 24/25 Faculty welcomes will be held on 24 or 25 February unless otherwise advised
- 28 Autumn semester classes commence

### March

- 10 Last day to enrol in a course or add subjects
- 17 Last day to pay upfront HECS or Postgraduate Course fees for Autumn semester 2000
- 31 Last day to apply to graduate in Spring semester 2000
- 31 Last day to apply for leave of absence without incurring student fees/charges<sup>1</sup>
- 31 Last day to withdraw from a subject without financial penalty<sup>1</sup>
- 31 HECS census date

**April**

- 7 Last day to withdraw from a course or subject without academic penalty<sup>1</sup>
- 17 Public School holidays commence
- 20 Provisional examination timetable available
- 21 Good Friday – public holiday
- 24-28 Vice-Chancellors' Week (non-teaching)
- 24 Easter Monday – public holiday
- 25 Anzac Day – public holiday
- 27-28 Graduation ceremonies (Kuring-gai)
- 28 Public School holidays end

**May**

- 1 Applications open for undergraduate courses, where applicable, and postgraduate courses for Spring semester 2000
- 15-26 Graduation ceremonies (City)
- 31 Closing date for undergraduate and first round postgraduate applications for Spring semester

**June**

- 2 Final examination timetable available
- 9 Last teaching day of Autumn semester
- 10-26 Formal examinations
- 12 Queen's Birthday – public holiday
- 29 Last day to submit application for Postgraduate Equity Scholarships for Spring semester 2000
- 30 Closing date second round Postgraduate applications for Spring semester

**July**

- 3 Public School holidays commence
- 3-7 Vice-Chancellors' Week (non-teaching)
- 3-7 Formal alternative examination period for Autumn semester students
- 4-13 Enrolments for Spring semester
- 10-14 International Students' Orientation Program
- 13 Study Success Learning Skills Program

- 13 Release of Autumn semester examination results
- 14 Public School holidays end
- 14 Formal supplementary examinations for Autumn semester students
- 17 Spring semester classes commence
- 21 Last day to withdraw from full year subjects without academic penalty
- 28 Last day to enrol in a course or add subjects
- 28 Last day to submit 'Show Cause' appeal for Autumn semester 2000

**August**

- 1 Applications available for undergraduate and postgraduate courses for Autumn semester 2001
- 18 Last day to pay upfront HECS or Postgraduate Course Fees for Spring semester 2000
- 31 Last day to withdraw from a course, a subject, or apply for leave of absence without academic or financial penalty<sup>1</sup>
- 31 Last day to apply to graduate in Autumn semester 2001
- 31 HECS census date (to be confirmed)

**September**

- 1 Applications for Postgraduate Scholarships available
- 8 Provisional examination timetable available
- 8 Last day of teaching before AVCC week/Olympics break
- 11 AVCC week/Olympics break (to 6 October)
- 11 Public School Holidays commence (to 2 October)
- 29 Closing date for undergraduate applications via UAC (without late fee)
- 29 Closing date for inpUTS Equity Access Scheme via UAC

## 14 General information

### October

- 2 Labour Day – public holiday
- 2 Public school holidays end
- 8 Provisional examination timetable available
- 9 Spring semester classes recommence
- 30 Graduation ceremonies (City) (to 3 November)
- 31 Closing date for undergraduate applications via UAC (with late fee)
- 31 Closing date for undergraduate applications direct to UTS (without late fee)
- 31 Closing date for most postgraduate courses for Autumn 2000 (some courses may have earlier closing dates in September)
- 31 Closing date for Australian Postgraduate Awards, the R. L. Werner and University Doctoral scholarships
- 31 Last day to submit application for Postgraduate Equity Scholarships for Summer semester 2001

### November

- 1-3 Graduation ceremonies (City)
- 3 Final examination timetable available
- 17 Last teaching day of Spring semester
- 18-30 Formal examination period (and 1-4 December)
- 30 Closing date for Undergraduate applications via UAC (with late fee)

### December

- 1-4 Formal examination period (and 13-30 November)
- 4 Summer session commences (ends 2 February 2001)
- 11-15 Formal alternative examination period for Spring semester students
- 20 Release of Spring semester examination results
- 20 Public School holidays commence
- 25 Christmas Day – public holiday
- 26 Boxing Day – public holiday

---

<sup>1</sup> HECS/Postgraduate course fees will apply after the HECS census date (31 March and August or last working day before).

**Note:** Information is correct as at 24 August 1999. The University reserves the right to vary any information described in Principal Dates for 2000 without notice.

# FACULTY INFORMATION

## MESSAGE FROM THE DEAN

I welcome all students, staff and visitors in 2000.

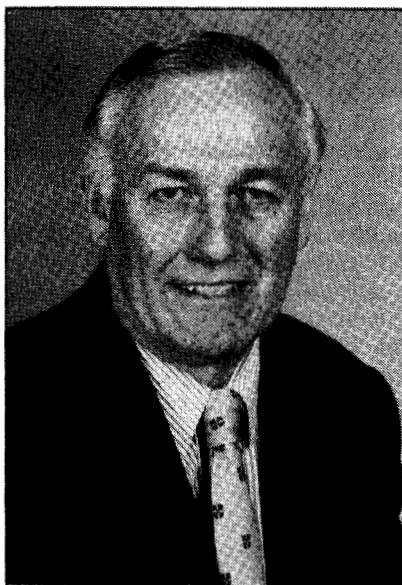
The Faculty of Law had its beginnings in 1975 when the then NSW Institute of Technology was invited by the NSW Government to offer an undergraduate course in law. Elements of that course have stood the test of time, and may be distinguished in a number of aspects from other law degrees. These include a strong professional core, a commitment to the development of professional skills and a willingness to accommodate the needs of mature students, particularly those in employment.

The Faculty has since developed combined and double degree programs and also offers graduate programs, including the Master of Laws (by coursework), Master of Law and Legal Practice and the SJD (Doctor of Juridical Science), which was the first of its kind in Australia. The Faculty has an ongoing commitment for the provision of free legal services to UTS staff and students and community legal research through the UTS Community Law and Legal Research Centre, which was opened in 1996.

As well, the Faculty, with the University of New South Wales Faculty of Law, jointly operates the Australasian Legal Information Institute (AustLII), which provides free access to Australasian legal material via the Internet.

In 1990, as a result of the merger of UTS with the Kuring-gai College of Advanced Education, the Departments of Business Law in the City and Legal Studies at Kuring-gai were incorporated with the Faculty. This meant that the new Faculty would also undertake supply programs in other faculties, particularly the Faculty of Business.

1996 was a year of change for the Faculty, with major revisions to the undergraduate Law degree and the introduction of the Legal Practice major as an integral part of the undergraduate program, with progression into the new Graduate Diploma in Legal Practice to



*Professor David Barker*  
**Dean**

complete legal training. With its provision of 'One Stop Legal Education', the Faculty is now recognised as a major innovator of legal education.

Since 1997, the Faculty has been in new accommodation at the Haymarket campus. This incorporates a modern moot court and two practice courts within the greatly enhanced facilities.

Improved computer laboratories have afforded the Faculty the opportunity to exploit its expertise within the increasingly important area of legal technology.

During 1997, in addition to the opening of the new premises, the Faculty celebrated 20 years of teaching at UTS, as well as hosting the Australasian Law Teachers Association Conference and a major AustLII Legal Information Technology Conference.

I wish you every success and trust that your stay with us is both enjoyable and productive.

## FACULTY MISSION STATEMENT

The Faculty of Law provides higher education with a professional perspective in the discipline of law at the undergraduate, graduate and postgraduate levels.

The Faculty is concerned to further the intellectual development and professional skills of students by initiating and encouraging critical analysis of legal institutions, legal theories and reasoning, principles and practices; their utilisation and their impact upon the rights and obligations of individuals, government, business, professional practice and the interests of a wider society. It is committed to the furtherance of scholarship and research into legal issues and practices; to participation in discussion and debate concerned with legal theory, legal procedures, the rule of law and the effectiveness of the legal system in societies; and to the dissemination and publication of its contribution in these areas.

The Faculty is concerned to initiate and respond to critical developments and challenges, in particular those posed by new technologies, and their interpretation and application in legal contexts; and to familiarise academic staff, members of the profession and students with the changing technological environment, and equip them to utilise new methods and tools for information gathering, storage, retrieval and analysis.

The Faculty provides specialist law teaching in diverse Law programs in order to build upon skills, knowledge and expertise in the discipline of law, and in other professional disciplines that need to understand the legal implications and environment of their professional practice.

The emphasis is upon practical legal education and the enhancement of legal practice. It provides formal training and professional qualifications on behalf of the relevant admitting authority to applicants seeking admission to practise as legal practitioners.

## INQUIRIES

Correspondence should be addressed to:

The Faculty of Law  
University of Technology, Sydney  
PO Box 123, Broadway, NSW 2007  
telephone (02) 9514 3444  
DX 11560 Sydney  
Down Town

The Faculty Information Office is located at:  
Room B303  
Level 3, B Block  
Haymarket  
Corner of Quay Street and Ultimo Road

## Internet addresses

### Faculty home page

<http://www.law.uts.edu.au/>

### Professional Program home page

<http://www.plt.law.uts.edu.au/>

### Faculty of Law Handbook

<http://www.uts.edu.au/div/publications/law/index.html>

## INFORMATION FOR LAW STUDENTS

The Faculty of Law was formally established in 1975 and began teaching in 1977. The Faculty is located at the City and Kuring-gai campuses, and offers a variety of undergraduate and post-graduate courses. The Faculty also supplies subjects in Business Law and Legal Studies. The undergraduate courses provide opportunities for full- and part-time study for those wishing to obtain professional qualifications in law.

### Law Information Office

The Faculty's Information Office is situated on Level 3 of Building B, Haymarket Campus (Quay Street) and is open from 10.00 a.m. to 1.00 p.m. and from 2.00 p.m. to 6.00 p.m. during semesters. During semester breaks and tutorial weeks, the Office will only remain open until 5.00 p.m.

The assignment box for the submission of assignments is located here. Students should note that assignments received after 6.00 p.m. will be recorded as arriving the following day.

The return of marked assignments to students; the issuing of seminar problems; take-home exams; and the sale of reading materials are all conducted through the Law Information Office. In addition, Faculty information, forms, timetables and examination information are available from the Office or displayed on the noticeboards in the area adjacent to the Office.

### Notices

Official University notices are displayed on the noticeboards on Level 3 of the Faculty of Law at Haymarket in the City campus, and Level 4 of the Kuring-gai campus; students are required to be acquainted with the contents of those announcements that concern them. Misreading or misunderstanding of official information will not be accepted as a reason for a student being unaware of matters so notified.

### Parking

At Haymarket in the City campus, the car park in Quay Street, opposite the Library, may have limited parking space available for students after 3.00 p.m. Kings car park and the Apple car park offer discounted student parking. Other commercial parking facilities are available at Her Majesty's Theatre, Paddy's Markets and the Entertainment Centre. Student parking is available on the Kuring-gai campus for a fee.

## Law Students' Society

The Law Students' Society is governed by a Council of student members, elected at the Society's Annual General Meeting held at the beginning of the Autumn semester each year. The Council in turn elects an Executive consisting of the President, Vice-President, Treasurer, ALSA (Australasian Law Students' Association) Representative and Secretary. The Council meets on a fortnightly basis during each semester to review the Society's activities and discuss new initiatives. Interest and input are encouraged from students; many of the ideas acted upon come from members.

Social functions are an important part of university life and the Society regularly organises functions for students. Popular events include the annual Graduation Ball and a variety of 'drinks nights' throughout each semester. The Society can also assist in organising functions that students wish to hold.

### Services to members

#### *Past exam papers*

The Society provides members with copies of past exam papers in each core subject to enable preparation for final examinations.

#### *Secondhand bookshop*

The Society operates a secondhand bookshop through which members may buy and sell textbooks.

#### *Mooting competition*

The Society conducts an internal mooting competition in the Autumn semester each year to select representatives for participation in intervarsity competitions.

#### *Affiliation with Australasian Law Students' Association (ALSA)*

The Society is affiliated with the ALSA, the Asian-Pacific body representing Law students. As a result, members receive copies of the *Reporter* (quarterly journal) and *Decisions* (careers journal) publications, and may attend its annual eight-day conference in July.

#### *Student representation*

The Law Students' Society is often requested to provide students' views on matters relating to the Law programs and to provide student input on various committees. The Society also acts as a communication channel between the Faculty and the student body. The Society provides advocacy services and other assistance with academic appeals. The Society

## 18 Faculty information

has also been instrumental in negotiating for reduced class sizes. As an avenue for student complaints, students may make a written submission, which the Society will bring to the attention of the Faculty.

### **Publications**

The Society is responsible for the publication of the *Full Bench* magazine. This provides an outlet for the Council to communicate with its members. Also, members may submit articles of interest, either social, academic or education-based. These will be reviewed for inclusion by the Council.

*Full Bench* reports upon the recent and upcoming social events of the Society and any education issues which are relevant to Law students. Recently, the publication has included articles of social comment, allowing members to air their views.

The Society has produced a number of publications to assist members. These include a *Summer Clerk Application Guide* and a mootings guide.

Membership fees are currently \$10 per annum.

Further details are obtainable from the Law Students' Society Office (Room B103 at Haymarket in the City campus) or by telephoning (02) 9514 3448. A list of Council members is posted on the Law Students' Society noticeboard, located outside the Society's Office.

This year promises more great activities from the Society and students are encouraged to actively participate.

## PRIZES AND SCHOLARSHIPS

An annual prize ceremony is held at the Faculty of Law each year in recognition of the academic achievements of students. The following is a list of prizes awarded for the Bachelor of Laws degree. These prizes may be awarded each semester if there is a candidate who reaches a level of academic achievement acceptable to the Faculty Board in Law.

### **Scholarships**

There are presently two scholarships available for the Bachelor of Laws degree. These are the Phillips Fox Scholarship in Law, and the Tress Cocks and Maddox Scholarship in Law, tenable for one year only and awarded to an enrolled Law student. Information is available from the Faculty of Law.

### **Prizes**

Donor	Name of prize	Value
<i>The Dean's Special Prize</i>	Awarded for outstanding contribution and service to the Faculty of Law	\$200
<i>Freehill Hollingdale and Page Prize</i>	Best performance in Personal Property	\$250 and Certificate
<i>Gross Prize in Family Law</i>	Best performance in Family Law	\$100 and Certificate
<i>Gross Prize in Human Rights</i>	Best performance in Human Rights	\$100 and Certificate
<i>Karen Morton Memorial Prize<sup>1</sup></i>	Best performance in Industrial and Intellectual Property	\$100 and Certificate
<i>Abbott Tout Prize<sup>1</sup></i>	Best performance in Local Government	\$100 and Certificate
<i>Ebsworth and Ebsworth Prize<sup>1</sup></i>	Best performance in Law of Insurance	\$200 and Certificate
<i>Henningham and Ellis-Jones Prize<sup>1</sup></i>	Best performance in Administrative Law	\$250 and Certificate
<i>NSW Bar Association Prize<sup>1</sup></i>	Best performance in Public International Law	\$250 and Certificate
<i>Veronica Pike Prize<sup>1</sup></i>	Best performance by a female student in Law of Evidence	\$100 and Certificate
<i>Corrs Chambers Westgarth Prize<sup>1</sup></i>	Best performance in International Trade Law	\$250 and Certificate
<i>Harcourt Brace Prize<sup>1</sup></i>	Best performance in Business Law	\$500 and Certificate

<sup>1</sup> Prizes awarded annually.

**Prizes (cont.)**

Donor	Name of prize	Value
<i>Law Society of NSW Prize</i>	Best performance in Real Property	\$100 and Certificate
<i>Michael Harmer and Associates People Management Award in Industrial Law</i>	Best performance in Industrial Law	\$500 and Certificate
<i>Michael Harmer and Associates People Management Award in Labour Law</i>	Best performance in Labour Law	\$500 and Certificate
<i>Roger Shaw Memorial Prize</i>	Best performance in Legal Research	\$250 and Certificate
<i>Clayton Utz Prize<sup>1</sup></i>	Best performance in Corporate Law	\$250 and Certificate
<i>Middletons Moore &amp; Bevins Prize<sup>1</sup></i>	Best performance in Equity and Trusts	\$250 and Certificate
<i>Inner West Law Society Prize<sup>1</sup></i>	Best performance in Professional Conduct 1 (Legal Accounting) and 2 (Legal Ethics)	\$150 and Certificate
<i>Needo Chan &amp; Monahan Prize<sup>1</sup></i>	Best performance in Commercial and Estate Practice	\$150 and Certificate
<i>Inner West Law Society Prize<sup>1</sup></i>	Best performance in Litigation	\$150 and Certificate
<i>Needo Chan &amp; Monahan Prize<sup>1</sup></i>	Best performance in Property Transactions	\$150 and Certificate
<i>Butterworths Book Prizes<sup>1</sup></i>	Best Performance in Legal Process and History and Business Law	Book vouchers

The following prizes may be awarded to students enrolled in the Master of Laws and Doctor of Juridical Science postgraduate programs.

Donor	Name of prize	Value
<i>CCH Book Prize for Taxation Law</i>	Highest mark in International Taxation	Book
<i>Phillips Fox Prize for Chinese Law</i>	Highest mark in a Chinese law subject	\$250
<i>Davies Collison Cave Prize for Trade Marks Law<sup>1</sup></i>	Highest mark in Trade Marks Law	\$250
<i>NSW Bar Association Prize for Dispute Resolution<sup>1</sup></i>	Highest mark in Dispute Resolution	\$250
<i>UTS Alumni Association Achievement Award</i>	Awarded to a student (or students), undergraduate or postgraduate, for contribution to worthwhile campus, community, humanitarian or cultural activities that are to the benefit of, or bring credit to, the University.	\$500

<sup>1</sup> Prizes awarded annually.



## LIST OF COURSES AND CODES

Course title	Code
Bachelor of Laws (LLB) (F/T)	LL01
Bachelor of Laws (LLB) (P/T)	LL01
Bachelor of Laws in Australian Indigenous Studies (LLB)	LL08
Doctor of Philosophy (PhD)	LL54
Doctor of Juridical Science (SJD)	LL53
Master of Laws (by thesis) (LLM)	LL51
Master of Laws (by coursework) (LLM)	LL52
Master of Dispute Resolution (MDR)	LL59
Graduate Certificate in Dispute Resolution	LL69
Master of Taxation Law (MTax)	LL58
Master of Legal Studies (MLS)	LL68
Graduate Diploma in Legal Studies (GradDipLS)	LL67
Graduate Diploma in Australian Law (GradDipAustLaw)	LL57
Master of Industrial Property (MIP) <sup>1</sup>	LL85
Graduate Diploma in Trade Mark Law and Practice (GradDipTradeMarkLaw) <sup>1</sup>	LL84
Master of International Trade Law (MITL) <sup>1</sup>	LL83
Graduate Certificate in International Trade Law (GradCertIntTradeLaw) <sup>1</sup>	LL82
Master of Laws (Mandarin International) <sup>1</sup>	LL86
Master of Law and Legal Practice (MLLP)	LL78
Graduate Diploma in Law (GradDipLaw)	LL79
Graduate Diploma in Legal Practice (GradDipLegPract)	LL74/75
Graduate Diploma in Legal Practice (by Flexible Learning) (GradDipLP)	LL80/81
Graduate Certificate in Legal Practice	LL76/77
Graduate Certificate in Legal Practice (by Flexible Learning) (GradCertLP)	LL87/88
<b>Combined degrees</b>	
Bachelor of Business/Bachelor of Laws (BBus LLB)	LL02
Bachelor of Science in Computing Sciences/Bachelor of Laws (BCompSc LLB)	LL06
Bachelor of Arts/Bachelor of Laws (BA LLB)	LL05
Bachelor of Science/Bachelor of Laws (BSc LLB)	LL04
Bachelor of Medical Science/Bachelor of Laws (BMedSc LLB)	LL09
Bachelor of Arts in Communication (Journalism)/Bachelor of Laws (BA LLB)	LL10
Bachelor of Arts in Communication (Media Arts and Production)/ Bachelor of Laws (BA LLB)	LL11
Bachelor of Arts in Communication (Social Inquiry)/Bachelor of Laws (BA LLB)	LL12
Bachelor of Laws/Bachelor of Arts in International Studies (LLB BA)	LL07

<sup>1</sup> Subject to approval

# UNDERGRADUATE COURSES

## Course information and inquiries

*Senior Administrative Officer*

Mrs Philippa Williams  
telephone (02) 9514 3760

*Administrative Assistant (Undergraduate)*

Mr Robert Jones  
telephone (02) 9514 3719

*Administrative Assistant (Double degree and combined degree programs)*

Vacant  
telephone (02) 9514 3748

*Secretary (Undergraduate)*

Miss Debbie Margaritis  
telephone (02) 9514 3731  
fax (02) 9514 3400

*Academic advice may be obtained from the Director of Undergraduate Programs*

Ms Anita Stuhmcke  
telephone (02) 9514 3793

## Electives

### Law electives

In order to assist students to perceive the inter-relationship of the various electives and their general orientation, and to make informed choices, the electives are classified into the groups indicated below.

**Criminal Law:** Administration of Criminal Justice, Human Rights, Criminology

**Commercial Law:** Industrial and Intellectual Property, Law and Computers, Advanced Taxation, Law of Insurance, Deceptive Trade Practices and Product Liability, Law and Society, Restrictive Trade Practices, Advanced Company Law, Transport Law – Selected Problems, Dispute Resolution, Advanced Contracts, Sale of Goods, Finance Law, Revenue Law, Insolvency, Patents, Trade Marks and Related Rights, Confidential Information, Copyright and Designs

**Environmental Law:** Environmental Law, Local Government Law, Law and Natural Resources, Tourism Law

**Technology:** Industrial and Intellectual Property, Law and Computers, Communications Law, Media Law, Biotechnology Law and Bioethics, Patents, Trade Marks and Related Rights, Confidential Information, Copyright and Designs

**International Law:** Public International Law, Human Rights, Environmental Law, Transport Law – Selected Problems, International Trade Law, International Economic Law, Jessup International Moot, Conflict of Laws, Advanced Conflict of Laws, Tourism Law, Vis Arbitral Moot

**Private Law:** Succession, Family Law, Children and the Law

**Research:** Research Project, Community Legal Research

**Labour and Industrial Relations:** Labour Law, Industrial Law, Social Security Law

**Land Law:** Strata Titles and Community Schemes, Environmental Law, Local Government Law, Land Dealings, Law and Natural Resources, Tourism Law

**Legal Theory and Perspective:** Comparative Law, Human Rights, Jurisprudence, Law and Society, Women and the Law, Law and Medicine, Citizenship and Immigration Law, Advanced Constitutional Law, Advanced Administrative Law, Dispute Resolution, Indigenous Peoples and the Law, Contemporary Legal Studies 1, 2, 3, 4, 5

### Non-Law electives

Students may study up to 48 credit points of non-Law electives. Students must obtain the permission of the Director of Undergraduate Programs if they wish to enrol in non-Law subjects offered by other faculties of the University or other universities.

In addition to seeking this approval, it is necessary to approach the faculty or institution in which the non-Law subjects are to be studied to obtain approval, and also to ensure that any prerequisites or corequisites are satisfied.

Among the non-Law electives available are those in Aboriginal Studies set out in the following list. Further details may be obtained from the School of Adult Education.

015110	Aboriginal Cultures and Philosophies	8cp
015111	Issues in Aboriginal Education	8cp
015112	Aboriginal Initiatives in Education: Towards Community Control	8cp
015113	Teaching Aboriginal Studies	8cp
015114	Aboriginal Studies	4cp
015115	Introducing Aboriginal Cultures and Philosophies	6cp

## 22 Undergraduate courses

54230	Aboriginal Social and Political History	8cp
54231	Aboriginal People and the Media	8cp
54330	The Politics of Aboriginal History	8cp
54331	Aboriginal Forms of Discourse	8cp

### International Studies electives

The Institute for International Studies at UTS offers electives in language studies and in the study of contemporary societies in parts of the non-English-speaking world. All subjects are taught over one semester and have a value of 8 credit points.

### Language studies

All students wishing to take language studies as a credited part of their degree are required to enrol through the Institute for International Studies, whether the language studies are undertaken on a UTS campus or elsewhere. The Institute teaches some language programs at UTS, has made arrangements with other universities for some language programs to be taught to UTS students, and can make special arrangements for individual students to attend specific language programs where academic needs demand.

The individual student's level of language proficiency before entry to the UTS program determines their level of language study. There is a range of entry levels to the various programs available. Most are available at beginners' and post-HSC levels, and some at more advanced levels.

The Institute offers language programs in Cantonese, Chinese, French, German, Greek, Indonesian, Italian, Japanese, Malaysian, Russian, Spanish, and Thai. The Institute can arrange for the teaching of other language programs depending on availability and demand.

### Contemporary Society

The Institute also offers a series of subjects that provide an introduction to the contemporary societies, politics, economics and culture of the countries of East Asia and South-East Asia, Latin America and Europe that are the areas of specialisation of the Institute.

Introductory subjects on the contemporary societies of China, Japan, South-East Asia, Hong Kong, Taiwan, Latin America and Europe are available. There are no prerequisites for any of the Contemporary Society subjects. All subjects are taught in English and are available, with the permission of their faculties, to all UTS students.

Further information is available from the Institute for International Studies, UTS, 10 Quay Street, Ultimo, telephone (02) 9514 1574, fax (02) 9514 1578 and the *2000 Institute for International Studies Handbook*.

### Subjects open to other faculties

Students enrolled in other faculties in the University may apply for approval to enrol in Law subjects. This approval is subject to the meeting of prerequisites and to class sizes. Applications are to be made prior to enrolment to the Director of Undergraduate Programs of the Law Faculty (or his/her nominee).

### Non-award students

Applications may be made by persons not enrolled in the University to enrol in Law subjects as non-award students. Applications should be directed to Admissions, Tower Building, Broadway.

### Miscellaneous students

Law students who have completed the course may enrol as miscellaneous students in subjects they were not able to complete while enrolled. Applications should be directed to Admissions, Tower Building, Broadway.

### Cross-institutional students

Students from other Universities may seek to enter UTS as cross-institutional students and will be permitted, with their Faculty's approval, to undertake up to a maximum of three subjects that will then be credited towards their degree. Applications should be directed to Admissions, Tower Building, Broadway.

### The Summer program in Law

The Faculty offers a Summer program to enable enrolled Law students to undertake one or two electives at the conclusion of the Spring semester. The Summer program will consist of six teaching weeks in December and January and may include a weekend workshop.

Details of application procedures for the 1999/2000 Summer session will be placed on the Faculty noticeboard in September 1999.

### Computer laboratory within the Faculty

Computers are available for student use at the Faculty of Law. Inquiries for booking the use of these machines should be directed to Andrew Mowbray, the Faculty's Law Computer Consultant (or his nominee).

## Recommended reading prior to entry

*A Guide to Legal Problem Solving for Law Students*, P Keyzer, Butterworths, or *A Career in Law*, edited by J F Corkery, Federation Press, may be purchased from the Co-op Bookshop, the Sydney Law Cooperative Bookshop, Butterworths or the Law Book Company.

## Graduate Employment and Summer Clerkship programs

Students wishing to apply to enter the programs must do so in their penultimate year of study.<sup>1</sup> The Faculty of Law participates in the Graduate Employment and Summer Clerkship programs conducted by many of the law schools in NSW in conjunction with the major Sydney law firms and government departments. Many of the firms will only employ graduates through the programs.

The application closing date for the programs is normally set in April/June of each year, and interested students are advised to watch the noticeboards because the deadlines imposed are strictly adhered to. Susan Carr-Gregg is the Academic Coordinator to be contacted with regard to these programs. Applications are lodged through Careers Services at Broadway.

<sup>1</sup> The course progression of LLB BA (International Studies) students may impact upon their ability to apply for this program.

## Assessment

While assessment varies from subject to subject, students may be required to do one or more of the following: final examinations, informal examinations, take-home examinations, assignments, research work, class participation, moot, presentation of seminar papers or a *viva voce*.

Coordinating examiners will advise students of the mode of assessment for their subjects in their course outline and/or by notice on the noticeboard by the end of the third week of the semester.

## Lodgement of assignments

Students are required to retain a copy of any assignment lodged in the assignment box.

Students who are handing in written work must submit it, with an assignment coversheet attached, in the assignment box located on Level 3 at the Law Faculty at Haymarket. The assignment box is cleared daily at 6.00 p.m. **Assignments submitted by DX, by fax or by electronic mail will not be accepted by the Faculty.**

## Formal requirements

Essays and other written work should be prepared in accordance with the guidelines laid down in the Faculty of Law's *Guide to Essay Writing*, which may be obtained from the Faculty.

All work submitted for assessment should bear an assignment coversheet. These are available from the Law Information Office.

If required by the lecturer concerned, the work must be typed.

The work must be properly written with due regard to spelling, punctuation, grammar and syntax.

Unless otherwise instructed by the lecturer concerned, all written work should include footnotes or endnotes and a bibliography in the manner set out in the *Guide to Essay Writing*.

Any piece of written work which does not comply with these requirements may be:

- required to be rewritten in proper form;
- penalised in marks; or
- rejected without assessment.

## Late work

Any work submitted after the date for submission may be penalised in marks or rejected without assessment.

## Plagiarism

Where individual work is required for the purposes of assessment, the copying, unacknowledged use of, or reliance on the work of other individuals without acknowledgment is considered to be cheating/misconduct. The penalties imposed for cheating/misconduct or **allowing work to be plagiarised** are severe under the University rules and regulations.

Plagiarism is one of the most serious crimes in the academic community – it indicates an attempt by someone to pass off the words and/or ideas of another as their own. To take any but a few sequential words of another without acknowledgment is plagiarism and tantamount to cheating. It will be so treated in the Faculty of Law.

Experience shows that one of the most common ways for plagiarism to occur is when students work together. It is acknowledged by the academic staff that study groups are an efficient and beneficial method of learning – peer tuition is effective – but problems arise when it is extended into the assessment process. The Faculty expects, in fact demands,

all assignments submitted to be the work of the person who is credited with the mark. It can be an extremely fine line between discussion of an essay topic with another and collaboration, but where comparisons of various students' work indicate collaboration, this will be taken to be plagiarism and the Faculty policy will be invoked. (Faculty of Law's *Guide to Essay Writing* 1999, pp.15–17.)

Any acts of plagiarism will be penalised. Such penalties may include, depending upon the seriousness and nature of the offence:

- a requirement that the assignment be rewritten *de novo*;
- a penalty in the reduction of marks awarded to the work, which may include a reduction to zero, or a sharing of the mark awarded to the document among its apparent authors;
- a fail result in the subject concerned; and
- a referral of the matter to the Associate Dean or other appropriate body.

### Progression and acceleration policy

The following policy will apply to progression and acceleration.

Students will be permitted to enrol in subjects totalling up to 28 credit points per semester with the leave of the Director of Undergraduate Programs or nominee, if:

- there is no timetable clash;
- prerequisites and corequisites are satisfied;
- class size ceilings are not exceeded;
- the student's academic record indicates he or she is capable of performing satisfactorily when accelerating; and
- the student can demonstrate that his or her work and other non-study commitments permit him or her to accelerate without detriment to his or her studies.

The Faculty of Law is unable to guarantee that there will be no timetable clash or no final examination clashes where students do not progress normally.

### Exemptions

Subject to the approval of the Faculty Board in Law, it is possible for students to obtain exemptions for both Law and non-Law subjects.

### Law subjects

Students may be able to obtain an exemption from a Law subject if they are able to satisfy the Faculty Board that a comparable course of study has been successfully undertaken as an Bachelor of Laws subject within the Law Faculty of another recognised university. As a general rule, exemptions will not be given if the subject was studied more than six years ago. The period in the 'six-year rule' shall be calculated from the date on which the subject in which the exemption is sought was successfully completed, to when it is due to be undertaken in the Faculty of Law. However, the Faculty Board shall always retain a discretion to waive the strict application of the rule in cases where there is additional evidence of work or study experience. Indeed, in subjects where there have been significant recent changes in the law, an exemption may not be granted even though the subject was successfully completed less than six years ago.

The Faculty Board must be satisfied that the student has successfully completed a comparable subject elsewhere. To verify this, the student must produce a transcript of his or her academic record and a copy of the relevant institution's handbook containing a detailed description of the subject, together with the reading guide that was current at the time of study.

Exemption for Law subjects will only be granted to students who have studied law in a recognised law school. Students who have studied law through the Law Extension Committee of the Supreme Court (LPAB) will not be granted exemptions. Students must complete 67 per cent of requisite law subjects at UTS.

### Non-Law subjects

It is possible to obtain exemptions for non-Law electives in the Bachelor of Laws and Bachelor of Laws (Indigenous) programs if students have completed a degree, diploma or associate diploma course from a recognised tertiary institution.

The maximum exemptions that can be granted on the basis of having completed a course are as follows:

- a degree course (three years full time) – 48 credit points
- a diploma course (three years full time) – 36 credit points
- an associate diploma course (two years full time) – 24 credit points

Students wishing to study non-Law electives within their Law degree, in either other faculties of the University or within a degree course at another university, may be granted approval to undertake up to 48 credit points. Formal application to do so must be made in writing to the Faculty Board in Law. In double degree and combined degree courses this can not be permitted where students want these subjects to be accredited to their degree(s).

### Partially completed courses

No exemptions can be sought for a partially completed diploma or associate diploma course.

Students entering the Bachelor of Laws or Bachelor of Laws (Indigenous) programs with a partially completed degree, either as transfer students from another faculty of the University or from another university, may be granted up to a maximum of 24 credit points.

Students who wish to undertake subjects at another university and receive accreditation for them must apply in writing to the Faculty Board in Law.

Students who are seeking exemptions should complete an Application for Exemptions form, which is available from the Law Information Office. It is recommended that all students seeking an exemption should make an application early in the course. Inquiries should be directed to Administration.

### Internal course transfers

UTS students who internally transfer into the Bachelor of Laws or Bachelor of Laws (Indigenous) programs may receive up to 48 credit points of exemptions from non-Law electives for subjects which have been completed as part of their previous UTS studies.

### Exchange program

The Law Faculty has an exchange program with the University of Westminster situated in London, UK. Under this program, it is possible to undertake three or four law electives overseas. Students should forward applications on a form, which is available from the Law Information Office, to the Associate Dean. To be eligible for the scheme, students must have a credit average or better. The number of places is limited. Applications must be lodged at least six months prior to intended departure.

Once applications have been approved by both universities, students need to obtain a study

visa from the British Consulate. At UTS, you lodge a Concurrent Study form and a Variation of Program form to delete local subjects and add the subjects 7XXXXX – X Westminster Exchange Subject 1–4. Marks achieved in the Westminster subjects are adjusted and appear on your UTS transcript and may be included in Honours calculations.

For further information, contact the Associate Dean, Andrew Mowbray, on (02) 9514 3761.

### Honours

The awarding of Honours is presently under review. Students commencing their degrees in 2000 should consult the Faculty with regard to the changes.

It will be possible for students to gain an award with Honours in the Law degrees or the Law component of combined or double degrees.

The Bachelor of Laws degree is awarded **with Honours**, and does not require an additional Honours year. To this end, the Research Project, which is a necessary requirement, must be undertaken as an elective subject of 6 credit points within the degree. **This subject forms part of the credit points required for degree completion**, 192 for the full-time or part-time degree, 144 for combined degrees.

Application to undertake a Research Project must be made at least one month prior to enrolling in the subject. Students should make an appointment to see the coordinator to discuss the procedure that must be followed. As a research project normally takes longer than a semester to complete, students are advised to enrol in the subject in their third last semester of study, particularly if they intend undertaking practical legal training in their final semester, for no subjects may be undertaken in conjunction with this major.

The Honours Regulations are set out below:

#### 1. Awards

- 1.1 Awards of the Law degree or the Law component of a combined degree shall be classified as follows:
  - (a) degree (with First Class Honours);
  - (b) degree (with Second Class Honours); and
  - (c) degree
- 1.2 Award of the degree with Second Class Honours shall not be graded.

## 2. Requirements of Honours

- 2.1 To qualify for an award of the degree with Honours a student shall:
- (a) successfully complete the subject 76040 Research Project 4;
  - (b) obtain an Honours mark, calculated in accordance with the formula 'Sum of All' (Law subject credit points x mark) divisible by the 'sum of all Law subject credit points' such that
    - (i) for First Class Honours – 75 per cent
    - (ii) for Second Class Honours – 65 per cent
  - (c) not fail any subject after the first semester of study;
  - (d) successfully complete not less than 96 credit points of Law subjects within the Faculty of Law;
  - (e) for the purpose of the calculation in (b), students may discount up to six of their worst subjects provided that at least 12 UTS Bachelor of Laws subjects are included in the calculation; and
  - (f) a student's Honours mark shall include the mark obtained by the student in the subject Research Project notwithstanding that such mark might be one of their worst subjects.
- 2.2 In exceptional circumstances the Faculty Board in Law may modify or dispense with the requirements of Regulation 2.1(c) and (d).

### The University medal

The University may award a medal to students who have achieved outstanding academic merit throughout their undergraduate degree course. The medal awarded within the Bachelor of Laws program is to the student achieving the highest marks at First Class Honours level.

### Regulations of the Faculty of Law

These are under review. Students commencing their degrees in 2000 should consult the Faculty with regard to the changes.

The following regulations relate to the Research Project and refer only to the Bachelor of Laws program in the Faculty of Law.

### Research Project regulations

1. The regulations apply to the following elective subject 76040 Research Project 4.
2. A student undertaking a research project is required to demonstrate:
  - (a) eligibility to graduate with Honours;
  - (b) a high level of understanding of the law relevant to the topic;
  - (c) the capacity to research and analyse legal material;
  - (d) the ability to use research tools and skills;
  - (e) the ability to present the results of the research in a coherent and comprehensive form; and
  - (f) the availability of an appropriate supervisor.
3. Assessment is based on a dissertation to be submitted by students, which will normally be expected to lie within the following range:  
Research Project: 12,000–15,000 words.
4. Where research related to research projects has been done for another purpose either in the Faculty of Law or elsewhere, full disclosure of that prior research must be made at the time the topic is submitted for approval. If the topic is approved notwithstanding such prior research, then that research shall not form part of the work completed for the research project and shall be excluded from the final assessment. The student shall provide further information concerning that research as may be requested by the supervisor, the examiners or the subject coordinator.
5. The examiners of research projects may require the student to undergo a *viva voce* examination, in which case the *viva voce* shall form part of the assessment of the subject.
6. The Faculty Board in Law has ultimate control over all aspects of research projects. Any student, the subject coordinator or the Associate Dean has the right to approach the Board on any issue arising out of these regulations, a research project or assessment.
7. There shall be a subject coordinator for research projects who shall be appointed at the first Faculty Board meeting in the Faculty of Law each year and shall hold office until the first Faculty Board meeting the following year. During the absence of

the subject coordinator, the Director of Undergraduate Programs or Associate Dean may act in his or her stead.

8. A student may enrol in the subject Research Project only if that student has:
  - (a) successfully completed Stages 1–8 of the part-time program; and
  - (b) successfully completed any core subject or elective subject relevant to the topic.
9. A student wishing to undertake a research project shall submit a signed written proposal to Administration on the form available from the Law Information Office. The proposal shall include the name of the topic of the proposed research project and the name of the supervisor and must be signed by the supervisor. Copies of these proposals shall be circulated by the subject coordinator to all members of the full-time academic staff of the Faculty of Law and, if no objection to the application is received by the subject coordinator within seven days of such circulation, the subject coordinator may approve the application, including the topic and the supervisor. **Approval must be granted before enrolment is allowed.**
10. If the subject coordinator does not approve the application, it shall be submitted to the next meeting of the Faculty Board, which may approve the application on such terms as it thinks fit, or disapprove the application.
11. A student is required to enrol in the Research Project subject no later than the beginning of the semester following that in which the subject coordinator or the Faculty Board approved the proposed research project.
12. (a) Supervisors have the day-to-day control and supervision of research projects and students are required to meet with their supervisors regularly.
  - (b) Any amendments to the research project proposal may be approved by the supervisor if the project remains within the same substantial area as previously approved. However, any substantial amendments to the student's approved proposal shall be proposed in writing to the supervisor and subject coordinator. Copies of the proposed amendment shall be circulated by the subject coordinator to all members of the Faculty's full-time academic staff and if no objection to the application is received within seven days of such circulation, the amendment is deemed to be approved.
13. A research project shall normally be taken over one semester and the dissertation shall be lodged with the subject coordinator not later than 5.00 p.m. on the Friday of the 13th week of the semester.
 

Upon the student's written request, the subject coordinator may, with the student's supervisor, grant the student an extension of time for the submission of the project which shall not exceed two weeks from the original date of submission. Students requiring additional time are advised to apply in writing for an extension (which may or may not receive approval) to the Examination Review Committee or to seek leave and re-enrol in the subject in the following Autumn or Spring semester.
14. The dissertation must comply with the following format rules:
  - (a) Two copies of the dissertation shall be presented to the subject coordinator. One of these copies will be returned to the student after examination.
  - (b) The dissertation shall be written in English in good-quality typescript on one side of the paper only. In the body of the dissertation, one-and-one-half spacing is preferred, but double spacing is permissible. Single spacing may only be used for appendices, footnotes and quotations.
  - (c) The paper used shall be good-quality medium-weight white stock, sufficiently opaque for normal reading.
  - (d) The size of the paper shall be ISO A4 (297 mm x 210 mm).
  - (e) The margins on each sheet shall be not less than 40 mm on the left-hand side, and 20 mm on the right-hand side, top and bottom.
  - (f) Both copies of the dissertation shall be accompanied by an abstract of not more than 400 words.
  - (g) Both copies of the dissertation shall be presented in a permanent and legible form and if not bound, then suitable for future binding.
  - (h) Each copy of the dissertation shall be enclosed in a stiff cover.



## 28 Undergraduate courses

15. For the research project, there shall be two examiners, appointed by the Faculty Board. If there are any unresolved differences of opinion on any matter relevant to a student's assessment, such differences shall be resolved by an umpire appointed by the Associate Dean.
16. Prior to final assessment of a research project, the examiners may require the student to rewrite and resubmit the dissertation in whole or in part, and in such a case the examiners shall provide details of the parts of the dissertation that require amendment, and their reasons for requiring such amendment. When a student is required to rewrite and resubmit the dissertation, that student shall be permitted to extend the subject over two semesters and shall re-enrol in the subject for a second semester.

### Bachelor of Laws

---

- ◆ *Course code:* LL01
  - ◆ *Testamur title:* Bachelor of Laws
  - ◆ *Abbreviation:* LLB
  - ◆ *Course fee:* HECS
- 

The objective of the Bachelor of Laws (LLB) course is to enable students to reach a stage of creativity at which they have sufficient knowledge and sufficient ability to seek their own solutions to legal problems – solutions which they can justify in legal terms by using the legal materials at their disposal in a professional way.

Australia has a highly complex legal system and, as society has developed, so has the role of the lawyer. The range of knowledge and skills which lawyers now require is extensive. Today's lawyers are increasingly called upon to act as negotiators to settle matters, and to advise and counsel parties. The function of the lawyer also includes foreseeing problems and preventing the incident of disputation, as well as resolving disputes when they cannot be avoided. The course is concerned with the total range of functions of lawyers in the community. A preventive emphasis will also be apparent in the teaching of the various subjects throughout the course. Consideration will be given to how people can organise their affairs so as to anticipate and avoid potential disputes. In this regard, consideration will be given to the application of more than one and sometimes conflicting rules to a particular set of facts.

The primary object is not to produce specialists in any particular field of law. Although a degree of specialisation is allowed for in the provision of elective subjects, the view taken is that specialisation is something which comes later. The aim of the Law course is to provide a basis upon which subsequent specialisation can be built.

The subjects have been selected on the basis of two criteria: to provide (a) an overview of the legal system as a whole, and (b) an opportunity for the student to practise legal skills in differing contexts. The subjects are introductions, not to the law as a whole, but to the relevant branch of the law. They are designed to provide an understanding of the conceptual framework involved, the development of these concepts and a consideration of areas of current controversy. It is in the last area that the opportunity will be provided for students to develop their skill in the handling of legal material and thus reach the stage of independent legal creativity.

### Course structure

The duration of the Bachelor of Laws course is four years in the full-time attendance mode and six years in the part-time attendance mode. The course is arranged in stages on a semester basis.

The Autumn semester normally commences in early March and the Spring semester commences in early August.

The overall structure has two components – the core and elective subjects, which include an optional Professional Program.

### Core subjects (96 credit points)

The core of 14 subjects satisfies the Priestley requirements. The new core is as follows:

70113	Legal Process and History	10cp
70105	Legal Research	4cp
70217	Criminal Law	6cp
70211	Law of Contract	8cp
70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
70317	Real Property	8cp
70318	Personal Property	4cp
70617	Administrative Law	8cp
70417	Corporate Law	8cp
70516	Equity and Trusts	8cp
71116	Remedies	6cp
71216	Law of Evidence	6cp
71005	Practice and Procedure	4cp

**Elective subjects (up to 96 credit points)**

Depending upon their course of study, students must take up to 96 credit points of elective subjects. It is anticipated that for most students this will include the 24 credit points of practical legal training.

From time to time, the Faculty Board will consider new electives devised to meet emerging legal developments or fresh areas of study.

Resources permitting, an array of electives will be made available (all of 6-credit-point value) drawn from the following list:

76004	Administration of Criminal Justice
76061	Advanced Administrative Law
76028	Advanced Company Law
76059	Advanced Conflict of Laws
76060	Advanced Constitutional Law
76047	Advanced Contracts
76037	Advanced Criminal Law
76044	Advanced Family Law
76054	Advanced Public Law
76016	Advanced Taxation Law
76070	Biomedical Law and Bioethics
76066	Children and the Law
76048	Citizenship and Immigration Law
76042	Communications Law
76069	Community Legal Research
76001	Comparative Law A
76003	Comparative Law B
76072	Confidential Information, Copyright and Designs
76112	Conflict of Laws
76012	Criminology
76023	Deceptive Trade Practices and Product Liability
76052	Dispute Resolution
76024	Environmental Law
76035	European Community Law
76516	Family Law
76065	Finance Law
76007	Human Rights
76068	Indigenous Peoples and the Law
76011	Industrial and Intellectual Property
76053	Industrial Law
76115	Insolvency
76018	International Economic Law
76051	International Trade Law
76039	Jessup International Moot
76008	Jurisprudence
76015	Labour Law
76029	Land Dealings
76014	Law and Computers
76045	Law and Medicine
76064	Law and Natural Resources
76022	Law of Insurance

76026	Local Government Law
76063	Media Law
76900	Moot
76073	Patents, Trade Marks and Related Rights
76006	Public International Law
76027	Restrictive Trade Practices
76212	Revenue Law
76411	Sale of Goods
76062	Social Security Law
76017	Strata Titles and Community Schemes
76517	Succession
76071	Tourism Law
76049	Transport Law – Selected Problems
76046	Women and the Law

**Professional Program (24 credit points)**

A number of subjects offered in the Professional Program can be studied as part of the undergraduate Law degree. It is an option which may be taken by students in their final semester of study, in place of four Law elective subjects (24cp). Practical Legal Training comprises five subjects and is taught over 18 weeks from 9.00 a.m. – 5.00 p.m. Monday to Friday. The subjects are:

75401	Litigation	6cp
75402	Property Transactions	6cp
75403	Commercial and Estate Practice	6cp
75415	Professional Conduct 1 (Legal Accounting)	3cp
75416	Professional Conduct 2 <sup>1</sup> (Legal Ethics)	3cp

<sup>1</sup> Required for admission to practice.

In addition, students enrol in a concurrent Graduate Certificate in Legal Practice comprising three additional subjects (12 credit points) in order to complete the Professional Program. The additional subjects are:

75412	Legal Skills and Professional Awareness <sup>1</sup>	6cp
75413	Advocacy <sup>1</sup>	6cp
75411	Practical Experience	0cp

<sup>1</sup> These subjects are undertaken concurrently with the Professional Program.

The Professional Program commences prior to the first week of the University semester. Please contact the Professional Program for commencement date.

The Professional Program may be undertaken by part-time study. Subjects are taught between 5.00 p.m. and 9.00 p.m., two nights a week, with some Saturday sessions and a summer semester for Professional Conduct 1

## 30 Undergraduate courses

(Legal Accounting), Professional Conduct 2 (Legal Ethics) and Legal Skills and Professional Awareness. Student progression is as follows:

### Summer semester

75412	Legal Skills and Professional Awareness	6cp
75415	Professional Conduct 1 (Legal Accounting)	3cp
75416	Professional Conduct (Legal Ethics)	3cp

### Autumn semester

75402	Property Transactions	6cp
75403	Commercial and Estate Practice	6cp

### Spring semester

75401	Litigation	6cp
75413	Advocacy	6cp
75411	Practical Experience	0cp

Practical experience may be completed concurrently with part-time study of the Professional Program.

### Professional Program by flexible learning (24 credit points)

The Professional Program may be undertaken by flexible learning mode. This means students learn at a time, rate and location that suits each individual student. Students use self-managed learning tools to learn at their own pace. Because of the skills-based nature of the courses of study within the Professional Program, two compulsory Monday to Friday face-to-face schools are included in the course of study. The first school takes place at the beginning of the course of study, primarily for the Legal Skills and Professional Awareness subject, with the second at the conclusion of the course, primarily for the Advocacy subject.

## Student progression

### Full time

#### Spring

75412	Legal Skills and Professional Awareness	6cp
75401	Litigation	6cp
75402	Property Transactions	6cp
75403	Commercial and Estate Practice	6cp
75413	Advocacy	6cp
75415	Professional Conduct 1 (Legal Accounting)	3cp
75416	Professional Conduct 2 (Legal Ethics)	3cp
75411	Practical Experience	0cp

### Part-time

#### Autumn

75412	Legal Skills and Professional Awareness	6cp
75402	Property Transactions	6cp
75403	Commercial and Estate Practice	6cp
75415	Professional Conduct 1 (Legal Accounting)	3cp

#### Spring

75401	Litigation	6cp
75413	Advocacy	6cp
75416	Professional Conduct 2 (Legal Ethics)	3cp
75411	Practical Experience	0cp

Practical experience may be completed concurrently with part-time study of the Professional Program.

The subject Practical Experience requires students to undertake 16 weeks of full-time or equivalent part-time experience (approved in advance by the Faculty) following completion of the Professional Program. It is possible, however, to undertake one-half of this requirement (8 weeks of practical experience) in the year prior to commencing the Legal Practice major.

The same subjects in the Professional Program will be taught to Law graduates who wish to complete the Graduate Diploma in Legal Practice offered by the postgraduate area of the Faculty of Law.

No other subject may be taken in conjunction, and students in double degrees must have completed 48 credit points of their studies in the other degree prior to enrolling in the Professional Program.

The Professional Program commences prior to the first week of the University semester. Please contact the Professional Program for commencement date.

Priority for a place in the Professional Program will be given to UTS undergraduates who enrol by the date advertised by the Faculty.

### Non-Law electives

Because of program constraints, double and combined degree students will not be able to undertake non-Law electives.

Law students who have not sought exemptions on the basis of a prior degree may study up to 48 credit points of non-Law electives. Students will be required to obtain the permission of the Associate Dean (or nominee) if they wish to enrol in non-Law subjects offered by other faculties of the University or other universities.

In addition to seeking the approval of the Associate Dean, it will be necessary to approach the faculty or institution in which the non-Law subjects are to be studied to obtain approval, and also to ensure that any local prerequisite or corequisite requirements are satisfied.

### Course program

Timetable constraints may require attendance at daytime and evening classes.

#### Full-time

##### Stage 1

70113	Legal Process and History	10cp
70217	Criminal Law	6cp
70105	Legal Research	4cp

##### Stage 2

70211	Law of Contract	8cp
70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp

##### Stage 3

70318	Personal Property	4cp
70317	Real Property	8cp
76xxx	Elective subject 1	6cp
76xxx	Elective subject 2	6cp

##### Stage 4

70617	Administrative Law	8cp
70417	Corporate Law	8cp
76xxx	Elective subject 3	6cp
76xxx	Elective subject 4	6cp

##### Stage 5

70516	Equity and Trusts	8cp
76xxx	Elective subject 5	6cp
76xxx	Elective subject 6	6cp
76xxx	Elective subject 7	6cp

##### Stage 6

71216	Law of Evidence	6cp
71005	Practice and Procedure	4cp
71116	Remedies	6cp
76xxx	Elective subject 8	6cp

##### Stage 7

76xxx	Elective subject 9	6cp
76xxx	Elective subject 10	6cp
76xxx	Elective subject 11	6cp
76xxx	Elective subject 12	6cp

##### Stage 8

Practical Legal Training (PLT)	24cp
<i>or</i>	
Four Law electives	24cp

#### Part-time

##### Stage 1

70113	Legal Process and History	10cp
70105	Legal Research	4cp

##### Stage 2

70217	Criminal Law	6cp
70211	Law of Contract	8cp

##### Stage 3

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp

##### Stage 4

70317	Real Property	8cp
70318	Personal Property	4cp

##### Stage 5

70417	Corporate Law	8cp
70617	Administrative Law	8cp

##### Stage 6

70516	Equity and Trusts	8cp
76xxx	Elective subject 1	6cp

##### Stage 7

71005	Practice and Procedure	4cp
71216	Law of Evidence	6cp
71116	Remedies	6cp

##### Stage 8

76xxx	Elective subject 2	6cp
76xxx	Elective subject 3	6cp
76xxx	Elective subject 4	6cp

##### Stage 9

76xxx	Elective subject 5	6cp
76xxx	Elective subject 6	6cp
76xxx	Elective subject 7	6cp

##### Stage 10

76xxx	Elective subject 8	6cp
76xxx	Elective subject 9	6cp
76xxx	Elective subject 10	6cp

##### Stage 11

76xxx	Elective subject 11	6cp
76xxx	Elective subject 12	6cp

##### Stage 12

Practical Legal Training (PLT)	24cp
<i>or</i>	
Four Law electives	24cp

## Bachelor of Laws in Australian Indigenous Studies

- ◆ *Course code:* LLO8
- ◆ *Testamur title:* Bachelor of Laws in Australian Indigenous Studies
- ◆ *Abbreviation:* LLB
- ◆ *Course fee:* HECS

This degree offers students the opportunity to gain a qualification tailored to the needs of Aboriginal and Torres Strait Islander communities, and which satisfies the academic requirements of the Supreme Court of NSW for admission as a legal practitioner.

The program will allow students the option of undertaking Practical Legal Training (PLT) as part of their undergraduate studies. Concurrently, students are required to enrol in the Graduate Certificate in Legal Practice to complete the remaining component of the PLT requirements.

Alternatively, students may choose to complete their undergraduate degree from the choice of electives and delay PLT studies for up to two years, or even forego such studies completely. Applicants and students who decide on this latter course must realise that, under the current rules of the Legal Practitioners Admission Board (LPAB), upon graduation they will not be able to practise as a solicitor or barrister in NSW unless they are able to demonstrate substantial legal experience to the satisfaction of the LPAB.

### Course structure

The full-time Bachelor of Laws (Indigenous) normally requires four years for completion and the part-time Bachelor of Laws, six years. All subjects are taught over one semester. Full-time students attend 10 to 14.5 hours of lectures per week and part-time students attend classes from 7 to 9.5 hours per week. Part-time students will normally be required to attend classes half a day and two evenings per week and full-time students may be required to attend evening classes. The Bachelor of Laws (Indigenous) is available at both Pass and Honours level and includes an optional Practical Legal Training component. Students who have already completed a degree in another discipline may apply for exemption from 48 credit points of non-Law electives. Students who do not apply for these exemptions may take up to 48 credit points of non-Law electives in other faculties.

The compulsory subjects in the Australian Indigenous Law component are:

- Family Law and Women's Perspectives – Aboriginal and Torres Strait Islander People;
- Criminal and Civil Law – Indigenous Perspectives;
- Indigenous Peoples and Land Law; and
- Indigenous Peoples and the Law.

Bachelor of Laws (Indigenous) students may also study up to 48 credit points of non-Law electives in other faculties. The following examples are available in the Faculty of Education:

015110	Aboriginal Cultures and Philosophies	8cp
015111	Issues in Aboriginal Education	8cp
015112	Aboriginal Initiatives in Education: Towards Community Control	8cp
015113	Teaching Aboriginal Studies	8cp
015114	Aboriginal Studies	4cp
015115	Introducing Aboriginal Cultures and Philosophies	6cp

### Assumed knowledge

An adequate proficiency in English is assumed.

### Course program

#### Full time

##### Year 1

#### Stage 1

70113	Legal Process and History	10cp
70105	Legal Research	4cp
70217	Criminal Law	6cp

#### Stage 2

70211	Law of Contract	8cp
70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp

##### Year 2

#### Stage 3

70317	Real Property	8cp
70318	Personal Property	4cp
76068	Indigenous Peoples and the Law	6cp
76xxx	Elective subject 1	6cp

#### Stage 4

70417	Corporate Law	8cp
70617	Administrative Law	8cp
76703	Indigenous Peoples and Land Law	6cp
76xxx	Elective subject 2	6cp

## Year 3

**Stage 5**

70516	Equity and Trusts	8cp
76702	Criminal and Civil Law – Indigenous Perspectives	6cp
76xxx	Elective subject 3	6cp
76xxx	Elective subject 4	6cp

**Stage 6**

71216	Law of Evidence	6cp
71005	Practice and Procedure	4cp
71116	Remedies	6cp
76701	Family Law and Women’s Perspectives – Aboriginal and Torres Strait Islander People	6cp

## Year 4

**Stage 7**

76xxx	Elective subject 5	6cp
76xxx	Elective subject 6	6cp
76xxx	Elective subject 7	6cp
76xxx	Elective subject 8	6cp

**Stage 8**

	Practical Legal Training (PLT)	24cp
	<i>or</i>	
	Four Law electives	24cp

**Course program****Part time**

## Year 1

**Stage 1**

70113	Legal Process and History	10cp
70105	Legal Research	4cp

**Stage 2**

70211	Law of Contract	8cp
70217	Criminal Law	6cp

## Year 2

**Stage 3**

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp

**Stage 4**

70317	Real Property	8cp
70318	Personal Property	4cp

## Year 3

**Stage 5**

70417	Corporate Law	8cp
70617	Administrative Law	8cp

**Stage 6**

70516	Equity and Trusts	8cp
76068	Indigenous Peoples and the Law	6cp

## Year 4

**Stage 7**

71005	Practice and Procedure	4cp
71216	Law of Evidence	6cp
71116	Remedies	6cp

**Stage 8**

76703	Indigenous Peoples and Land Law	6cp
76xxx	Elective subject 1	6cp
76xxx	Elective subject 2	6cp

## Year 5

**Stage 9**

76702	Criminal and Civil Law – Indigenous Perspectives	6cp
76xxx	Elective subject 3	6cp
76xxx	Elective subject 4	6cp

**Stage 10**

76701	Family Law and Women’s Perspectives – Aboriginal and Torres Strait Islander People	6cp
76xxx	Elective subject 5	6cp
76xxx	Elective subject 6	6cp

## Year 6

**Stage 11**

76xxx	Elective subject 7	6cp
76xxx	Elective subject 8	6cp

**Stage 12**

	Practical Legal Training (PLT)	24cp
	<i>or</i>	
	Four Law electives	24cp

## COMBINED DEGREES

### Bachelor of Business/ Bachelor of Laws

- ◆ *Course code: LL02*
- ◆ *Testamur title: Bachelor of Business  
Bachelor of Laws*
- ◆ *Abbreviation: BBus LLB*
- ◆ *Course fee: HECS*

This degree (two testamurs) is of five years' duration and students undertake studies full time with classes held during the day and evening. The program will allow students the option of undertaking Practical Legal Training (PLT) as part of their undergraduate studies. Subsequently, graduates will be able to proceed, subject to the availability of places, into the Graduate Certificate in Legal Practice to complete the remaining component of the PLT requirements.

Alternatively, students may choose to complete their undergraduate degree from the choice of electives and delay PLT studies for up to two years, or even to forego such studies completely. Applicants and students who decide on this latter course must realise that, under the current rules of the Legal Practitioners Admission Board (LPAB), upon graduation they will not be able to practise as a solicitor or barrister in NSW unless they are able to demonstrate substantial legal experience to the satisfaction of the LPAB.

The Chartered Institute of Company Secretaries in Australia is the professional association for 9,000 company secretaries and other corporate managers in Australia. It is also the Australian Division of the International Institute of Chartered Secretaries and Administrators to which its Australian members also belong. Special arrangements exist between the University and the Institute under which Bachelor of Business/Bachelor of Laws students who have passed the University's examinations in four prescribed units can satisfy the Institute's full academic membership requirements without the need to sit the Institute's two qualifying examinations. During the course of their studies, students are encouraged to become student members of the Institute.

For details of the prescribed subjects and student membership, contact Associate Professor Michael Adams on (02) 9514 5418.

Alternatively, contact Dr John Nelson, Director of Education and Membership, Chartered Institute of Company Secretaries, GPO Box 1594, Sydney, NSW 2001, or telephone toll free on 1800 251 849.

### Course program

#### Year 1

##### Stage 1

79202	Business Law	4cp
25110	Microeconomics	4cp
22105	Accounting A	4cp
21125	International Business Environment	4cp
26122	Quantitative Methods of Business	4cp
25308	Financial Markets	4cp

##### Stage 2

70113	Legal Process and History	10cp
70105	Legal Research	4cp
22205	Accounting B	4cp
25314	Business Finance	4cp

#### Year 2

##### Stage 3

70217	Criminal Law	6cp
70211	Law of Contract	8cp
25209	Macroeconomics	4cp
21130	Management and Organisations	4cp
24105	Marketing Principles	4cp

##### Stage 4

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
2xxxx	Business major 1	6cp

#### Year 3

##### Stage 5

70317	Real Property	8cp
70318	Personal Property	4cp
2xxxx	Business major 2	6cp
2xxxx	Business major 3	6cp

##### Stage 6

70617	Administrative Law	8cp
76xxx	Law elective 1	6cp
76xxx	Law elective 2	6cp
2xxxx	Business major 4	6cp

#### Year 4

##### Stage 7

70417	Corporate Law	8cp
70516	Equity and Trusts	8cp
71005	Practice and Procedure	4cp
2xxxx	Business major 5	6cp

**Stage 8**

71216	Law of Evidence	6cp
71116	Remedies	6cp
76xxx	Law elective 3	6cp
2xxxx	Business major 6	6cp

**Year 5****Stage 9**

21609	Business Strategy	4cp
2xxxx	Business major 7	6cp
2xxxx	Business major 8	6cp
76xxx	Law elective 4	6cp

**Stage 10**

	Practical Legal Training (PLT)	24cp
	<i>or</i>	
	Four Law electives	24cp

**Bachelor of Business majors**

- Accounting
- Banking
- Economics
- Finance
- International Business
- Management
- Marketing
- Tourism

The subject 76212 Revenue Law must be taken in the Accounting concentration.

**Bachelor of Science in Computing Sciences/  
Bachelor of Laws**

- ◆ *Course code: LLO6*
- ◆ *Testamur title:  
Bachelor of Science in Computing Science  
Bachelor of Laws*
- ◆ *Abbreviation: BSc LLB*
- ◆ *Course fee: HECS*

This degree (two testamurs) is of five years' duration and students undertake studies full time with classes held during the day and evening. The program will allow students the option of undertaking Practical Legal Training (PLT) as part of their undergraduate studies. Concurrently, students are required to enrol in the Graduate Certificate in Legal Practice to complete the remaining component of the PLT requirements.

Alternatively, students may choose to complete their undergraduate degree from the choice of electives and delay PLT studies for up to two

years, or even to forego such studies completely. Applicants and students who decide on this latter course must realise that, under the current rules of the Legal Practitioners Admission Board (LPAB), upon graduation they will not be able to practise as a solicitor or barrister in NSW unless they are able to demonstrate substantial legal experience to the satisfaction of the LPAB.

An important component within the Bachelor of Computing Science involves industrial experience over one semester – Computing Science staff will assist and advise students in obtaining suitable placements.

**Course program****Stage 1**

70113	Legal Process and History	10cp
70105	Legal Research	4cp
31415	Principles of Software Development A	6cp
31417	Computing Practice	6cp

**Stage 2**

70217	Criminal Law	6cp
70211	Law of Contract	8cp
31425	Principles of Software Development B	6cp
31429	Procedural Programming	6cp

**Stage 3**

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
31414	Information Systems	6cp
31416	Computer Systems Architecture	6cp

**Stage 4**

70318	Personal Property	4cp
70317	Real Property	8cp
31424	Systems Modelling	6cp
31428	Quantitative Modelling	6cp

**Stage 5**

70617	Administrative Law	8cp
70417	Corporate Law	8cp
31436	Systems Software and Networks	8cp
31434	Database Design	6cp

**Stage 6**

70516	Equity and Trusts	8cp
76xxx	Elective subject 1	6cp
31444	Systems Design and Development	10cp

**Stage 7**

71216	Law of Evidence	6cp
71005	Practice and Procedure	4cp
76xxx	Elective subject 2	6cp
76xxx	Elective subject 3	6cp
31455	Software Development Case Study <sup>1</sup>	6cp



## 36 Undergraduate courses

### Stage 8

71116	Remedies	6cp
76xxx	Elective subject 4	6cp
31455	Software Development Case Study (cont.) <sup>1</sup>	6cp
31464	Information Technology Planning and Design <sup>1</sup>	6cp

### Stage 9

31454	Project Management and the Professional Industrial Experience	6cp
-------	---	-----

### Stage 10

	Practical Legal Training (PLT)	24cp
	<i>or</i>	
	Four Law electives	24cp

<sup>1</sup> These subjects may be replaced by Computing Science electives, with the approval of the Head of School of Computing Sciences.

## Bachelor of Arts/ Bachelor of Laws<sup>1</sup>

- ◆ *Course code: LL05*
- ◆ *Testamur title: Bachelor of Arts Bachelor of Laws*
- ◆ *Abbreviation: BA LLB*
- ◆ *Course fee: HECS*

This course is no longer offered to new students. This course is of five years' duration (full time) and satisfies the academic requirements of the Supreme Court of NSW for admission purposes. The program will allow students the option to undertake Practical Legal Training (PLT) as part of their undergraduate studies. Concurrently, students are required to enrol in the Graduate Certificate in Legal Practice to complete the remaining component of the PLT requirements.

Alternatively, students may choose to delay PLT studies for up to two years, or even to forego such studies completely. Students who decide on this latter course must realise that, under the current rules of the Legal Practitioners Admission Board (LPAB), they will not be able to practise as legal practitioners in NSW unless they are able to demonstrate substantial legal experience to the satisfaction of the LPAB.

<sup>1</sup> During 1997, the Faculty of Humanities and Social Sciences agreed to the award of two separate testamurs for the Bachelor of Arts/Bachelor of Laws currently studied at UTS to be offered from 1998.

To qualify for the Bachelor of Arts award, students currently enrolled in the degree course are required to complete 96 credit points of approved subjects offered by the Faculty of Humanities and Social Sciences.

Students are enrolled in the Faculty of Law and are required to complete 240 credit points: 96 credit points in Arts and 144 credit points in Law. They will be awarded two degrees and the Law degree may be awarded with Honours.

### Course structure

The course consists of 10 stages, each of one semester's duration.

The sequence for the Law subjects is based on a core curriculum, which students are required to study in the sequence indicated below. The Arts component provides choices for students at all stages and will be studied in the sequences established by those student choices. Students will be required to build their own program of Arts studies within the following parameters:

1. Students must take at least 22 credit points in foundation studies, 48 credit points in a major study and up to 26 credit points in other studies (with up to 12 credit points available from faculties other than Humanities and Social Sciences and Law if desired).
2. Approximately 24 credit points should be attempted each semester.
3. Foundation studies should be taken at the start of the course, and completed by the end of Stage 3 or no later than the end of Stage 4.
4. Students should commence the major at the earliest possible time in the course, that is, Stage 2 or 3, after completion of foundation studies subjects which are prerequisites for the various majors.

### Foundation studies

Students will take at least 24 credit points with at least 6 credit points from each of the three groups of subjects below by the end of the third semester. The aim of the foundation studies is to introduce a range of ideas and intellectual approaches from the broadly defined arts/social sciences as a basis for: (i) exploration of issues of social concern and public interest; (ii) development of intellectual skills; and (iii) choice of areas to study in depth.

#### Group A

52107	History of Ideas	8cp
52108	Politics and Political Institutions	8cp
52109	Culture, History and Society	8cp
52111	Contemporary Australia	6cp

**Group B**

55860	Information Science 1: Foundations of Information Science	6cp
56955	Communication 1: Foundations of Communication	6cp
55864	Psychology	6cp

**Group C**

54100	Word and Text	6cp
54101	Sound and Image	6cp
54103	Communication Environments	6cp

**Major study**

A major is a sequence of subjects to a total of at least 48 credit points, which falls within a distinct and well-defined field of study. Several of the majors are interdisciplinary.

A major requires students to complete a minimum of 6 credit points and a maximum of 12 credit points at 100 level; a minimum of 12 credit points at 200 level; and a minimum of 12 credit points at 300 level.

Entry to 200-level subjects requires completion of prerequisites at 100-level; entry to 300-level subjects requires completion of 200-level subjects and so on.

The majors offered in the Bachelor of Arts are:

- Aboriginal Studies
- Social, Political and Historical Studies
- Multicultural Studies
- Communication and Cultural Industries
- Information
- Communication
- Cultural Studies

Full details of the Arts majors and electives are contained in the *Faculty of Humanities and Social Sciences Handbook*.

**Typical full-time program****Year 1****Stage 1 – Autumn**

70113	Legal Process and History	10cp
70105	Legal Research	4cp
5xxxx	Arts foundation studies subject from A, B or C	6–8cp
5xxxx	Arts foundation studies subject from A, B or C	6–8cp

**Stage 2 – Spring**

70211	Law of Contract	8cp
70217	Criminal Law	6cp
5xxxx	Arts foundation studies subject from A, B or C	6–8cp
5xxxx	Arts foundation studies subject from A, B or C	6cp

**Year 2****Stage 3 – Autumn**

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
5xxxx	Arts major subject at 100 level	6–8cp

**Stage 4 – Spring**

70317	Real Property	8cp
70318	Personal Property	4cp
5xxxx	Arts major subject at 200 level	8cp
5xxxx	Arts major subject at 200 level	8cp

**Year 3****Stage 5 – Autumn**

70417	Corporate Law	8cp
70617	Administrative Law	8cp
5xxxx	Arts major subject at 200 or 300 level	8cp
5xxxx	Arts major subject at 300 level	8cp

**Stage 6 – Spring**

70516	Equity and Trusts	8cp
76xxx	Elective subject 1	6cp
76xxx	Elective subject 2	6cp
5xxxx	Arts major subject at 300 level	8cp

**Year 4****Stage 7 – Autumn**

71005	Practice and Procedure	4cp
71216	Law of Evidence	6cp
5xxxx	Other Arts studies/elective	8cp

**Stage 8 – Spring**

71116	Remedies	6cp
76xxx	Elective subject 3	6cp
5xxxx	Other Arts studies/elective	8cp

**Year 5****Stage 9 – Autumn**

76xxx	Elective subject 4	6cp
5xxxx	Other Arts studies/elective	8cp

**Stage 10 – Spring**

	Practical Legal Training (PLT) or Four Law electives	24cp 24cp
--	--	--------------

## Bachelor of Science/ Bachelor of Laws

- ◆ *Course code: LL04*
- ◆ *Testamur title: Bachelor of Science  
Bachelor of Laws*
- ◆ *Abbreviation: BSc LLB*
- ◆ *Course fee: HECS*

This degree (two testamurs) is of five years' duration and students undertake studies full time with classes held in the day or evening.

### Course structure

All subjects are taught over one semester. Students attend approximately 17 hours of lectures and seminars per week. Students may be required to attend evening classes. The degree requires five years' full-time attendance for completion. The Bachelor of Laws component is available at both Pass and Honours levels and includes an optional Practical Legal Training component.

It is intended that there be a substantial degree of flexibility in the way in which students can progress through the course, although they will normally be expected to study Science subjects and Law subjects concurrently so that the two streams of study can better complement each other.

The following is a typical full-time course program.

### Course program

Stage 1		
70113	Legal Process and History	10cp
70105	Legal Research	4cp
xxxxx	Approved Science subjects	12cp
Stage 2		
70217	Criminal Law	6cp
70211	Law of Contract	8cp
xxxxx	Approved Science subjects	12cp
Stage 3		
70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
xxxxx	Approved Science subjects	6cp
Stage 4		
70318	Personal Property	4cp
70317	Real Property	8cp
xxxxx	Approved Science subjects	12cp
Stage 5		
70417	Corporate Law	8cp
70617	Administrative Law	8cp
xxxxx	Approved Science subjects	6cp

Stage 6		
70516	Equity and Trusts	8cp
76xxx	Elective subject 1	6cp
xxxxx	Approved Science subjects	12cp
Stage 7		
71216	Law of Evidence	6cp
71005	Practice and Procedure	4cp
xxxxx	Approved Science subjects	12cp
Stage 8		
71116	Remedies	6cp
76xxx	Elective subject 2	6cp
xxxxx	Approved Science subjects	12cp
Stage 9		
76xxx	Elective subject 3	6cp
76xxx	Elective subject 4	6cp
xxxxx	Approved Science subjects	12cp
Stage 10		
	Practical Legal Training (PLT)	24cp
	<i>or</i>	
	Four Law electives	24cp

## Bachelor of Medical Science/Bachelor of Laws

- ◆ *Course code: LL09*
- ◆ *Testamur title: Bachelor of Medical Science  
Bachelor of Laws*
- ◆ *Abbreviation: BMedSc LLB*
- ◆ *Course fee: HECS*

This degree (two testamurs) was offered for the first time in 1998. It is of five years' duration and students undertake studies full time with classes held in the day or evening. It enables students to obtain a professional qualification that satisfies the basic academic requirements of the Supreme Court of NSW for admission as a legal practitioner. The program will also produce graduates with a strong scientific background in human biology, behavioural science, neuroscience, pharmacology and diagnostics.

### Course program

Year 1		
Stage 1		
70113	Legal Process and History	10cp
70105	Legal Research	4cp
91701	Medical Science 1	6cp
65101	Chemistry 1C	6cp

**Stage 2**

70217	Criminal Law	6cp
70211	Law of Contract	8cp
91702	Medical Science 2	6cp
65201	Chemistry 2C	6cp

**Year 2**

---

**Stage 3**

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
68101	Physics 1C	6cp

**Stage 4**

70318	Personal Property	4cp
70317	Real Property	8cp
91704	Behavioural Sciences	6cp
68201	Physics 2C	6cp

**Year 3**

---

**Stage 5**

70417	Corporate Law	8cp
70617	Administrative Law	8cp
91313	Biochemistry 1	6cp
91703	Physiological Systems	6cp

**Stage 6**

70516	Equity and Trusts	8cp
76xxx	Elective subject 1	6cp
91708	Psychophysiology	8cp

**Year 4**

---

**Stage 7**

71216	Law of Evidence	6cp
71005	Practice and Procedure	4cp
91707	Pharmacology 1	8cp
xxxxx	Approved Science elective	4cp

**Stage 8**

71116	Remedies	6cp
76xxx	Elective subject 2	6cp
91709	Pharmacology 2	8cp
91705	Medical Devices and Diagnostics	6cp

**Year 5**

---

**Stage 9**

76xxx	Elective subject 3	6cp
76xxx	Elective subject 4	6cp
91706	Neuroscience	8cp

**Stage 10**

Practical Legal Training (PLT)	24cp
<i>or</i>	
Four Law electives	24cp

**BACHELOR OF ARTS/  
BACHELOR OF LAWS**

The Bachelor of Arts/Bachelor of Laws is available as one of three new degrees:

LL10	Bachelor of Arts in Communication (Journalism)/Bachelor of Laws
LL11	Bachelor of Arts in Communication (Media Arts and Production)/Bachelor of Laws
LL12	Bachelor of Arts in Communication (Social Inquiry)/Bachelor of Laws

These courses are designed to enable students to study Law and an area of professional practice in Humanities and Social Sciences.

All courses are of five years' duration (full time) and require attendance of approximately 17 hours of lectures and seminars per week. Students may be required to attend evening classes.

Two testamurs will be awarded.

The Bachelor of Laws component is available at both Pass and Honours levels and includes an optional major in Legal Practice.

**Bachelor of Arts in  
Communication  
(Journalism)/  
Bachelor of Laws**

---

- ◆ *Course code:* LL10
- ◆ *Testamur title:*  
*Bachelor of Arts in Communication  
Bachelor of Laws*
- ◆ *Abbreviation:* BA LLB
- ◆ *Course fee:* HECS

This course enables students to adapt their professional skills to future social and technological change across a range of media.

**Course program****Year 1**

---

**Stage 1**

50114	Journalism 1	6cp
50109	Power and Change in Australia	6cp
50107	Contemporary Cultures 1	6cp
50105	Communication and Information Environments	6cp

## 40 Undergraduate courses

### Stage 2

70113	Legal Process and History	10cp
70105	Legal Research	4cp
50106	Media, Information and Society	6cp
50115	Journalism 2	6cp

### Year 2

### Stage 3

70217	Criminal Law	6cp
70211	Law of Contract	8cp
50xxx	Journalism strand subject (200 level)	8cp

### Stage 4

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
50128	Media, Information and the Law	8cp

### Year 3

### Stage 5

70318	Personal Property	4cp
70317	Real Property	8cp
76xxx	Law elective 1	6cp
50129	News and Current Affairs	8cp

### Stage 6

70417	Corporate Law	8cp
70617	Administrative Law	8cp
50xxx	Journalism strand subject (200 level)	8cp

### Year 4

### Stage 7

70516	Equity and Trusts	8cp
71005	Practice and Procedure	4cp
76xxx	Law elective 2	6cp
50xxx	Journalism strand subject (300 level)	8cp

### Stage 8

71216	Law of Evidence	6cp
71116	Remedies	6cp
76xxx	Law elective 3	6cp
50xxx	Journalism strand subject (300 level)	8cp

### Year 5

### Stage 9

76xxx	Law elective 4	6cp
50174	Professional Practice and Culture	8cp
50xxx	Elective subject (Faculty of Humanities and Social Sciences)	8cp

### Stage 10

Practical Legal Training (PLT)	24cp
<i>or</i>	
Four Law electives	24cp

## Bachelor of Arts in Communication (Media Arts and Production)/ Bachelor of Laws

- ◆ *Course code: LL11*
- ◆ *Testamur title: Bachelor of Arts in Communication Bachelor of Laws*
- ◆ *Abbreviation: BA LLB*
- ◆ *Course fee: HECS*

This course enables students to bring to their work in the media arts industries and professional media practices, an interdisciplinary background in humanities, social sciences, communication and cultural studies. They will be able to create new industries as well as reshape existing ones.

### Course program

#### Year 1

#### Stage 1

50116	Media Arts and Production 1	6cp
50109	Power and Change in Australia	6cp
50107	Contemporary Cultures 1	6cp
50105	Communication and Information Environments	6cp

#### Stage 2

70113	Legal Process and History	10cp
70105	Legal Research	4cp
50108	Contemporary Cultures 2	6cp
50117	Media Arts and Production 2	6cp

#### Year 2

#### Stage 3

70217	Criminal Law	6cp
70211	Law of Contract	8cp
50xxx	Media Arts and Production strand subject (200 level)	8cp

#### Stage 4

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
50136	Culture and Screen	8cp

#### Year 3

#### Stage 5

70318	Personal Property	4cp
70317	Real Property	8cp
76xxx	Law elective 1	6cp
50xxx	Media Arts and Production strand subject (200 level)	8cp

**Stage 6**

70417	Corporate Law	8cp
70617	Administrative Law	8cp
50xxx	Media Arts and Production strand subject (200 level)	8cp

**Year 4****Stage 7**

70516	Equity and Trusts	8cp
71005	Practice and Procedure	4cp
76xxx	Law elective 2	6cp
50xxx	Cultural Studies Project	8cp

**Stage 8**

71216	Law of Evidence	6cp
71116	Remedies	6cp
76xxx	Law elective 3	6cp
50xxx	Media Arts and Production strand subject (300 level)	8cp

**Year 5****Stage 9**

76xxx	Law elective 4	6cp
50198	Media Arts Project	8cp
50xxx	Elective subject (Faculty of Humanities and Social Sciences)	8cp

**Stage 10**

	Practical Legal Training (PLT)	24cp
	<i>or</i>	
	Four Law electives	24cp

## Bachelor of Arts in Communication (Social Inquiry)/ Bachelor of Laws<sup>1</sup>

- ◆ *Course code: LL12*
- ◆ *Testamur title: Bachelor of Arts in Communication Bachelor of Laws*
- ◆ *Abbreviation: BA LLB*
- ◆ *Course fee: HECS*

This course concentrates on intellectual problem solving and the development of analytical skills rooted in an historical, political and social awareness of knowledge and its uses.

**Course program****Year 1****Stage 1**

50120	Introduction to Social Inquiry	6cp
50105	Communication and Information Environments	6cp
50109	Power and Change in Australia	6cp
50107	Contemporary Cultures 1	6cp

**Stage 2**

70113	Legal Process and History	10cp
70105	Legal Research	4cp
50121	Theory and Method	6cp
50111	Colonialism and Modernity	6cp

**Year 2****Stage 3**

70217	Criminal Law	6cp
70211	Law of Contract	8cp
50164	Research Methods 1	8cp

**Stage 4**

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
50142	Social Theory	8cp

**Year 3****Stage 5**

70318	Personal Property	4cp
70317	Real Property	8cp
50xxx	Social Inquiry and Change strand subject (200 level)	8cp
76xxx	Law elective 1	6cp

<sup>1</sup> Students who entered in 1998 undertook this course as Bachelor of Arts in Social Science/Bachelor of Laws. These students, if they wish, may graduate under the old course name the code of which is LL13.

## 42 Undergraduate courses

### Stage 6

70417	Corporate Law	8cp
70617	Administrative Law	8cp
50xxx	Social Inquiry and Change strand subject (200 level)	8cp

### Year 4

### Stage 7

70516	Equity and Trusts	8cp
71005	Practice and Procedure	4cp
76xxx	Law elective 2	6cp
50xxx	Social, Political and Historical Studies, Disciplinary strand subject (300 level)	8cp

### Stage 8

71216	Law of Evidence	6cp
71116	Remedies	6cp
76xxx	Law elective 3	6cp
50xxx	Social, Political and Historical Studies, Disciplinary strand subject (300 level)	8cp

### Year 5

### Stage 9

76xxx	Law elective 4	6cp
50217	Professional Placement	8cp
50xxx	Elective subject (Faculty of Humanities and Social Sciences)	8cp

### Stage 10

Practical Legal Training (PLT)	24cp
or	
Four Law electives	24cp

## Bachelor of Laws/Bachelor of Arts in International Studies

- ◆ *Course code: LL07*
- ◆ *Testamur title: Bachelor of Laws  
Bachelor of Arts in International Studies*
- ◆ *Abbreviation: LLB BA*
- ◆ *Course fee: HECS*

The Faculty of Law offers a combined, one testamur, degree with the Institute for International Studies (LLB BA). The degree is of five years' duration and students undertake studies full time with classes held throughout the day and evening. The program will allow students the option to undertake a practical legal training as part of their undergraduate studies and concurrently enrol in a Graduate Certificate in Legal Practice in order to complete their Practical Legal Training (Professional Program) requirements.

Alternatively, students may choose to complete their undergraduate degree from the choice of electives.

The Bachelor of Laws/Bachelor of Arts in International Studies program is offered jointly by the Faculty of Law and the Institute for International Studies. The degree provides full-time study for students wishing to obtain a professional qualification that satisfies the basic academic requirements of the Supreme Court of NSW for admission as a legal practitioner. A single testamur of LLB BA (International Studies) is awarded. The LLB component may be awarded with First or Second Class Honours. The program is designed for students who wish to obtain an international perspective and expertise to enable them to work overseas, provide specialised legal services to Australian ethnic communities, and satisfy the demand in firms for legal practitioners who can act for foreign investors.

In addition to pursuing the full program of the Bachelor of Laws, students are required to follow a major – a country or region of specialisation – in the International Studies program. Students study Language and Culture for at least two years in Sydney, and this is followed by a period of study overseas. The following majors are offered: Argentina, Australia and the Asia-Pacific Region, Chile, China, France, Germany, Greece, Indonesia, Italy, Japan, Malaysia, Mexico, Russia, South China, Spain, Taiwan, Thailand and Vietnam.

Students are admitted to the International Studies program with no guarantee of entry to a specific major, although every effort is made in trying to meet students' preferences. The Institute reserves the right to allocate places in majors according to its resources and arrangements with overseas universities.

In general, there are no prior language requirements for the International Studies component of this combined degree, however, some majors within the International Studies program do have specific admission requirements. Entry to the Greece and Vietnam majors is restricted to students who have a sound working knowledge of the language of their selected specialisation.

Each student's choice of major and subjects to study in the International Studies program requires the approval of the Board of Studies of the Institute for International Studies.

In exceptional circumstances, students may, with the approval of the Board of Studies of the Institute for International Studies, vary the

designated subjects in their International Studies major. Refer to the 'List of Approved Substitute Subjects' in this handbook.

All students are required to complete four consecutive semesters of study of Language and Culture before proceeding to In-country Study. There are different classes available for students with different levels of language proficiency.

The Institute for International Studies makes the arrangements for students to spend two semesters of In-country Study at an institution of higher education in the country of their major. The costs of tuition in host institutions overseas and travel between Sydney and the designated host institutions are borne by UTS except in cases where a scholarship has been awarded to the student with provision for these costs. Under those circumstances, the funds that would have otherwise been allocated towards the student's tuition and travel will be redirected to support the In-country Study program in general. In most cases the cost of living for the period of In-country Study will not exceed the cost of living away from home in Sydney. However, students should be aware that the cost of living in some countries – notably Argentina, France, Germany, Hong Kong, Japan and Taiwan – may be higher than in Sydney.

### Course structure

Each Law subject is taught over one semester. Students attend 12–15 hours of lectures and seminars per week. Students may be required to attend evening classes. The degree normally requires five years of full-time study for completion. For the International Studies component, students are required to complete a sequence of four subjects in Language and Culture; a subject in Contemporary Society; two semesters of study at an overseas university or institution of higher education; and a subject entitled International Legal Studies.

### Course program

#### Stage 1

70113	Legal Process and History	10cp
70105	Legal Research	4cp
76600	International Legal Studies	8cp

#### Stage 2

70217	Criminal Law	6cp
70211	Law of Contract	8cp
976xxx	Contemporary Society	8cp

#### Stage 3

70311	Law of Tort	8cp
70616	Federal Constitutional Law	8cp
971xxx	Language and Culture 1	8cp

#### Stage 4

70317	Real Property	8cp
70318	Personal Property	4cp
76xxx	Elective subject 1	6cp
972xxx	Language and Culture 2	8cp

#### Stage 5

70417	Corporate Law	8cp
70617	Administrative Law	8cp
973xxx	Language and Culture 3	8cp

#### Stage 6

70516	Equity and Trusts	8cp
76xxx	Elective subject 2	6cp
974xxx	Language and Culture 4	8cp

#### Stage 7

977xxx	In-country Study 1	24cp
--------	--------------------	------

#### Stage 8

978xxx	In-country Study 2	24cp
--------	--------------------	------

#### Stage 9

71005	Practice and Procedure	4cp
71116	Remedies	6cp
71216	Law of Evidence	6cp
76xxx	Elective subject 3	6cp
76xxx	Elective subject 4	6cp

#### Stage 10

Practical Legal Training (PLT)	24cp
or	
Four Law electives	24cp

Further details of International Studies subjects may be found in the *2000 Institute for International Studies Handbook*. Queries regarding the International Studies component of the course should be addressed to the Institute itself on (02) 9514 1574.

Combined degree students are required to confirm, during the University enrolment period, the subjects they intend to take for the year with the Institute at 10 Quay Street, (opposite Her Majesty's Theatre).



## UNDERGRADUATE CROSS-DISCIPLINARY PROGRAM

Information and inquiries:

*Administrative Assistants*

Ms Vikki John

telephone (02) 9514 3749

Mr James Rheinberger

telephone (02) 9514 5459

Academic advice may be obtained from the:

*Director of Undergraduate Cross-disciplinary Program*

Mr Jim Cooper

telephone (02) 9514 3157

The Faculty of Law presents 'Cross-disciplinary' Law subjects – that is, studies in various strands of the law for students who are not aiming for a legal qualification, but who wish to become familiar with the law as it affects their chosen profession. Through its Cross-disciplinary program, the Faculty of Law presents courses to students in the Faculties of Business, Engineering, Nursing and Science.

### Undergraduate cross-disciplinary subjects

The following subjects are offered by the Faculty of Law to undergraduate students enrolled in Business, Engineering, Nursing and Science degrees.

79001	Legal Issues and Disadvantaged Groups	3cp
79002	Legal Aspects of Human Reproduction and Child Protection	3cp
79003	Health Care Law	3cp
79102	Law and the Digital Economy	6cp
79161	Introduction to Insolvency Law	6cp
79162	Corporate Insolvency and Administration	6cp
79202	Business Law	4cp
79211	Law for Marketing Management	6cp
79264	Securities Market Regulation	6cp
79270	Industrial and Labour Law	6cp
79365	Company Law	6cp
79366	Banking Law	6cp
79370	Law and Contracts	3cp
79371	Legal Issues in Communications	6cp
79403	Law and the Manager	6cp
79404	Law for Third Sector Managers	6cp
79411	Advanced Companies and Securities Law	6cp
79462	Revenue Law	6cp
79502	Law and Finance	6cp
79603	International Business Law and Regulation	6cp

79606	Advanced Revenue Law	6cp
79662	Business Bankruptcy	6cp
79659	Advanced Commercial Law	6cp
79660	Environmental Law in Business	6cp
79662	Business Bankruptcy	6cp
79991	Complex Forensic Cases (Law)	6cp

### Why is an understanding of the law important?

Increasingly, the modern environment requires an understanding of legal issues. Many areas are governed by complicated laws and regulations. The purpose of the Cross-Disciplinary program is to foster an awareness of the role of law as a key strategic tool; to equip potential executives with the knowledge to deal with the legal aspects of their particular profession. It is inevitable that anyone in a responsible position in a profession, commerce or the public service will need to develop a specialist knowledge of particular branches of the law. The breach of a key legal provision could result in an otherwise advantageous arrangement being rendered totally ineffective, or worse, being penalised.

As well as undertaking 'core' Law subjects as part of their major, Bachelor of Business students have the opportunity to select a Law sub-major – Business, Taxation or Foundations in Law. The Law sub-majors are designed to help students develop the knowledge and skills necessary to recognise legal pitfalls and to react appropriately. Students are, of course, also taught to utilise the law to achieve legitimate success. This is particularly true in the accounting and management professions.

### Sub-major in Business Law

As can be seen from the list of units offered, the Business Law sub-major affords students a wide range of areas to choose from. It should be noted, however, that not all subjects listed will be offered each semester. Units offered in the Business Law sub-major include:

79161	Introduction to Insolvency Law	6cp
79162	Corporate Insolvency and Administration	6cp
79211	Law for Marketing Management	6cp
79270	Industrial and Labour Law	6cp
79365	Company Law	6cp
79366	Banking Law	6cp
79403	Law and the Manager	6cp
79462	Revenue Law	6cp
79502	Law and Finance	6cp
79603	International Business Law and Regulation	6cp
79659	Advanced Commercial Law	6cp
79660	Environmental Law in Business	6cp

79662	Business Bankruptcy	6cp
79102	Law and the Digital Economy	6cp
xxxxx	One subject from the Taxation Law sub-major	6cp

### Sub-major in Taxation Law

The Taxation Law sub-major offers an integrated sequence of subjects enabling students to specialise in this important area of law, applicable to the business and public sectors of Australia and its international relationships. Taxation is the ultimate interface of law, accounting and business enterprises, and always requires specialist knowledge.

Students will select four units from the following:

79606	Advanced Revenue Law	6cp
79666	International Aspects of Australian Taxation Law	6cp
79667	Indirect Taxation <i>and either</i>	6cp
79411	Advanced Companies and Securities Law <i>or</i>	6cp
79264	Securities Market Regulation	6cp

### Sub-major in Foundations in Law

This sub-major is for students enrolled in the Bachelor of Business degree, and students considering transferring between the different degree programs, or intending to undertake Law studies as a second degree.

Students are required to study the following Law degree subjects:

70211	Law of Contract	8cp
70311	Law of Tort	8cp
70317	Real Property	8cp

### Sub-major in E-Commerce and Information Technology Law<sup>1</sup>

The sub-major will offer an integrated sequence of subjects enabling students to specialise in legal aspects, new technologies and their impact on Communications and Electronic Commerce Law.

It is proposed students will study four units:

79102	Law and the Digital Economy
79371	Legal Issues in Communications
7xxxx	Computer Law
7xxxx	Biotechnology: Legal and Ethical Issues

### Sub-major in Corporations Law<sup>1</sup>

The sub-major will offer a study of the structure and functions of the most important and widely used business and investment vehicle. The sub-major will provide the student with a thorough understanding of companies, their incorporation and structure, the stock market and its regulation, and capital financing facilities and take-overs, and the laws of corporate insolvency.

It is proposed students will study four units:

79365	Company Law
79411	Advanced Companies and Securities Law
79162	Corporate Insolvency and Administration <i>and either</i>
79603	International Business Law and Regulation <i>or</i>
79659	Advanced Commercial Law <i>or</i>
79502	Law and Finance <i>or</i>
79366	Banking Law

<sup>1</sup> Subject to Academic Board approval.

# POSTGRADUATE COURSES

---

The Faculty of Law offers a range of Certificate, Diploma and Master's coursework programs in Law, Industrial Property, International Trade Law, Legal Studies, Practical Legal Training, Taxation and Dispute Resolution. In addition, the Faculty offers research opportunities within the PhD and Doctor of Juridical Science programs as well as in the Master of Laws (by thesis).

*Administrative Officer (Postgraduate)*

Mr Paul Holt  
 telephone (02) 9514 3756  
 fax (02) 9514 3400  
 email paul.holt@uts.edu.au

*Administrative Assistant (Postgraduate)*

Ms Noemi Lemaire  
 telephone (02) 9514 3753  
 fax (02) 9514 3400  
 email noemi.lemaire@uts.edu.au

*Administrative Secretary (Postgraduate)*

Mrs Nola Grierson  
 telephone (02) 9514 3754  
 fax (02) 9514 3400  
 email nola.grierson@uts.edu.au

*Academic advice may be obtained from the Director of Postgraduate Programs*

telephone (02) 9514 3757  
 fax (02) 9514 3400

The Faculty of Law is located on the Haymarket Campus, Building 5, Quay Street, Haymarket.

## University Graduate School

Inquiries in relation to the processing of applications, scholarships, fees and other general administrative issues should be directed to the University Graduate School.

For inquiries about applications/admissions, telephone (02) 9514 1523

For inquiries about fees or records, telephone (02) 9514 1520

For inquiries about scholarships, telephone (02) 9514 1521

## GENERAL INFORMATION

### Applications

Most coursework applicants may apply for admission at three stages:

**Summer program:** Applications for the Summer program close at the end of October each year. Applicants are notified about their application in November. Enrolment will take place in mid-November.

**Autumn semester:** Applications for the Autumn semester close at the end of October each year. Applicants are notified about their application in December. Enrolment takes place in February.

**Spring semester:** Applications for the Spring semester close at the end of May each year. Applicants are notified about their application in June and are enrolled in July. Applicants intending to commence in the July Intensive program should make a Spring application.

Please note that the number of places available in the programs is limited. However, all appropriately qualified persons are encouraged to submit an application. Applications are assessed by the Director of Postgraduate Programs, and UTS staff will not speculate as to an applicant's likelihood of success.

Applications are available from the University Information Office, Level 4, UTS Tower Building, 1 Broadway, the Faculty of Law Information Office, University Graduate School or can be downloaded from the web at:

<http://www.gradschool.uts.edu.au>

### Attendance

Most postgraduate award programs can be undertaken on a full-time or part-time basis. Please note, because of visa requirements, international students must study on a full-time basis.

A number of different attendance modes are available. The majority of postgraduate subjects are offered within the Autumn and/or Spring semesters. As a guideline, a six-credit-point subject offered within the Autumn semester would normally require attendance of two to three hours each week

over a 14-week semester. Lectures are usually scheduled in the evenings, commencing no earlier than 6.00 p.m.

**Autumn semester** – February to June 2000

**Spring semester** – July to November 2000

The Faculty offers a number of postgraduate subjects in an intensive attendance mode in the Summer and July Intensive programs. In Summer and July Intensive program subjects, the contact hours are equivalent to those of one- or two-semester subjects, but lectures are held daily over a concentrated period. For example, a six-credit-point subject offered in the Summer program might require students to attend for two-and-a-half hours per day over 10 days. Intensive program candidates may be required to commence preparation in advance of the lectures.

The intensive attendance mode is particularly suited to candidates who wish to fast-track their program of study or for students who intend to spend limited periods of time in Sydney. Please note that students may not undertake subjects totalling more than 24 credit points in any one intensive program.

In 2000, the Summer program will be held in January/February; further intensive classes will be held in July. Some courses are not taught in the intensive programs. Please check the relevant course timetable.

Some postgraduate subjects, such as the Research Project, Research Paper and the International Comparative Law Project, do not require formal attendance at the Faculty, and may be completed externally, subject to appropriate academic supervision arrangements.

## Assessment

While assessment varies from subject to subject, students may be required to do one or more of the following: final examinations, informal examinations, take-home examinations, assignments, research work, class participation, presentation of seminar papers or a *viva voce*.

Doctor of Juridical Science, Dispute Resolution and Master of Laws (by coursework) students will generally be assessed by a research essay. Legal Studies and Master of Law and Legal Practice students should expect some component of the assessment to be by examination.

The written assessment for a six-credit-point subject will normally total 6,000–7,500 words; the written assessment for a 12 credit-point subject will normally total 10,000–12,000 words.

The lecturer will advise students of the mode of assessment for their subjects by notice by the end of the third week of the semester.

## Essay requirements

Essays and other written work should be prepared in accordance with the guidelines laid down in the Faculty of Law's *Guide to Essay Writing*, which may be obtained from the Faculty of Law Information Office (price as at 1999 is A\$2.50).

## Subject exemption

Students may apply to the Faculty for subject exemption for a subject or subjects undertaken in other award courses of this University or at other institutions, subject to University Rule 2.28 (see the *UTS Calendar*).

Subject exemptions may be granted within the Faculty's postgraduate law awards on the basis of **equivalent** subjects undertaken towards completed and uncompleted postgraduate studies.

However, no student shall receive exemption for more than one-quarter of a course of three years or less full-time duration on the basis of subjects undertaken towards **completed** postgraduate studies.

Please also note that no student shall receive exemption, credit or advanced standing that totals more than two-thirds of a course of three years or less full-time duration, or more than three-quarters of a course of more than three years full-time duration.

The Faculty recognises that requests for exemption may be appropriate on the basis of other forms of recognised prior learning. In cases where courses are undertaken outside the university system and are related to assessable components of a University award, exemption may be offered.

A formal application, accompanied by certified copies of academic transcripts and details of the subject content and assessment, must be produced for each exemption sought. As a general rule, exemptions may be granted for subjects studied less than five years ago – where there have been significant changes in the law within that period, such exemption will not be granted. The granting of exemptions will be at the discretion of the Faculty's Director of Postgraduate Programs.

### **Cross-institutional enrolment**

Subject to approval by the Director of Postgraduate Programs, candidates may apply to undertake subjects in postgraduate programs at other universities to apply to their program at UTS. Applications to undertake subjects at overseas universities will also be considered.

A formal application, detailing the academic content, attendance and assessment requirements of the subject(s) proposed to be completed, must be made to the Director of Postgraduate Programs **before** enrolling with the other institution.

### **Transfers to other postgraduate programs**

Candidates who wish to transfer to other postgraduate degree programs offered by the Faculty of Law must meet admission criteria (see the course entries in this handbook for further details). An internal course transfer application is available on request from the UTS Information Office or the Faculty of Law.

### **Deferment of enrolment**

Deferment in the first semester of enrolment in postgraduate programs is not available at UTS. Offers of admission that are not accepted lapse on the date of enrolment. Applicants who do not accept an offer of admission should therefore reapply at the next intake.

### **Mandatory continuing legal education (MCLE)**

Participation in postgraduate study may entitle practising solicitors to MCLE points. If this particular educational activity is relevant to students' immediate or long-term needs in relation to their professional development and practise of the law, they may claim one 'unit' per hour of attendance – refreshment breaks not included. For further details contact the Law Society of NSW.

### **Scholarships**

Information about the various scholarships available to postgraduate UTS candidates is available from the University Graduate School, telephone (02) 9514 1521, or visit the Graduate School website at:

<http://www.gradschool.uts.edu.au>

Scholarships offered include the:

- R L Werner Postgraduate Research Scholarship
- University Doctoral Research Scholarship
- Australian Postgraduate Award with Stipend.

These scholarships are designed to assist persons of exceptional research promise to undertake postgraduate thesis and doctoral programs. Applications for scholarships close at the end of October each year.

International candidates should note that, as scholarship positions vary from country to country, they should contact the Australian embassy in their country of origin to receive current information.

Other scholarships/grants include:

- The Julian Small Foundation Annual Research Grant
- Senshu University Short-Term Student Exchange Promotion Program Scholarship.

Further information regarding scholarships for study overseas is also available from the University Graduate School.

## Fees

### Australian citizens/permanent residents

Course	Code	CP	2000 fee (A\$)
Doctor of Juridical Science	LL53	48	9,600 (thesis component fee exempt)
Doctor of Philosophy	LL54	–	Fee exempt
Graduate Certificate in Dispute Resolution	LL69	24	4,800
Graduate Certificate in International Trade Law <sup>1</sup>	LL82	24	4,800
Graduate Certificate in Legal Practice <sup>2</sup>	LL76/87 <sup>1</sup>	12	HECS
Graduate Certificate in Legal Practice (Fees)	LL77/88 <sup>1</sup>	12	1,890
Graduate Diploma in Australian Law	LL57	48	6,000
Graduate Diploma in Law	LL79	96	19,200
Graduate Diploma in Legal Practice (Fees)	LL75/81	36	5,670
Graduate Diploma in Legal Practice <sup>2</sup>	LL74/80	36	HECS
Graduate Diploma in Legal Studies	LL67	36	7,200
Graduate Diploma in Trade Mark Law and Practice <sup>1</sup>	LL84	24	4,800
Master of Dispute Resolution	LL59	54	10,800
Master of Industrial Property <sup>1</sup>	LL85	54	10,800
Master on International Trade Law <sup>1</sup>	LL83	48	9,600
Master of Laws (by coursework)	LL52	48	9,600
Master of Laws (by thesis)	LL51	–	HECS
Master of Laws (Mandarin International) <sup>1</sup>	LL86	48	15,000
Master of Law and Legal Practice	LL78	168	33,600
Master of Legal Studies	LL68	48	9,600
Master of Taxation Law	LL58	48	9,600

<sup>1</sup> These courses are subject to approval. Contact the Faculty of Law.

<sup>2</sup> Available to UTS LLB graduates only.

The fees quoted above are the overall cost of the program in 2000. Fees are subject to biennial review and variation and are charged per semester according to the credit-point value of the subject(s) in which the student is enrolled. In most cases students could expect to pay \$166 per credit point.<sup>1</sup> For example, a standard one-semester subject is worth 6 credit points and the tuition fee for such a subject would be \$996. All students are also required to pay annual Student Union and service fees.

<sup>1</sup> Does not apply to students enrolled in the GDAL (LL57), international, non-award, cross-institutional or HECS-based courses.

## Fees/Equity Scholarship

The majority of postgraduate law courses are full-fee-paying (see above). Postgraduate candidates enrolling in most full-fee-paying courses (except the Master of Law and Legal Practice and the Graduate Diploma of Law) may make an application to the Faculty for an Equity Scholarship. The Equity Scholarship entitles successful applicants to be charged HECS by the deferred taxation method for their program of study. Equity Scholarships are assessed on the grounds of financial hardship and merit and should be made well before enrolment. Application forms and further details are available from the University Graduate School or the Faculty of Law.

**Fees (cont.)****International students**

Course	Code	CP	2000 fee (AUS\$/semester)	Completion time (semester)
Doctor of Juridical Science	LL53	48	4,425	4-6
Doctor of Philosophy	LL54	-	4,425	4-6
Graduate Certificate in International Trade Law <sup>1</sup>	LL82	24	5,500	1
Graduate Diploma in Australian Law	LL57	48	4,000	2
Graduate Diploma in Legal Studies	LL67	36	4,125	2
Graduate Diploma in Law	LL79	96	5,143	4
Graduate Diploma in Legal Practice	LL75/81	36	8,300	1
Graduate Diploma in Trade Mark Law and Practice <sup>1</sup>	LL84	24	5,500	1
Master of Dispute Resolution	LL59	54	6,188	2
Master of Industrial Property <sup>1</sup>	LL85	54	6,188	2
Master of International Trade Law <sup>1</sup>	LL83	48	5,500	2
Master of Laws (by coursework)	LL52	48	5,500	2
Master of Laws (by thesis)	LL51	-	4,425	4
Master of Laws (Mandarin International) <sup>1</sup>	LL86	48	7,500	2
Master of Law and Legal Practice	LL78	168	5,143	7
Master of Legal Studies	LL68	48	5,500	2
Master of Taxation	LL58	48	5,500	2

<sup>1</sup> These courses are subject to approval. Contact the Faculty of Law.

Overseas applicants must satisfy the English language proficiency requirements of the University, which require applicants whose entry degree was conducted in a language other than English to have a minimum International English Language Testing System (IELTS) score of 6.5 before enrolling in postgraduate studies.

For further details contact:  
International Programs Office  
PO Box 123, Broadway NSW, 2007, Australia  
telephone (02) 9514 1531  
fax (02) 9514 1530  
email [intlprograms@uts.edu.au](mailto:intlprograms@uts.edu.au)

**Owing to student visa restrictions, international candidates must enrol on a full-time basis only.**

Applicants who are neither citizens nor permanent residents of Australia should complete a UTS International Programs Application for Admission form, available from the International Programs Office. Completed applications, with originals or certified copies of all supporting documents, should be addressed to the Director of International Programs. Applications by non-residents should be accompanied by the A\$50 application fee (non-refundable).

**Rules for postgraduate students**

For relevant rules, candidates should consult the *UTS Calendar* which is online at:

<http://www.uts.edu.au/div/publications/policies/rules/contents>

Copies of the *UTS Calendar* may be purchased from the Co-op Bookshop, and are also held in the University Library.

## RESEARCH DEGREES

### Doctor of Philosophy

- ◆ *Course code:* LL54
- ◆ *Testamur title:* Doctor of Philosophy
- ◆ *Abbreviation:* PhD
- ◆ *Course fee:* Fee exempt

A candidate for the Doctor of Philosophy (PhD) is required to submit a dissertation representing an original investigation, criticism or review of a field of research, of a standard suitable for publication. The PhD is a cross-disciplinary program and is available to both Law and non-Law graduates who meet the admission requirements.

Candidates are urged to consult the Doctoral program rules in the *UTS Calendar*.

The particular postgraduate research interests of UTS academic staff are listed at the back of this handbook under 'Research Interests of Staff'.

Please contact:

Director of Postgraduate Law Programs  
telephone (02) 9514 3757

or

Postgraduate Law Programs Office  
telephone (02) 9514 3756

#### Admission requirements

- a Master's degree; or
- a Bachelor's degree with First Class Honours or Second Class Honours (Division 1).

Candidates will also be required to provide satisfactory evidence of their ability to undertake advanced research appropriate to their Doctoral program.

#### Course structure

- a dissertation of approximately 100,000 words in length; in
- a **minimum** of four semesters of full-time attendance or six semesters of part-time attendance for candidates with a Master's degree; or
- a **minimum** of six semesters of full-time attendance or eight semesters of part-time attendance for candidates with a Bachelor's degree (Honours); and
- a **maximum** of 10 semesters for a full-time student or 15 semesters for a part-time student.

#### Attendance

PhD candidates are not normally required to attend classes, though some coursework may be required before commencing the thesis. Regular contact should be maintained with the supervisor(s) throughout a candidate's enrolment. Candidates must comply with the University Graduate School Board's Code of Practice for Supervisors and Doctoral Candidates.

Interstate and international applicants should note that some attendance in Sydney is a requirement.

#### Application procedures

Applicants for the PhD degree should contact the Director of Postgraduate Programs to discuss their proposed program of study **before** submitting their application. Please note, the process of having a dissertation topic approved and supervisors appointed usually takes two to three months.

Application should be made on a UTS Doctoral Degrees Application for Admission form. PhD applications may be lodged at any stage of the academic year.

All applicants will receive notification in writing of the outcome of their application.

#### Dissertation topic

PhD candidates must provide details of their proposed topic when they submit their application. In addition, the Faculty of Law requires all applicants to provide additional documentation to accompany the application (please inquire at the Faculty of Law). The application will be submitted to the Faculty's Graduate Studies Committee for recommendation to the University Graduate School's Graduate Students Committee. Once final approval is obtained, the topic cannot be changed except with the approval of these committees.

#### Supervision

So that a Doctoral degree candidate may be guided and supervised properly, there shall be at least two supervisors, one to be the principal supervisor and one to be the co-supervisor. Normally at least one of the supervisors will have a Doctoral degree. At least one of the supervisors shall be a full-time academic staff member of the University, and will be responsible for reporting progress and other matters to the University Graduate School Board. Candidates are required to meet with their supervisor(s) at least once a month, to discuss the research being undertaken.



## Progress reports

At the end of each semester of candidacy, PhD candidates must submit a report to their principal supervisor detailing their progress to date. The supervisor will indicate whether progress is satisfactory or unsatisfactory.

## Doctoral Assessment

Within the first two semesters of candidacy for full-time students or the first four semesters of candidacy for part-time students, Doctoral candidates have to complete a Doctoral Assessment. This entails the candidate presenting a seminar on his or her dissertation topic and proposed methodology. The object of the Doctoral Assessment is to ensure that the student is equipped with the knowledge to carry out his or her research program, and has made sufficient progress. A student who does not satisfy the requirements for the Doctoral Assessment will not be permitted to proceed with his or her candidature unless, with the approval of the Academic Board, they are invited to reattempt the Assessment (University Rule 3.5.7).

## Oral presentation

Approximately two months before the submission of the dissertation for examination, the candidate must make an oral presentation of the dissertation (the format is similar to that of the Doctoral Assessment. Contact the Director for further explanation).

## Submission of dissertation

Candidates must lodge a Notification of Intent to Submit a Thesis form with the University Graduate School **at least two months before** submitting their thesis for examination. Information about the requirements on the presentation and format of the thesis will be forwarded to candidates when this form is lodged.

## Doctor of Juridical Science

- ◆ *Course code: LL53*
- ◆ *Testamur title: Doctor of Juridical Science*
- ◆ *Abbreviation: SJD*
- ◆ *Course fee: \$9,600*  
*(thesis component fee exempt)*

The Doctor of Juridical Science (SJD) program offered by the Faculty of Law was the first degree of its kind in Australia. It combines coursework and original research culminating in a Doctoral dissertation with a **legal focus and analysis** representing an original investigation, criticism or review of a field of legal research, of a standard suitable for publication. Topics which principally involve non-legal techniques (such as sample surveys) or the application of non-legal categories (e.g. principles of explanation of other disciplines such as those of psychology or sociology) would **not** qualify. In such cases students would be counselled to pursue the PhD.

The SJD program counters the isolation experienced by many PhD candidates by providing a unique combination of coursework and research. The Faculty expects candidates to develop their Doctoral topic through the coursework component of the SJD, and allows candidates to benefit from contact with other postgraduate candidates and the academic staff of the Faculty.

Candidates are urged to consult the Doctoral program rules in the *UTS Calendar*.

The particular postgraduate research interests of UTS academic staff are listed at the back of this handbook under 'Research Interests of Staff'.

Please contact:

Director of Postgraduate Law Programs  
telephone (02) 9514 3757  
or  
Postgraduate Law Programs Office  
telephone (02) 9514 3756

## Admission requirements

- A Master's degree; or
- a LLB with First Class Honours or Second Class Honours (Division 1).

Candidates will also be required to provide satisfactory evidence of their ability to undertake advanced research appropriate to their Doctoral program.

## Course structure

- Coursework electives totalling 48 credit points;<sup>1</sup> and
- a Doctoral dissertation of approximately 50,000–70,000 words in length (all coursework component requirements must be completed before the dissertation is commenced);<sup>2</sup> in
- a **minimum** of four semesters of full-time attendance or six semesters of part-time attendance for candidates with a Master's degree; or
- a **minimum** of six semesters of full-time attendance or eight semesters of part-time attendance for candidates with a Bachelor's degree (Honours); and
- a **maximum** of 10 semesters for a full-time student or 15 semesters for a part-time student.

<sup>1</sup> For a complete list of the SJD electives please see the electives under the Master of Laws (by coursework) entry.

<sup>2</sup> The recommended SJD program structure is one-third coursework and two-thirds research

## Attendance

Interstate and international applicants should note that attendance in Sydney is a requirement of the coursework component and some attendance may be required during enrolment in the research component.

Regular contact should be maintained with the supervisor(s) throughout a candidate's enrolment. Candidates must comply with the University Graduate School Board's Code of Practice for Supervisors and Doctoral Candidates.

## Application procedures

Applicants for the SJD degree should contact the Director of Postgraduate Programs to discuss their proposed program of study **before** submitting their application.

Application should be made on a UTS Doctoral Degrees Application for Admission form. SJD applications should be lodged in September for commencement in the first semester or in April for commencement in the second semester. Please note that the process of having a dissertation topic approved and supervisors appointed usually takes two to three months.

All applicants will receive notification in writing of the outcome of their application.

## Dissertation topic

As the SJD degree is a *professional* doctorate, dissertation topics should have a legal focus and analysis. SJD candidates must provide details of their proposed topic when they submit their application. In addition, the Faculty of Law requires all applicants to provide additional documentation to accompany the application (please inquire at the Faculty of Law). The application will be submitted to the Faculty's Graduate Studies Committee for recommendation to the University Graduate School's Graduate Students Committee. Once final approval is obtained, the topic cannot be changed except with the approval of these committees.

## Supervision

So that a Doctoral degree candidate may be guided and supervised properly, there shall be at least two supervisors, one to be the principal supervisor and one to be the co-supervisor. Normally at least one of the supervisors will have a Doctoral degree. At least one of the supervisors shall be a full-time academic staff member of the University, and will be responsible for reporting progress and other matters to the University Graduate School Board. Candidates are required to meet with their supervisor(s) at least once a month, to discuss the research being undertaken.

## Progress reports

At the end of each semester of candidacy, SJD candidates must submit a report to their principal supervisor detailing their progress to date. The supervisor will indicate whether progress is satisfactory or unsatisfactory.

## Doctoral Assessment

Within the first two semesters of candidacy for full-time students or the first four semesters of candidacy for part-time students, Doctoral candidates have to complete a Doctoral Assessment. This entails the candidate presenting a seminar on his or her dissertation topic and methodology. The object of the Doctoral Assessment is to ensure that the student is equipped with the knowledge to carry out his or her research program, and has made sufficient progress. A student who does not satisfy the requirements for the Doctoral Assessment will not be permitted to proceed with his or her candidature unless, with the approval of the Academic Board, they are invited to reattempt the Assessment (University Rule 3.5.7).

## Oral presentation

Approximately two months before the submission of the dissertation for examination, the candidate must make an oral presentation of the dissertation (the format is similar to that of the Doctoral Assessment. Contact the Director for further explanation).

## Submission of dissertation

Candidates must lodge a Notification of Intent to Submit a Thesis form with the University Graduate School **at least two months before** submitting their thesis. Information about the requirements on the presentation and format of the thesis will be forwarded to candidates when this form is lodged.

## Master of Laws (by thesis)

- 
- ◆ *Course code: LL51*
  - ◆ *Testamur title: Master of Laws*
  - ◆ *Abbreviation: LLM*
  - ◆ *Course fee: HECS*
- 

A candidate for the Master of Laws (by thesis) (LLM) is required to submit a thesis representing an original investigation, criticism or review of a field of legal research, of a standard suitable for publication.

Candidates are urged to consult the Master's degree by thesis program rules in the *UTS Calendar*.

The particular postgraduate research interests of UTS academic staff are listed at the back of this handbook under 'Research Interests of Staff'.

Please contact:

Director of Postgraduate Law Programs  
telephone (02) 9514 3757

or

Postgraduate Law Programs Office  
telephone (02) 9514 3756

## Admission requirements

- An LLB degree; or
- an equivalent qualification.

Candidates will also be required to provide satisfactory evidence of their ability to undertake advanced research appropriate to their thesis program.

## Course structure

- A thesis of approximately 40,000–60,000 words in length; in
- a **minimum** of four semesters of full-time attendance or six semesters of part-time attendance; and
- a **maximum** of six semesters for a full-time student or nine semesters for a part-time student.

## Attendance

LLM (by thesis) candidates are not normally required to attend classes, though some coursework may be required before commencing the thesis. Regular contact should be maintained with the supervisor(s) throughout a candidate's enrolment. Candidates must comply with the University Graduate School Board's Code of Practice for Supervisors and Thesis Candidates.

Interstate and international applicants should note that some attendance in Sydney is a requirement.

## Application procedures

Applicants for the LLM (by thesis) should contact the Director of Postgraduate Programs to discuss their proposed program of study **before** submitting their application. Please note, the process of having a thesis topic approved and supervisors appointed usually takes two to three months.

Application should be made on UTS Application for Candidature – Master's Degrees by Thesis form. LLM (by thesis) applications may be lodged at any stage of the academic year.

All applicants will receive notification in writing of the success of their application.

## Dissertation topic

LLM (by thesis) candidates must provide details of their proposed topic when they submit their application. In addition, the Faculty of Law requires all applicants to provide additional documentation to accompany the application (please inquire at the Faculty of Law). The application will be submitted to the Faculty's Graduate Studies Committee for recommendation to the University Graduate School's Graduate Students Committee. Once final approval is obtained, the topic cannot be changed except with the approval of these committees.

## Supervision

So that a thesis degree candidate may be guided and supervised properly, there shall be at least two supervisors, one to be the principal supervisor and one to be the co-supervisor. Normally at least one of the supervisors must have an equivalent award. At least one of the supervisors shall be a full-time academic staff member of the University, and shall be responsible for reporting progress and other matters to the University Graduate School Board. Candidates are required to meet with their supervisor(s) at least once a month, to discuss the research being undertaken.

## Progress reports

At the end of each semester of candidacy, LLM (by thesis) candidates must submit a report to their principal supervisor detailing their progress to date. The supervisor will indicate whether progress is satisfactory or unsatisfactory.

## Thesis assessment

LLM (by thesis) candidates are required to undergo a Thesis Assessment within the first two semesters for full-time students or within the first three semesters for part-time students. The object of the Assessment is to ensure that candidates are equipped with the knowledge to carry out their research program, and have made sufficient progress. The Thesis Assessment may take the form of a written or oral examination. As part of the Assessment, candidates will normally present a seminar to the University on their dissertation topic and methodology of approximately one hour's duration. A student who does not satisfy the requirements for the Assessment will not be permitted to proceed with his or her candidature unless, with the approval of the Academic Board, they are invited to reattempt the Assessment (University Rule 3.4.15.1).

## Submission of thesis

Candidates must lodge a Notification of Intent to Submit a Thesis form with the University Graduate School **at least two months before** submitting their thesis. Information about the requirements on the presentation and format of the thesis will be forwarded to candidates when this form is lodged.

## Transfer to the PhD

LLM (by thesis) candidates who do not meet the PhD admission requirements but wish to transfer into the PhD after a minimum of one year's study must have reached a standard **equivalent** to that of a Bachelor's degree with First Class Honours or Second Class Honours (Division 1). Candidates applying to transfer must also demonstrate, with the support of their supervisor(s), that their topic has Doctoral scope. Final approval of the transfer resides with the University Graduate Students Committee.

## COURSEWORK PROGRAMS

### Master of Laws (by coursework)

- ◆ *Course code:* LL52
- ◆ *Testamur title:* Master of Laws
- ◆ *Abbreviation:* LLM
- ◆ *Course fee:* \$9,600

The Master of Laws (LLM) (by coursework) offers candidates an interesting program that is vocationally relevant and structured to encourage students to develop a course of study to best suit their individual needs. Our small seminar-style classes are taught by a mix of practising professionals and full-time academic staff in the Faculty's new premises on the Haymarket campus and in city locations. The LLM (by coursework) features innovative attendance patterns, including fast-tracking via our Summer and July Intensive programs. Opportunities for cross-institutional study, both inside and outside Australia, are encouraged. Close interaction between the legal profession and the Faculty of Law guarantees a close match between a first-class education and a marketable postgraduate legal qualification.

Please contact:

Director of Postgraduate Law Programs  
telephone (02) 9514 3757  
or

Postgraduate Law Programs Office  
telephone (02) 9514 3756, (02) 9514 3753 or  
(02) 9514 3754

### Admission requirements

Category A applicants:

- an LLB; or
- high professional standing (other additional requirements may be required).

Category B applicants:

- Legal Practitioners Admission Board/  
Solicitors Admission Board qualification.<sup>1</sup>

<sup>1</sup> Applicants in this category are required to attend seminars in Advanced Legal Research in their first semester of enrolment. Candidates must pass this subject and all other subjects attempted in the first year of candidacy.

### Course structure

- Completion of electives totalling 48 credit points; in
- a **minimum** of two semesters of full-time attendance or four semesters of part-time attendance; and
- a **maximum** of six semesters for a full-time student or nine semesters for a part-time student.

### Electives

LLM and SJD candidates will undertake a combination of the following electives totalling 48 credit points, depending on their interests and relevant experience. **A limited number of electives will be offered in any one year** although most electives will be offered over a two-year cycle. (Please note that timetabled subjects are offered subject to sufficient student interest.) Brief descriptions of the subjects offered in the program are given in this handbook in the 'Subject descriptions' section. Detailed subject descriptions are available from the Administrative Secretary (Postgraduate).

#### Commercial Law

77754	Advanced Corporate Insolvency and Restructuring	6cp
77715	Banking Law	12cp
77719	Capital Gains Tax	12cp
77729	Chinese Trade and Investment Law	6cp
77752	Commercial Arbitration (Domestic)	6cp
77730	Corporate Insolvency and Restructuring	6cp
77711	Corporations, Finance and Securities	12cp
77774	Current Issues in Corporate Law	6cp
79706	Customs Duties/Levies	6cp
77712	Deceptive Trade Practices and Product Liability Law	12cp
77761	Dispute Resolution in Commerce	6cp
77766	Economic Law of the PRC	6cp
77744	Franchising Law	6cp
77768	Insurance Law	6cp
77724	International Banking and Finance Law	6cp
77703	International Business Transactions	6cp
77751	International Commercial Arbitration	6cp
77783	International Commercial Dispute Resolution (S)	6cp
77720	International Taxation	12cp
77716	International Trade Law	6cp
77785	Law of Futures and Derivatives	6cp
77789	Law of Managed Investments	6cp
77721	Restrictive Trade Practices	12cp
79701	Stamp Duties	6cp
77755	Superannuation Law	6cp
77767	Tax Administration	6cp
77796	Taxation of Partnerships and Trusts	6cp

**Dispute Resolution**

77746	Advanced Mediation	6cp
77752	Commercial Arbitration (Domestic)	6cp
77763	Community Dispute Resolution	6cp
77749	Construction Industry Dispute Resolution	6cp
77765	Court-based Dispute Resolution	6cp
77792	Crisis Negotiation	6cp
77735	Dispute Resolution	12cp
79771	Dispute Resolution (S)	6cp
77761	Dispute Resolution in Commerce	6cp
77764	Environmental Dispute Resolution	6cp
77760	Family Dispute Resolution	6cp
77762	Industrial Dispute Resolution	6cp
77751	International Commercial Arbitration	6cp
77783	International Commercial Dispute Resolution (S)	6cp
77745	Negotiation	6cp
77850	Psychology and Dispute Resolution	6cp
77748	Victim-Offender Dispute Resolution	6cp
77867	Workplace Dispute Resolution	6cp

**Industrial Law**

77746	Advanced Mediation	6cp
79711	Advanced Industrial Law	6cp
77797	Building and Construction Law 1	6cp
77795	Building and Construction Law 2	6cp
77749	Construction Industry Dispute Resolution	6cp
77792	Crisis Negotiation	6cp
79753	Current Issues in Industrial Law	6cp
77735	Dispute Resolution	12cp
79771	Dispute Resolution (S)	6cp
79752	Employment Legislation	6cp
77762	Industrial Dispute Resolution	6cp
79731	Industrial Law	6cp
77745	Negotiation	6cp
77867	Workplace Dispute Resolution	6cp

**Intellectual and Industrial Property Law**

77756	Copyright Law	12cp
7xxxx	Trade Mark Law and Practice 1	6cp
7xxxx	Trade Mark Law and Practice 2	6cp
7xxxx	Patent Law	6cp
7xxxx	Validity and Infringement of Specifications	6cp
7xxxx	Drafting of Specifications	6cp
7xxxx	Design Law and Practice	6cp

**International Law**

77736	Admiralty Law	6cp
77799	Advanced Comparative Law for Civil Lawyers <sup>1</sup>	6cp
77737	Carriage of Goods by Sea	6cp
77733	Chinese Law and Legal Systems	6cp
77729	Chinese Trade and Investment Law	6cp
77702	Current Problems in Public International Law	6cp

77766	Economic Law of the People's Republic of China	6cp
77704	European Union Law	6cp
77724	International Banking and Finance Law	6cp
77710	International and Comparative Law Project	6cp
77784	International Business Law	6cp
77703	International Business Transactions	6cp
77751	International Commercial Arbitration	6cp
77783	International Commercial Dispute Resolution (S)	6cp
77701	International Economic Law	6cp
77794	International Environmental Law	6cp
77759	International Monetary Law	6cp
77720	International Taxation	12cp
77716	International Trade Law	6cp
77705	Maritime Law	12cp
77758	Private International Law	6cp

<sup>1</sup> Applicants with civil law legal qualifications only.

**Non-major**

77706	Advanced Administrative Law	6cp
77778	Advanced Computerised Legal Research	6cp
77757	Advanced Family Law: Propriety Remedies	6cp
77731	Advanced Remedial Law: Damages	6cp
77732	Advanced Remedial Law: Equitable Remedies	6cp
77793	Computer Law	6cp
77714	Computerised Legal Information Systems	xxx
77709	Planning and Development Law 1	6cp
77773	Planning and Development Law 2: Pollution Control Legislation	6cp
77740	Research Paper	6cp
77725	Research Project	12cp

**Majors offered in the LLM (by coursework)**

A student may choose an appropriate mix of subjects to constitute a major within the LLM (by coursework) program in a specific area. The majors available are:

- Dispute Resolution<sup>1</sup>
- Commercial Law
- Intellectual and Industrial Property Law
- Industrial Law
- International Law

To undertake a major, candidates must complete subjects totalling a minimum of 30 credit points within the area of the major.

<sup>1</sup> A student wishing to take more than 30 credit points in Dispute Resolution subjects should enrol in the Master of Dispute Resolution.

## Awarding of Honours

To qualify for Honours in the LLM (by coursework), candidates must attain a minimum average mark of 75 per cent across all subjects attempted;<sup>1</sup> and must complete the two-semester 77725 Research Project.

<sup>1</sup> Advanced Legal Research is not included in calculating the average.

## LLM students with civil law legal qualifications

Master of Laws (LLM) candidates with legal qualifications from countries with civil law, or dual civil and common law legal systems, will be required to complete 77799 Advanced Comparative Law for Civil Lawyers (6 credit points) in their first semester of enrolment. This subject is a co/prerequisite for all other LLM subjects for students with civil law legal qualifications.

Advanced Comparative Law for Civil Lawyers provides a bridge between the civil law and the common law and is offered twice-yearly in the (Australian) Summer program in February and in the July Intensive program over a three- to five-week intensive teaching period. The topics covered in this subject include the following: sources of the common law; the development of the common law in England and its reception in Australia; courts and lawyers in Australia; law finding in the common law; contract law in the common law; Australian public law; and aspects of the law regulating business transactions in Australia. Four principal areas are addressed:

- Legal technique in the common law
- Comparative law research and analysis
- Introduction to business law
- Selected issues in international and transnational law.

## Transfer to the SJD

Candidates in the LLM (by coursework) program may **apply** to transfer to the SJD after completion of 48 credit points of LLM (by coursework) electives. Candidates applying to transfer must provide satisfactory evidence of their ability to undertake advanced research appropriate to a Doctoral program. (Please see the SJD program entry.)

## Master of Dispute Resolution

- 
- ◆ *Course code:* LL59
  - ◆ *Testamur title:* *Master of Dispute Resolution*
  - ◆ *Abbreviation:* MDR
  - ◆ *Course fee:* \$10,800
- 

## Graduate Certificate in Dispute Resolution

- 
- ◆ *Course code:* LL69
  - ◆ *Testamur title:* *Graduate Certificate in Dispute Resolution*
  - ◆ *Abbreviation:* none
  - ◆ *Course fee:* \$4,800
- 

Both the Master of Dispute Resolution (MDR) and the Graduate Certificate in Dispute Resolution (GCDR) programs offer students a cross-disciplinary graduate degree providing the theory, skills and practice of dispute resolution to professionals, managers and administrators. Experienced practitioners assist students to build practitioner skills and gain enriched theoretical understanding of the alternative dispute resolution process. The mixture of experience-based learning and formal lectures demonstrates the UTS commitment to excellence in teaching, research, development and training.

The electives focus on theory and practical skills and are taught in intensive block mode over four full days of lectures, workshops and seminars.

The GCDR is a shorter course for students who do not wish to undertake the full MDR program.

Please contact:

Dispute Resolution Course Coordinator  
Mrs Marilyn Scott  
telephone (02) 9514 3158

or

Postgraduate Law Programs Office  
telephone (02) 9514 3756, (02) 9514 3753 or  
(02) 9514 3754

## Admission requirements

- A Bachelor's degree from an Australian university; or
- an equivalent qualification; or
- applicants who have not gained the requisite tertiary qualification may be provisionally admitted into the GCDR

program if they demonstrate equivalent work experience and the ability to undertake projects at an advanced level.

### MDR course structure

- Completion of the core subject 77735 Dispute Resolution (12 credit points); and
- a further 42 credit points of electives; including
- 77780 Research Paper (DR) (6 credit points); or
- 77781 Research Project (DR) (12 credit points) in the final semester(s); in
- a **minimum** of two semesters of full-time attendance or four semesters of part-time attendance; and
- a **maximum** of six semesters for a full-time student or nine semesters for a part-time student.

### GCDR course structure

- Completion of the core subject 79771 Dispute Resolution (S) (6 credit points); and
- a further 18 credit points of electives; in
- a **minimum** of one semester of full-time attendance or two semesters of part-time attendance; and
- a **maximum** of two semesters for a full-time student or three semesters for a part-time student.

### Electives

Electives in the MDR and GCDR program may be chosen from the following list of subjects. A limited number of electives will be offered in any one year although **all** electives will be offered over any two-year cycle. (Please note that timetabled subjects are offered depending on sufficient student interest.) Brief descriptions of the electives offered in the program are given in this handbook in the 'Subject descriptions' section. Detailed subject descriptions are available from the Administrative Secretary (Postgraduate).

77746	Advanced Mediation	6cp
77752	Commercial Arbitration (Domestic)	6cp
77763	Community Dispute Resolution	6cp
77749	Construction Industry Dispute Resolution	6cp
77765	Court-based Dispute Resolution	6cp
77792	Crisis Negotiation	6cp

77761	Dispute Resolution in Commerce	6cp
77764	Environmental Dispute Resolution	6cp
77760	Family Dispute Resolution	6cp
77762	Industrial Dispute Resolution	6cp
77751	International Commercial Arbitration	6cp
77783	International Commercial Dispute Resolution (S)	6cp
77745	Negotiation	6cp
77850	Psychology and Dispute Resolution	6cp
77748	Victim-Offender Dispute Resolution	6cp
77867	Workplace Dispute Resolution	6cp

### Awarding of Honours

To qualify for Honours in the MDR, candidates must attain a minimum average mark of 75 per cent across all subjects attempted; and must complete the two-semester 77781 Research Project (DR). Honours is not available within the GCDR program.

### Dispute Resolution major in the Master of Laws/Master of Legal Studies/Graduate Diploma in Legal Studies

Subjects offered in the MDR program may also be undertaken as part of a major in Dispute Resolution within the Master of Laws (by coursework) and the Master's/Graduate Diploma in Legal Studies programs. To undertake a major in Dispute Resolution within the LLM/MLS/GDLS programs, candidates must complete Dispute Resolution subjects totalling 30 credit points, including the compulsory core subject 77735 or 79771 Dispute Resolution. LLM, SJD, MLS and GDLS candidates are limited to a maximum of 30 credit points of Dispute Resolution subjects. Candidates who wish to complete more than 30 credit points in Dispute Resolution should enrol in the MDR or the GCDR program.

It should be noted that the MDR and GCDR program offers a more in-depth qualification in Dispute Resolution; course selection will depend upon a candidate's career goals and other relevant considerations.

### Transfer from the GCDR to the MDR

GCDR candidates who wish to transfer to the MDR program will be required to complete 77868 Master's Qualifying Research Paper. If the subject is passed, candidates will not take out the GCDR but will be transferred to the MDR with advanced standing.



## Master of Taxation Law

- ◆ *Course code: LL58*
- ◆ *Testamur title: Master of Taxation Law*
- ◆ *Abbreviation: MTax*
- ◆ *Course fee: \$9,600*

The Master of Taxation Law program (MTax) is designed to provide specialist education in the complex area of taxation, a key factor in all activities of modern business. Candidates who have successfully completed the Professional Year at the Institute of Chartered Accountants or the Australian Society of Certified Practising Accountant Professional Exams may apply for a maximum of 12 credit points of exemption.

### Admission requirements

- A degree with an appropriate major; or
- completion of a relevant Graduate Diploma at a credit average level; or
- satisfaction of the admission criteria established by the Institute of Chartered Accountants for their Professional Year, or admission criteria set by the Australian Society of Certified Practising Accountants.

In assessing candidates, account is taken of their professional standing and experience.

### Course structure

- Completion of the introductory subject 77885 Legal Process and Legal Research<sup>1</sup> (6 credit points); and
- completion of a further 42 credit points of electives; in
- a **minimum** of two semesters of full-time attendance or four semesters of part-time attendance; and
- a **maximum** of nine semesters from the time of registration for part-time students or six semesters for full-time students.

<sup>1</sup> Candidates who have undertaken equivalent study may be exempted.

### Awarding of Honours

To qualify for Honours in the MTax, candidates must attain a minimum average mark of 75 per cent across all subjects; and must complete the two-semester Taxation Project 79764.

## Electives

After completion of 77865 Legal Process and Legal Research (6 credit points), MTax candidates will undertake a further 42 credit points of electives, depending on their interests and relevant experience. A limited number of electives will be offered in any one year although most electives will be offered over any two-year cycle. (Please note that timetabled subjects are offered depending on sufficient student interest.) Brief descriptions of the subjects offered in the program are given in this handbook in the 'Subject descriptions' section. Detailed subject descriptions are available from the Administrative Secretary (Postgraduate).

22730	Advanced Audit and Computer Security <sup>1</sup>	6cp
79718	Advanced Taxation	6cp
22760	Applied Research Skills <sup>1</sup>	6cp
77719	Capital Gains Tax (2 semesters)	12cp
79763	Contemporary Issues in Taxation	6cp
22751	Corporate Accounting Issues <sup>1</sup>	6cp
79706	Customs Duties/Levies	6cp
79762	International Taxation 1	6cp
79707	International Taxation 2	6cp
79702	Land Tax and Payroll Tax	6cp
79701	Stamp Duties	6cp
77755	Superannuation Law	6cp
77767	Tax Administration	6cp
77713	Tax Procedures, Sales Tax and Stamp Duties	12cp
79792	Taxation Paper (1 semester)	6cp
77796	Taxation of Partnerships and Trusts	6cp
79764	Taxation Project (2 semesters)	12cp

<sup>1</sup> These electives are offered by the Faculty of Business. Please contact the Faculty of Business for further details.

In addition to these subjects, candidates may, with the approval of the Director of Postgraduate Programs, choose appropriate subjects offered within other programs (see the 'Alphabetical list of subjects' at the end of this handbook). Written application to undertake options from other programs must be made before enrolment.

## Master of Legal Studies

- ◆ *Course code: LL68*
- ◆ *Testamur title: Master of Legal Studies*
- ◆ *Abbreviation: MLS*
- ◆ *Course fee: \$9,600*

## Graduate Diploma in Legal Studies

- ◆ *Course code: LL67*
- ◆ *Testamur title: Graduate Diploma in Legal Studies*
- ◆ *Abbreviation: GradDipLS*
- ◆ *Course fee: \$7,200*

The Faculty of Law recognises that there are a number of non-lawyers who wish to undertake legal study in order to function effectively in their chosen profession. Accordingly, the Faculty offers these programs which provide candidates with a sound theoretical background as well as the practical skills to be able to identify and understand the legal issues raised in their specific area of practice or interest.

**The Master's and Graduate Diploma in Legal Studies are not professional legal qualifications.**

### Admission requirements

- A Bachelor's degree from an Australian university; or
- an equivalent tertiary qualification; or
- applicants who have not gained the requisite tertiary qualification may be provisionally admitted into the GDLS program if they demonstrate equivalent work experience and the ability to undertake projects at an advanced level.

### MLS course structure

- Completion of the introductory subject 77885 Legal Process and Legal Research<sup>1</sup> (6 credit points); and
- and completion of a further 42 credit points of electives;
- in a **minimum** of two semesters of full-time attendance or four semesters of part-time attendance; and
- a **maximum** of six semesters for a full-time student or nine semesters for a part-time student.

<sup>1</sup> Candidates who have undertaken equivalent study may be exempted.

### GDLS course structure

- Completion of the introductory subject 77885 Legal Process and Legal Research<sup>1</sup> (6 credit points); and
- and completion of a further 30 credit points of electives;
- in a **minimum** of two semesters of full-time attendance or three semesters of part-time attendance; and
- a **maximum** of four semesters for a full-time student or eight semesters for a part-time student.

<sup>1</sup> Candidates who have undertaken equivalent study may be exempted.

### Electives

A limited number of electives will be offered in any one year although most electives will be offered over any two-year cycle (please note that timetabled subjects are offered depending on sufficient student interest). Brief descriptions of the subjects offered in the program are given in this handbook in the 'Subject descriptions' section. Detailed subject descriptions are available from the Administrative Secretary (Postgraduate).

#### Commercial Law

77823	Advanced Corporate Insolvency and Restructuring (LS)	6cp
79718	Advanced Taxation	6cp
77821	Banking Law (LS)	12cp
77838	Capital Gains Tax (LS)	12cp
77805	Chinese Trade and Investment Law (LS)	6cp
77752	Commercial Arbitration (Domestic)	6cp
79733	Companies and Securities Law	6cp
79763	Contemporary Issues in Taxation	6cp
77813	Corporate Insolvency and Restructuring (LS)	12cp
77820	Corporations, Finance and Securities (LS)	12cp
77852	Current Issues in Corporate Law (LS)	6cp
77811	Deceptive Trade Practices and Product Liability Law (LS)	12cp
77761	Dispute Resolution in Commerce	6cp
77807	Economic Law of the PRC (LS)	6cp
77818	Franchising Law (LS)	6cp
77822	International Banking and Finance Law (LS)	6cp
79742	International Business Law	6cp
77804	International Business Transactions (LS)	6cp
77814	International Commercial Arbitration (LS)	6cp

## 62 Postgraduate courses

77783	International Commercial Dispute Resolution (S)	6cp		
79762	International Taxation 1	6cp		
79707	International Taxation 2	6cp		
77801	International Trade Law (LS)	6cp		
77865	Introduction to Taxation Law	6cp		
79702	Land Tax and Payroll Tax	6cp		
77855	Law of Futures and Derivatives (LS)	6cp		
77858	Law of Managed Investments (LS)	6cp		
79703	Legal Aspects of Contracts Administration	6cp		
77812	Restrictive Trade Practices (LS)	12cp		
79701	Stamp Duties	6cp		
77839	Superannuation Law (LS)	6cp		
77840	Tax Administration (LS)	6cp		
77866	Taxation of Partnerships and Trusts (LS)	6cp		
<b>Dispute Resolution</b>				
77746	Advanced Mediation	6cp		
77752	Commercial Arbitration (Domestic)	6cp		
77763	Community Dispute Resolution	6cp		
77749	Construction Industry Dispute Resolution	6cp		
77765	Court-based Dispute Resolution	6cp		
77792	Crisis Negotiation	6cp		
77735	Dispute Resolution	12cp		
79771	Dispute Resolution (S)	6cp		
77761	Dispute Resolution in Commerce	6cp		
77764	Environmental Dispute Resolution	6cp		
77760	Family Dispute Resolution	6cp		
77762	Industrial Dispute Resolution	6cp		
77814	International Commercial Arbitration (LS)	6cp		
77783	International Commercial Dispute Resolution (S)	6cp		
77745	Negotiation	6cp		
77850	Psychology and Dispute Resolution	6cp		
77748	Victim-Offender Dispute Resolution	6cp		
77867	Workplace Dispute Resolution	6cp		
<b>Industrial Law</b>				
79711	Advanced Industrial Law	6cp		
77746	Advanced Mediation	6cp		
77797	Building and Construction Law 1	6cp		
77861	Building and Construction Law 2 (LS)	6cp		
77749	Construction Industry Dispute Resolution	6cp		
77792	Crisis Negotiation	6cp		
79753	Current Issues in Industrial Law	6cp		
77735	Dispute Resolution	12cp		
79771	Dispute Resolution (S)	6cp		
79752	Employment Legislation	6cp		
77762	Industrial Dispute Resolution	6cp		
79731	Industrial Law	6cp		
77745	Negotiation	6cp		
77867	Workplace Dispute Resolution	6cp		
<b>Intellectual and Industrial Property Law</b>				
77819	Copyright Law (LS)	12cp		
7xxxx	Design Law and Practice	6cp		
7xxxx	Drafting of Specifications	6cp		
7xxxx	Patent Law	6cp		
7xxxx	Trade Mark Law and Practice 1	6cp		
7xxxx	Trade Mark Law and Practice 2	6cp		
7xxxx	Validity and Infringement of Specifications	6cp		
<b>International Law</b>				
77832	Admiralty Law (LS)	6cp		
77833	Carriage of Goods by Sea (LS)	6cp		
77806	Chinese Law and Legal Systems (LS)	6cp		
77805	Chinese Trade and Investment Law (LS)	6cp		
77803	Current Problems of Public International Law	6cp		
77807	Economic Law of the People's Republic of China (LS)	6cp		
77824	European Union Law (LS)	6cp		
77822	International Banking and Finance Law (LS)	6cp		
79742	International Business Law	6cp		
77804	International Business Transactions (LS)	6cp		
77814	International Commercial Arbitration (LS)	6cp		
77783	International Commercial Dispute Resolution (S)	6cp		
77802	International Economic Law (LS)	6cp		
77860	International Environmental Law (LS)	6cp		
77809	International Monetary Law (LS)	6cp		
79762	International Taxation 1	6cp		
79707	International Taxation 2	6cp		
77801	International Trade Law (LS)	6cp		
77830	Maritime Law (LS)	12cp		
77828	Private International Law (LS)	6cp		
<b>Non-majors</b>				
77834	Advanced Administrative Law (LS)	12cp		
77853	Advanced Computerised Legal Research (LS)	6cp		
77793	Computer Law	6cp		
77714	Computerised Legal Information Systems	6cp		
79793	Legal Issues for Community Managers	6cp		
79741	Marketing Legislation in Australia	6cp		
77835	Planning and Development Law 1 (LS)	6cp		
77836	Planning and Development Law 2: Pollution Control Legislation (LS)	6cp		

## Majors offered in the MLS/GDLS

A student may choose an appropriate mix of subjects to constitute a major within the MLS/GDLS program in a specific area. The majors available are:

- Dispute Resolution<sup>1</sup>
- Commercial Law
- Intellectual and Industrial Property Law
- Industrial Law
- International Law

<sup>1</sup> A student wishing to take more than 30 credit points in Dispute Resolution subjects should enrol in the Master of Dispute Resolution.

## Awarding of Honours

To qualify for Honours in the MLS, candidates must attain a minimum average mark of 75 per cent across all subjects attempted; and must complete the two-semester Research Project (LS) 77800. Honours is not available within the GDLS program.

## Graduate Diploma in Australian Law<sup>1</sup>

- ◆ *Course code:* LL57
- ◆ *Testamur title:*  
*Graduate Diploma in Australian Law*
- ◆ *Abbreviation:* GradDipAustLaw
- ◆ *Course fee:* \$6,000

The Graduate Diploma in Australian Law (GDAL) is designed to permit lawyers from common law jurisdictions other than NSW to satisfy the academic requirements for admission as a legal practitioner of the Supreme Court of NSW (this course is not appropriate for candidates who are already admitted to practise in NSW or have an undergraduate legal qualification from NSW).

Applicants should contact the Legal Practitioners Board of the NSW Supreme Court (LPAB) to determine the subjects they are required to complete to be eligible for admission to practise in NSW **before** lodging their application.

Students should consider enrolling on a non-award basis if the LPAB-determined subjects total less than 48 credit points. Contact Undergraduate Law Programs on (02) 9514 3760 for further details.

Please note that in order to gain admission as a legal practitioner of the Supreme Court of NSW, applicants may also be required to undertake a course in practical legal training.

### Admission requirements

- A Bachelor's degree in Law from outside NSW; or
- be admitted to practise as a solicitor or barrister in a common law jurisdiction.

### Course structure

- Completion of a minimum of 48 credit points of undergraduate law subjects (each candidate's program will vary depending on the number of subjects he or she is required to take in order to be admitted to practise in NSW); in
- a **minimum** of two semesters of full-time attendance or three semesters of part-time attendance; and
- a **maximum** of four semesters for a full-time student or eight semesters for a part-time student.

<sup>1</sup> The GradDipAustLaw is currently under review.

## Master of Industrial Property<sup>1</sup>

- ◆ *Course code: LL85*
- ◆ *Testamur title: Master of Industrial Property*
- ◆ *Abbreviation: MIP*
- ◆ *Course fee: \$10,800*

## Graduate Diploma in Trade Mark Law and Practice<sup>1</sup>

- ◆ *Course code: LL84*
- ◆ *Testamur title: Graduate Diploma in Trade Mark Law and Practice*
- ◆ *Abbreviation: GradDipTradeMarkLaw*
- ◆ *Course fee: \$4,800*

The newly developed Master of Industrial Property and Graduate Diploma in Trade Mark Law and Practice programs are intended to allow UTS to respond to changes in the statutorily established educational qualifications for intellectual property practitioners. UTS has established expertise and an existing reputation for providing courses relevant to the needs of the Patent and Trade Mark professions and, once accredited by the Professional Standards Board, the new courses will permit UTS to continue to provide relevant education qualifications which will lead to professional registration. The courses reflect the range of topics required for registration as a Registered Trade Marks Attorney or a Patent Attorney under the relevant Regulations.

On satisfactory completion of the courses, students will:

- have a body of knowledge and practical skills which will enable them to provide advice on the relevant category or categories of intellectual and industrial subject matters to provide appropriate protection for particular activities
- an appreciation of the advantages of particular forms of protection as they relate to business and professional activity and the needs of commercialisation of subject matters
- an understanding of the procedures required to obtain and to maintain appropriate protection on behalf of a client

<sup>1</sup> The programs MIP and GradDipTradeMarkLaw are subject to final approval.

- have acquired an understanding of the required standard of professional conduct as a Trade Marks Attorney and/or Patent Attorney.

For further details, please contact:

Course Coordinator  
Associate Professor Philip Griffith  
telephone (02) 9514 3766  
email philip.griffith@uts.edu.au

or

Postgraduate Law Programs office  
telephone (02) 9514 3753, (02) 9514 3754 or  
(02) 9514 3756

### Admission requirements

- A Bachelor's degree from an Australian university; or
- an equivalent tertiary qualification.

### MIP course program

Once accredited, the MIP will be recognised by the Professional Standards Board for Trade Marks and Patent Attorneys as fulfilling the educational requirements necessary for registration as a Registered Trade Mark and Patent Attorney.

#### Full-time attendance

##### Semester 1

77885	Legal Process and Legal Research	6cp
77592	Professional Conduct (IP)	6cp
77889	Trade Mark Law and Practice 1	6cp
77890	Trade Mark Law and Practice 2	6cp

##### Semester 2

77894	Drafting of Specifications	6cp
77896	Patent Law	6cp
77891	Patent System	6cp
77895	Validity and Infringement of Specifications	6cp

##### Semester 3

77893	Design Law and Practice	6cp
-------	-------------------------	-----

#### Part-time attendance

##### Semester 1

77885	Legal Process and Legal Research	6cp
77892	Professional Conduct (IP)	6cp

##### Semester 2

77889	Trade Mark Law and Practice 1	6cp
77890	Trade Mark Law and Practice 2	6cp

##### Semester 3

77896	Patent Law	6cp
77891	Patent System	6cp

**Semester 4**

77894	Drafting of Specifications	6cp
77895	Validity and Infringement of Specifications	6cp

**Semester 5**

77893	Design Law and Practice	6cp
-------	-------------------------	-----

**GradDipTradeMarkLaw course program**

Once accredited, the Graduate Diploma will be recognised by the Professional Standards Board for Trade Marks and Patent Attorneys as fulfilling the educational requirements necessary for registration as a Registered Trade Mark Attorney.

Graduate Diploma students may elect to transfer into the Master's program on application. If successful, candidates would not take out the Graduate Diploma but transfer into the Master's program with advanced standing.

**Full-time attendance****Semester 1**

77885	Legal Process and Legal Research	6cp
77892	Professional Conduct (IP)	6cp
77889	Trade Mark Law and Practice 1	6cp
77890	Trade Mark Law and Practice 2	6cp

**Part-time attendance****Semester 1**

77885	Legal Process and Legal Research	6cp
77892	Professional Conduct (IP)	6cp

**Semester 2**

77889	Trade Mark Law and Practice 1	6cp
77890	Trade Mark Law and Practice 2	6cp

Brief descriptions of the subjects offered in the program are given in this handbook in the 'Subject descriptions' section. Detailed subject descriptions are available from the Administrative Secretary (Postgraduate). Please note that timetabled subjects are offered subject to sufficient student interest, please check the relevant timetable available from the Postgraduate Law Programs office.

**Master of International Trade Law<sup>1</sup>**

- ◆ *Course code:* LL83
- ◆ *Testamur title:*  
*Master of International Trade Law*
- ◆ *Abbreviation:* MITL
- ◆ *Course fee:* \$9,600

**Graduate Certificate in International Trade Law<sup>1</sup>**

- ◆ *Course code:* LL82
- ◆ *Testamur title:* Graduate Certificate in International Trade Law
- ◆ *Abbreviation:* none
- ◆ *Course fee:* \$4,800

The newly developed Master of International Trade Law and Graduate Certificate in International Trade Law will provide a suite of options for legal practitioners and a wide range of other professionals to extend their expertise and knowledge in the expanding area of international trade law. With rapid globalisation of markets and economies a prominent feature of the last decade, lawyers and other professionals have a strong imperative to extend their knowledge and expertise in the area of international trade law. UTS has provided individual subjects for many years in this area as part of the wide choice of electives made available in other postgraduate program areas.

Faculty links with the NSW Branch of the International Law Association have encouraged the Faculty to develop these programs. The Faculty has identified subjects that address a range of topics which underpin current and ongoing areas of study in International Trade Law, namely:

- Multilateral Liberalisation of Trade in Goods and Services: GATT 1994, GATS and WTO
- The Role of Regional Trading Blocs: NAFTA, ASEAN, EU, CER, Mercosur
- Exceptions to Liberalisation: Agriculture, Textiles and Clothing, Sanitary and Phytosanitary Measures, and Music and Film
- Anti-Dumping and Countervailing Duties in a Global Economy

<sup>1</sup> The programs MITL and the GradCertIntTradeLaw are subject to final approval

- Foreign Investment and the Multilateral Investment Agreement
- Regulation of Financial Markets: the Asian Experience
- International Commercial Arbitration
- Dispute Resolution and the WTO
- Intellectual Property and Trade: TRIPS.

For further details, please contact:

International Law Coordinator

Associate Professor Katrin Cutbush-Sabine  
telephone (02) 9514 3772

email [katrin.cutbush-sabine@uts.edu.au](mailto:katrin.cutbush-sabine@uts.edu.au)  
or

Postgraduate Law Programs office

telephone (02) 9514 3753, (02) 9514 3754 or

(02) 9514 3756

### Admission requirements

- A Bachelor's degree from an Australian university; or
- an equivalent tertiary qualification.

### MITL course structure (Law graduate entrants)

- Completion of the introductory subject 77716 International Trade Law (6 credit points); and
- a further 42 credit points of electives; in
- two semesters of full-time attendance or four semesters of part-time attendance.

### GradCertIntTradeLaw course structure (Law graduate entrants)

- Completion of the introductory subject 77716 International Trade Law (6 credit points); and
- a further 18 credit points of electives; in
- one semester of full-time attendance or two semesters of part-time attendance.

### MITL course structure (non-Law graduate entrants)

- Completion of the introductory subject 77865 Legal Process and Legal Research (6 credit points), 77801 International Trade Law (6 credit points); plus
- a further 36 credit points of electives; in
- two semesters of full-time attendance or four semesters of part-time attendance.

### GradCertIntTradeLaw course structure (non-Law graduate entrants)

- Completion of the introductory subject 77865 Legal Process and Legal Research (6 credit points), 77801 International Trade Law (6 credit points); plus
- a further 12 credit points of electives; in
- one semester of full-time attendance or two semesters of part-time attendance.

### Electives

Electives in the MIP and GradCertIntTradeLaw program may be chosen from the following list of subjects. A limited number of electives will be offered in any one year although all electives will be offered over any two-year cycle. (Please note that timetabled subjects are offered subject to sufficient student numbers.) Brief descriptions of the subjects offered in the program are given in this handbook in the 'Subject descriptions' section. Detailed subject descriptions are available from the Administrative Secretary (Postgraduate).

77704/77824	European Union Law	6cp
77724/77822	International Banking and Finance Law	6cp
77703/77804	International Business Transactions	6cp
77751/77814	International Commercial Arbitration	6cp
77783	International Commercial Dispute Resolution	6cp
77759/77809	International Monetary Law	6cp
77758/77828	Private International Law	6cp
77725	Research Project	12cp

### Awarding of Honours

To qualify for Honours in the MITL program candidates must complete the Research Project 77725; and attain a minimum average mark of 75 per cent across all subjects attempted. An Honours program is not available within the GradCertIntTradeLaw.

## Master of Laws (Mandarin International)<sup>1</sup>

- ◆ *Course code: LL86*
- ◆ *Testamur title:  
Master of Laws (Mandarin International)*
- ◆ *Abbreviation: LLM*
- ◆ *Course fee: \$15,000*

The Master of Laws (Mandarin International) award is unique in that it is the only Master of Laws program available in Australia which is delivered and assessed entirely in the Mandarin language. The program offers Mandarin-speaking legal practitioners the opportunity to gain a postgraduate legal qualification at a time when the Chinese legal system is undergoing significant change, and there is a demand for education and experience in other legal jurisdictions.

It is envisaged that the course will be of prime interest to international candidates from the People's Republic of China, as well as Mandarin speakers in the Asia-Pacific area. However, the course will also be available to Australian residents whose principal language is Mandarin.

For further details, please contact:  
Director of Postgraduate Law Programs  
telephone (02) 9514 3757  
or  
Postgraduate Law Programs office  
telephone (02) 9514 3756

<sup>1</sup> The LLM (Mandarin International) program is subject to final approval.

### Course structure

- Completion of electives totalling 48 credit points; in
- a **minimum** of two semesters of full-time attendance or four semesters of part-time attendance;<sup>1</sup> and
- a **maximum** of six semesters for a full-time student or nine semesters for a part-time student.<sup>1</sup>

<sup>1</sup> Due to visa restrictions, international students can enrol on a full-time basis only.

### Admission requirements

- An undergraduate legal qualification; and
- demonstrated English proficiency equivalent to an IELTS level of 5.0 or better; plus
- demonstrated proficiency in Mandarin.

### Electives

LLM (Mandarin International) candidates will undertake a combination of 48 credit points of subjects. Ultimately, candidates will have access to the same electives and majors as the standard LLM program (a full list of LLM electives can be viewed in the 'Master of Laws' entry in this handbook). However, at this stage it is not intended to make the entire LLM subject offerings available. Subjects will be added progressively in step with market demand and available resources. Please contact the Faculty's Postgraduate Program area for the current LLM (Mandarin International) timetable.

### Awarding of Honours

To qualify for Honours in the LLM (Mandarin International), candidates must attain a minimum average mark of 75 per cent; and must complete the two-semester subject 77725 Research Project

### Applicants with civil law legal qualifications

Candidates with legal qualifications from countries with civil law, or dual civil and common law, legal systems will be required to complete 77799 Advanced Comparative Law for Civil Lawyers (6 credit points) in their first semester of enrolment. This subject is a co/prerequisite for all other LLM (Mandarin International) subjects for students with civil law legal qualifications.

Advanced Comparative Law for Civil Lawyers provides a bridge between the civil law and the common law. The topics covered in this subject include the following: sources of the common law; the development of the common law in England and its reception in Australia; courts and lawyers in Australia; law finding in the common law; contract law in the common law; Australian public law; and aspects of the law regulating business transactions in Australia. Four principal areas are addressed:

- Legal technique in the common law
- Comparative law research and analysis
- Introduction to business law
- Selected issues in international and transnational law.



## Master of Law and Legal Practice

- ◆ *Course code:* LL78
- ◆ *Testamur title:*  
*Master of Law and Legal Practice*
- ◆ *Abbreviation:* MLLP
- ◆ *Course fee:* \$33,600

## Graduate Diploma in Law

- ◆ *Course code:* LL79
- ◆ *Testamur title:* *Graduate Diploma of Law*
- ◆ *Abbreviation:* GradDipLaw
- ◆ *Course fee:* \$19,200

The Master of Law and Legal Practice (MLLP) is the first national example of a 'third entry' path into the profession of law and has been accredited by the Legal Practitioners Admission Board of the Supreme Court of NSW (LPAB). *Please note that the Graduate Diploma of Law (GradDipLaw) is not an approved program of study for those who wish to seek admission as a legal practitioner.*

Historically, in NSW there have been only two pathways into the profession of law, through the LPAB Diploma or the Bachelor of Laws (LLB) program. But these awards are at the undergraduate level regardless of the 'graduate' characteristics of the applicants.

The Faculty of Law at UTS has a strategic mission to prepare students for the practice of law in keeping with the University mission statement. Faculty core business has always been to prepare motivated and capable students for professional practice.

The Faculty holds that graduates of other disciplines have achieved more than simply meeting the entry requirements for another undergraduate qualification. They possess a greater measure of intellectual maturity and academic standing, which has prepared them for more advanced studies at the Master's level.

### Admission requirements

A Bachelor's degree.

### Subjects

Timetable constraints may require attendance at daytime and evening classes (please check the current timetable). The full-time and part-time standard progression noted below is subject to candidates meeting subject prerequisites in each semester (the subject prerequisite requirements are noted in this handbook in the

'Subject descriptions' section). Not all students will follow the standard progression and consequently some candidates may not complete the program in the time outlined below.

A list of the MLLP electives can be viewed under the 'Master of Laws' entry in this handbook.

### MLLP course program

The MLLP combines the core law curriculum, plus postgraduate-level electives from the existing Master of Laws program, followed by the practical legal training requirements set by the LPAB. Please note that the practical legal training component of the program must be completed at the end of the course.

#### Full-time attendance

##### Semester 1

77873	Criminal Law	6cp
77870	Legal Process and History	10cp
77871	Legal Research	4cp

##### Semester 2

77879	Federal Constitutional Law	8cp
77872	Law of Contract	8cp
77874	Law of Tort	8cp

##### Semester 3

77880	Administrative Law	8cp
77877	Corporate Law	8cp
77876	Personal Property	4cp
77875	Real Property	8cp

##### Semester 4

77878	Equity and Trusts	8cp
77882	Law of Evidence	6cp
77881	Practice and Procedure	4cp
77883	Remedies	6cp

##### Semester 5

—	MLLP elective	6cp
—	MLLP elective	6cp
—	MLLP elective	6cp

##### Semester 6

—	MLLP elective	6cp
—	MLLP elective	6cp
—	MLLP elective	6cp

##### Semester 7

75413	Advocacy	6cp
75403	Commercial and Estate Practice	6cp
75412	Legal Skills and Professional Awareness	6cp
75401	Litigation	6cp
75411	Practical Experience	0cp
75415	Professional Conduct 1 (Legal Accounting)	3cp
75416	Professional Conduct 2 (Legal Ethics)	3cp
75402	Property Transactions	6cp

**Part-time attendance****Semester 1**

77870	Legal Process and History	10cp
77871	Legal Research	4cp

**Semester 2**

77873	Criminal Law	6cp
77872	Law of Contract	8cp

**Semester 3**

77879	Federal Constitutional Law	8cp
77874	Law of Tort	8cp

**Semester 4**

77880	Administrative Law	8cp
77875	Real Property	8cp

**Semester 5**

77877	Corporate Law	8cp
77878	Equity and Trusts	8cp

**Semester 6**

77882	Law of Evidence	6cp
77883	Remedies	6cp
77876	Personal Property	4cp
77881	Practice and Procedure	4cp

**Semester 7**

—	MLLP elective	6cp
—	MLLP elective	6cp
—	MLLP elective	6cp

**Semester 8**

—	MLLP elective	6cp
—	MLLP elective	6cp
—	MLLP elective	6cp

**Semester 9**

75412	Legal Skills and Professional Awareness	6cp
75415	Professional Conduct 1 (Legal Accounting)	3cp
75416	Professional Conduct 2 (Legal Ethics)	3cp

**Semester 10**

75403	Commercial and Estate Practice	6cp
75402	Property Transactions	6cp

**Semester 11**

75413	Advocacy	6cp
75401	Litigation	6cp
75411	Practical Experience	0cp

**GradDipLaw course program**

Completion of 96 credit points of core law subjects. Timetable constraints may require attendance at daytime and evening classes (please check the current timetable).

**Full-time attendance****Semester 1**

77873	Criminal Law	6cp
77870	Legal Process and History	10cp
77871	Legal Research	4cp
		(total 20cp)

**Semester 2**

77879	Federal Constitutional Law	8cp
77872	Law of Contract	8cp
77874	Law of Tort	8cp
		(total 24cp)

**Semester 3**

77880	Administrative Law	8cp
77877	Corporate Law	8cp
77876	Personal Property	4cp
77875	Real Property	8cp
		(total 28cp)

**Semester 4**

77878	Equity and Trusts	8cp
77882	Law of Evidence	6cp
77881	Practice and Procedure	4cp
77883	Remedies	6cp
		(total 24cp)

**Part-time attendance****Semester 1**

77870	Legal Process and History	10cp
77871	Legal Research	4cp

**Semester 2**

77873	Criminal Law	6cp
77872	Law of Contract	8cp

**Semester 3**

77879	Federal Constitutional Law	8cp
77874	Law of Tort	8cp

**Semester 4**

77880	Administrative Law	8cp
77875	Real Property	8cp

**Semester 5**

77877	Corporate Law	8cp
77878	Equity and Trusts	8cp

**Semester 6**

77882	Law of Evidence	6cp
77881	Practice and Procedure	4cp
77876	Personal Property	4cp
77883	Remedies	6cp

Note: The GradDipLaw is not an approved program of study for those who wish to seek admission as a legal practitioner.

## PROFESSIONAL PROGRAM

### Graduate Diploma in Legal Practice

- ◆ *Course codes: LL74; LL75*
- ◆ *Testamur title: Graduate Diploma in Legal Practice*
- ◆ *Abbreviation: GradDipLP*
- ◆ *Course fees: HECS (LL74); \$5,670 (LL75)*

Admission by the Supreme Court of NSW to practise as either a solicitor or barrister is based upon the successful completion of an undergraduate law degree (or similar qualification e.g. LPAB) and an accredited course of practical legal training. The UTS courses have been approved by the Legal Practitioners Admission Board of the Supreme Court of NSW.

The UTS Faculty of Law Professional Program requires students to undertake an 18-week academic course (or part-time equivalent) and to undertake 16 weeks of pre-approved practical experience. This leads to the award of the Graduate Diploma of Legal Practice (GDLP). This course is also available as the Legal Practice major in the LLB program.

Students are provided with written materials and access to computerised resources (including CD-ROM and online resources) in specially-built student accommodation.

The Professional Program, like any clinically-based education, is intensive and requires a considerable commitment from students. The subjects are more demanding, in terms of attendance, than regular undergraduate or postgraduate Law subjects. Apart from the clinical aspects, this is mainly due to the fact that many activities are interactive between teaching staff and students (e.g. practice courts, simulated practice transactions and skills exercises).

#### Admission requirements

- An LLB (an LLB from a university outside NSW will have to be assessed by the Legal Practitioner's Admission Board)
- the LPAB/SAB qualification.

### Course program

- Candidates must complete the following core subjects:
 

75413	Advocacy	6cp
75403	Commercial and Estate Practice	6cp
75412	Legal Skills and Professional Awareness	6cp
75401	Litigation	6cp
75411	Practical Experience	0cp
75415	Professional Conduct 1 (Legal Accounting)	3cp
75416	Professional Conduct 2 (Legal Ethics)	3cp
75402	Property Transactions	6cp
- in a minimum of one semester of 18 weeks of full-time attendance; or
- a minimum of three semesters of part-time attendance including Summer enrolment.

This course is offered in a full-time and in a part-time delivery mode.

The Professional Program commences prior to the commencement of the University semester. Please contact the Professional Program for commencement dates.

### Graduate Diploma in Legal Practice (by Flexible Learning)

- ◆ *Course codes: LL80; LL81*
- ◆ *Testamur title: Graduate Diploma in Legal Practice*
- ◆ *Abbreviation: GradDipLP*
- ◆ *Course fees: HECS (LL80); \$5,670 (LL81)*

The Professional Program may be undertaken by flexible learning mode. This means students learn at a time, rate and location that suits each individual student. Students use self-managed learning tools to learn at their own pace. Because of the skills-based nature of the courses of study within the Professional Program, two compulsory Monday to Friday face-to-face schools are included in the course of study. The first school takes place at the beginning of the course of study, primarily for the Legal Skills and Professional Awareness subject, with the second at the conclusion of the course, primarily for the Advocacy subject.

The Professional Program commences prior to the commencement of the University semester. Please contact the Professional Program for commencement dates.

## Student progression

### Full-time

#### Spring

75413	Advocacy	6cp
75403	Commercial and Estate Practice	6cp
75412	Legal Skills and Professional Awareness	6cp
75401	Litigation	6cp
75411	Practical Experience	0cp
75415	Professional Conduct 1 (Legal Accounting)	3cp
75416	Professional Conduct 2 (Legal Ethics)	3cp
75402	Property Transactions	6cp

### Part-time progression

#### Autumn

75403	Commercial and Estate Practice	6cp
75412	Legal Skills and Professional Awareness	6cp
75415	Professional Conduct 1 (Legal Accounting)	3cp
75402	Property Transactions	6cp

#### Spring

75413	Advocacy	6cp
75401	Litigation	6cp
75411	Practical Experience	0cp
75416	Professional Conduct 2 (Legal Ethics)	3cp

Practical Experience may be completed concurrently with part-time study of the Professional Program.

## Graduate Certificate in Legal Practice

- ◆ *Course codes: LL76; LL77*
- ◆ *Testamur title: Graduate Certificate in Legal Practice*
- ◆ *Abbreviation: none*
- ◆ *Course fees: HECS (LL76); \$1,890 (LL77)*

### Admission requirements

- An LLB; or
- the LPAB/SAB qualification;
- concurrent enrolment in the 24 credit points of undergraduate subjects of Practical Legal Training.

### Course program

Candidates must complete the following subjects:

75412	Legal Skills and Professional Awareness	6cp
75413	Advocacy	6cp
75411	Practical Experience	0cp

## PROPOSED NEW COURSES IN 2000

The Faculty hopes to introduce the following new programs in 2000. The introduction of these programs is subject to University approval. Please contact the Postgraduate Programs Office on (02) 9514 3756 for further details.

- Graduate Diploma Information Technology Law
- Graduate Certificate in Law for Secondary School Teachers
- Graduate Diploma in Law for Secondary School Teachers
- Master Legal Studies (Mandarin International)

## POSTGRADUATE CROSS-DISCIPLINARY PROGRAMS

Certain postgraduate law subjects are available to students in other faculties. All inquiries should be directed to the Law Faculty Postgraduate Programs office.

An undergraduate legal qualification is not necessarily a prerequisite for enrolment in cross-disciplinary law subjects, although a basic knowledge of law is assumed for most subjects. Brief descriptions of the cross-disciplinary Law subjects offered are given in this handbook in the Postgraduate 'Subject descriptions' section (the subjects offered on a cross-disciplinary basis are flagged by the 'CROSS' indicator). Detailed subject descriptions are available from the Administrative Secretary (Postgraduate). Please refer to the detailed subject description for further information regarding prerequisites or assumed knowledge.

## EXTERNAL AWARD STUDY

Students who are enrolled in a postgraduate course at another tertiary institution may apply to undertake subjects with the Faculty of Law that will count towards that award.

Admission is subject to the joint approval of both institutions and the availability of places.

Brief descriptions of the subjects offered by the Faculty of Law are outlined in this handbook under 'Subject descriptions'. Detailed descriptions are available from the Administrative Secretary (Postgraduate). As the number of subjects offered in any year is limited, applicants should confirm the timetable for the forthcoming semester with the Faculty of Law before submitting an application.

### Admission requirements

Applicants must be enrolled in a degree course in another tertiary institution.

Please note that undergraduate students will not normally be permitted to enrol in postgraduate subjects offered by the Faculty of Law.

### Application procedures

Applicants should complete an External Award Study – Application for Admission form. This form is available from the UTS Admission Office by calling (02) 9514 1559 or at the UTS Information Service.

Completed applications, including a curriculum vitae and certified copies of all required documents, should be sent to:

UTS Admissions Office  
University of Technology, Sydney  
PO Box 123  
Broadway, NSW 2007

External award applicants must also obtain a letter of authority from their university's Registrar, which should be forwarded to the above address.

The closing dates for applications are as follows:

**Summer program** – late October

**Autumn semester** – late December

**Spring semester** – late June.

## EXTENSION (NON-AWARD) STUDY

Extension study in postgraduate law allows candidates who do not wish to undertake a full degree program the opportunity to learn or upgrade their knowledge in a selection of subjects.

Extension students undertake subjects offered in the Faculty's degree programs. Brief descriptions of the subjects offered by the Faculty of Law are outlined in this handbook under 'Subject descriptions'. Detailed descriptions are available from the Administrative Secretary (Postgraduate) if required.

In addition, extension study may entitle students to Mandatory Continuing Legal Education points. Contact the Law Society of NSW for further details.

### Admission requirements

Applicants are expected to have achieved an appropriate level of knowledge in relation to the area to be studied, or to demonstrate the ability to successfully undertake postgraduate study.

### Application procedures

Applicants should complete an Extension (Non-Award) Study Application form, available from the UTS Admission Office on (02) 9514 1559 or the UTS Information Service.

Completed applications, including a brief resumé, and proof of age, Australian permanent residency and educational status, should be sent to:

UTS Admission Office  
University of Technology, Sydney  
PO Box 123  
Broadway, NSW 2007

The closing dates for applications are as follows:

**Summer program** – 31 October

**Autumn semester** – 30 December

**Spring semester** – 30 June.

### Fees

Non-award and external award fees are paid at registration where a UTS identity card will be issued for use of the Library and other student facilities. Fees are non-refundable after the commencement of semester. However, where a student is forced to withdraw due to illness or disability, a letter requesting reimbursement (supported with appropriate verification) should be submitted to the Non-Award Studies Officer for consideration.

# SUBJECT DESCRIPTIONS

## UNDERGRADUATE SUBJECTS

The undergraduate subject descriptions shown below indicate the subject code and name, and number of credit points for the subject (e.g. 3cp). Also shown are the prerequisites or corequisites if any, and a brief outline of the content and texts. Unless specified, the latest editions are recommended.

Prerequisites are subjects that must be completed before taking the subject to which they refer. Corequisites may be completed before or else must be taken concurrently with the subject to which they refer.

### 70105

#### Legal Research

4cp

This subject aims to familiarise students with the basic tools available to engage in legal research. It includes an introduction to various paper-based resources (citations, digests etc.). Students are also introduced to the use of computerised systems as an aid to legal research. The emphasis is on Internet-based systems such as AustLII, Scale Plus and Butterworths Online. CD-ROM products are also briefly covered.

#### Text

Watt R J, *Concise Legal Research*, Federation Press

### 70113

#### Legal Process and History

10cp

This subject aims to introduce students to, and to provide students with, a sound working knowledge of the Australian legal and constitutional environment. The subject also aims to equip students with certain legal skills – in particular, the skills of case analysis, statutory interpretation, legal problem solving and critical analysis – which are essential to the study and practice of the law. Students will be asked to consider what is law, who makes law, and how and why the law has developed in the way that it has. They will also examine the institutions that make up our legal system – the legislature, the Crown and the executive, the courts and the ‘legal players’ (the judge,

the jury and the legal practitioner) – and explore the principles and doctrines that underpin our legal system. Further, they will be asked to consider why our legal system is so different from that of some of our regional neighbours, and to evaluate the strengths and weaknesses of the common law legal system. Valuable insight into the way our legal system operates may be gained through using a historical approach, and this means delving back into English, as well as Australian, legal and constitutional history. Such an approach also facilitates refinement of critical analysis skills. At the end of the subject, students should have a fully developed understanding of the Western legal tradition, the place of common law in that system, and the ramifications of living under a Westminster parliamentary system as well as a federal system.

#### Texts and references

Derham D, Maher K F & Waller L, *An Introduction to Law*, Law Book Company, 1991  
Morris G et al, *Laying Down the Law*  
Parkinson P, *Tradition and Change in Australian Law*

### 70211

#### Law of Contract

8cp; prerequisite: 70113 *Legal Process and History*; corequisites: 70217 *Criminal Law*; 70105 *Legal Research*

This subject deals with the legal principles related to when promises are binding, the difficulties arising out of their interpretation, how they may become defeasible, issues relating to their performance, and how they may be discharged. Topics covered include the formation of contracts (agreement, consideration, terms); vitiating factors (capacity, mistake, misrepresentation, illegality, duress, undue influence, unconscionability); discharge by performance and non-performance of contractual obligations (breach and frustration); and contractual remedies.

#### Texts and references

Carter J W & Harland D J, *Cases and Materials on Contract Law in Australia*, 3rd edn, Butterworths, 1998  
Carter J W & Harland D J, *Contract Law in Australia*, 4th edn, Butterworths, 1997

Cheshire & Fifoot, *Law of Contract*, 7th Aust. edn, 1997

Greig D & Davis J, *The Law of Contract*, 1987, and Fifth Supplement, Law Book Company, 1993

Monahan, *Essential Contract Law*, Carslaw Publishing, 1997

## 70217

### Criminal Law

6cp; corequisites: 70113 *Legal Process and History*; 70105 *Legal Research*

The subject deals with the substantive criminal law, the doctrines and rules that define the conditions of criminal liability and some aspects of the procedural law. Australian common law doctrine and the *Crimes Act 1900* (NSW) are considered. Topics include the nature of crime; the doctrine of *mens rea* and *actus reus*; presumption of innocence; offences against the person; property offences; strict liability; complicity; criminal defences; criminal investigation and procedure; and drug law.

#### Texts and references

*Crimes Act 1900* (NSW)

Fisse B (ed.), *Howard's Criminal Law*, 5th edn, Law Book Company, 1990

Gillies P, *Criminal Law*, 3rd edn, Law Book Company, 1993

Helipern D & Yeo S, *Cases on Criminal Law*, Law Book Company, 1995

Waller L & Williams C R, *Criminal Law: Text and Cases*, 8th edn, Butterworths

Brown D et al, *Criminal Law*, 2nd edn, Federation Press, 1996

## 70311

### Law of Tort

8cp; prerequisite: 70113 *Legal Process and History*; corequisites: 70105 *Legal Research*; 70217 *Criminal Law*

This subject discusses the functions and aims of the tort. It then examines the nature of tortious liability in the light of a selection of specific torts, namely, trespass to the person, goods and land; the action on the case for wilful injuries; conversion; negligence; nuisance; and defamation. Reference is also made to defences, vicarious liability and contribution between tortfeasors.

Attention is drawn to the relevance of the type of conduct complained of (intentional, reckless, careless); the nature of the various interests

protected (personal security, chattels, land, reputation, economic interests, domestic relations); the adaptability of tort law to changing needs and values of society (thus the introduction, dominance and current perceived limitations of the fault concept); and the element of policy expressed or implied in judicial decisions.

#### Texts and references

Balkin R P & Davis J L R, *Law of Torts*, Butterworths, 1996

Fleming J G, *The Law of Torts*, 8th edn, Law Book Company

Trindade F & Cane P, *The Law of Torts in Australia*, 2nd edn, Oxford University Press

Gardiner D, *Outline of Torts*, Butterworths

Luntz H & Hambly A D, *Torts: Cases and Commentary*, 3rd edn, Butterworths, 1995

Morison W L & Sappideen C, *Torts, Commentary and Materials*, 8th edn, Law Book Company

## 70317

### Real Property

8cp; prerequisite: 70211 *Law of Contract*; corequisite: 70311 *Law of Tort*

Topics covered include agreements for sale of land; time for completion; Torrens title and priorities; old system, possessory, qualified and limited title; fixtures; trespass to land; co-ownership; easements; covenants; mortgages; and leases.

#### Texts and references

Butt, *Land Law*, 3rd edn, Law Book Company

*Conveyancing Act 1919* (NSW)

Land & Skapinker, *Sale of Land*, 3rd edn, Longmans

*Real Property Act 1900* (NSW)

Sappideen C et al, *Cases and Materials on Real Property*, 3rd edn, Law Book Company

## 70318

### Personal Property

4cp; prerequisite: 70211 *Law of Contract*; corequisite: 70311 *Law of Tort*

Topics covered include classifications of personal property, choses in action and choses in possession; acquisition of title to goods; law of bailment; insurance; securities interests in chattels; and law of negotiable instruments, with particular reference to cheques.



## 76 Subject descriptions

### Text

Helmore B A, *Commercial Law and Personal Property in NSW*, 10th edn, by Carter J W et al, Law Book Company, 1992

### 70417

#### Corporate Law

*8cp; corequisite: 70317 Real Property*

The response of the law to the activities of business entities is dealt with in this subject. Although the emphasis is on corporations, there will be a brief discussion of the manner in which non-corporate entities including partnerships are regulated. The study of corporations law will include an overview of the historical developments, the current method of regulation and the proposals for reform.

#### Texts and references

Ford H A J, Austin R P and Ramsay I M, *Principles of Corporations Law*, Butterworths, 1997

Redmond P, *Corporations Law – Cases and Materials*, Law Book Company, 1992

Tomasic R & Bottomley S, *Corporations Law in Australia*, Federation Press, 1995

### 70516

#### Equity and Trusts

*8cp; prerequisite: 70317 Real Property; corequisite: 70417 Corporate Law*

Equity is a body of rules or principles which form an appendage to the general rules of the common law. The doctrines of equity developed as a response to defects in the English common law system which had resulted in rigidity and inflexibility. A knowledge of the principles of equity is therefore crucial to a complete understanding of the law in those areas of private law, particularly property and contract, where equity intervened to modify the operation of the rules of the common law. In that sense the doctrines of equity form part of the law of contract or property. Equity also developed remedies, such as the injunction, which were unknown to the common law and which have a continuing influence in public law as well as private law.

#### Texts and references

Chalmers D, *Introduction to Trusts*, Law Book Company, 1988

Evans M B, *Outline of Equity and Trusts*, Butterworths, 1988

Ford H A J & Lee W A, *Principles of the Law of Trusts*, 2nd edn, Law Book Company, 1990

Heydon J D, Gummow W M C & Austin R P, *Cases and Materials on Equity and Trusts*, 3rd edn, Butterworths, 1989

Meagher R P & Gummow W M, *Jacobs' Law of Trusts in Australia*, 5th edn, Butterworths, 1986

Meagher R P, Gummow W M C & Lehane J R F, *Equity: Doctrines and Remedies*, 3rd edn, Butterworths, 1992

### 70616

#### Federal Constitutional Law

*8cp; prerequisites: 70113 Legal Process and History; 70105 Legal Research; corequisite: 70211 Law of Contract*

This subject examines the effect of the Australian Constitution on the legal and fiscal relationship of the Commonwealth and States. In order that students develop an understanding of the techniques of judicial review in the constitutional context, a range of powers given to the Commonwealth is examined. These include trade and commerce, corporations, taxation and external affairs. Other areas examined are explicit and implicit restrictions of power, the questions of inconsistency and intergovernmental relations. The general role of the High Court in Australian constitutional law is considered, along with the Separation of Powers Doctrine as it relates to the independence of the judiciary.

#### Texts and references

Booker K, Glass A & Watt R, *An Introduction to Australian Federal Constitutional Law*, Butterworths, 1994

Blackshield T, Williams G & Fitzgerald B, *Australian Constitutional Law Theory: Commentary and Materials*, Federation Press, 1996

### 70617

#### Administrative Law

*8cp; prerequisite: 70616 Federal Constitutional Law*

This subject deals with the supervision of the executive arm of government by the courts and by other statutory mechanisms. Topics include the grounds of review of administrative decisions, in particular natural justice; *ultra vires*; jurisdictional error and error of law; remedies available at common law upon judicial review, including the prerogative writs and equitable remedies; judicial review under the *Administrative Decision (Judicial Review) Act*

1976 (Cwlth); a review of Commonwealth decisions under the *Administrative Appeals Tribunal Act 1976* (Cwlth); and the role and function of the Ombudsman. If time permits, freedom of information and privacy legislation will also be touched upon, and the role of the Independent Commission Against Corruption (ICAC).

#### Texts and references

Sykes E et al, *General Principles of Administrative Law*, 4th edn, Butterworths, 1997

Allars M, *Australian Administrative Law: Cases and Materials*, Butterworths, 1997

Douglas R & Jones M, *Administrative Law: Commentary and Materials*, 2nd edn, Federation Press, 1996

Ellis-Jones I, *Essential Administrative Law*, Cavendish, 1997

### 71005

#### Practice and Procedure

*4cp; corequisite: 70516 Equity and Trusts*

Practice and Procedure is a core subject that develops the students' understanding of the process of litigation from the commencement of proceedings through to the final hearings. Topics include statements of claim in contracts and torts; defence, cross-claims and replies; equitable proceedings; particulars; discovery, inspection and interrogatories; notice of motion; drafting affidavits; subpoenas; and advocacy skills.

### 71116

#### Remedies

*6cp; corequisite: 70516 Equity and Trusts*

This subject deals with the range of court-ordered remedies available to a plaintiff in civil proceedings. The more common remedies are those administered at either common law or in equity: damages; equitable remedies (declarations, specific performance, injunctions, Anton Pillar orders, account, equitable damages); and statutory and common law remedies for deceptive conduct. Bankruptcy and insolvency will also be considered.

#### Texts and references

Covell W & Lupton K, *Principles of Remedies*, Butterworths, 1995

Tilbury M J, *Civil Remedies*, Vols I & II, Butterworths, 1990 and 1993

Noone M & Kercher B, *Remedies: Commentary and Materials*, 2nd edn, Law Book Company, 1993

### 71216

#### Law of Evidence

*6cp; prerequisite: 70516 Equity and Trusts*

This subject deals with adjectival law and the determination of how information may be presented to the court in litigation, when such information will be admissible in evidence, and how the rules of proof are applied. The inclusionary rule of relevance, the various exclusionary rules (such as hearsay, opinion, tendency, coincidence, credibility, character, privilege), and the judicial discretion to exclude will be studied, as well as the incidence of the burden of proof.

#### Texts and references

Aronson M et al, *Litigation: Evidence and Procedure*, 6th edn, Butterworths, 1998

Australian Law Reform Commission, *Evidence*, ALRC Reports Nos 26 (Interim, two vols, 1985) and 38 (1987)

Brown R, *Documentary Evidence in Australia*, 2nd edn, Law Book Company, 1996

Buzzard J H, May R & Howard M N, *Phipson on Evidence*, 14th edn, Sweet & Maxwell, 1990

Byrne D & Heydon J D, *Cross on Evidence*, 5th Aust. edn, Butterworths, 1996

Byrne D & Heydon J D, *Cross on Evidence*, loose-leaf, Butterworths

Campbell E & Waller L, *Well and Truly Tried: Essays on Evidence*, Law Book Company, 1982

Forbes J R S, *Similar Facts*, Law Book Company, 1987

Gillies P, *Law of Evidence in Australia*, 2nd edn, Legal Books, 1991

Glass H H (ed.), *Seminars on Evidence*, Law Book Company, 1975

Heydon J D, *A Guide to the Evidence Act 1995 (Cwlth) and (NSW)*, 2nd edn, Butterworths, 1997

Ligertwood A, *Australian Evidence*, 2nd edn, Butterworths, 1993

Ligertwood A, *Australian Evidence: Cases and Materials*, Butterworths, 1995

McNicol R, *Law of Privilege*, Law Book Company, 1992

Ogders S, *Uniform Evidence Law*, 2nd edn, Federation Press, 1997

Waight P K & Williams C R, *Evidence: Commentary and Materials*, 5th edn, Law Book Company, 1998

Wellman F, *The Art of Cross-Examination*, 4th edn, Collier Books, 1936

## 78 Subject descriptions

Wells W A N, *Evidence and Advocacy*, Butterworths, 1988

Wigmore J H, *Evidence in Trials at Common Law*, Boston, 1961

Zariski A (ed.), *Evidence and Procedure in a Federation*, Law Book Company, 1993

### 75401

#### Litigation

6cp

Litigation explores, from a practical perspective, criminal practice and the justice system, civil and commercial litigation in the Local Court, District Court, Supreme Court and the Federal Court, personal injury practice (including the *Motor Accidents Act 1988* (NSW)) and the specialist jurisdiction such as the Family Court of Australia, Administrative Appeals Tribunal, Land and Environment Court and the Federal Court (Bankruptcy).

### 75402

#### Property Transactions

6cp

The subject explores the legal practitioner's role in property transactions, including domestic and commercial conveyancing transactions, commercial leases, mortgages, finance and securities.

### 75403

#### Commercial and Estate Practice

6cp

The subject explores the legal practitioner's role in Commercial and Estate practice, including the sale and purchase of businesses, planning business structures, drafting and analysing wills and trust deeds, applying for probate or letters of administration, and administering estates.

### 75415

#### Professional Conduct 1 (Legal Accounting)

3cp

Professional Conduct 1 (Legal Accounting) encompasses studies in accounting practices (bookkeeping for legal practitioners). Issues include the execution of good accounting practice in relation to trust and general accounting procedures, the accounting requirements under the *Legal Profession Act 1987* (NSW) and Rules and the use of financial statements in commercial transactions and litigation.

Professional Conduct 1 (Legal Accounting) must be done concurrently with Professional Conduct 2 (Legal Ethics) with the exception of students undertaking the part-time Graduate Diploma in Legal Practice course, who must complete Professional Conduct 1 prior to Professional Conduct 2.

### 75416

#### Professional Conduct 2 (Legal Ethics)<sup>1</sup>

3cp; prerequisite and corequisite: 75415  
*Professional Conduct 1 (Legal Accounting)*

Professional Conduct 2 (Legal Ethics) encompasses studies in ethical responsibility, conflict of interest and professional regulation. Professional Conduct 1 (Legal Accounting) must be done concurrently with Professional Conduct 2 (Legal Ethics) with the exception of students undertaking the part-time Graduate Diploma in Legal Practice course, who must complete Professional Conduct 1 prior to Professional Conduct 2.

This subject satisfies the Legal Practitioners Admission Board's requirement for legal ethics in both academic and practical contexts.

---

<sup>1</sup> Required for students seeking admission to practice.

### 76001

#### Comparative Law A

6cp; prerequisite: nil

The subject deals with the comparative method of legal research and examines the growing 'interdependence' and similarity of the civil law, socialist and the common law systems. It consists of two sections.

The first section is concerned with an introduction to the major legal systems in the world. Emphasis will be placed on a study of the development of the Romano-Germanic system of law, the formation of the socialist legal system and the law of the United States of America. These legal systems will be compared with the common law system. Among the topics covered will be a study of the meaning, sources and structure of law in the legal systems under consideration. The second section is devoted to the civil law method. Other topics which will be discussed include the legal profession and legal education in civil law as well as in various countries.

#### Texts and references

Dadomo C & Farran S, *The French Legal System*, Sweet & Maxwell, 1993

David R & Brierley J E C, *Major Legal Systems in the World Today*, Stevens and Sons

Certoma C L, *The Italian Legal System*, Butterworths, 1985

Foster M, *German Law & Legal System*, Blackstone, 1993

Sheridan & Cameron, *Central and Eastern European Legal System: An Introductory Guide*, Butterworths, 1995

Zweigert K & Kotz H, *An Introduction to Comparative Law*, North-Holland Publishing Co., 1997

## 76003

### Comparative Law B

6cp; prerequisite: nil

The subject exposes students to another legal system. It is designed to introduce students to the reception of legal systems in the countries of South and South-East Asia, with special reference to the reception of English law and Islamic law by these countries.

#### Texts and references

APEC Secretariat, *Guide to the Investment Regimes of the APEC Member Economies*, 2nd edn, November, 1994, APEC Committee on Trade and Investment (CTI), Singapore 1994

Fyzee A A A, *Introduction to Mohammedan Law*, 4th edn, Oxford University Press, 1974

Hooker M B (ed.), *The Laws of South-East Asia, Vol. 1: The Pre Modern Series*, Butterworths Asia, 1986

Hooker M B (ed.), *The Laws of South-East Asia, Vol. 2: European Laws in South-East Asia*, Butterworths Asia, 1988

International Legal Services Advisory Council, *Legal Services Country Profiles*, Attorney-General's Department, Australia, 1995

Laurence J B, *Vietnam, Banking and Finance*, Butterworths Asia, 1991

## 76004

### Administration of Criminal Justice

6cp; prerequisite: 70217 Criminal Law

The subject covers: (a) criminal investigation, covering police interrogation, arrest, detention, search, seizure, remedies against the police, reception of confessional evidence and discretion to exclude evidence; (b) criminal prosecution, covering bail, summary proceedings, committal proceedings, jury trials, discretion to prosecute, indictment, joint trials, pleas, duties of prosecutor, duties of trial judge, course of evidence, verdict, sentencing, criminal compensation, appeals.

#### Texts and references

Johnson P A, *Criminal Law and Practice*, loose-leaf, Butterworths

Watson R S & Purnell H, *Criminal Law in NSW*, loose-leaf, Law Book Company

## 76006

### Public International Law

6cp; prerequisite: 70616 Federal Constitutional Law

The following topics are selected for study in this subject, with particular attention being paid to the development of the law through the machinery of the United Nations in its relationship with the state, international organisations and even the individual: the nature, characteristics and function of international law; the sources of international law (including the role and characteristics of the International Court of Justice); the law of treaties; the concept of state sovereignty and domestic jurisdiction; the relationship between international law, municipal law and the individual (including the international protection of human rights); statehood and sovereignty; personality, rights and duties of states; the recognition of states and governments; state succession; territorial sovereignty of the land and sea (with emphasis on limits); jurisdiction of states (including jurisdictional competence, immunity from jurisdiction, asylum and extradition); immunities and privileges in diplomatic and consular relations; international organisations (especially the United Nations); and armed conflict and settlement of international disputes.

#### Text

Blay, Piotrowicz & Tsamenyi, *Public International Law in Australia*, Oxford University Press, 1997

## 76007

### Human Rights

6cp; prerequisite: 70616 Federal Constitutional Law

The subject covers the establishment and enforcement of human rights, constitutional rights, common law rights, and international protection of human rights. Topics include the following: freedom of speech, assembly and association; women's rights; anti-discrimination law; the rights (including land rights) of Aborigines; and the rights of immigrants and refugees.

### Texts and references

Gaze B & Jones M, *Law, Liberty and Australian Democracy*, Law Book Company

O'Neill N & Handley P, *Retreat from Injustice: Human Rights in Australian Law*, Federation Press

Ghandi P R, *Blackstones' International Human Rights Documents*, Blackstone Press, 1995

Bailey P, *Bringing Human Rights to Life*, Federation Press, 1993

## 76008

### Jurisprudence

6cp; prerequisite: 70311 Law of Tort

Deals with theoretical questions that are relevant to an understanding of the notion of law (e.g. What is the law of the state? Is there any other command, convention or the like that can also be called 'law'?). It also includes a discussion of different approaches to the study of law (e.g. philosophical, sociological, historical, analytic, international, comparative) to determine its derivation, nature and function, as well as a discussion of the doctrines and techniques of legal analysis and evaluation. The various approaches are compared and criticised in the context of sociopolitical problems, conflicts and other phenomena. Topics here include causation and the law, sovereignty and the law, legal rights and duties, law and ideology. Their treatment in the common law will be examined. A number of theorists are considered e.g. von Savigny, Austin, de Jouvenel, Dworkin.

In conceptual terms, law is analysed as a logical system (legal), as a part of a composite system (social), and as a specific legal institution (e.g. constitutional law). Constitutionalism will be distinguished from legality, and the problem of political or social revolution addressed (in other words, how can legality be justified *vis-a-vis* the ensuing struggle for sovereignty in the state which is always present in any revolution?).

### Texts and references

Dias R W M, *Jurisprudence*, Butterworths, 1985

Douzinas C, Warrington R & McVeigh S, *Postmodern Jurisprudence*, Routledge, 1991

Harris J W, *Law and Legal Science*, Clarendon Press, 1979

Kerruish V, *Jurisprudence as Ideology*, Routledge, 1991

Reisman W M & Schreiber A M, *Jurisprudence, Understanding and Shaping Law*, New Haven Press, 1987

## 76012

### Criminology

6cp; prerequisite: 70217 Criminal Law

This subject explores how crime is socially constructed. A diverse range of criminological issues is considered. These include official and non-official measures of crime; theories of crime; variables of crime (age, sex, ethnicity, socioeconomic status), as well as specific offences (e.g. homicide, white-collar crime, sexual and non-sexual assault and disorderly behaviour). Additionally, methods of controlling crime and preventing crime are reviewed. Readings for this subject are derived from a collection of books, reports, articles and current conference papers.

### Texts and references

Students will be provided with detailed reading materials. Other recommended reading includes:

Maguire et al, *Oxford Handbook on Criminology*, Oxford, 1994

Young A, *Imagining Crime*, Sage, 1996

White R, *Crime and Criminology*, Oxford University Press, 1996

## 76014

### Law and Computers

6cp; prerequisites: 70105 Legal Research; 70217 Criminal Law

An introduction to computers as they relate to the administration and practice of the law, and to specific areas of the law as they relate to computers. After an analysis of computer concepts and terminology, with basic instruction in the use of personal computers, the subject deals with legal issues raised by computer technology (e.g. computer crime, software copyright and data protection), and the development of computer applications for legal use, with the major focus on leading-edge technologies, such as expert systems and hypertext systems.

### Text

Electronic course materials are issued throughout the semester.

## 76015

### Labour Law

6cp; prerequisites: 70211 Law of Contract; 70311 Law of Tort

The subject consists of two parts: individual aspects of the employment relationship; and the formation, foundation and termination of the employment contract. The subject also

examines the rights and liabilities of employers and employees under common law principles and legislation including occupational health and safety law, anti-discrimination law and remedies involving reinstatement.

#### Texts and references

Creighton B et al, *Labour Law Text and Materials*, Law Book Company

Macken J J et al, *Law of Employment*, 4th edn, Law Book Company

McCallum R et al, *Australian Labour Law: Cases and Materials*, Butterworths

### 76016

#### Advanced Taxation Law

6cp; prerequisite: 76212 Revenue Law; corequisite: 70516 Equity and Trusts

This subject builds on the understanding obtained from the completion of the elective 76212 Revenue Law, providing the student interested in a further study of taxation law, a specialised area of legal practice, with the opportunity to pursue that interest. Topics covered include taxation of companies – company formations, distributions, capital gains tax, transfer pricing, value shifting; taxation of trusts – formation, distributions and CGT problems; taxation of partnerships – taxation of partners, CGT problems; international taxation – residence and source, CFCs, FIFs; tax administration – the assessment and appeals processes; tax avoidance and ethics.

#### Texts and references

*Income Tax Assessment Act, 1936*

*Income Tax Assessment Act, 1997*

Butler, *Australian Federal Company Taxation*, Butterworths, 1994

Cooper et al, *Income Taxation Commentary and Materials*, 2nd edn, Law Book Company, 1993

Gates, *Tax Aspects of Corporate Restructuring*, Law Book Company/ATP, 1996

Lehman G & Coleman C, *Taxation Law in Australia*, 4th edn, Law Book Company, 1996

Woellner et al, *Australian Taxation Law*, CCH

### 76017

#### Strata Titles and Community Schemes

6cp; prerequisite: 70317 Real Property

An introduction to the laws and practices regulating strata and community scheme developments and the increasing numbers of strata leasehold and community scheme developments. Topics include overviews of the

various schemes (including alternatives to strata, strata leasehold and community schemes), boundaries, subdivision procedures, local government approval, staged development, common and association property, by-laws and management statements, managing agents, management procedures, disputes, insurance, variation and termination of schemes, strata leasehold lot and common property leases, the role of the solicitor acting for a developer, vendor, purchaser and mortgagee.

#### Texts and references

Bugden G F & Allen M G, *New South Wales Strata and Community Titles Law*, loose-leaf, CCH

Moses N J, Tzannes R T & Skapinker D S, *Strata Titles*, Law Book Company

### 76018

#### International Economic Law

6cp; prerequisite: 70417 Corporate Law

Because of the vastness of the topic, it is not possible to cover the subject in one semester: it is therefore proposed to deal with certain basic aspects, as well as a number of topics which are particularly pertinent at the time of lecturing. In this introductory topic, the following items will be discussed: sources of law; the present regime; the new economic order; the new world corporate order; the international economic order; the economic union.

**Investment:** control of the multinational corporation; settlement of international investment disputes.

**Finance:** The International Monetary Fund; floating currencies; foreign exchange control law and international contracts (Article VII of the IMF); aspects of international fiscal law; European monetary system; sovereign debt problems; Eurocurrency markets.

**Trade:** the general agreements on tariffs and trade; the World Trade Organisation; protectionism and legal reactions; trading blocs, others; UNCTAD and the GSP; political controls and boycotts; international contracts; uniformity of international trade law; international commodity agreements.

**National law and international economic law:** sovereign immunity; extraterritorial jurisdiction; subject matter jurisdiction; antitrust law; corrupt practices; securities law; personal jurisdiction; taxation (current problems, pricing, unitary taxation).

## 82 Subject descriptions

### Texts and references

There is no single textbook covering the whole field. However, the following texts are an excellent introduction:

Lazar L, *Transnational Economic and Monetary Law*, Vols I–VIII, Oceana

Lowenfeld A F, *International Economic Law*, Vols I–VI, Matthew Bender

MacBain A I and Snowden P N, *International Institutions in Trade and Finance*, Allen & Unwin

### 76022

#### Law of Insurance

6cp; prerequisites: 70211 Law of Contract; 70311 Law of Tort

The subject concentrates on a study of the general principles of insurance law, but does not examine in detail the special rules governing each class of insurance contract. After the nature of the contract of insurance is noted, key concepts will be dealt with: insurable interest, indemnity and subrogation, risk, non-disclosure, misrepresentation, conditions, warranties, premium. Subsidiary matters such as assignment of policies, liens and reinsurance will be considered. The role of insurance intermediaries in the formation of contracts of insurance will be examined. The subject thus focuses on the legal rights and liabilities of parties to an insurance contract in the context of common law principles and statutory modification. In addition, consideration will be given to the regulatory framework within which the insurance industry operates in Australia.

#### Texts and references

Appleman, *Insurance Law and Practice*, loose-leaf, West Publishing Co.

*Australian and New Zealand Insurance Reporter*, loose-leaf, CCH

Australian Law Reform Commission, *Insurance Agents and Brokers*, Report No. 16, AGPS, 1980

Australian Law Reform Commission, *Insurance Contracts*, Report No. 20, AGPS, 1982

Clarke M A, *The Law of Insurance Contracts*, 3rd edn, Lloyds, 1997

MacGillivray & Parkington, *Insurance Law and Practice*, 9th edn, Sweet & Maxwell, 1997

Sutton K, *Insurance Law in Australia and New Zealand*, 2nd edn, Law Book Company, 1991

Tarr A A, Liew K L & Holligan W, *Australian Insurance Law*, 2nd edn, Law Book Company, 1991

*Wicken's Law of Life Insurance in Australia*, 6th edn, loose-leaf, Law Book Company, 1991

### 76023

#### Deceptive Trade Practices and Product Liability

6cp; prerequisites: 70211 Law of Contract; 70311 Law of Tort

The following topics are considered: the constitutional basis of the *Trade Practices Act 1974* (Cwlth); liability under the *Trade Practices Act 1974* (Cwlth) and fair trading legislation for misleading and deceptive conduct; remedies and criminal liability under the *Trade Practices Act 1974* (Cwlth); liability for unconscionable conduct; suppliers', service providers', financiers' and manufacturers' liability for defective products (including standards and bans).

#### Texts and references

Beerworth E E, *Product Liability*, Federation Press, 1989

Miller R V, *Annotated Trade Practices Act*, 13th edn, Butterworths, 1992

Pengilley W, *Misleading and Deceptive Conduct*, Legal Books, 1991

### 76024

#### Environmental Law

6cp; prerequisite: 70617 Administrative Law

The following topics will be considered: the philosophy of environmental law; the constitutional support for environmental actions; the legislative framework of both the Commonwealth and the States; the concept of ecologically sustainable development; the precautionary principle and its implementation through the legal process; pollution law in NSW, covering the system of licensing and regulations; land use control; the use of natural resources (such as mining and forestry); the role of the courts – Supreme Court, the Land and Environment Court and the Local Court.

#### Texts and references

Bates G, *Environmental Law in Australia*, 3rd edn, Butterworths, 1992

Farrier D, *Environmental Law Handbook*, Redfern Legal Centre Publishing, 1988

*Local Government, Planning and Environment Service*, loose-leaf, Butterworths

Preston B, *Environmental Litigation*, Law Book Company, 1989

**76026****Local Government Law**

6cp; prerequisite: 70617 *Administrative Law*

This subject covers the functions, powers and duties of local government authorities, including the following topics: councils, members of council, council servants, council meetings, council powers, enforcement of local government and planning laws; control of local government authorities, administrative review, judicial review, common law actions against councils and their employees; finance, rates, valuation of land; acquisition of land; land use control, land use planning, development control; building regulation; subdivision; liquor law as it affects councils.

**Texts and references**

*Local Government Planning and Environment (NSW)*, Vol. C, loose-leaf, Butterworths

Pearson L, *Local Government Law in New South Wales*, Federation Press, 1994

**76027****Restrictive Trade Practices**

6cp; prerequisites: 70211 *Law of Contract*; 70311 *Law of Tort*

Topics include introduction to economics; constitutional issues; monopolisation and relevant market analysis; mergers; anti-competitive agreements; resale price maintenance; price discrimination; exclusive dealing; and international anti-trust and extraterritoriality.

**Texts and references**

Corones S G, *Competition Law and Policy in Australia*, Law Book Company, 1990

Hurley A, *Restrictive Trade Practices: Commentary and Materials*, Law Book Company, 1995

Miller R V, *Annotated Trade Practices Act*, 13th edn, Law Book Company, 1998

Neale A D & Goyder D G, *The Antitrust Laws of the USA*, 3rd edn, Cambridge University Press, 1980

**76028****Advanced Company Law**

6cp; prerequisite: 70417 *Corporate Law*

This subject deals with current developments in company law and may be expected to cover topics drawn from equity finance, debt finance, takeovers, securities markets, company management and companies in difficulty.

**Text**

Ford H A J & Austin R P, *Ford's Principles of Corporations Law*, 6th edn, Butterworths, 1992

**76029****Land Dealings**

6cp; prerequisite: 70317 *Real Property*

Examines the law of conveyancing in detail, covering the following topics: the formation of an enforceable contract; agreements and deeds; open contracts; *caveat emptor*, pre-contract inquiries and vendor disclosure; auction sales; deposits; risk and duty of care pending completion; requisitions and objections; right of rescission; defects in title; errors and misdescription; legality of use and structures; inquiries and affectations; rates and notices; vacant possession; time for completion; and remedies.

**Texts and references**

Butt P J, *Standard Contract for the Sale of Land in NSW*, with supplement, Law Book Company, 1989

*Conveyancing Law and Practice in NSW*, loose-leaf, CCH

*Conveyancing Service*, loose-leaf, Butterworths

Skapinker D, *Sale of Land: Commentary and Cases*, 3rd edn, Legal Books, 1994

**76035****European Community Law**

6cp; prerequisite: 70616 *Federal Constitutional Law*

The topics to be discussed in this subject include the activities of the European institutions; the political and economic origins of the EU and its institutional structures (with emphasis on the European Court of Justice); the interrelationship between community law and the law of the fifteen member States; and the free movement of goods, workers, capital and services. The subject will concentrate on the emerging transnational protection of social and economic rights and the jurisprudence of the European Court of Justice.

**Texts and references**

Green N, Hartley T C & Usher J A, *The Legal Foundations of the Single European Market*, Oxford University Press, 1992.

Bronitt S, Burns F R & Kinley D, *Principles of European Community Law: Commentary and Materials*, Sydney, Law Book Company, 1995.

Hartley T C, *The Foundations of European Community Law*, 3rd edn, Oxford, Clarendon Press, 1994.



### 76037

#### Advanced Criminal Law

*6cp; prerequisites: 70217 Criminal Law; 70417 Corporate Law*

The subject is aimed at developing research, writing and analytical skills in developing areas of criminal law. Topics covered include issues arising out of the proposed Model Criminal Code for Australia, including attempt, strict and vicarious liability, the liability of companies and their officers, complicity, conspiracy, and the burden of proof. Developments in defences of provocation, duress and consent are analysed. Criminal liability issues such as intention, knowledge and recklessness are reviewed. Current topics such as proceeds of crime, investigative agencies' powers, Aboriginal persons, street offences, white-collar offences, complex fraud trials and the proposed uniform evidence Bills are discussed. The role of the criminal appellate law procedure is reviewed.

#### Text

Johnson P & Howie R, *Criminal Practice and Procedure in New South Wales*, Butterworths

### 76039

#### Jessup International Moot

*6cp; by invitation only*

This elective encourages participation in the Jessup International Moot. This moot was established in 1962 by the American Society of International Law and is named in honour of Professor P C Jessup, Professor of International Law and Diplomacy at Columbia, and judge of the International Court of Justice 1960–69. The moot is now organised by the Association of Student International Law Societies, which operates under the auspices of the American Society of International Law in Washington. The moot is probably the most prestigious of international moots. Australia first entered the competition in 1977 and the University first entered a team in 1983.

The workload involved is particularly demanding: the problems circulated are on complex and current issues of international law. Detailed research into both international and comparative law is essential to prepare complex pleadings for both sides with a maximum size prescribed. The work involved is certainly no less than that for a large research project. The memorials are assessed by memorial judges, often including distinguished teachers of international law who do not sit in the round. In addition, there are at least two separate

assessments of the moot by benches. These will typically consist of law teachers, practitioners and judges.

Because of the rules of the Jessup Moot, no assessment will be available until after the conclusion of the Australian finals of the Jessup Moot each year.

### 76040

#### Research Project 4

*6cp; prerequisites: Honours calculation of 65 or greater in penultimate semester*

The aim of the Research Project is to further develop students' research skills. Students are required to demonstrate a high level of understanding of the law relevant to the topic; the capacity to research and analyse legal material; the ability to use research tools and skills; and the ability to present the results of the research in a coherent and comprehensive form.

Experience shows that most students require two semesters to complete a Research Project and are therefore advised to commence work and submit a proposal at least 12 months before anticipated completion of the Law course. If the project is to continue over two semesters, students must also enrol in the subject in the second semester and pay HECS.

Students must obtain the signed approval of the subject coordinator of their Research Project topic together with that of their proposed supervisor before they may enrol in the subject. The Research Project regulations are set out in this handbook under 'Regulations of the Faculty of Law'.

### 76042

#### Communications Law

*6cp; prerequisite: 70617 Administrative Law*

This course explores the laws which affect participants in Australia's communications industries. Telecommunications, broadcasting and the print media have been the traditional focus of this course; but the blurring of the boundaries of these media, in particular the exponential growth of the Internet, now requires a much broader approach. The course is divided equally between the laws which affect the content (words, sounds and pictures) published/transmitted in these media, and the laws which affect the conduct of the corporations providing communication services.

The laws relating to defamation, contempt of court, privacy and censorship are considered in the context of the expression 'freedom of speech'. How free is speech in Australia?

The *Telecommunications Act 1997* (Cwlth), the *Trade Practices Amendment (Telecommunications) Act 1997*, and the *Australian Communications Authority Act 1997* (Cwlth) came into effect on 1 July 1997. These Acts are the mechanism by which full competition was introduced into the Australian telecommunications market.

The wide powers given to the ACCC to prevent anti-competitive conduct in a market which, until recently, Telstra dominated through a statutory monopoly, will be examined. The role of the newly created Australian Communications Authority, which takes over roles previously performed by the Australian Telecommunications Authority and the Spectrum Management Authority, will be considered.

The *Broadcasting Service Act 1992* (Cwlth), in particular the complex provisions known as 'cross-media rules', has been the subject of much criticism and review. The elements of the Act which have prevented Mr Kerry Packer acquiring control of Fairfax newspapers will be considered; as will the role of the Australian Broadcasting Authority, and industry 'self-regulation' schemes.

#### Texts and references

Grey M et al, *Communications Law and Policy in Australia*, loose-leaf, Butterworths

Leonard P, *Internet Law Anthology*, Prospect Publishing, 1997

Tobin T K & Sexton M G (ed.), *Australian Defamation Law and Practice*, loose-leaf, Butterworths

Walker S, *The Law of Journalism in Australia*, Law Book Company, 1989

### 76044

#### Advanced Family Law

6cp; prerequisite: 76516 Family Law

This subject will explore the legal relationships arising between members of families with particular emphasis on families involved in a breakdown of their family unit. Families constituted under the *Family Law Act 1975* (Cwlth) and through de facto relationships will be the main focus of this subject. Other family units (e.g. gay and lesbian couples) will be referred to whenever relevant to the laws being studied.

Topics will include the financial consequences of family breakdowns; adoption and other family issues, child support, injunctive relief and apprehended violence orders; dispute resolution, practice and procedure; and reform issues.

#### Texts and references

Dicky A, *Family Law*, 3rd edn, LBC Information Services, 1997

Finlay H, *Family Law Cases and Materials*, Butterworths

Parker S, *Australian Family Law in Context*, Law Book Company

### 76045

#### Law and Medicine

6cp; prerequisite: 70617 Administrative Law

Deals with those areas of law that interact with the practice and administration of medicine and other health services. It is not a course on bioethics nor on medical negligence, although both of these topics are touched upon. Precise content varies according to class interest but topics are usually selected from the following: professional liability and medical negligence (including the issue of patient consent); medical ethics and issues, such as abortion, euthanasia and *in vitro* fertilisation; medical records (access and confidentiality); expert medical evidence in criminal and civil cases; regulation of the medical profession and health services (licensing and certification, review of administrative decisions affecting doctors and health workers, health insurance, public health); and legal aspects of mental health and intellectual disability (including legal capacity, the administration of the estates of mentally ill and intellectually handicapped persons, and the rights of mentally ill and intellectually handicapped persons generally).

#### Text

Dix A et al, *Law and the Medical Profession*, Butterworths, 1988

### 76046

#### Women and the Law

6cp; prerequisite: 70311 Law of Tort

This subject examines the role of the law in constructing and dismantling inequalities between men and women, and women's place in society and within the legal profession.

Students will be expected to become familiar with the substantial body of knowledge relating to feminist jurisprudence and to conduct their own research into particular areas of the law. Classes and assignments will involve the formulation of ideas and theories from relevant materials and also critical assessment of those ideas and theories. The subject deals with the role of the law in constructing and deconstructing inequalities between women and

men; women and crime (women as criminals and victims of crime); women and sexuality; and women and work.

**Texts and references**

Graycar R & Morgan J, *The Hidden Gender of Law*, Federation Press

Edwards S, *Sex and Gender in the Legal Process*, Blackstone, 1996

Smart C, *Feminism and the Power of Law*, Routledge, 1995

Naffine N, *Feminism and Criminology*, Allen and Unwin, 1997

**76047**

**Advanced Contracts**

*6cp; prerequisite: 70211 Law of Contract; 70516 Equity and Trusts*

This subject focuses on how contract law assists in the negotiation and enforcement of agreements, as well as the resolution of disputes arising out of agreements. It will deal with selected areas of practical relevance and legal difficulty in the application of principles of contract law to various transactions (uncertainty, the exercise of judicial discretion to fill gaps in agreements, implied terms, termination of contracts); the intervention of equity (estoppel, penalties, restitution, unconscionability); legislative intervention (*Trade Practices Act 1974* (Cwlth), *Fair Trading Act 1987* (NSW), *Contracts Review Act 1980* (NSW)); and the relationship between tort law and contract law, with reference to the law of obligations.

**Texts and references**

Tillotson J, *Contract Law in Perspective*, 3rd edn, Cavendish Publishing Ltd

Carter J W & Harland, D J, *Contract Law in Australia*, 4th edn, Butterworths

**76048**

**Citizenship and Immigration Law**

*6cp; prerequisite: 70617 Administrative Law*

This course deals with the development of a distinct Australian citizenship, the right to travel and immigration control in Australia. Constitutional law issues, the legislative framework and the Australian Government's humanitarian and international obligations are treated. Particular topics include granting of citizenship, passports, statutory concept of entry, refugee status, change of status, deportation, government policy, immigration programs, departmental procedures and a comparative study of immigration control systems.

**Texts and references**

Bevan V, *The Development of British Immigration Law*, Croom Helm, 1986

Burnett R, *Australian Immigration Law*, loose-leaf, Butterworths

Department of Immigration, Local Government and Ethnic Affairs, *Procedures Advice Manual*, loose-leaf, AGPS

Fransman L, *British Nationality Law*, Fourmat Publishing, 1989

Pryles M, *Australian Citizenship Law*, Law Book Company, 1981

**76049**

**Transport Law – Selected Problems**

*6cp; prerequisites: 70211 Law of Contract; 70311 Law of Tort*

This subject deals with the legal regime governing the operation of the domestic and international transportation systems. Topics include the regulatory regime of air, sea, land (road/rail), and multi-modal transport; the carriage of goods and passengers by sea (intrastate, interstate and international carriage; charter parties; bills of lading; admiralty jurisdiction; maritime liens; salvage; general average); domestic and international carriage of goods, luggage, baggage and passengers by air (especially the Warsaw Convention); the carriage of goods by land and rail; and legal issues connected with the multi-modal transport of goods.

**Texts and references**

Creamean D J, *Admiralty Jurisdiction*, Federation Press, 1997

Davies M & Dickey A, *Shipping Law*, 2nd edn, Law Book Company, 1995

Diederiks-Verschuur D I, *An Introduction to Air Law*, 4th edn, Kluwer, 1991

Hill C, *Maritime Law*, 3rd edn, Lloyds, 1989

Mankiewicz R H, *The Liability Regime of the International Carrier*, Kluwer, 1981

Shawcross & Beaumont, *Air Law*, loose-leaf, Butterworths

White M W D, *Australian Maritime Law*, Federation Press, 1991

Tetley W, *Marine Cargo Claims*, 3rd edn, Blais, 1998

**76051****International Trade Law**

*6cp; prerequisite: 70617 Administrative Law*

This subject deals with legal aspects of international business transactions. An introductory segment explaining the international legal framework for the conduct of international trade in goods and services is followed by sessions dealing with the law relating to international sale of goods (governed by the International Convention on Sale of Goods), the law relating to international carriage of goods (governed by international conventions and international custom), the alternative methods for conduct of international business including joint ventures and countertrade, government mechanisms controlling entry of goods and unfair trading practices such as dumping and subsidisation of goods, financing international transactions (which will be primarily concerned with Uniform Rules for Documentary Credits) and international governmental agreements regulating trade in services.

**Text**

Burnett R, *The Law of International Business Transactions*, Federation Press

**76052****Dispute Resolution**

*6cp; corequisite: 71005 Practice and Procedure*

The subject deals with the jurisprudence of dispute resolution, and the theory, dynamics and essential characteristics of each dispute resolution process, so that effective strategies for resolving a wide range of disputes can be formulated. Students will be given some exposure to, and training in, dispute resolution so that they can improve their use of negotiations, mediation and arbitration in practice. Topics include the concept of dispute resolution, including negotiations, mediation, conciliation and arbitration; the nature of disputes; existing dispute resolution procedures; and the theoretical, ethical and practical issues of negotiation and mediation.

**Texts and references**

Astor H & Chinkin C, *Alternative Dispute Resolution in Australia*, Butterworths

Fisher R & Ury W, *Getting to Yes*, Penguin

**76053****Industrial Law**

*6cp; prerequisites: 70311 Law of Tort; 70616 Federal Constitutional Law*

Examines the Australian system for resolving industrial disputes by compulsory conciliation and arbitration. It concentrates on the federal arbitration system (and on federally registered unions), but reference will be made to State and overseas legislation, where appropriate. Topics include constitutional limitations to federal power; the workings of the *Workplace Relations Act 1996*, including the content of awards; the legal status of trade unions; the legislative controls upon a trade union's internal affairs; protection of unionism; and legal controls over trade unions.

**Texts and references**

*Australian Industrial Law Review*, CCH

*Australian Labour Law Reporter*, loose-leaf, CCH

Creighton B et al, *Labour Law Text and Materials*, Law Book Company, 1993

Gunningham N, *Industrial Law and The Constitution*, Federation Press, 1988

McCallum, Pittard & Smith, *Australian Labour Law: Cases and Materials*, 3rd edn, Butterworths, 1995

**76054****Advanced Public Law**

*6cp; prerequisite: 70617 Administrative Law*

This elective subject builds on the knowledge acquired by students in the subjects 70616 Federal Constitutional Law and 70617 Administrative Law. Topics covered in lectures will include freedom of speech; freedom of assembly and association; due process; parliamentary restriction of judicial review; public policy; nationhood; an Australian republic; and recent developments in constitutional and administrative law.

**Texts and references**

Aronson M & Franklin N, *Review of Administrative Action*, Law Book Company

Craig P P, *Administrative Law*, Sweet & Maxwell

Harlow C & Rawlings R, *Law and Administration*, Weidenfeld and Nicolson

Stein L (ed.), *Locus Standi*, Law Book Company

## 88 Subject descriptions

Thynne I & Goldring J, *Accountability and Control: Government Officials and the Exercise of Power*, Law Book Company

Whitmore H & Aronson M, *Public Torts and Contracts*, Law Book Company

Zines L, *The High Court and the Constitution*, Butterworths

Sampford C & Preston K, *Interpreting Constitutions*, Federation Press, 1996

### 76058

#### Discrimination and the Law

*prerequisite: 70311 Law of Tort*

The aim is to explore the dynamics of discrimination by examining the ways in which it occurs and identifying the behaviours that give rise to (result in) discriminatory treatment. The subject has several associated objectives as follows:

- developing awareness of the interrelationship between law and citizens and the extent to which gender, class, race, disability and sexual orientation impact on that relationship;
- to identify dominant decision-making groups; explore the techniques adopted and applied in the courts; identify the origin and historical development of these techniques; and critically assess their impact on non-dominant decision-making groups;
- to examine the extent to which groupings based on gender, class and race determine relationships of and to power;
- to provide an understanding of anti-discrimination legislation;
- critique the existing legal responses and determine the limitations arising from the way legal knowledge is constructed within the Anglo-Australian legal culture;
- to encourage an appreciation of both independent and interactive learning and to develop students' research and writing skills.

#### Texts and references

Australian and New Zealand Equal Opportunity Law and Practice Vol. 1 and Vol. 2, CCH Australia Limited

Boulle L, *Mediation: Principles Process Practice*, Butterworths, 1996

Graycar R & Morgan J, *The Hidden Gender of Law*, Federation Press, 1990

Hunter R, *Indirect Discrimination in the Workplace*, Federation Press, 1992

MacKinnon C, *Toward a Feminist Theory of the State*, Harvard University Press, 1989

Naffine N, *Law & the Sexes: Explorations in Feminist Jurisprudence*, Allen & Unwin, 1990

Thorton M, *The Liberal Promise: Anti-Discrimination Legislation in Australia*, Oxford University Press, 1990

Thorton M, (ed.) *Public and Private: Feminist Legal Debates*, Oxford University Press, 1990

### 76059

#### Advanced Conflict of Laws

*6cp; prerequisite: 76112 Conflict of Laws*

This course is designed to enhance understanding of the conflict of laws, and is particularly directed to students who wish to practise in the areas of international law, maritime law, property, the administration of estates and government work. The course will cover the following topics: the historical and theoretical development of the conflict of laws; service and execution of process in Australia and internationally; choice of law in property; choice of law in succession; choice of law in the administration of estates; and governmental seizures of property.

#### Texts and references

Collins L, *Dicey and Morris on the Conflict of Laws*, Vols 1 & 2, 12th edn, Sweet & Maxwell, 1993

McClellan, J D, *Morris: The Conflict of Laws*, 4th edn, Sweet & Maxwell, 1993

North P M & Fawcett J J, *Cheshire and North's Private International Law*, 12th edn, Butterworths, 1992

Nygh P E, *Conflict of Laws in Australia*, 6th edn, Butterworths, 1994

Sykes E I & Pryles M C, *Australian Private International Law*, 3rd edn, Law Book Company, 1991

Sykes E I & Pryles M C, *Conflict of Laws: Commentary and Materials*, Law Book Company

### 76060

#### Advanced Constitutional Law

*6cp; prerequisite: 70616 Federal Constitutional Law*

This course will concentrate on the following topics: principles of constitutional interpretation and the characterisation of federal laws; human rights and Australian constitutional interpretation; freedom of speech; freedom of religion; freedom of assembly and association;

trial by jury; eminent domain and the compulsory acquisition of property; developing concepts of 'nationhood' in Australian constitutional law; constitutional reform; a federal republic of Australia; federal jurisdiction and choice of law; extraterritoriality; the relationship between public international law and constitutional law; and federalism.

#### Texts and references

Booker K, Blass A & Watt R, *Federal Constitutional Law*, Butterworths, 1995

Hanks P, *Australian Constitutional Law: Materials and Commentary*, 5th edn, Butterworths, 1995

Lumb R D & Moens G, *Constitution of the Commonwealth of Australia Annotated*, 5th edn, Butterworths, 1995

### 76061

#### Advanced Administrative Law

6cp; prerequisite: 70617 Administrative Law

This course is designed to supplement material covered in 70617 Administrative Law, and will place emphasis on both the theoretical aspects of administrative law, and practices and procedural aspects of federal administrative law.

#### Text

Allars M, *Introduction to Australian Administrative Law*, Butterworths, 1990

### 76062

#### Social Security Law

6cp; prerequisite: 70617 Administrative Law

The aim of this course is to develop an understanding of income support legislation in Australia: benefits for the infirm, unemployed and disabled people; sole parent benefits; aged pensions; pharmaceutical benefits etc. The focus of the course is on federal law, and specifically the *Social Security Act 1991* (Cwlth) and its amendments.

#### Texts and references

Carney T & Hanks P, *Social Security in Australia*, Oxford University Press, 1994

Sutherland P, *The Annotated Social Security Act*, Federation Press, 1994

### 76063

#### Media Law

6cp; prerequisite: 70311 Law of Tort

This course examines a range of topics concerning law and the media, including defamation; contempt; freedom of speech; vilification;

obscenity and pornography; the regulation of the Internet; privacy; 'whistle-blowing'; and representations of law in the media, particularly on television. Through close examination of the cases and literature, students will be required to consider critically the nature of liberalism, power and democracy as they relate to law and the mass media.

#### Texts and references

Walker S, *The Law of Journalism in Australia*, Law Book Company, 1989

Armstrong M, Lindsay D & Watterson R, *Media Law in Australia*, 3rd edn, Oxford University Press, 1995

Campbell T & Sadurski W (eds), *Freedom of Communication*, Dartmouth, 1994

### 76064

#### Law and Natural Resources

6cp; prerequisite: 70616 Federal Constitutional Law

Woodchipping! Driftnet fishing! Uranium mining! Australia is rich in natural resources, but their exploitation has generated a great deal of conflict. This subject aims to introduce students to issues of resource management and conservation, and to consider the various legal regimes that have developed as a result of them. Students will be required to think critically about the basis and function of legal regulation in an area which is renowned for its ability to create conflict between different sectors of society.

#### Texts and references

Mercer C, *A Question of Balance*, 2nd edn, Federation Press, 1995

Ramsay R & Rowe G, *Environmental Law and Policy in Australia: Text and Materials*, Butterworths, 1995

### 76065

#### Finance Law

6cp; prerequisite: 70417 Corporate Law

This subject provides an overall understanding of the legal aspects of the Australian financial system with emphasis on the legal character and operations of the financial institutions. Specific topics covered include financial institutions and customer relations, negotiable instruments, electronic banking, lending and consumer finance, international banking and environmental issues and financial institutions.

## 90 Subject descriptions

### Text

Blay & Clark, *Australian Law of Financial Institutions*, 2nd edn, Harcourt Brace, 1996

### 76066

#### Children and the Law

6cp; prerequisite: 70217 Criminal Law

This course is designed to supplement studies covered in 76516 Family Law and 70217 Criminal Law and will place emphasis on issues such as children's rights, equality issues, juvenile justice, criminal and care issues, representation in civil proceedings, and medical procedures and treatment.

### Text

Blackmore R D, *The Children's Court and Community Welfare in NSW*, Longmans, 1989

### 76067

#### Legal Method

6cp; prerequisites: 70113 Legal Process and History; 70105 Legal Research

This subject supplements work done in 70113 Legal Process and History and in particular provides students with an opportunity to refine and further develop their skills of case analysis and statutory interpretation. Students will also be introduced to basic skills in legal drafting. These legal method skills are critical to both the study and practice of law. In addition to practical exercises, students will also be asked to explore wider, more theoretical, issues relating to legal reasoning and law-making.

### Texts and references

Morris G et al, *Laying Down the Law*, Butterworths

Cross R, *Precedent in English Law*, Clarendon Press

Pearce D C & Geddes R S, *Statutory Interpretation in Australia*, Butterworths

### 76069

#### Community Legal Research

6cp; prerequisite: 70617 Administrative Law

Community Legal Research is an elective subject where students will benefit in the following ways:

- students will gain an understanding of the impact of laws both specifically and generally on particular communities, on the community in general and on particular identifiable groups in the community

- students will be exposed to the dynamics of law reform, community consultations and the impact of politics on the legal system
- the research function of the UTS Community Law and Research Centre will provide students with important analytical and research skills invaluable to the legal profession
- the research and legal service functions of the Centre will provide students with a vital appreciation of the link between the profession, the community, individuals, ethics, power dynamics, social justice and the values of the legal system.

Research briefs prepared by community organisations, the Centre or other community legal services in collaboration with the Centre will be undertaken by students in research project groups of three to five students per group.

The research project will be in furtherance of the aims of the UTS Community Law and Research Centre, which are to help educate communities as to their legal rights, encourage self-help and promote community law reform.

This course is unique to UTS. It is designed to illustrate the connections between and impact of the operation of law and various communities. The course emphasises and examines the potent impact that certain laws have on specific communities and the important role that legal practitioners can play in engaging in socio-legal debate and law reform.

### 76070

#### Biomedical Law and Bioethics

6cp; prerequisite: 70113 Legal Process and History

The subject aims to give an appreciation of the effectiveness of law in regulating new medical developments. The subject seeks to examine the impact which emerging technologies may have on society and to explore the possible legal solutions to deal with the challenges presented by such technologies. A diverse range of issues are considered. These include:

**Human Genes:** the Human Genome Project; testing for insurance purposes; genetic engineering; genetic fingerprinting, eugenics; privacy and confidentiality; human cloning; international regulation.

**Medical Experimentation and Research:** regulation and history of medical research; the limits of research; therapeutic and non-therapeutic research, foetal tissue transplantation; drugs.

**Reproductive Technology:** includes discussion of legal regulation of procedures such as *in-vitro* fertilisation; artificial insemination; confidentiality; keeping of records; licensing; anonymity; embryo storage; access; nature of motherhood, parenthood, fatherhood; inheritance; sex selection.

**Surrogacy:** history; international perspectives; definition; scope of present law; legal distinctions between altruistic and commercial surrogacy; legal regulation of genetic, gestational and social parenthood; liability, protection and regulation of behaviour of parties to a surrogacy arrangement and third parties; advertising; interest of child.

**HIV/AIDS:** history; legal responses; the battle with disease.

**Biotechnology:** regulation of experimentation with animal and plant genetic material; international response.

#### Texts and references

There is no textbook covering the whole field. Readings for this subject are comprised of various texts, journals, reports and conference papers. Helpful texts include:

Bennett B, *Law and Medicine*, Law Book Company, 1997

McFarlane P, *Health Law Commentary and Materials*, 2nd edn, Federation Press, 1995

### 76071

#### Tourism Law

6cp; prerequisites: 70211 Law of Contract; 70311 Law of Tort

This subject will examine the regulation of domestic and international tourism. It aims to provide students with the knowledge and understanding required to provide legal services and advice to the many stakeholders in tourism including governments; investors, developers, operators and marketers; special interest groups; host communities; and tourists themselves.

#### Text

Atherton T C & T A, *Tourism, Travel and Hospitality Law*, LBC Information Services, 1998

### 76072

#### Confidential Information, Copyright and Designs

6cp; prerequisite: 70516 Equity and Trusts

The subject is primarily concerned with the law of confidential information, copyright and designs. This permits consideration of the way

in which the legal system provides valuable rights in relation to ideas and information and to forms of cultural expression. Whilst a diverse range of topics will be considered there will be an emphasis on attempting to view current reform issues in the light of historical, commercial and international trends.

#### Texts and references

No one text is prescribed. Recommended materials include:

Dean, *The Law of Trade Secrets*, LBC, 1990

Lahore et al, *Intellectual Property Copyright*, loose-leaf, Butterworths

McKeogh & Stewart, *Intellectual Property in Australia*, 2nd edn, Butterworths, 1997

Ricketson & Richardson *Intellectual Property Cases Materials and Commentary*, 2nd edn, Butterworths, 1998

Ricketson S, *Intellectual Property*, Butterworths, 1984

*Industrial and Intellectual Property*, loose-leaf, CCH

*Highways to Change*, Report of the Copyright Convergence Group

Reports of the Copyright Law Review Committee

Bulletins of the Copyright Council of Australia  
Intellectual Property Statutes, Butterworths, 1996

### 76073

#### Patents, Trade Marks and Related Rights

6cp; prerequisite: 70516 Equity and Trusts

The subject is primarily concerned with the law of patents, plant breeders' rights, trade marks, passing off and other protection of indicia of business reputation, and circuit layouts. This permits consideration of the way in which the legal system provides valuable rights in relation to ideas and information and to forms of technological development. Whilst a diverse range of topics will be considered, there will be an emphasis on attempting to view current reform issues in the light of historical, commercial and international trends.

#### Texts and references

No one text is prescribed. Recommended materials include:

Dean, *The Law of Trade Secrets*, Law Book Company, 1990

Lahore et al, *Intellectual Property Copyright*, loose-leaf, Butterworths



## 92 Subject descriptions

McKeogh & Stewart, *Intellectual Property in Australia*, 2nd edn, Butterworths, 1997

Ricketson & Richardson, *Intellectual Property Cases Materials and Commentary*, 2nd edn, Butterworths, 1998

Ricketson S, *Intellectual Property*, Butterworths, 1984

*Industrial and Intellectual Property*, loose-leaf, CCH

Intellectual Property Statutes, Butterworths, 1996

*Patent Examiners' Manual (Domestic)*, IP Australia

*Trademarks Examiners' Manual*, IP Australia

### 76074

#### Australian Civil Liberties Law

*6cp*; prerequisites: 70217 *Criminal Law*; 70616 *Federal Constitutional Law*

This subject aims to acquaint students with relevant case and statute law relevant to the protection of civil liberties in Australia. It explores the relationship and dynamic between the individual and the state in a legal and political framework. It examines the institutions (at a Commonwealth and State level) and organisations established to protect civil liberties and legal issues associated with their operation.

Students will become acquainted with current legal issues in the protection of civil liberties in Australia and research issues using Australian and comparative legal material and non-legal materials.

Topics will be discussed in an informal but considered way.

#### Texts and references

O'Neill & Handley, *Retreat from Injustice*, Sydney Federation Press, 1994

Gaze & Jones, *Law, Liberty and Australian Democracy*, Sydney, Law Book Company, 1990

### 76112

#### Conflict of Laws

*6cp*; prerequisite: 70616 *Federal Constitutional Law*

The subject deals with the international jurisdiction of the Australian courts, the recognition and enforcement of foreign judgments and decrees, and the problem of choice of law as it arises with respect to areas such as marriage, matrimonial causes, contract, torts, *inter vivos* property transactions and succession. The subject also deals with choice-of-law issues as they arise between the Australian States.

#### Texts and references

Collins L, *Dicey and Morris on the Conflict of Laws*, 12th edn, with fourth cumulative supplement, Sweet & Maxwell, 1997

Nygh P E, *Conflict of Laws in Australia*, 6th edn, Butterworths, 1994

Sykes E I & Pryles M C, *Australian Private International Law*, latest edn, Law Book Company, 1991

Davies M, Ricketson S & Lindell G, *Conflict of Laws: Commentary and Materials*, Butterworths, 1997

### 76115

#### Insolvency

*6cp*; prerequisite: 70417 *Corporate Law*

This subject is in two sections. The first half deals with bankruptcy, including: debtors' petitions; creditors' petitions; acts of bankruptcy; bankruptcy notices; property available to creditors; effect of bankruptcy on property and legal proceedings; proofs of debt; meetings of creditors after bankruptcy; realisation of the bankrupt's estate; discharge annulment and arrangements with creditors outside bankruptcy. The second half covers the winding up of insolvent companies, including: the statutory demand procedure, commencement of winding up; effect of winding up on the company, directors and creditors; appointment and powers of the liquidator; property available to creditors; proof of debt; challenging the liquidator's decisions; termination of winding up, receiverships and voluntary administration.

#### Texts and references

Lewis, *Australian Bankruptcy Law*, 10th edn, by Rose D, Law Book Company, 1994

McDonald, Henry & Meek, *Australian Bankruptcy Law and Practice*, 5th edn, by Darvall C and Fernon N T F, loose-leaf, Law Book Company

Tomasic & Whitford, *Australian Insolvency and Bankruptcy Law*, 2nd edn, Butterworths, 1997

### 76212

#### Revenue Law

*6cp*; corequisites: 70617 *Administrative Law*; 70417 *Corporate Law*

The subject examines the legal principles that relate to revenue law in Australia. Topics covered include the structure and sources of tax law in Australia; tax policy and tax reform;

income – concepts of income, income from labour, property and business, statutory extensions to the income base; deductions – general and specific deductions, substantiation; capital gains tax; fringe benefits tax; tax accounting; tax administration; tax avoidance and ethics.

#### Texts and references

*Income Tax Assessment Act 1936*

*Income Tax Assessment Act 1997*

Woellner R H et al, *Australian Taxation Law*, 8th edn, CCH, 1998

### 76411

#### Sale of Goods

*6cp; prerequisite: 70211 Law of Contract*

Topics include dispositions of personalty under the *Sale of Goods Act*; implied terms in contracts for the sale of goods, the 'nemo dat' rule; performance of contracts for the sale of goods; remedies of unpaid seller; and brief treatment of relevant portions of the *Trade Practices Act 1974* (Cwlth).

#### Text

Helmore B A, *Commercial Law and Personal Property in NSW*, 10th edn, by Carter J W et al, Law Book Company, 1992

### 76516

#### Family Law

*6cp; corequisites: 70317 Real Property; 70616 Federal Constitutional Law*

This subject introduces students to the principles which govern the legal relationship between members of families when there is a breakdown in the family unit, whether the legal relationship arises out of marriage or a de facto relationship. This subject will examine the law of divorce and nullity, property proceedings, parental responsibility for children and injunctive relief. The interaction between social issues, public policy and the relevant law is an important feature of the subject.

#### Text

Dickey A, *Family Law*, 3rd edn, LBC Information Services, 1997

### 76517

#### Succession

*6cp; prerequisite: 70317 Real Property*

This subject deals with the formal and essential requirements for a valid will, based on an examination of the relevant legislation and the

case law. The impact of s.18A of the *Wills Probate and Administration Act 1898* will be considered. Curial procedure for recognising the validity of wills and sanctioning the distribution of a deceased's property, as well as the impact of the *Family Provisions Act 1982*, will be studied. The consequences of intestacy will be considered. The rights and responsibilities arising out of the administration and distribution of deceased estates will be examined in depth.

#### Texts and references

Certoma G L, *The Law of Succession in New South Wales*, Law Book Company, 1997

Mackie K & Burton M, *Outline of Succession*, Butterworths, 1994

### 76600

#### International Legal Studies

*8cp*

This subject is only available to students enrolled in LL07 LLB/BA (International Studies).

This is an introductory subject that aims to:

- assist students to develop a basic understanding of the international legal system and its relationship with domestic or municipal law.
- enable students to undertake a comparative study and develop an appreciation of the major municipal legal systems in the international community.

The subject is offered with an Australian perspective to enable students to develop an appreciation of Australia's role in and relationship with the international community. Students will also be encouraged to develop the following skills:

- reading and understanding legal information, including primary materials (cases, statutes and treaties) and secondary materials;
- legal research using library and computer facilities;
- analytical and communication skills, both written and oral;
- teamwork and cooperative learning.

#### Text

Blay, Piotrowicz and Tsamenyi, *Public International Law: An Australian Perspective*, Oxford University Press, 1997

**76701**

**Family Law and Women's Perspectives – Aboriginal and Torres Strait Islander People**

6cp; prerequisite: 76516 Family Law

This subject aims to provide the student with a knowledge of the legal solution to family problems relating to Aboriginal and Torres Strait Islander people. Students will examine the need to address areas of law reform in relation to Aboriginal and Torres Strait Islander people and family law.

The syllabus includes the following: marriage; evidence of Aboriginal cultural factors; recognition of traditional Aboriginal marriage; common law marriage – examination of conflicting authorities; statutory recognition – effect of *Marriage Act 1961* (Cwlth); statutory recognition for specific purposes – e.g. *Administration and Probate Act 1979* (NT) s.6(4); custody, adoption and child welfare – *Family Law Act 1975* (Cwlth); general principles and relevant factors relating to the welfare of Aboriginal children; traditional adoption – Torres Strait Islander people; statutory recognition of Aboriginal placement principles – e.g. *Community Welfare Act 1983* (NT) s.43(1) and s.69; child welfare – effect of *Children (Care and Protection) Act 1987* (NSW); adoption – special provisions which apply to Aboriginal children in Queensland, South Australia and Victoria; consultation – Children's Review Panel, *Children (Care and Protection) Act 1987* (NSW) s.87(d); and understanding of proceedings – assistance of Aboriginal Legal Service.

**Texts and references**

Bolger A, *Aboriginal Women and Violence: A Report for the Criminology Research Council and the Northern Territory Commission of Police*, North Australian Research Unit, 1990

Carrington K, 'Aboriginal Girls and Justice; What Justice?'; *White Justice Journal for Social Justice Studies*, Vol. 3, 1990

Chisholm R & Housego J, *Australian Family Law*, loose-leaf, Butterworths

Dickey A, *Family Law*, 2nd edn, Law Book Company, 1990

Finlay H A & Bailey-Harris R J, *Family Law in Australia*, 4th edn, Butterworths, 1989

*Women's Issue*, *Aboriginal Law Bulletin*, Vol. 2 ALB No. 46, October 1990, Aboriginal Law Centre, Faculty of Law, UNSW, 1990

**76702**

**Criminal and Civil Law – Indigenous Perspectives**

6cp; prerequisite: 70217 Criminal Law

This subject examines the effect of criminal and civil law as it affects Aboriginal and Torres Strait Islander people.

The syllabus explores in general Aboriginal and Torres Strait Islander people liable to and protected by the criminal law; status – extradition between States; Indigenous aspects relating to bail; fitness to plead; selection of juries; unrepresented defendants; plea of guilt and claim of right; provocation; evidence – confessions and admissions; dying declarations; and compellability of traditional spouses.

**Texts and references**

Fisse B (ed.), *Howards's Criminal Law*, 5th edn, Law Book Company, 1990

Gilles P, *Criminal Law*, 2nd edn, Law Book Company, 1990

Reference on Aboriginal Customary Law Research Paper 6A, *Cases on Traditional Punishment and Sentencing*, 1982, unpublished ref, *Halsburys Laws of Australia*, Butterworths, 1991, p. 4835

*Royal Commission into Aboriginal Deaths in Custody*, final report (11 vols), AGPS, 1991

**76703**

**Indigenous Peoples and Land Law**

6cp; prerequisite: 70317 Real Property

This subject examines the relationship of Aboriginal and Torres Strait Islander customary rights and the development of Indigenous land rights culminating in the enactment of the *Native Title Act 1993* (Cwlth).

The syllabus includes the following: the evidence of Aboriginal and Torres Strait Islander customs and traditional law; statutory recognition of aspects of customary law including traditional interests in land or items of cultural heritage, traditional hunting, fishing and gathering rights; issues as to the admissibility of evidence pertinent to the veracity of Aboriginal and Torres Strait Islander customs and traditional law; legal proceedings relating to Aboriginal land claims; assertion of common law title to land; action arising under particular statutory provisions relating to Aboriginal customs; determination of disputes governed by traditional Aboriginal law or custom; and the effect of the decision of the High Court in *Mabo v. Queensland (No. 2)*

1992 and the *Native Title Act 1993* (Cwlth) – the Commonwealth approach to the recognition and determination of native title to land in Australia.

#### Texts and references

Bartlett R, *The Mabo Decision*, Butterworths, 1993

Woodward A E, *Aboriginal Land Rights Commission Second Report*, AGPS, 1973

### 76704

#### Current Law Reform Proposals – Indigenous Perspectives

6cp; prerequisite: 70616 *Federal Constitutional Law*

This subject examines the development of law reform as it affects Aboriginal and Torres Strait Islander people.

The syllabus will include the repeal of s.127 of the Australian Constitution in 1967 and the amendment of s.51 granting the Commonwealth concurrent power with the States over Aboriginal affairs; the relevance of s.109 of the Australian Constitution with regard to the external affairs power; the effect of the *Racial Discrimination Act 1975* (Cwlth) in overriding the *Queensland Coasts Island Declaratory Act 1985* (Qld); human rights; anti-discrimination and racial vilification legislation; and the effect of the Reports of Inquiry into Aboriginal Deaths in Custody and Racist Violence in Australia.

#### Texts and references

Aboriginal and Torres Strait Islander Social Justice Commissioner, *First Annual Report*, AGPS, 1993

Bird G, Martin G & Nielsen J (eds), *Indigenous Peoples and Law*, Federation Press, 1996

Council for Aboriginal Reconciliation, *Council for Aboriginal Reconciliation*, AGPS, 1993

Johnston E, *Royal Commission into Aboriginal Deaths in Custody, National Report*, 11 Vol. 2, AGPS, 1991

### 76705

#### International Law and Treaty Obligations, State and Regional Protocols – Indigenous Peoples

6cp; prerequisite: 70617 *Administrative Law*

This subject examines the development of basic human rights for Australian Aboriginal and Torres Strait Islander people within the framework of public international law.

The syllabus explores international law, incorporating treaties, conventions and customary international law; development of human rights law and the notion of human rights as being universal and inalienable; the recognition of the individual as a subject of human rights; main sources of international law – international conventions or treaties, international custom, the general principles of international law recognised by nation states, judicial decisions, and the teaching of the most highly qualified publicists.

#### Texts and references

Charlesworth H, 'The First Optional Protocol', *Law Institute Journal*, p. 1018

Hocking, *International Law and Human Rights Program*, Law Book Company, 1988

Pritchard S, 'International Law', *The Laws of Australia – Aboriginal and Torres Strait Islanders*, Law Book Company, 1993

McGoldrick D, *The Human Rights Committee: Its Role in the Development of the International Covenant on Civil and Political Rights*, Oxford University Press, 1990

Senate Standing Committee on Constitutional and Legal Affairs, *Two Hundred Years*, AGPS, 1983

Steinberger, 'Sovereignty', *Encyclopedia for Public International Law*, Vol. 10, Holland, 1987

### 76706

#### Indigenous Dispute Resolution

6cp; prerequisite: 71005 *Practice and Procedure*

This subject examines the development of dispute resolution in traditional and contemporary Aboriginal and Torres Strait Islander society.

The syllabus covers alternative dispute resolution as a mechanism for issues concerning Aboriginal communities; implementation of alternative methods of dispute resolution embodying the cultural values of Indigenous people; a recognition by non-Indigenous people and organisations of Indigenous alternative dispute resolution procedures; recognition of diversity between Aboriginal and Torres Strait Islander groups in resolving disputes by alternative dispute resolution procedures; examination of cultural differences between Indigenous and non-Indigenous Australians; and the comparative and distinctive values of Aboriginal dispute resolution compared to the values of the common law system.

**Texts and references**

Attorney-General's Legal Practice, *Native Title Act 1993: Legislation with Commentary*, AGPS, 1993

Bartlett R, *The Mabo Decision*, Butterworths, 1993

Behrendt L, *Aboriginal Dispute Resolution*, Federation Press, 1995

Howitt & Douglas, *Aborigines and Mining Companies in Northern Australia*, Alternative Publishing Cooperative, 1988

*Recognition of Aboriginal Customary Laws*, Report No. 31, Australian Law Reform Commission, AGPS, 1986

Stephen M A & Ratnapala S (eds), *Mabo: A Judicial Revolution*, University of Queensland Press, 1993

**76707****Indigenous Peoples and the Law**

6cp; prerequisite: 70317 Real Property

The relationship between Indigenous peoples and the law goes to the foundation of Australia's legal and political identity. Competition for land ownership has defined and driven race relations in Australia. This course will examine the historical dispossession of Indigenous people with reference to how this has impacted on current legal relations and debates. The dispossession by law and war together with the belated and partial recognition of Indigenous peoples in the Mabo (No. 2) decision will be evaluated. Land rights legislation, native title legislation and subsequent developments including the Wik decision will be examined.

Indigenous Australians are the most incarcerated people in the world. Indigenous peoples' relations with the criminal justice system with particular reference to community/police relations will be considered. Dispersal of communities and forced removal of children from their families have possibly had the most devastating impact of all colonial policies on Indigenous peoples. These will be considered in detail with particular reference to current impacts on these people in areas such as welfare law, juvenile justice and family law.

Between 1972 and 1995, all federal governments had a policy of self-determination with regard to Indigenous peoples. The meanings and implications of this policy will be examined in the context of self-determination policies in comparable countries such as Canada and the United States. Consideration will be given to

the formation and role of Indigenous corporations, Australian and Canadian models of self-government, the Aboriginal and Torres Strait Islander Commission and international standards and developing norms.

**Texts and references**

No prescribed text, however, the following books and reports will be useful.

McRac H, Nettheim G & Beacroft L, *Aboriginal Legal Issues*, Law Book Company, 1991

Cunneen C & Libesman T, *Indigenous People and the Law in Australia*, Butterworths, 1995

Johnston E, Royal Commission into Aboriginal Deaths in Custody, *National Report*, Vol. 2, AGPS, 1991

Wooten H, Royal Commission into Aboriginal Deaths in Custody, *Regional Report of Inquiry in New South Wales, Victoria and Tasmania*, AGPS, 1991

Human Rights and Equal Opportunity Commission, *Final Reports of the Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families*, AGPS, 1997

Reynolds H, *The Law of the Land*, Penguin, Ringwood, 1987

Rowley C, *Destruction of Aboriginal Society*, Penguin, Harmondsworth, 1972

**76900****Moot**

6cp; prerequisite: 71005 Practice and Procedure

Students must participate in two moots on points of law arising from a set of agreed facts before a judge or barrister. Attendance is required at weekly seminars, each two hours long. At these seminars, part of the time will be devoted to discussion of the essentials of appellate advocacy, and part to the practice of the skills required for this task. Students must present the moot judge with written submissions, including a list of authorities, at least seven days before the scheduled date of the moot. Students must pass each of the two moots to pass the subject. Attendance at a session lasting all day on the Saturday at the end of Week 2 of the semester is compulsory.

**Texts and references**

Law Faculty, *Guide to Mooting*

Mauet T, *Fundamentals of Trial Technique*, Longman, 1993

Steusser L, *An Introduction to Advocacy*, Law Book Company, 1993

Watt R, *Concise Legal Research*, Federation Press, 1995

## 76901

### Vis Arbitral Moot

*6cp; prerequisites: by invitation only*

The Willem C Vis International Commercial Arbitration Moot is an international moot that takes place every April in Vienna. Named in honour of Professor Willem Vis, a world-recognised expert in international commercial transactions and dispute settlement procedures, this moot is an acknowledgment of the business community's marked preference for resolving international commercial disputes by arbitration.

Professor Vis began to work for European co-operation in 1957 as a member of the Council of Europe Secretariat, in its human rights and legal affairs directorates, and later, in 1965, became Deputy Secretary-General of the International Institute for the Unification of Private Law (UNIDROIT) in Rome. In 1968 he moved to the United Nations Secretariat in New York, where he became Senior Legal Officer, then Chief of the International Trade Law Branch of the United Nations Office of Legal Affairs, and Secretary of the United Nations Commission on International Trade Law (UNCITRAL).

This method of dispute resolution is offered as the clinical tool to train law students through two crucial phases: the writing of memorandums for claimant and respondent and the hearing of oral argument based upon the memorandums. The forensic and written exercises require determining questions of contract – flowing from a transaction relating to the sale or purchase of goods under the United Nations Convention on Contracts for the International Sale of Goods and other uniform international commercial law – in the context of an arbitration of a dispute under specific arbitration rules.

There are currently 64 law schools from 26 countries that send teams to Vienna. For students it is an excellent opportunity to learn an extremely valuable commercial skill, and a rare chance to meet and to form valuable professional friendships with a range of law students from around the world.

More information is available on the internet:  
<http://www.cisg.law.pace.edu/cisg/text/willem97.html>

### Texts and references

Jacobs M, *International Commercial Arbitration in Australia: Law and Policy*, 2 vols, loose-leaf, Law Book Company

*International Handbook on Commercial Arbitration*, loose-leaf, Kluwer

Berger K P, *International Economic Arbitration*, Kluwer, Deventer, 1993

Chiukwumerije O, *Choice of Law in International Commercial Arbitration*, Quorum Books, 1994

Van den Berg J (ed.), *Yearbook of Commercial Arbitration*, vol. 1, Kluwer, 1976 +

Holtzmann, Howard M & Neuhaus J, *A Guide to the UNCITRAL Model Law on International Commercial Arbitration*, Kluwer, 1989

Honnold J, *Documentary History of the Uniform Law for International Sales: The Studies, Deliberations and Decisions that Led to the 1980 United Nations Convention with Introductions and Explanations*, Kluwer, 1989

Lew J (ed.), *Contemporary Problems in International Arbitration*, Martinus Nijhoff, 1987

Park W W, *International Forum Selection*, Kluwer, 1995

Veeder V V et al, *The Internationalisation of International Arbitration*, Graham & Trotman/Martinus Nijhoff, 1995

## POSTGRADUATE SUBJECTS

The availability category shows the degree program(s) in which the subject is offered. With the approval of the Director of Postgraduate Programs it may be possible to undertake relevant subjects that are not indicated as available within your program. Written application must be made to the Director before the commencement of semester.

Not all subjects are offered every semester, although most subjects will be offered on a two-yearly cycle, timetabled subjects will be offered subject to sufficient student interest.

The following degree abbreviations are used for the sake of convenience (note that these are not necessarily the official UTS course abbreviations):

Graduate Certificate in Dispute Resolution	GCDR
Graduate Certificate in International Trade Law	GCITL
Graduate Certificate in Legal Practice	GCLP
Graduate Diploma in Legal Studies	GDLS
Graduate Diploma in Trade Mark Law and Practice	GDTMLP
Graduate Diploma in Law	GDL
Master of Dispute Resolution	MDR
Master of Industrial Property	MIP
Master of International Trade Law	MITL
Master of Law and Legal Practice	MLLP
Master of Laws (by coursework)	LLM
Master of Laws (Mandarin International)	LLM-MAND
Master of Legal Studies	MLS
Master of Taxation Law	TAX
Doctor of Juridical Science	SJD
Cross-disciplinary subjects	CROSS

*Key to abbreviations for the LLM (by coursework) and MLS/GDLS majors:*

{dr}	Dispute Resolution
{c}	Commercial Law
{ip}	Intellectual and Industrial Property Law
{il}	Industrial Law
{int}	International Law

### 75401

#### Litigation

*6cp; 1 semester; availability GDLP, MLLP*

Litigation explores, from a practical perspective, criminal practice and the justice system, civil and commercial litigation in the Local Court, District Court, Supreme Court and the Federal Court, personal injury practice (including the *Motor Accidents Act 1988*) and

the specialist jurisdiction such as the Family Court of Australia, Administrative Appeals Tribunal, Land and Environment Court and the Federal Court (Bankruptcy).

### 75402

#### Property Transactions

*6cp; 1 semester; availability GDLP, MLLP*

The subject explores the legal practitioner's role in property transaction, including domestic and commercial conveyancing transactions, commercial leases, mortgages, finance and securities.

### 75403

#### Commercial and Estate Practice

*6cp; 1 semester; availability GDLP, MLLP*

The subject explores the legal practitioner's role in Commercial and estate practice, including the sale and purchase of businesses, planning business structures, drafting and analysing wills and trust deeds, applying for probate or letters of administration, and administering estates.

### 75411

#### Practical Experience

*0cp; 1 semester; availability GDLP, MLLP, GCLP*

Practical Experience involves undertaking a minimum of 16 weeks (full-time or equivalent part-time) work experience in a legal office environment. A Practical Experience placement must be approved in advance by the UTS Faculty of Law Practical Experience Committee. The practical experience must be approved, conducted and completed in accordance with the Practical Experience Rules.

### 75412

#### Legal Skills and Professional Awareness

*6cp; 1 semester; availability GDLP, MLLP, GCLP*

This subject explores communication and technical skills necessary for legal practice, including interviewing and advising, basic drafting, negotiation and awareness of cultural issues that affect communication. The subject will also examine professional awareness issues related to membership of the legal profession, management of professional practice, with the emphasis on quality and risk management; the law of meetings, working with the Bar, employment and equal opportunity; and access to justice.

**75413****Advocacy**

*6cp; 1 semester; availability GDLP, MLLP, GCLP*

Advocacy will explore the skills necessary to present evidence, submissions and argument before a court or similar judicial body. Advocacy will involve students participating in the practice court program that includes defended and interlocutory matters.

**75415****Professional Conduct 1 (Legal Accounting)**

*3cp; 1 semester; availability GDLP, MLLP*

Professional Conduct 1 (Legal Accounting) encompasses studies in accounting practices (bookkeeping for legal practitioners). Issues include the execution of good accounting practice in relation to trust and general accounting procedures, the accounting requirements under the *Legal Profession Act 1987 (NSW)* and Rules and the use of financial statements in commercial transactions and litigation. Professional Conduct 1 (Legal Accounting) must be done concurrently with Professional Conduct 2 (Legal Ethics) with the exception of students undertaking the part-time Graduate Diploma in Legal Practice course, who must complete Professional Conduct 1 prior to Professional Conduct 2.

**75416****Professional Conduct 2 (Legal Ethics)**

*3cp; 1 semester; availability GDLP, MLLP*

Professional Conduct 2 (Legal Ethics) encompasses studies in ethical responsibility, conflict of interest and professional regulation. Professional Conduct 1 (Legal Accounting) must be done concurrently with Professional Conduct 2 (Legal Ethics) with the exception of students undertaking the part-time Graduate Diploma in Legal Practice course, who must complete Professional Conduct 1 prior to Professional Conduct 2.

**77700****Advanced Legal Research**

*2cp; 1 semester; availability LLM*

These seminars are on the methodology of research appropriate to graduate study involving the primary and principal secondary sources of law in NSW and the Commonwealth of Australia. In addition, the sources of law in a selected number of jurisdictions – England, United States, New Zealand, Canada and the

European Union – are considered. The sources of international law constitute a special topic. Advanced Legal Research is a corequisite for Category B LLM candidates. It is a compulsory subject for MLS and GDLS.

**77701****International Economic Law**

*6cp; 1 semester; {c}{int}; availability LLM, SJD, MLLP*

Designed to develop an understanding of the law governing the international economy and relations between participants in that economy. The concept of international economic law will be examined, and topics will include specific resource issues such as the common heritage; the deep sea bed; Antarctica; international legal regulation of investment, finance and trade; the institutions – IMF, IBRD, WTO; and the relationship between national and international economic law involving such concepts as extraterritoriality and sovereign immunity.

**77702****Current Problems of Public International Law**

*6cp; 1 semester; {int}; availability LLM, SJD, MLLP*

Assists students to develop an advanced understanding of the subject, including topics such as recent developments; sources of public international law; dispute resolution; diplomatic immunity; the law of the sea; extradition and asylum; international protection and human rights; treaty practice and procedure; and the recognition of states and governments.

**77703****International Business Transactions**

*6cp; 1 semester; {c}{int}; availability LLM, SJD, MLLP, MITL, GCITL*

After an introductory segment dealing with the international trading system including the expanded range of matters covered by GATT 1994, the subject is structured to give students an understanding of the law of international contracts for sale of goods at arm's length as well as contracts concerning trade through closer business relationships with foreign entities such as joint ventures. Other contractual relationships intertwined with the principal contract for international sale of goods and/or services such as contracts for international carriage of goods and payment mechanisms are covered. Government



## 100 Subject descriptions

mechanisms for regulating international trade between 'private' traders such as the customs regime are discussed. A segment of the course is also devoted to international services trade.

### 77704

#### European Union Law

*6cp; 1 semester; {c}{int}; availability LLM, SJD, MLLP, MITL, GCITL*

The topics which will be discussed in this subject include the activities of the European institutions; the political and economic origins of the EU and its institutional structures (with emphasis on the European Court of Justice); the interrelationship between EU law and the law of the 15 member States; and the free movement of goods, workers, capital and services. The subject will concentrate on the emerging transnational protection of social and economic rights and the jurisprudence of the European Court of Justice.

### 77705

#### Maritime Law

*12cp; 2 semesters; {c}{int}; availability LLM, SJD, MLLP*

This subject is divided into two main areas – admiralty law and the law on the carriage of goods by sea. In both cases, reference will be made to pertinent international conventions and their adoption (or otherwise) in Australia, as well as to current international deliberations. Within the first main group of topics, the areas of admiralty law studied include safety; registration, nationality and ownership of ships; sale and purchase of ships; securities (mortgages and maritime liens); admiralty jurisdiction; collisions and limitation of liability; salvage, towage and pilotage; and maritime employment. The second main group of topics examines the regulation of shipping conferences, and the rights and obligations of parties to contract for the carriage of goods by sea (carrier and shipper), with special reference to charter parties and bills of lading. The areas studied include anti-trust laws; the Hague; Hague-Visby and Hamburg Rules; seaworthiness and the duty to take care of cargo; and demurrage, general average, freight and marine insurance. Problems associated with inter-modal transport operations will also be discussed.

### 77706

#### Advanced Administrative Law

*6cp; 1 semester; availability LLM, SJD, MLLP*

Topics will include major developments in the common law and in federal administrative law. Particular attention will be paid to developing forms of remedies, the alternative forms of review of administrative action through, e.g. the Ombudsman, and current issues and prospective developments. Administrative law is relevant to all forms of government activity, including regulation of trade and commerce.

### 77709

#### Planning and Development Law 1

*6cp; 1 semester; {c}; availability LLM, SJD, MLLP*

Topics in this subject include government involvement in the planning and development process as developer and as intervener; executive discretions in the development process; individual participation in the planning process; review of decisions; a case study for the interaction between private rights and public interests; a case study for the interaction of planning law and environmental concerns and recent developments.

### 77710

#### International and Comparative Law Project

*12cp; 2 semesters; {int}; availability LLM, SJD, MLLP*

Owing to career commitments, most practising lawyers are unable to undertake postgraduate work overseas, and therefore miss the advantages of studying in a different culture and environment. In an endeavour to redress this, the Faculty of Law offers the International and Comparative Law Project. This subject permits a candidate to undertake an approved course of study overseas of a limited duration, and credit this towards the LLM (by coursework), Master of Law and Legal Practice or SJD programs. Upon returning to Australia, the candidate must present evidence of work completed, which will be assessed; and further written work may be required. The Faculty has approved programs of study in various locations overseas e.g. the Hague Academy of International Law, China University of Political Science and Law, and Santa Clara University Law School. Other programs are available, or students may submit proposals for alternative programs. Further details may be obtained from the Director of Postgraduate Programs.

**77711****Corporations, Finance and Securities***12cp; 2 semesters; {c}; availability LLM, SJD, MLLP*

This subject considers a number of topics of current relevance to corporations law, securities law and corporate finance. The topics covered in the course include takeovers; share buy-backs; the federal company law regime; investigations and related topics; developments in directors' duties; an overview of the financial markets; securitisation; the securities industry; controls on public offerings; criminal and civil sanctions relevant to the securities industry; financial advisers; secured and unsecured finance; corporate and unincorporated joint ventures; leasing; subordination; use of commercial paper as a financing technique; syndication and participation; credit facilities; taxation issues in the context of finance law.

**77712****Deceptive Trade Practices and Product Liability***12cp; 2 semesters; {c}; availability LLM, SJD, MLLP*

An advanced study of Parts V and VI of the *Trade Practices Act 1974* (Cwlth) (and analogous legislation). Topics covered include deceptive trade practices; remedies; unconscionable conduct; and the liability of suppliers, service providers and manufacturers. Emphasis is placed upon recent legal developments.

**77713****Tax Procedures, Sales Tax and Stamp Duties***12cp; 2 semesters; {c}; availability LLM, SJD, TAX, MLLP*

The topics covered include the Commissioner's powers to obtain information; imputation of tax; administrative law and tax; tax avoidance; tax appeals and objections; sales tax; and stamp duties.

**77714****Computerised Legal Information Systems***6cp; 1 semester; availability LLM, SJD, MLLP*

The study of hypertext, free-text retrieval systems and knowledge-based applications (expert systems). Although principally a practical subject, the implementation of programs which are capable of legal reasoning will necessitate consideration of the nature and types of such reasoning.

**77715****Banking Law***12cp; 2 semesters; {c}; availability LLM, SJD, MLLP*

This is an advanced study of banking law concentrating on relations between the bank and its corporate customers. The following topics are examined: the regulatory framework within which banks operate; the relationship between the bank and the customer; and the activities of banks, including cheques, bills of exchange, foreign currency lending, and secured and unsecured lending.

**77716****International Trade Law***6cp; 1 semester; {c}{int}; availability LLM, SJD, MLLP, MITL, GCITL*

Topics include the sale of goods; representation overseas; finance; export credits and insurance; carriage of goods; arbitration and litigation; customs law; and international trade regulation.

**77719****Capital Gains Tax***12cp; 2 semesters; {c}; availability LLM, SJD, TAX, MLLP*

This subject involves an in-depth study of capital gains tax (CGT) including consideration of legislative amendments since the introduction of CGT. Most of the first semester will be spent covering the CGT fundamentals such as the meaning of assets, acquisition and disposal, cost base and consideration. The second semester will consider the application of CGT in special circumstances, such as for companies, trusts and partnerships as well as the international implications.

**77720****International Taxation***12cp; 2 semesters; {c}{int}; availability LLM, SJD, MLLP*

This subject considers the following topics: changes enacted and proposed since the 1985 tax reform measures; impact of international tax changes on Australian businesses; capitalisation and foreign controllers; the foreign credit tax system and imputation system; Australian measures against tax havens; taxation of foreign service income; relocation of corporate residence offshore; tax consequences of international information flows; non-resident trusts; transfer-pricing;

enforcement and compliance moves by the Australian Taxation Office; New Zealand and United States experiences; and controlled foreign corporations.

### 77721

#### Restrictive Trade Practices

*12cp; 2 semesters; {c}; availability LLM, SJD, MLLP*

This is an advanced study of the law and recent developments in the area. Where relevant, a comparative analysis will be undertaken and the regulation of competition in the United States and the European Union will be studied. The subject examines the constitutional basis for the *Trade Practices Act 1974* (Cwlth), the recent developments to expand the applicability of the Act, and the rationale for such regulation from both a lawyer's and an economist's perspective. The specific prohibitions which will be examined include misuse of market power, mergers, collusive conduct, exclusionary conduct, boycotts, exclusive dealing agreements and resale price maintenance. Current topics include the deregulation of government business enterprises.

### 77724

#### International Banking and Finance Law

*6cp; 1 semester; {c}{int}; availability LLM, SJD, MLLP, MITL, GCITL*

An advanced study of monetary systems; monetary obligations; foreign money obligations; the problem of the governing law; sovereign risk; exchange control; covenants; default; and types of finance.

### 77725

#### Research Project

*12cp; 2 semesters; availability LLM, SJD, MLLP, MITL*

Candidates for the LLM, MLLP or MITL Honours programs must undertake the Research Project; however, the Research Project may be approved for other candidates in the LLM, MLLP, MITL or SJD. Candidates undertaking the Research Project must research and write a paper of approximately 12,000–15,000 words of a standard suitable for publication on a topic approved by the Faculty. In most cases the Research Project will extend and develop research done in one or more of the LLM, MLLP or SJD subjects already undertaken, but in appropriate circumstances a candidate may undertake a new topic. The Research Project is subject to rules approved

by the Faculty Board; copies of the rules are available from the Administrative Secretary (Postgraduate).

### 77729

#### Chinese Trade and Investment Law

*6cp; 1 semester; {c}{int}; availability LLM, SJD, MLLP*

An introduction to the trade and investment law of the People's Republic of China. Topics include the role of law in China; the law-making process and interpretation; legal aspects of China's foreign trade; legal aspects of foreign investment in China; contractual and equity joint ventures and wholly owned foreign enterprises; taxation of foreign interests; foreign exchange control; securities and futures; special economic zones; banking and finance; and dispute resolution.

### 77730

#### Corporate Insolvency and Restructuring

*6cp; 1 semester; {c}; availability LLM, SJD, MLLP*

An advanced study of corporate insolvency law. Topics include the regulating structure; secured and unsecured creditors; reservations; liquidation; schemes of arrangement; official management; the role of directors and foreign companies; and foreign proceedings.

### 77731

#### Advanced Remedial Law: Damages

*6cp; 1 semester; {c}; availability LLM, SJD, MLLP*

An advanced study of the following topics: compensation and the measure of damages; the Once for All Rule; certainty; causation; remoteness; mitigation; contributory negligence; effect of taxation, inflation; interest; contrast of promissory, reliance, restitutionary and indemnity damages; concurrent liability in contract and tort; pre-contract expenditure; non-pecuniary loss; discretionary benefits; property damages; economic loss; damages in equity; date of assessment of damages; and punitive damages.

### 77732

#### Advanced Remedial Law: Equitable Remedies

*6cp; 1 semester; {c}; availability LLM, SJD, MLLP*

Topics include the inadequacy of damages; discretion – unconscionability and hardship; discretion – constant supervision, partial

enforcement through injunction; discretion – lack of mutuality, unclean hands, laches, ready willing and able, public interest; part performance; protection of private property rights; protection of public interest; urgent relief; Mareva injunctions and Anton Pillar orders; rescission; declaration; account; rectification and delivery-up of documents; and receivers.

### 77733

#### Chinese Law and Legal Systems

*6cp; 1 semester; {int}; availability LLM, SJD, MLLP*

This subject provides a background to further specialist study of contemporary Chinese law, including Chinese commercial law relating to foreign investment, Chinese communist legal styles, attitudes and structures, and traditional imperial Chinese legal attitudes and methods.

### 77735

#### Dispute Resolution

*12cp; 2 semesters; {il}{dr}; availability MDR, LLM, SJD, MLS, GDLS, CROSS, MLLP*

An introduction to the theoretical and practical aspects of this newly developing area which is applicable to all professions, business and government. It is designed to give an overview of the processes of dispute resolution which includes dispute prevention and minimisation, dispute management, and dispute system design. Topics include an overview of dispute resolution processes in Australia; the theoretical basis of the recent movement; an introduction to mediation and negotiation theory; communication skills; critiques of alternative dispute resolution (ADR) and its implementation; and an introduction to dispute resolution programs in Australia. A compulsory component of the subject is a six-day training workshop.

### 77736

#### Admiralty Law

*6cp; 1 semester; {int}; availability LLM, SJD, MLLP*

This subject gives students an appreciation of public and private international law aspects of maritime commerce and transportation, while ensuring a knowledge of the Australian law governing the relevant areas selected for study. Reference is made to pertinent international conventions and their adoption (or otherwise) in Australia, as well as to current international deliberations. Topics include maritime safety; registration; nationality and ownership of

ships; securities (mortgages and maritime liens); admiralty jurisdiction; collision and limitation of liability; salvage, towage and pilotage; and maritime employment.

### 77737

#### Carriage of Goods by Sea

*6cp; 1 semester; {int}; availability LLM, SJD, MLLP*

This subject examines the regulation of shipping conferences, and the rights and obligations of parties to contract for the carriage of goods by sea (carrier and shipper), with special reference to charter parties and bills of lading.

### 77740

#### Research Paper

*6cp; 1 semester; availability LLM, SJD, MLLP*

The Research Paper may be approved for LLM, MLLP and SJD candidates. Candidates must submit a proposed topic to the Faculty Board for approval. Candidates must research and write a paper of approximately 8,000–10,000 words of a standard suitable for publication. This subject does not fulfil the Faculty Board's requirements for the awarding of Honours within the LLM or MLLP. The Research Paper is subject to rules approved by the Faculty Board. Copies are available from the Faculty.

### 77744

#### Franchising Law

*6cp; 1 semester; {c}; availability LLM, SJD, MLLP*

Introduces students to the role of franchising in the economy, the strengths and weaknesses of franchising, and the applicable law. Topics include trade practices and franchising; intellectual property and franchising; dispute resolution between franchisor and franchisee; taxation and stamp duty considerations; and international franchising.

### 77745

#### Negotiation

*6cp; 1 semester; {il}{dr}; availability MDR, LLM, SJD, MLS, GDLS, GCDD, MLLP, CROSS*

This subject is taught in a three-day skills-based course which is designed to provide an understanding of the theory and skills of negotiation. It covers the diverse approaches to negotiation, concentrating mostly on principled negotiation as taught by the Harvard Law Faculty's Negotiation Project. The course utilises materials from the Project. Students'

skills in negotiation will be developed. The subject covers the use of negotiation as a process of dispute resolution and for contract formation.

**77746**

**Advanced Mediation**

*6cp; 1 semester; {il}{dr}; availability MDR, LLM, SJD, MLLP, MLS, GDLS, GCDR, CROSS; corequisite: 77735 or 79771 Dispute Resolution or demonstrated experience in the field*

This subject concentrates on the micro-skills of mediation at an advanced level. It is designed to give students an in-depth understanding of the detail of the skills and techniques used by experienced mediators. The skills will be further developed to an advanced level. Co-mediation and mediation in multi-party disputes are also included.

**77748**

**Victim-Offender Dispute Resolution**

*6cp; 1 semester; {dr}; availability MDR, LLM, SJD, MLLP, GCDR, MLS, GDLS, CROSS; corequisite: 77735 or 79771 Dispute Resolution or demonstrated experience in the field*

The theory and practical implications of using the newer dispute resolution processes, particularly mediation, in the criminal justice system are examined. Programs in Australia and other countries utilising these processes will be examined. Issues to be addressed include theoretical implications for the criminal justice system and for sentencing; the rights and needs of victims; drafting a program for a pilot project in NSW; and future directions for victim-offender dispute resolution both in Australia and overseas.

**77749**

**Construction Industry Dispute Resolution**

*6cp; 1 semester; {il}{dr}; availability MDR, LLM, SJD, MLLP, MLS, GCDR, GDLS, CROSS; corequisite: 77735 or 79771 Dispute Resolution or demonstrated experience in the field*

This subject explores dispute management and resolution in a most dispute prone industry. Procedures developed in Australia and overseas to prevent and manage disputes on construction sites, as well as resolve them, are studied. This industry is recognised as one which has attracted experimentation in resolution processes. The place of formal and informal processes within the industry will be covered.

**77751**

**International Commercial Arbitration**

*6cp; 1 semester; {dr}{c}{int}; availability MDR, MITL, GCITL, LLM, SJD, MLLP, GCDR; assumed knowledge*

Topics in this unit include ad hoc arbitrations; relevant legislation and international conventions; international institutional arbitration associations; scope, formal retirements and validity of agreement to arbitrate; drafting in regard to ICSID arbitrations; curial intervention; compulsory reference of an international commercial dispute to arbitration in Australia; drafting stabilisation and renegotiation clauses; composition of the arbitral tribunal; the language of arbitration; award of damages in international arbitration; sovereign immunity; international standard construction contracts; power of the international arbitral tribunal to deal with defaults, delaying tactics or refusal of a member to participate in the making of an award; provisions for correcting international commercial arbitration award; recourse against award under the UNCITRAL model law; recognition and enforcement of foreign arbitral award under the UNCITRAL model law and the New York Convention; and liability of the arbitrator for negligence and /or wilful neglect of duty.

*Note: This subject cannot be undertaken if 77717/77783 International Commercial Dispute Resolution has already been completed.*

**77752**

**Commercial Arbitration (Domestic)**

*6cp; 1 semester; {c}{dr}; availability MDR, LLM, SJD, MLLP, MLS, GDLS, GCDR, CROSS; assumed knowledge*

Topics to be covered include the arbitration agreement and its scope; the arbitrator's jurisdiction; reference by the court to a referee or arbitrator; the inherent jurisdiction of the court to interfere in arbitral proceedings; agreement binding on the Crown; the appointment of arbitrators and other related matters; the umpire entering upon the reference; the distinction between an arbitration certification, valuation, assessment, an exception clause, reference to arbitrator, or quasi-arbitrator; powers and duties of the Arbitration Tribunal; subpoenas; evidence; legal representation; amiable compositeur or *ex aequo et bono*; interim awards; specific performance; extension of ambit of arbitration proceedings; duties of parties; right of appeal; exclusion agreements;

misconduct; remission of award; removal of arbitrator or umpire; sundry provisions; *Scott v. Avery* Clause; and foreign awards.

### 77754

#### Advanced Corporate Insolvency and Restructuring

6cp; 1 semester; {c}; availability LLM, SJD, MLLP; prerequisite: 77730 Corporate Insolvency and Restructuring

An advanced study of insolvency law and the related issues, with a particular emphasis on trends in, and styles of, formal and informal debt restructuring. Lectures will also analyse case studies to demonstrate the application of legal and commercial principles in a practical context.

### 77755

#### Superannuation Law

6cp; 1 semester; {c}; availability TAX, LLM, SJD, MLLP

Provides an overall understanding of the taxation, legal and industry matters affecting superannuation. Specific topics covered include the history of superannuation; an overview of the current situation; trust deed issues; the legislative framework – ITAA and OSSA, their regulations, and SGL; and the relationship of superannuation to topical issues such as insolvency, family law, administration companies and surplus.

### 77756

#### Copyright Law

12cp; 2 semesters; {ip}; availability LLM, SJD, MLLP

The principles of copyright, the development of case law, and the structure and ambit of the legislation will be covered. Students will be required to develop a detailed knowledge of the *Copyright Act 1968* (Cwlth) as amended, and associated regulations, and to have a comprehensive knowledge of relevant case law.

### 77757

#### Advanced Family Law: Proprietary Remedies

6cp; 1 semester; availability LLM, SJD, MLLP

Provides instruction at an advanced level into the forms of proprietary relief which are available in domestic property disputes. Topics to be covered include statutory principles of family property relief; principles governing the exercise of judicial discretion and appellate

intervention; ascertaining family assets; valuation of assets and financial disclosure; property applications involving trusts and companies; the use of restitution in domestic property applications; enforcement; evidentiary issues in the Family Court; and advanced advocacy.

### 77758

#### Private International Law

6cp; 1 semester; {int}; availability LLM, SJD, MLLP, MITL, GCITL

An advanced study of the principles of private international law as they operate within the Commonwealth of Australia and in relation to overseas countries, with emphasis on issues of current relevance, and with reference to American and European law. In particular, current developments at the Hague Conference on Private International Law and in the European Union will be examined.

### 77759

#### International Monetary Law

6cp; 1 semester; {c}{int}; availability LLM, SJD, MLLP, MITL, GCITL

The objective of this subject is to provide an overview of international monetary systems and the current legal issues in this area. Topics to be covered include introduction to the international monetary system, the international monetary institutions, the European monetary system and current legal issues affecting international monetary systems.

### 77760

#### Family Dispute Resolution

6cp; 1 semester; {dr}; availability MDR, LLM, SJD, MLLP, MLS, GDLS, GCDR, CROSS; corequisite: 77735 or 9771 Dispute Resolution or demonstrated experience in the field

This subject covers dispute resolution for family disputes. It will provide a framework for developing both skills in the use of dispute resolution processes within the family court, and a critical evaluation of the use of such techniques. An essential feature of this subject will be the study of the special problems that arise in resolving disputes within families, including power imbalances, gender issues, domestic violence and offences against children and the effect these have on the resolution of family disputes.

**77761****Dispute Resolution in Commerce**

*6cp; 1 semester; availability SJD, LLM, MDR, GCDR, MLS, GDLS, CROSS; prerequisite 79771 or 77735 Dispute Resolution or demonstrated experience in the field*

This subject will explore the application of dispute resolution theory and practical skills to the corporate environment. It will explore the causes of conflict within a corporation, and between a corporation and the outside world. The range of dispute resolution processes will be studied to ascertain their relevance and the problems in applying them to the various types of dispute that occur. Students will have the opportunity to study the impediments to changing the dispute resolution culture of an organisation, and they will be encouraged to build models for implementing change in a range of corporate environments. The differences between implementation between the public and private sectors and between different sections of the corporate/business world will also be explored.

**77762****Industrial Dispute Resolution**

*6cp; 1 semester; {il}{dr}; availability MDR, LLM, MLLP, SJD, MLS, GDLS, GCDR; CROSS; corequisite: 7735 or 79771 Dispute Resolution or demonstrated experience in the field*

This subject will cover the history of industrial dispute resolution in Australia. It will look at the relevance of dispute resolution to the workplace and to the relationship between unions and management. As this latter is a new area for the use of mediation and dispute resolution in Australia, the subject will seek to develop a model process for such dispute resolution, particularly in view of the introduction of enterprise bargaining and the initiative to introduce mediation/dispute resolution into the industrial relations area in NSW. Input from industry will be provided.

**77763****Community Dispute Resolution**

*6cp; 1 semester; {dr}; availability MDR, LLM, SJD, MLLP, MLS, GDLS; CROSS; GCDR; corequisite: 77735 or 79771 Dispute Resolution or demonstrated experience in the field*

The course is planned to consider the nature and development of community dispute resolution both in Australia and overseas. NSW Community Justice Centres collaborate in its

teaching. It will examine concepts of 'community' and 'culture' and the ways in which diverse community values and social change have affected forms of dispute resolution. Some critiques of the philosophy and use of mediation as a form of dispute resolution will be examined. Specific models and applications of community dispute resolution will be considered, including mediation with neighbourhoods, families, workplaces and organisations. The concept and operation of peer mediation programs will be explored, particularly within schools and prisons. Consideration will be given to issues and practices in managing multi-party and large-scale community disputes.

**77764****Environmental Dispute Resolution**

*6cp; 1 semester; {dr}; availability MDR, LLM, SJD, MLLP, MLS, GDLS; GCDR; CROSS; corequisite: 77735 or 79771 Dispute Resolution or demonstrated experience in the field*

This subject studies the use of dispute resolution in environmental disputes and the potential for developing dispute resolution processes in this area. It will also examine the application of dispute resolution processes to planning issues, and matters currently dealt with by the Land and Environment Court of NSW. In developing students' practical skills, the subject will explore strategies that may be used for dispute resolution in multi-party disputes, for policy development and where public interest groups are involved.

**77765****Court-based Dispute Resolution**

*6cp; 1 semester; {dr}; availability MDR, LLM, SJD, MLLP, MLS, GDLS; GCDR; CROSS; corequisite: 77735 or 79771 Dispute Resolution or demonstrated experience in the field*

This subject explores the incorporation of dispute resolution processes into the court system. It draws on programs in courts in Australia and overseas. It addresses the impact of dispute resolution on the formal state-provided dispute resolution system, and examines the interface of the formal and informal systems, and the effect of the informal system on society's norms and on the adversarial system of social control.



**77766****Economic Law of the People's Republic of China**

*6cp; 1 semester; {int}; availability LLM, SJD, MLLP*

This subject provides an in-depth understanding of China's modernisation program and its interpretation of 'economic law'. Topics include domestic economic contract law; foreign economic contract law; and the traditional Chinese concept of 'contract' versus communist Chinese ideology and pragmatism.

**77767****Tax Administration**

*6cp; 1 semester; {c}; availability TAX, LLM, SJD, MLLP*

Access to timely and relevant tax-related information is crucial to the ATO's attempts to correctly assess taxpayers and to taxpayers' attempts to resist assessments. The subject analyses critically the rationale for and structure of the current tax administration system, and then proceeds to a detailed analysis of the key strategic elements of that system including tax audits, self-assessment, objections and appeals, and collection and recovery of unpaid tax. Alternatives for reform are also examined.

**77768****Insurance Law**

*6cp; 1 semester; availability LLM, SJD, MLLP, MLS, GDLS; prerequisite: (MLS, GDLS) 77885 Legal Process and Legal Research*

The subject looks at both (1) the public regulatory regime governing the insurance industry and (2) the private law principles governing the relationship between insurer and insured, with emphasis on (2). Here key concepts pervading all types of insurance contracts will be studied, such as the duty of utmost good faith, insurable interest, indemnity, subrogation, risk, non-disclosure, misrepresentation, conditions, warranties, cancellation of cover, double insurance and premium. The role of documentation, such as the proposal form, the policy and the schedule, and the role of intermediaries, such as agents and brokers, will also be examined.

**77773****Planning and Development Law 2: Pollution Control Legislation**

*6cp; 1 semester; {c}; availability LLM, SJD, MLLP*

The subject looks at pollution control legislation in NSW and also deals with the relationship between that legislation and the *Environmental Planning and Assessment Act 1979* (NSW). Topics include the granting of development approvals and pollution control licences; the role of State and local government bodies; court remedies available for breaches of pollution legislation; and overlapping Commonwealth and State legislation.

**77774****Current Issues in Corporate Law**

*6cp; 1 semester; {c}; availability LLM, SJD, MLLP*

This is an advanced study of current developments and central issues in corporate law. Topics include issues in corporate governance and the Corporations Law Simplification Program.

**77778****Advanced Computerised Legal Research**

*6cp; 1 semester; availability LLM, SJD, MLLP*

This subject analyses existing CD-ROM, online and Internet resources; builds upon existing research skills and develops strategies for integrating computerised legal research; brings students up to date with recent developments in legal information retrieval and associated technologies; introduces students to specialised systems and products; and aims to enable students to critically evaluate computerised applications to law.

**77780****Research Paper (DR)**

*6cp; 1 semester; availability MDR*

Candidates in the MDR are required to complete either a Research Paper (DR) or Research Project (DR) as their final subject. The Research Paper (DR) requires the submission of a paper of approximately 8,000–10,000 words which researches an area of alternative dispute resolution. Prior to enrolment, students should consult the Faculty in order to have their topic approved and supervisors appointed by the Faculty's Graduate Studies Committee. All topics and supervisors must be finalised prior to the commencement of the relevant semester – by July for Spring semester



## 108 Subject descriptions

and by November for Autumn semester. The Research Paper (DR) is subject to rules approved by the Faculty Board. Copies of these rules are available from the Administrative Secretary (Postgraduate).

This subject **does not satisfy** the Faculty Board's requirements for the awarding of Honours in the MDR. Candidates for Honours in the MDR should enrol in 77781 Research Project (DR).

### 77781

#### Research Project (DR)

*12cp; 2 semesters; availability MDR*

Candidates in the MDR are required to complete either a Research Paper (DR) or Research Project (DR) as their final subject. The Research Project (DR) requires the submission of a paper of approximately 12,000–15,000 words which researches an area of alternative dispute resolution. Prior to enrolment, students should consult the Faculty in order to have their topic approved and supervisors appointed by the Faculty's Graduate Studies Committee. All topics and supervisors must be finalised prior to the commencement of the relevant semester – by July for Spring semester and by November for Autumn semester. The Research Project (DR) is subject to rules approved by the Faculty Board. Copies of these rules are available from the Administrative Secretary (Postgraduate). Candidates for Honours in the MDR need to complete this subject and attain an average mark of at least 75 per cent in their coursework subjects.

### 77783

#### International Commercial Dispute Resolution (S)

*6cp; 1 semester; {dr}{c}{int}; availability MDR, LLM, SJD, MLS, MLLP, GDLS, GCDR, CROSS, MITL, GCITL*

Topics covered include negotiation in international commercial disputes; cross-cultural commercial negotiations; transnational aspects of arbitration; arbitration as contract; statutory regulation of arbitration; international arbitration law; negotiating with Japan and a Middle Eastern country; the role of dispute resolution centres; arbitration institutions; and drafting and analysing arbitration agreements. A compulsory component of the subject is a three-day skills workshop.

**Note:** This subject **cannot** be taken if either 77751 International Commercial Arbitration or 77717 International Commercial Dispute Resolution has already been completed.

### 77784

#### International Business Law

*6cp; 1 semester; {int}; availability LLM, SJD, MLLP*

This unit examines aspects of the law of the international sale of goods; aspects of the legal environment of the conduct of business abroad; international economic institutions; Australia and its major trading partners; aspects of the anti-trust legislation and incentives to export; fiscal aspects of trade; the protection of Australian industry; foreign investment law; and the transnational corporation.

### 77785

#### Law of Futures and Derivatives

*6cp; 1 semester; {c}; availability LLM, SJD, MLLP*

The objective of this subject is to provide an overall appreciation and understanding of legal matters affecting futures and derivatives products and to a lesser extent the regulation of futures and derivatives. The importance of the use of futures and derivatives products to Australia's business community and the increasing complexity of such products indicate that all business people, whether lawyers or non-lawyers, should have a grasp of the relevant issues.

### 77789

#### Law of Managed Investments

*6cp; 1 semester; {c}; availability LLM, SJD, MLLP*

The objective of this subject is to provide an overall appreciation and understanding of legal matters affecting prescribed interests and collective investments and to a lesser extent the regulation of prescribed interests and collective investments. The importance of the use of prescribed interests and collective investments to Australia's business community and the increasing complexity of such products indicate that all business people, whether lawyers or non-lawyers, should have a grasp of the relevant issues.

### 77792

#### Crisis Negotiation

*6cp; 1 semester; {dr} {int}; availability LLM, SJD, MLLP, MDR, GCDR, MLS, GDLS, CROSS; corequisite: 77735 or 79771 Dispute Resolution or demonstrated experience in the field*

This subject concentrates on the micro-skills of negotiation at an advanced level. It is designed to give students an in-depth under-

standing of the skills and techniques used in crisis negotiation, and in dealing with a difficult party. Co-negotiation techniques are also taught with an emphasis on role-play exercises.

### 77793

#### Computer Law

*6cp; 1 semester; availability LLM, SJD, MLLP*

This course looks at the current law and its future development to deal with new forms of intellectual property related to computing and electronic data transmission. It looks at the need for management to consider risk management of computer projects. It also looks at the problems posed by computer abuse and fraud for the legal system. It particularly emphasises the importance of law to the development of the high technology and computer industries for the future, both in an international and a national context.

### 77794

#### International Environmental Law

*6cp; 1 semester; availability LLM, SJD, MLLP*

This subject introduces students to customary international law and international agreements relating to conservation and management of the environment. Particular areas that may be considered include climate change, conservation of biological diversity, marine pollution, heritage, sustainable development etc. The impact of international environmental law on domestic legal systems will be considered, including questions of territorial sovereignty.

### 77795

#### Building and Construction Law 2

*6cp; 1 semester; availability LLM, SJD, MLLP*

The topics covered include the rules of construction pertinent to building contracts, an examination of tenders, bills of quantities and types of building contracts, the legal relevance of a building site, a close examination of clauses specific to building contracts, the differences between sub-contracting and assignment of building work, elements of insurance law relevant to construction work, and a review of statutes of significance to builders.

### 77796

#### Taxation of Partnerships and Trusts

*6cp; 1 semester; availability LLM, SJD, MLLP*

This subject will provide a theoretical and practical overview of the taxation of partnerships and trusts and the taxation of partners and

beneficiaries in respect of their interests in those entities. The topics include the calculation of net income or losses of partnerships and trusts and the allocation of net income/losses to partners and net income to beneficiaries. The impact of variations in partnership and trust interests and the application of the capital gains tax provisions to dealings with these entities will also be considered.

### 77797

#### Building and Construction Law 1

*6cp; 1 semester; availability LLM, SJD, MLLP, MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent (CROSS, MLS, GDLS)*

The topics covered include a close examination of the provisions of the *Home Building Act 1989*, legal issues peculiar to builders and local authorities including rights of support, easements and elements of the law of negligence, types of building claims, aspects of the law of damages, and the effect of bankruptcy and liquidation in respect to building contracts.

### 77799

#### Advanced Comparative Law for Civil Lawyers

*6cp; 1 semester; availability LLM, SJD; prerequisite: undergraduate legal qualification from a country with a civil or dual civil and common law legal system*

This is an intensive subject which provides the bridge between the civil law and the common law. It is the compulsory introductory subject for lawyers from countries with civil or dual civil and common law legal systems attempting the LLM or SJD programs. It opens with tuition and practical exercises in the research skills and methodology of the common law. The topics covered by Advanced Comparative Law are: primary and secondary sources of the common law; the development of the common law; courts and lawyers; the spread and reception of the common law; law finding in the common law; contract law in the common law; public law and the common law; and business transactions in the common law.

### 77800

#### Research Project (LS)

*12cp; 2 semesters; availability MLS*

Candidates undertaking the Research Project must research and write a paper of approximately 12,000–15,000 words of a standard suitable for publication on a topic approved by the Faculty. In most cases the Research

## 110 Subject descriptions

Project will extend and develop research done in one or more of the MLS subjects already undertaken, but in appropriate circumstances a candidate may undertake a new topic. The Research Project is subject to rules approved by the Faculty Board; copies of the rules are available from the Administrative Secretary (Postgraduate).

### 77801

#### **International Trade Law (LS)**

*12cp; 1 semester; {c}{int}; availability MLS, GDLS, CROSS, MITL, GCITL; prerequisite: 77885 Legal Process and Legal Research or equivalent*

Topics include the sale of goods; representation overseas; finance; export credits and insurance; carriage of goods; arbitration and litigation; customs law; and international trade regulation.

### 77802

#### **International Economic Law (LS)**

*6cp; 1 semester; {c}{int}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

Designed to develop an understanding of the law governing the international economy and relations between participants in that economy. The concept of international economic law will be examined, and topics will include specific resource issues such as the common heritage; the deep sea bed; Antarctica; international legal regulation of investment, finance and trade; the institutions – IMF, GATT, IBRD; and the relationship between national and international economic law involving such concepts as extraterritoriality and sovereign immunity.

### 77803

#### **Current Problems of Public International Law (LS)**

*6cp; 1 semester; {int}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

Assists students to develop an advanced understanding of the subject, including topics such as recent developments; sources of public international law; dispute resolution; diplomatic immunity; the law of the sea; extradition and asylum; international protection and human rights; treaty practice and procedure; and the recognition of states and governments.

### 77804

#### **International Business Transactions (LS)**

*6cp; 1 semester; {c}{int}; availability MLS, GDLS, MITL, GCITL, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

After an introductory segment dealing with the international trading system including the expanded range of matters covered by GATT 1994, the subject is structured to give students an understanding of the law of international contracts for sale of goods at arm's length as well as contracts concerning trade through closer business relationships with foreign entities such as joint ventures. Other contractual relationships intertwined with the principal contract for international sale of goods and/or services such as contracts for international carriage of goods and payment mechanisms are covered. Government mechanisms for regulating international trade between 'private' traders such as the customs regime are discussed. A segment of the course is also devoted to international services trade.

### 77805

#### **Chinese Trade and Investment Law (LS)**

*6cp; 1 semester; {c}{int}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

An introduction to the trade and investment law of the People's Republic of China. Topics include the role of law in China; the law-making process and interpretation; legal aspects of China's foreign trade; legal aspects of foreign investment in China; contractual and equity joint ventures and wholly owned foreign enterprises; taxation of foreign interests; foreign exchange control; securities and futures; special Economic Zones; banking and finance; and dispute resolution.

### 77806

#### **Chinese Law and Legal Systems (LS)**

*6cp; 1 semester; {int}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject provides a background to further specialist study of contemporary Chinese law, including Chinese commercial law relating to foreign investment, and investigates Chinese communist legal styles, attitudes and structures, as well as traditional imperial Chinese legal attitudes and methods.

**77807****Economic Law of the People's Republic of China (LS)**

*6cp; 1 semester; {int}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject provides an in-depth understanding of China's modernisation program and its interpretation of 'economic law'. The topics studied include domestic economic contract law; foreign economic contract law; and the traditional Chinese concept of 'contract' versus communist Chinese ideology and pragmatism.

**77809****International Monetary Law (LS)**

*6cp; 1 semester; {c}{int}; availability MLS, GDLS, MITL, GCITL, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

The objective of this subject is to provide an overview of international monetary systems and the current legal issues in this area. Topics to be covered include, introduction to the international monetary system, the international monetary institutions, the European monetary system and current legal issues affecting international monetary systems.

**77811****Deceptive Trade Practices and Product Liability (LS)**

*12cp; 2 semesters; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

An advanced study of Parts V and VI of the *Trade Practices Act 1974* (Cwlth) (and analogous legislation). Topics covered include deceptive trade practices; remedies; unconscionable conduct; and the liability of suppliers, service providers and manufacturers. Emphasis is placed upon recent legal developments.

**77812****Restrictive Trade Practices (LS)**

*12cp; 2 semesters; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This is an advanced study of the law and recent developments in the area. Where relevant, a comparative analysis will be undertaken and the regulation of competition in the United States and the European Union will be studied. The subject will examine the constitutional basis for the *Trade Practices Act 1974* (Cwlth),

the recent developments to expand the applicability of the Act and the rationale for such regulation from both a lawyer's and an economist's perspective. The specific prohibitions which will be examined include misuse of market power, mergers, collusive conduct, exclusionary conduct, boycotts, exclusive dealing agreements and resale price maintenance. Current topics, including the deregulation of government business enterprises, will also be covered.

**77813****Corporate Insolvency and Restructuring (LS)**

*6cp; 1 semester; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

An advanced study of corporate insolvency law. Topics include the regulating structure; secured and unsecured creditors; reservations; liquidation; schemes of arrangement; official management; the role of directors; and foreign companies and foreign proceedings.

**77814****International Commercial Arbitration (LS)**

*6cp; 1 semester; {int}{c}{dr}; availability MLS, MITL, GCITL, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

Topics include ad hoc arbitrations; relevant legislation and international conventions; international institutional arbitration associations; scope, formal requirements and validity of agreement to arbitrate; drafting in regard to ICSID arbitrations; curial intervention; compulsory reference of an international commercial dispute to arbitration in Australia; drafting.

**77818****Franchising Law (LS)**

*6cp; 1 semester; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

Aims to acquaint students with the role of franchising in the economy, the strengths and weaknesses of franchising, and the relevant applicable law. Topics will include trade practices and franchising; intellectual property and franchising; dispute resolution between franchisor and franchisee; taxation and stamp duty considerations; and international franchising.

**77819**

**Copyright Law (LS)**

*12cp; 2 semesters; {ip}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

The principles of copyright, the development of case law, and the structure and ambit of the legislation will be covered. Students will be required to develop a detailed knowledge of the *Copyright Act 196* (Cwlth) and its associated Regulations, and to have a comprehensive knowledge of relevant case law.

**77820**

**Corporations, Finance and Securities (LS)**

*12cp; 2 semesters; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject considers a number of topics of current relevance to corporations law, securities law and corporate finance. The topics covered in the course include takeovers; share buy-backs; the federal company law regime; investigations and related topics; developments in directors' duties; an overview of the financial markets; securitisation; the securities industry; controls on public offerings; criminal and civil sanctions relevant to the securities industry; financial advisers; secured and unsecured finance; corporate and unincorporated joint ventures; leasing; subordination; use of commercial paper as a financing technique; syndication and participation; credit facilities; taxation issues in the context of finance law.

**77821**

**Banking Law (LS)**

*12cp; 2 semesters; {c}{int}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This is an advanced study of banking law concentrating on relations between the bank and its corporate customers. The topics covered include the regulatory framework within which banks operate, the relationship between the bank and the customer, and the activities of banks, including cheques, bills of exchange, foreign currency lending, and secured and unsecured lending.

**77822**

**International Banking and Finance Law (LS)**

*6cp; 1 semester; {c}{int}; availability MLS, GDLS, MITL, GCITL, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

An advanced study of monetary systems; monetary obligations; foreign money obligations; the problem of the governing law; sovereign risk; exchange control; covenants; default; and types of finance.

**77823**

**Advanced Corporate Insolvency and Restructuring (LS)**

*6cp; 1 semester; {c}; availability MLS, GDLS, CROSS; prerequisite: 77813 Corporate Insolvency and Restructuring*

An advanced study of insolvency law and related issues, with a particular emphasis on trends in, and styles of, formal and informal debt restructuring. Lectures will also analyse case studies to demonstrate the application of legal and commercial principles in a practical context.

**77824**

**European Union Law (LS)**

*6cp; 1 semester; {c}{int}; availability MLS, GDLS, MITL, GCITL, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

The topics which will be discussed in this subject include the activities of the European institutions; the political and economic origins of the EU and its institutional structures (with emphasis on the European Court of Justice); the interrelationship between EU law and the law of the 15 member States; and the free movement of goods, workers, capital and services. The subject will concentrate on the emerging transnational protection of social and economic rights and the jurisprudence of the European Court of Justice.

**77828**

**Private International Law (LS)**

*6cp; 1 semester; {int}; availability MLS, GDLS, MITL, GCITL, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

An advanced study of the principles of private international law as they operate within the Commonwealth of Australia and in relation to overseas countries, with emphasis on issues of current relevance, and with reference to American and European law. In particular,

current developments at the Hague Conference on Private International Law and in the European Union will be examined.

### 77830

#### Maritime Law (LS)

*12cp; 2 semesters; {c}{int}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject is divided into two main areas – admiralty law and the law pertaining to the carriage of goods by sea. In both cases, reference will be made to pertinent international conventions and their adoption (or otherwise) in Australia, as well as to current international deliberations. Within the first main group of topics, the areas of admiralty law studied include safety; registration, nationality and ownership of ships; sale and purchase of ships; securities (mortgages and maritime liens); admiralty jurisdiction; collisions and limitation of liability; salvage, towage and pilotage; and maritime employment. The second main group of topics examines the regulation of shipping conferences, and the rights and obligations of parties to contract for the carriage of goods by sea (carrier and shipper), with special reference to charter parties and bills of lading. The areas studied include anti-trust laws; the Hague; Hague–Visby and Hamburg Rules; seaworthiness and the duty to take care of cargo; and demurrage, general average, freight and marine insurance. Problems associated with inter-modal transport operations will also be discussed.

### 77832

#### Admiralty Law (LS)

*6cp; 1 semester; {int}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject gives students an appreciation of public and private international law aspects of maritime commerce and transportation, while ensuring a knowledge of the Australian law governing the relevant areas selected for study. Reference will be made to pertinent international conventions and their adoption (or otherwise) in Australia, as well as to current international deliberations. Topics to be studied include maritime safety; registration; nationality and ownership of ships; securities (mortgages and maritime liens); admiralty jurisdiction; collision and limitation of liability; salvage, towage and pilotage; and maritime employment.

### 77833

#### Carriage of Goods by Sea (LS)

*6cp; 1 semester; {int}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject examines the regulation of shipping conferences, and the rights and obligations of parties to contract for the carriage of goods by sea (carrier and shipper), with special reference to charter parties and bills of lading.

### 77834

#### Advanced Administrative Law (LS)

*6cp; 1 semester; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

Topics include major developments in the common law and in federal administrative law. Particular attention will be paid to developing forms of remedies, the alternative forms of review of administrative action through, e.g. the Ombudsman, and current issues and prospective developments. Administrative law is relevant to all forms of government activity, including regulation of trade and commerce.

### 77835

#### Planning and Development Law 1 (LS)

*6cp; 1 semester; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

Topics in this subject include government involvement in the planning and development process as developer and as intervener; executive discretions in the development process; individual participation in the planning process; review of decisions; a case study for the interaction between private rights and public interests; a case study for the interaction of planning law and environmental concerns; and recent developments.

### 77836

#### Planning and Development Law 2: Pollution Control Legislation (LS)

*6cp; 1 semester; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

The subject looks at pollution control legislation in NSW. Topics include the granting of development approvals and pollution control licences; the role of State and local government bodies; court remedies available for breaches of pollution legislation; and overlapping Commonwealth and State legislation.

**77837**

**Tax Procedures, Sales Tax and Stamp Duties (LS)**

*12cp; 2 semesters; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

The topics covered include the Commissioner's powers to obtain information; imputation of tax; administrative law and tax; tax avoidance; tax appeals and objections; sales tax; and stamp duties.

**77838**

**Capital Gains Tax (LS)**

*12cp; 2 semesters; {c}{t}; availability MLS, GDLS, TAX, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject involves an in-depth study of capital gains tax (CGT) including consideration of legislative amendments since the introduction of CGT. Most of the first semester will be spent covering the CGT fundamentals such as the meaning of assets, acquisition and disposal, cost base and consideration. The second semester will consider the application of CGT in special circumstances, such as for companies, trusts and partnerships as well as the international implications.

**77839**

**Superannuation Law (LS)**

*6cp; 1 semester; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

Provides an overall understanding of the taxation, legal and industry matters affecting superannuation. Specific topics covered include the history of superannuation; an overview of the current situation; trust deed issues; the legislative framework – ITAA, OSSA and regulations, and SGL; and the relationship of superannuation to topical issues such as insolvency, family law, administration companies and surplus.

**77840**

**Tax Administration (LS)**

*6cp; 1 semester; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

Access to timely and relevant tax-related information is crucial to the ATO's attempts to correctly assess taxpayers and to taxpayers' attempts to resist assessments. The subject

analyses critically the rationale for and structure of the current tax administration system, and then proceeds to a detailed analysis of the key strategic elements of that system including tax audits, self-assessment, objections and appeals, and collection and recovery of unpaid tax. Alternatives for reform are also examined.

**77850**

**Psychology and Dispute Resolution**

*6cp; 1 semester; availability LLM, SJD, MDR, GCDR, MLS, GDLS, CROSS; prerequisite: 77735 or 79771 Dispute Resolution*

The strategies used in this subject aim to give a firm understanding of the area and then to gradually develop key skills and abilities for effective handling of self and others in the dispute resolution process. To this end, students will be encouraged to use what is learnt in a wide range of experiential learning situations and to then explore how these skills and strategies can be used in their own particular situation, either business or personal.

**77852**

**Current Issues in Corporate Law (LS)**

*6cp; 1 semester; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This is an advanced study of current developments and central issues in corporate law. Topics covered will include issues in corporate governance and the Corporations Law Simplification Program.

**77853**

**Advanced Computerised Legal Research (LS)**

*6cp; 1 semester; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject analyses existing CD-ROM, online and Internet resources; builds upon existing research skills and develops strategies for integrating computerised legal research; brings students up to date with recent developments in legal information retrieval and associated technologies; introduces students to specialised systems and products, and aims to enable students to critically evaluate computerised applications to law.

**77855****Law of Futures and Derivatives (LS)**

*6cp; 1 semester; {c}; availability MSL, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

The object of this subject is to provide an overall appreciation and understanding of legal matters affecting futures and derivatives products and to a lesser extent the regulation of futures and derivatives. The importance of the use of futures and derivatives products to Australia's business community and the increasing complexity of such products indicate that all business people, whether lawyers or non-lawyers, should have a grasp of the relevant issues.

**77858****Law of Managed Investments (LS)**

*6cp; 1 semester; {c}; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

The objective of this subject is to provide an overall appreciation and understanding of legal matters affecting prescribed interests and collective investments and to a lesser extent the regulation of prescribed interests and collective investments. The importance of the use of prescribed interests and collective investments to Australia's business community and the increasing complexity of such products indicate that all business people, whether lawyers or non-lawyers, should have a grasp of the relevant issues.

**77859****Computer Law (LS)**

*6cp; 1 semester; availability MLS, GDLS, CROSS*

The course looks at the current law and its future development to deal with new forms of intellectual property related to computing and electronic data transmission. It looks at the need for management to consider risk management of computer projects. It also looks at the problems posed by computer abuse and fraud for the legal system. It particularly emphasises the importance of law to the development of the high technology and computer industries for the future both nationally and internationally.

**77860****International Environmental Law (LS)**

*6cp; 1 semester; availability MLS, GDLS, CROSS prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject introduces students to customary international law and international agreements relating to conservation and management of the environment. Particular areas that may be considered include climate change, conservation of biological diversity, marine pollution, heritage, sustainable development etc. The impact of international environmental law on domestic legal systems will be considered, including questions of territorial sovereignty.

**77861****Building and Construction Law 2 (LS)**

*6cp; 1 semester; availability MLS, GDLS, CROSS prerequisite: 77885 Legal Process and Legal Research or equivalent*

The topics covered in Building and Construction Law 2 include the rules of construction pertinent to building contracts, an examination of tenders, bills of quantities and types of building contracts, the legal relevance of a building site, a close examination of clauses specific to building contracts, the differences between sub-contracting and assignment of building work, elements of insurance law relevant to construction work, and a review of statutes of significance to builders.

**77865****Introduction to Taxation Law**

*6cp; 1 semester; availability MLS, GDLS, MBA, CROSS*

The subject provides an introduction to fundamental concepts and the basic structure of taxation in Australia. Emphasis is on the key concepts of income and deductions, and the subject explores practical application of these concepts to individuals, companies, trusts and partnerships. The subject also introduces specific regimes including CGT, FBT, and international taxation. Tax avoidance, administration and other current topics will also be addressed.



**77866**

**Taxation of Partnerships and Trusts (LS)**

*6cp; 1 semester; availability MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

This subject will provide a theoretical and practical overview of the taxation of partnerships and trusts and the taxation of partners and beneficiaries in respect of their interests in those entities. The topics include the calculation of net income or losses of partnerships and trusts and the allocation of net income/losses to partners and net income to beneficiaries. The impact of variations in partnership and trust interests and the application of the capital gains tax provisions to dealings with these entities will also be considered.

**77867**

**Workplace Dispute Resolution**

*6cp; 1 semester; availability LLM, SJD, MLS, GDLS, MDR, GCDR, MLLP, CROSS; corequisites: 79771 Dispute Resolution; 77735 Dispute Resolution*

The subject will explore the applications of dispute resolution theory and practical skills in the workplace. It will explore the causes of conflict within the workplace setting and the legislative requirements for dealing with workplace disputes. A range of dispute resolution processes will be studied to ascertain their relevance and the problems encountered in applying them to the various types of disputes that occur. It will also examine the impediments to changing the dispute resolution culture in the workplace. Students will be encouraged to develop dispute resolution models and design systems for implementation in both the public and private sectors.

**77868**

**Master's Qualifying Research Paper**

*6cp; 1 semester; availability GCDR; prerequisite minimum of 24 credit points of dispute resolution electives*

The Master's Qualifying Research Paper is open to candidates in the GCDR program who intend to transfer into the Master of Dispute Resolution. Candidates undertaking the Master's Qualifying Research Paper must research and write a paper of approximately 8,000 to 10,000 words, of a standard suitable for publication, on a topic approved by the Faculty. In most cases the Master's Qualifying Research Paper will extend and develop research attempted in 79771 Dispute Resolution.

All topics and supervisors must be finalised prior to the commencement of the relevant semester i.e. by July for enrolment in Spring Semester and by November for enrolment in Autumn Semester. The Master's Qualifying Research Paper is subject to rules approved by Faculty Board. Copies of the rules are available from the Postgraduate Administration Office.

**77869**

**Health Law 1**

*6cp; 1 semester; availability CROSS*

Health Care Law 1 deals in depth with the areas of law that interact with the practice and administration of health services. It aims to focus on the day-to-day legal issues that confront health care workers within their clinical areas of practice. The content of the course includes medical negligence, consent, legal capacity, documentation and issues relating to discreet areas of practice like midwifery, supervision, medical/surgical, community, mental health and intellectual disabilities.

**77870**

**Legal Process and History**

*10cp; 1 semester; availability MLLP, GDL*

This subject aims to introduce students to, and to provide students with, a sound working knowledge of the Australian legal and constitutional environment. The subject also aims to equip students with certain legal skills – in particular, the skills of case analysis, statutory interpretation, legal problem solving and critical analysis – which are essential to the study and practice of the law. Students will be asked to consider what is law, who makes law, and how and why the law has developed in the way that it has. They will also examine the institutions that make up our legal system – the legislature, the Crown and the executive, the courts and the 'legal players' (the judge, the jury and the legal practitioner) – and explore the principles and doctrines that underpin our legal system. Further, they will be asked to consider why our legal system is so different from that of some of our regional neighbours, and to evaluate the strengths and weaknesses of the common law legal system. Valuable insight into the way our legal system operates may be gained through using a historical approach, and this means delving back into English, as well as Australian, legal and constitutional history. Such an approach also facilitates refinement of critical analysis skills. At the end of the subject, students should have

a fully developed understanding of the Western legal tradition, the place of common law in that system, and the ramifications of living under a Westminster parliamentary system as well as a federal system.

#### Texts and references

Derham D, Maher K F & Waller L, *An Introduction to Law*, Law Book Company, 1991

Morris G et al, *Laying Down the Law*

Parkinson P, *Tradition and Change in Australian Law*

### 77871

#### Legal Research

4cp; 1 semester; availability MLLP, GDL

This subject aims to familiarise students with the basic tools available to engage in legal research. It includes an introduction to various paper-based resources (citations, digests etc.). Students are also introduced to the use of computerised systems as an aid to legal research. The emphasis is on Internet-based systems such as AustLII, Scale Plus and Butterworths Online. CD-ROM products are also briefly covered.

#### Texts

Watt R J, *Concise Legal Research*, Federation Press

### 77872

#### Law of Contract

8cp; 1 semester; availability MLLP, GDL;  
prerequisite: 77870 *Legal Process and History*;  
corequisites: 77873 *Criminal Law*; 77871 *Legal Research*

This subject deals with the legal principles related to when promises are binding, the difficulties arising out of their interpretation, how they may become defeasible, issues relating to their performance, and how they may be discharged. Topics covered include the formation of contracts (agreement, consideration, terms); vitiating factors (capacity, mistake, misrepresentation, illegality, duress, undue influence, unconscionability); discharge by performance and non-performance of contractual obligations (breach and frustration); and contractual remedies.

#### Texts and references

Carter J W & Harland D J, *Cases and Materials on Contract Law in Australia*, 3rd edn, Butterworths, 1998

Carter J W & Harland D J, *Contract Law in Australia*, 4th edn, Butterworths, 1997

Cheshire & Fifoot, *Law of Contract*, 7th Aust. edn, 1997

Greig D & Davis J, *The Law of Contract*, 1987, and Fifth Supplement, Law Book Company, 1993

Monahan, *Essential Contract Law*, Carslaw Publishing, 1997

### 77873

#### Criminal Law

6cp; 1 semester; availability MLLP, GDL;  
corequisites: 77870 *Legal Process and History*;  
77871 *Legal Research*

The subject deals with the substantive criminal law, the doctrines and rules that define the conditions of criminal liability and some aspects of the procedural law. Australian common law doctrine and the *Crimes Act 1900* (NSW) are considered. Topics include the nature of crime; the doctrine of *mens rea* and *actus reus*; presumption of innocence; offences against the person; property offences; strict liability; complicity; criminal defences; criminal investigation and procedure; and drug law.

#### Texts and references

*Crimes Act 1900* (NSW)

Fisse B (ed.), *Howard's Criminal Law*, 5th edn, Law Book Company, 1990

Gillies P, *Criminal Law*, 3rd edn, Law Book Company, 1993

Helipern D & Yeo S, *Cases on Criminal Law*, Law Book Company, 1995

Waller L & Williams C R, *Criminal Law: Text and Cases*, 8th edn, Butterworths

Brown D et al, *Criminal Law*, 2nd edn, Federation Press, 1996

### 77874

#### Law of Tort

8cp; 1 semester; availability MLLP, GDL;  
prerequisite: 77870 *Legal Process and History*;  
corequisites: 77871 *Legal Research*; 77873  
*Criminal Law*

This subject discusses the functions and aims of the tort. It then examines the nature of tortious liability in the light of a selection of specific torts, namely, trespass to the person, goods and land; the action on the case for wilful injuries; conversion; negligence; nuisance; and defamation. Reference is also made to defences, vicarious liability and contribution between tortfeasors. Attention is drawn to the relevance of the type of conduct complained

## 118 Subject descriptions

of (intentional, reckless, careless); the nature of the various interests protected (personal security, chattels, land, reputation, economic interests, domestic relations); the adaptability of tort law to changing needs and values of society (thus the introduction, dominance and current perceived limitations of the fault concept); and the element of policy expressed or implied in judicial decisions.

### Texts and references

Balkin R P & Davis J L R, *Law of Torts*, Butterworths, 1996

Fleming J G, *The Law of Torts*, 8th edn, Law Book Company

Trindade F & Cane P, *The Law of Torts in Australia*, 2nd edn, Oxford University Press

Gardiner D, *Outline of Torts*, Butterworths

Luntz H & Hambly A D, *Torts: Cases and Commentary*, 3rd edn, Butterworths, 1995

Morison W L & Sappideen C, *Torts, Commentary and Materials*, 8th edn, Law Book Company

## 77875

### Real Property

8cp; 1 semester; availability MLLP, GDL; prerequisite: 77872 Law of Contract; corequisite: 77874 Law of Tort

Topics covered include agreements for sale of land; time for completion; Torrens title and priorities; old system, possessory, qualified and limited title; fixtures; trespass to land; co-ownership; easements; covenants; mortgages; and leases.

### Texts and references

Butt, *Land Law*, 3rd edn, Law Book Company  
*Conveyancing Act 1919 (NSW)*

Land & Skapinker, *Sale of Land*, 3rd edn, Longmans

*Real Property Act 1900 (NSW)*

Sappideen C et al, *Cases and Materials on Real Property*, 3rd edn, Law Book Company

## 77876

### Personal Property

4cp; 1 semester; availability MLLP, GDL; prerequisite: 77872 Law of Contract; corequisite: 77874 Law of Tort

Topics covered include classifications of personal property, choses in action and choses in possession; acquisition of title to goods; law of bailment; insurance; securities interests in chattels; and law of negotiable instruments, with particular reference to cheques.

### Texts

Helmore B A, *Commercial Law and Personal Property in NSW*, 10th edn, by Carter J W et al, Law Book Company, 1992

## 77877

### Corporate Law

8cp; 1 semester; availability MLLP, GDL; corequisite: 77875 Real Property

The response of the law to the activities of business entities is dealt with in this subject. Although the emphasis is on corporations, there will be a brief discussion of the manner in which non-corporate entities including partnerships are regulated. The study of corporations law will include an overview of the historical developments, the current method of regulation and the proposals for reform.

### Texts and references

Ford H A J, Austin R P and Ramsay I M, *Principles of Corporations Law*, Butterworths, 1997

Redmond P, *Corporations Law - Cases and Materials*, Law Book Company, 1992

Tomasic R & Bottomley S, *Corporations Law in Australia*, Federation Press, 1995

## 77878

### Equity and Trusts

8cp; 1 semester; availability MLLP, GDL; prerequisite: 77875 Real Property; corequisite: 77877 Corporate Law

Equity is a body of rules or principles which forms an appendage to the general rules of the common law. The doctrines of equity developed as a response to defects in the English common law system which had resulted in rigidity and inflexibility. A knowledge of the principles of equity is therefore crucial to a complete understanding of the law in those areas of private law, particularly property and contract, where equity intervened to modify the operation of the rules of the common law. In that sense the doctrines of equity form part of the law of contract or property. Equity also developed remedies, such as the injunction, which were unknown to the common law and which have a continuing influence in public law as well as private law.

### Texts and references

Chalmers D, *Introduction to Trusts*, Law Book Company, 1988

Evans M B, *Outline of Equity and Trusts*, Butterworths, 1988

Ford H A J & Lee W A, *Principles of the Law of Trusts*, 2nd edn, Law Book Company, 1990

Heydon J D, Gummow W M C & Austin R P, *Cases and Materials on Equity and Trusts*, 3rd edn, Butterworths, 1989

Meagher R P & Gummow W M, *Jacobs' Law of Trusts in Australia*, 5th edn, Butterworths, 1986

Meagher R P, Gummow W M C & Lehane J R F, *Equity: Doctrines and Remedies*, 3rd edn, Butterworths, 1992

## 77879

### Federal Constitutional Law

8cp; 1 semester; availability MLLP, GDL; prerequisites: 77870 Legal Process and History; 77871 Legal Research; corequisite: 77872 Law of Contract

This subject examines the effect of the Australian Constitution on the legal and fiscal relationship of the Commonwealth and States. In order that students develop an understanding of the techniques of judicial review in the constitutional context, a range of powers given to the Commonwealth is examined. These include trade and commerce, corporations, taxation and external affairs. Other areas examined are explicit and implicit restrictions of power, the questions of inconsistency and intergovernmental relations. The general role of the High Court in Australian constitutional law is considered along with the Separation of Powers Doctrine as it relates to the independence of the judiciary.

#### Texts and references

Booker K, Glass A & Watt R, *An Introduction to Australian Federal Constitutional Law*, Butterworths, 1994

Blackshield T, Williams G & Fitzgerald B, *Australian Constitutional Law Theory: Commentary and Materials*, Federation Press, 1996

## 77880

### Administrative Law

8cp; 1 semester; availability MLLP, GDL; prerequisite: 77879 Federal Constitutional Law

This subject deals with the supervision of the executive arm of government by the courts and by other statutory mechanisms. Topics include the grounds of review of administrative decisions, in particular natural justice; *ultra vires*; jurisdictional error and error of law; remedies available at common law upon judicial review, including the prerogative writs and equitable remedies; judicial review under

the *Administrative Decision (Judicial Review) Act 1976* (Cwlth); a review of Commonwealth decisions under the *Administrative Appeals Tribunal Act 1976* (Cwlth); and the role and function of the Ombudsman. If time permits, freedom of information and privacy legislation will also be touched upon, and the role of the Independent Commission Against Corruption (ICAC).

#### Texts and references

Sykes E L et al, *General Principles of Administrative Law*, 4th edn, Butterworths, 1997

Allars M, *Australian Administrative Law: Cases and Materials*, Butterworths, 1997

Douglas R & Jones M, *Administrative Law: Commentary and Materials*, 2nd edn, Federation Press, 1996

Ellis-Jones I, *Essential Administrative Law*, Cavendish, 1997

## 77881

### Practice and Procedure

4cp; 1 semester; availability MLLP, GDL; corequisite: 77878 Equity and Trusts

Practice and Procedure is a core subject that develops the students' understanding of the process of litigation from the commencement of proceedings through to the final hearings. Topics include statements of claim in contracts and torts; defence, cross-claims and replies; equitable proceedings; particulars; discovery, inspection and interrogatories; notice of motion; drafting affidavits; subpoenas; and advocacy skills.

## 77882

### Law of Evidence

6cp; 1 semester; availability MLLP, GDL; prerequisite: 77878 Equity and Trusts

This subject deals with adjectival law and the determination of how information may be presented to the court in litigation, when such information will be admissible in evidence, and how the rules of proof are applied. The inclusionary rule of relevance, the various exclusionary rules (such as hearsay, opinion, tendency, coincidence, credibility, character, privilege), and the judicial discretion to exclude will be studied, as well as the incidence of the burden of proof.

#### Texts and references

Aronson M et al, *Litigation: Evidence and Procedure*, 6th edn, Butterworths, 1998

## 120 Subject descriptions

Australian Law Reform Commission, Evidence, *ALRC Reports Nos 26* (Interim, two vols, 1985) and 38 (1987)

Brown R, *Documentary Evidence in Australia*, 2nd edn, Law Book Company, 1996

Buzzard J H, May R & Howard M N, *Phipson on Evidence*, 14th edn, Sweet & Maxwell, 1990

Byrne D & Heydon J D, *Cross on Evidence*, 5th Aust. edn, Butterworths, 1996

Byrne D & Heydon J D, *Cross on Evidence*, loose-leaf, Butterworths

Campbell E & Waller L, *Well and Truly Tried: Essays on Evidence*, Law Book Company, 1982

Forbes J R S, *Similar Facts*, Law Book Company, 1987

Gillies P, *Law of Evidence in Australia*, 2nd edn, Legal Books, 1991

Glass H H (ed.), *Seminars on Evidence*, Law Book Company, 1975

Heydon J D, *A Guide to the Evidence Act 1995 (Cwlth) and (NSW)*, 2nd edn, Butterworths, 1997

Ligertwood A, *Australian Evidence*, 2nd edn, Butterworths, 1993

Ligertwood A, *Australian Evidence: Cases and Materials*, Butterworths, 1995

McNicol R, *Law of Privilege*, Law Book Company, 1992

Ogders S, *Uniform Evidence Law*, 2nd edn, Federation Press, 1997

Waight P K & Williams C R, *Evidence: Commentary and Materials*, 5th edn, Law Book Company, 1998

Wellman F, *The Art of Cross-Examination*, 4th edn, Collier Books, 1936

Wells W A N, *Evidence and Advocacy*, Butterworths, 1988

Wigmore J H, *Evidence in Trials at Common Law*, Boston, 1961

Zariski A (ed.), *Evidence and Procedure in a Federation*, Law Book Company, 1993

### 77883

#### Remedies

6cp; 1 semester; availability MLLP, GDL; corequisite: 77878 Equity and Trusts

This subject deals with the range of court-ordered remedies available to a plaintiff in civil proceedings. The more common remedies are those administered at either common law or in equity: damages; equitable remedies (declarations, specific performance, injunctions, Anton Pillar orders, account, equitable

damages); and statutory and common law remedies for deceptive conduct. Bankruptcy and insolvency will also be considered.

#### Texts and references

Covell W & Lupton K, *Principles of Remedies*, Butterworths, 1995

Tilbury M J, *Civil Remedies*, Vols I & II, Butterworths, 1990 and 1993

Noone M & Kercher B, *Remedies: Commentary and Materials*, 2nd edn, Law Book Company, 1993

### 77885

#### Legal Process and Legal Research

6cp; 1 semester; availability MLS, GDLS, Tax, MITL (non-law graduates), GCITL (non-law graduates), MIP, GDTMLP, Supply

This subject is the compulsory introductory subject in the Graduate Diploma and Master of Legal Studies programs. It is designed to give candidates from non-legal backgrounds a grounding in the principles of legal processes. It deals with the nature of law, the sources of law and the system of law governing NSW as part of the Commonwealth of Australia. Students are instructed in case analysis, the doctrine of precedent, statutory interpretation and legal reasoning, and given legal research skills. It also introduces substantive principles in torts, crime, property, contracts, consumer protection and commercial concepts.

### 77886

#### Regulation and Competition Law

6cp; 1 semester; availability MBA, MLS, GDLS, Supply

This subject provides a foundation for the understanding and evaluation of the manner in which telecommunications is regulated. It includes an examination of the history of the industry, the deregulation of the industry, the current regulatory regime as well as a comparative analysis on regulation of such services in other jurisdictions. Current topics such as bundling of monopoly services and the market for sports are explored.

### 77887

#### Legal Issues in E-Commerce

6cp; 1 semester; availability MBA, MLS, GDLS, Cross

This subject introduces the student to the legal issues surrounding new forms of commerce that have emerged as a result of new communications technologies. The subject focuses

on the challenges to current legal doctrines and categories flowing from the phenomenal spread of digital technologies and electronic commerce, in particular, laws and policies surrounding regulation of communications, intellectual property, the law of contract and tort. The subject aims to provide both an insight into the challenges facing the legal system as well as a practical guide for those wishing to do business electronically.

## 77888

### Legal Regulation of the Environment

*6cp; 1 semester; availability MBA, MLS, GDLS, Supply*

This subject examines the current state of environmental regulation in Australia, focusing on NSW. It looks at the obligations and opportunities for industry pursuant to their environmental responsibility and considers the alternatives to regulation, in terms of the application of economic instruments. It particularly emphasises ways in which new industries can develop within the context of environmental regulation.

## 77889

### Trade Mark Law and Practice 1

*6cp; 1 semester; availability LLM, SJD, MLLP, GDLS, MLS, MIP, GDTML, CROSS*

An understanding of the principles of trade marks and the trade mark system in Australia. Topics include: passing off and unfair competition; advice on registrability; comparison of business names and trade marks; marks excluded from registration; other provisions for trade indicia protection; criteria that affect registrability; ownership – authorship of trade marks; use; and protection.

## 77890

### Trade Mark Law and Practice 2

*6cp; 1 semester; availability LLM, SJD, MLLP, GDLS, MLS, MIP, GDTML, CROSS*

Ability to advise and to handle the interests of a client in prosecution and maintenance of trade mark applications, including advice on the desirability of seeking trade mark protection and provision of alternative protection in Australia and other countries. Topics include: classification systems; searching; types of application and registration; Trade Marks Office practice and procedure; removal for non-use; rectification; registration of security interests; border controls; exploitation; misuse and criminal sanctions; and international issues.

## 77891

### Patent System

*6cp; 1 semester; availability LLM, SJD, MLLP, GDLS, MLS, MIP, GDTML, CROSS*

Ability to handle the interests of a client in prosecution and maintenance of a patent application, including advice on the desirability of seeking patent protection and provision of alternative protection in Australia and other countries. Topics include: types of application; Patent Office practice; amendment; opposition; re-examination; maintenance; extension of term; extension of time; revocation; treaties and conventions; searching; assignment; licensing; compulsory licenses; Crown use; restrictions on exploitation; circuit layout legislation and practice; plant protection legislation and practice; patentability in other countries (particularly with reference to NZ, USA, EU, PRC, Japan); and petty patents.

## 77892

### Professional Conduct (IP)

*6cp; 1 semester; availability LLM, SJD, MLLP, GDLS, MLS, MIP, GDTML, CROSS*

An understanding of the rights, privileges and responsibilities of a patent or trade mark attorney. Topics include: conflict of interest; privilege; confidentiality; professional liability and negligence; code of conduct; maintenance of rights and monitoring systems; and fiduciary obligations to clients.

## 77893

### Design Law and Practice

*6cp; 1 semester; availability LLM, SJD, MLLP, GDLS, MLS, MIP, GDTML, CROSS*

Ability to advise and to handle the interests of a client in prosecution and maintenance of a design application, including advice on the desirability of seeking design protection and provision of alternative protection in Australia and overseas. Topics include: registrability; newness; registration procedure; maintenance; office practice; third party objection; infringement; expunction; copyright; and international aspects of design practice.

## 77894

### Drafting of Specifications

*6cp; 1 semester; availability LLM, SJD, MLLP, GDLS, MLS, MIP, GDTML, CROSS*

Ability to obtain relevant information about an invention and from that, given the prior art, draft a specification to accompany a provisional

## 122 Subject descriptions

application, a standard complete application, an international application and a petty patent application.

### 77895

#### Validity and Infringement of Specifications

*6cp; 1 semester; availability LLM, SJD, MLLP, GDLS, MLS, MIP, GDTML, CROSS*

Ability to express an understanding of a patent specification and what it covers for the purpose of advising on infringement, validity over given prior art, s.40 of the Act and other grounds of revocation and amendment.

### 77896

#### Patent Law

*6cp; 1 semester; availability LLM, SJD, MLLP, GDLS, MLS, MIP, GDTML, CROSS*

An understanding of the principles of patents and the patent system in Australia. Topics include: subject matter; s.40 (specifications); infringement; inventorship; ownership; and breach of confidence.

### 77897

#### Advanced Legal Problem Solving

*6cp; 1 semester; availability SJD, LLM, MLLP*

This subject provides an overview of, and instruction in the professional context of legal problem solving and a framework for critical reflection on legal practice drawing on the extensive international literature on the legal profession and legal education as a discipline in its own right. The subject seeks to develop expertise in legal analysis.

### 79701

#### Stamp Duties

*6cp; 1 semester; {c}; availability CROSS, SJD, LLM, MLS, GDLS, TAX; prerequisite: 77885 Legal Process and Legal Research or equivalent (MLS, GDLS, TAX, CROSS)*

This unit gives a general overview of stamp duty, the means by which stamp duty is imposed, and the major instruments and transactions that are subject to duty and most frequently encountered in daily practice. Topics to be covered include imposition and territorial nexus; assessment of duty and consequences of non-stamping; conveyances; trusts; Clayton's contracts; goods, wares and merchandise exemption; land-owning companies and trusts; leases; hiring arrangements; loan securities; insurance; and financial institutions duty.

### 79702

#### Land Tax and Payroll Tax

*6cp; 1 semester; {c}; availability CROSS, SJD, LLM, MLS, GDLS, TAX; prerequisite: 77885 Legal Process and Legal Research or equivalent (MLS, GDLS, TAX, CROSS)*

This subject is divided into two components. The first component, land tax, canvasses basic principles and more complex legal issues, including general liability, practical aspects and administration and special matters, such as jointly owned land, 'special trusts'. The second component explores complex taxation issues in relation to payroll tax, including issues of general liability; group employers; practical aspects and administration and other special matters such as relevant contracts; and tax concessions.

### 79703

#### Legal Aspects of Contracts Administration

*6cp; 1 semester; availability CROSS, MLS, GDLS*

This subject aims to provide participants with an appreciation of the legal issues that affect the complex contractual arrangements that are a feature of the purchasing and materials management function.

### 79706

#### Customs Duties/Levies

*6cp; 1 semester; availability CROSS, SJD, LLM, MLS, GDLS, TAX; prerequisite: 77885 Legal Process and Legal Research or equivalent (MLS, GDLS, TAX, CROSS)*

This unit covers a wide range of substantive customs commercial laws, which have a significant role in the conduct of trade between nations. The international focus of this subject is designed to meet the requirements of students practising either in Australia or overseas. It affords an insight into the application of customs commercial controls, through a consideration of the underlying principles. The emphasis in the subject is directed to the relevant public international law, which is at the root of customs administration. The practical application of anti-dumping and countervailing measures through Australian domestic laws will be referred to by way of example. A similar approach is also adopted when considering the questions of the valuation of imported goods, the application of the harmonised commodity classification system, and concessional entry including a consideration of preference and origin rules.



There is also a discussion of the electronic information systems, the customs audit process and appeal provisions. Reference is made to a number of other matters of relevance to the collection of duties and to the import and export of goods. The subject is interdisciplinary and will involve the discussion and practical application of economic, accounting and legal concepts in the analysis of international trade.

## 79707

### International Taxation 2

*6cp; 1 semester; availability TAX, MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

International tax planning is one of the key elements in any strategy of expansion. The appropriate tax advice will help avoid pitfalls. This subject will cover issues such as: the tax treatment of non-residents – industry provisions, royalties, sales in Australia by overseas manufacturers and merchants, ex-Australian profits; withholding tax – interpretative provisions, deemed interest, exclusions, recoupment and anti-avoidance legislation, dividends and interest and international tax avoidance; transfer pricing – anti-avoidance legislation, key elements of Division 13, and administrative provisions; among others.

## 79708

### Contemporary Business Law

*6cp, 1 semester; availability CROSS, MBA*

This subject provides students with an understanding of the legal system and a knowledge of a range of legal topics that are of practical relevance to managers. It provides timely information on recent developments in commercial contracts and trade practices legislation, consumer protection, environmental law, intellectual property, employment and anti-discrimination law.

**Note:** This subject cannot be taken if 77885 Legal Process and Legal Research or 72100 Legal Process has been completed.

## 79711

### Advanced Industrial Law

*6cp; 1 semester; availability SJD, LLM, MLS, GDLS, CROSS; prerequisite: 79731 Industrial Law (MLS, GDLS, CROSS)*

Develops an understanding of the legal regulation of the employer–employee relationship. Instils an awareness of solutions to problems in this field attempted by other legal systems,

and an understanding of current problems. Students develop skills in the preparation for, and presentation of, cases before industrial tribunals. Seeks to develop an understanding of our industrial arbitration system and the regulation of wages and working conditions under awards at both the federal and State levels.

## 79718

### Advanced Taxation

*6cp; 1 semester; availability LLM, SJD, TAX, MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent (MLS, GDLS, CROSS, TAX)*

This subject is concerned with taxation practice. It is not intended to be prescriptive, and variations will be made by the lecturer to cater for the interests of students and to take account of current developments in revenue law. Subjects covered include recent amendments and case law; fundamentals of tax planning; s.51(1); advanced problems; partnerships; trusts; taxation and stamp duty problems i estate management; company distributions, losses, superannuation and employee benefits; foreign source income and tax havens; alienation of income; legislative and judicial techniques to minimise tax avoidance; objections and appeals; and other revenue laws.

## 79731

### Industrial Law

*6cp; 1 semester; availability SJD, LLM, MLS, GDLS, CROSS*

Provides an understanding of the matters encompassed by industrial law. The common law and subsequent statute law relating to employer and employee are discussed, and an understanding of the legal regulation of the working conditions and pay of Australian employees at both the federal and State levels is developed. The parameters of industrial law, and the employer–employee relationship in both the individual and collective aspect, are analysed in depth.

## 79733

### Companies and Securities Law

*6cp; 1 semester; availability CROSS, MLS, GDLS*

Explores company law in depth in relation to cases, and provides current information on the field of corporate enterprise. Topics covered include national companies legislation in



## 124 Subject descriptions

Australia; ASC policy in practice; reform of company accounting standards; registration of company auditors and liquidators; new procedures for the registration of charges; promoters' contracts; extended duties of directors and executive officers; and special investigations.

### 79741

#### Marketing Legislation in Australia

*6cp; 1 semester; availability CROSS, MLS, GDLS*

This subject aims to acquaint the student with the major pieces of marketing legislation. Topics covered will include the major consumer legislation in Australia, including the *Trade Practices Act 1974* (Cwlth), *Fair Trading Act*, *Contracts Review Act*, *Consumer Claims Tribunal Act*, and *Door to Door Sales Act*; product liability in Australia; regulation of advertising; trade marks, passing off, copyright and patents; and privacy and credit laws.

### 79742

#### International Business Law

*6cp; 1 semester; availability CROSS, MLS, GDLS; prerequisite: basic knowledge of law*

This unit examines aspects of the law of the international sale of goods; aspects of the legal environment of the conduct of business abroad; international economic institutions; Australia and its major trading partners; aspects of the anti-trust legislation and incentives to export; fiscal aspects of trade; the protection of Australian industry; foreign investment law; and the transnational corporation.

### 79752

#### Employment Legislation

*6cp; 1 semester; availability SJD, LLM, MLS, GDLS, CROSS; prerequisite: 79731 Industrial Law*

This subject considers in detail the main aspects of Australian and NSW employment legislation, together with special legislation concerning leave with pay, workers' compensation, occupational health and safety, and anti-discrimination. A special component of this subject is the study of the legislation and common law affecting industrial disputes.

### 79753

#### Current Issues in Industrial Law

*6cp; 1 semester; availability SJD, LLM, MLS, GDLS, CROSS; prerequisite: 79731 Industrial Law*

This subject focuses on current developments and central issues in industrial relations law, and ensures that students are familiar with current knowledge and practice in the field. Topics include current legislative changes and proposed changes, common law development, and recent arbitration and judicial decisions.

### 79762

#### International Taxation 1

*6cp; 1 semester; availability TAX, MLS, GDLS, CROSS; prerequisite: 77885 Legal Process and Legal Research or equivalent*

A comprehensive explanation of the important issues within the international environment of business is provided. The subject will place emphasis on the more important taxation issues, and will respond to new issues as they arise.

### 79763

#### Contemporary Issues in Taxation

*6cp; 1 semester; availability TAX, MLS, GDLS, CROSS; prerequisite: 79718 Advanced Taxation*

This subject examines key current issues in taxation within the Australian environment. As emphasis is placed on important contemporary issues, the subject content and presentation may vary in order to respond to changes in legislation and practice.

### 79764

#### Taxation Project

*6cp; 1 semester; availability TAX*

Taxation Project is open to all candidates in the MTax program. Candidates undertaking the Taxation Project must research and write a Project of approximately 12,000 to 15,000 words, of a standard suitable for publication, on a topic approved by the Faculty. In most cases the Taxation Project will extend and develop research done in one or more of the MTax subjects already undertaken, but in appropriate circumstances a candidate may undertake a new topic. All topics and supervisors must be finalised prior to the commencement of the relevant semester i.e. by July for enrolment in Spring Semester and by

November for enrolment in Autumn Semester. The Taxation Project satisfies one of the requirements for the award of Honours in the MTax program. The Taxation Project is subject to rules approved by Faculty Board. Copies of the rules are available from the Postgraduate Administration Office.

### 79771

#### Dispute Resolution (S)

*6cp; 1 semester; availability GCDR, LLM, SJD, MLS, GDLS, CROSS*

An introduction to the theoretical and practical aspects of this newly developing area which is applicable to all professions, business and government. It is designed to give an overview of the mediation process, dispute prevention, dispute management and dispute systems. It will provide instruction in dispute system design. Dispute resolution theory is introduced together with the background to the mediation movement and negotiation theory, communication skills and critiques of ADR. A compulsory component of the course is a four-day mediation training workshop.

### 79781

#### Readings in International Business Law

*6cp; 1 semester; availability CROSS; prerequisite: 79742 International Business Law or demonstrated equivalent knowledge*

Formal lectures in selected areas may be required, as directed by the coordinating lecturer. This subject allows a degree of flexibility in programming for specialised needs of individual students.

### 79791

#### Business Law Project

*6cp; 1 semester; availability CROSS*

Students undertaking the Business Law Project will write and present a formal project on an aspect of the law relating to business. There will be no formal lectures. Students will select a topic in consultation with the Director of Postgraduate Programs and will be individually supervised.

### 79792

#### Taxation Paper

*6cp; 1 semester; availability TAX*

Taxation Paper is open to all candidates in the MTax program. Candidates undertaking the Taxation Paper must research and write a paper of approximately 8,000 to 10,000 words, of a standard suitable for publication, on a topic approved by the Faculty. In most cases the Taxation Paper will extend and develop research done in one or more of the MTax subjects already undertaken, but in appropriate circumstances a candidate may undertake a new topic. All topics and supervisors must be finalised prior to the commencement of the relevant semester i.e. by July for enrolment in Spring Semester and by November for enrolment in Autumn Semester. The Taxation Paper does not satisfy the Faculty's requirements for the award of Honours in the MTax program. The Taxation Paper is subject to rules approved by Faculty Board. Copies of the rules are available from the Postgraduate Administration Office.

### 79794

#### Legal Issues for Community Managers

*6cp; 1 semester; availability CROSS*

Topics to be covered include introduction to the legal system; constitutional aspects; the nature of legal rules; the legislative framework for actions against public or community managers (e.g. tort, contract); particular aspects of law relating to public employment; the employment of professionals; aspects of the law concerning legal forms available for community organisations; and the tax treatment and responsibilities of boards of managers and trustees.

---

**Note:** This subject cannot be taken if 79793 Law for Managers – Health or 79749 Law for Managers – Administration has been completed.

## UNDERGRADUATE CROSS-DISCIPLINARY SUBJECTS

The following subjects are offered in the Faculty of Law's Cross-disciplinary program. All units are of one semester's duration. The prerequisite for all law units offered in the Business degree is at least 79202 Business Law. Additional prerequisites for some advanced units are required. For units offered in the Nursing degree, the prerequisite is 79003 Health Care Law. Not all subjects are offered every semester, and not all subjects are offered on both the City and Kuring-gai campuses.

### 79001

#### Legal Issues and Disadvantaged Groups

*3cp; elective*

This unit aims to assist nurses working with disadvantaged groups to act as advocates for their clients, and to give them a sound understanding of the legal framework that supports and protects these groups in the community and hospitals. Particular reference will be made to mental health and anti-discrimination legislation.

### 79002

#### Legal Aspects of Human Reproduction and Child Protection

*3cp; elective*

This elective unit deals with some of society's most contentious topics and the attempt to introduce laws to deal with the dilemmas associated with them. Topics covered include abortion, surrogacy, *in vitro* fertilisation, euthanasia, child abuse and adoption legislation.

### 79003

#### Health Care Law

*3cp; core*

This subject has been designed for students in the Bachelor of Nursing program to understand the legal framework within which the nursing profession exists. Specifically the subject will focus on professional responsibilities, the concepts of negligence and issues relating to misconduct. Other areas to be covered include AIDS-related issues, drug laws, employment issues, mental health and euthanasia.

### 79102

#### Law and the Digital Economy

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Electronic Business sub-major and sub-major in Information Technology Law and sub-major in Business Law*

This subject introduces the student to the legal issues surrounding new forms of commerce that have emerged as a result of new communications technologies. The subject focuses on the challenges to current legal doctrines and categories flowing from the phenomenal spread to digital technologies and electronic commerce, in particular, laws and policies surrounding regulation of communications, intellectual property, and the law of contract and tort. The subject aims to provide both an insight into the challenges facing the legal system as well as a practical guide for those wishing to do business electronically.

### 79161

#### Introduction to Insolvency Law

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major*

The aim of this unit is to introduce students to the history of bankruptcy; the law and practice of bankruptcy; the purposes of bankruptcy legislation; and procedures to be followed. The unit also compares the roles of the trustee in bankruptcy with those of corporate liquidators and the broader issues of insolvency law.

### 79162

#### Corporate Insolvency and Administration

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major*

Topics covered in this unit include administration; proof of debts; mutual credit and set-off; secured creditors; property available to creditors; distribution and priority of debts; corporate insolvency (winding up); and voluntary administration.

### 79202

#### Business Law

*4cp; core*

This subject introduces students to the fundamental requirements of law in the contemporary business environment. Every aspect of business is now regulated by legislation and case law. All business decisions will naturally have a legal dimension to them and this may involve either a potential civil or

criminal liability. Law is a dynamic subject and is constantly changing, thus lifelong skills need to be attained, with a strong emphasis on efficient research. The content focuses on fundamental legal skills followed by solid business applications, such as contract, negligence, trade practices, the environment and others.

## 79211

### Law for Marketing Management

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major*

The aim of this unit is to provide students with a sound knowledge of the relevant federal and State laws which affect business decisions in the field of marketing and to provide them with an understanding of the complex laws regulating marketing activities. Topics include consumer protection; product liability; product safety and standards; intellectual property; the regulation of competition; and risk assessment and compliance strategies.

## 79264

### Securities Market Regulation

*6cp; 1 semester; prerequisites: 79202 Business Law; 79365 Company Law; availability Taxation Law sub-major, Business Law sub-major*

The objectives of this unit are to develop an understanding of the regulatory legal and financial nature of securities markets including the process of regulation and the various players involved, and an understanding of the different theoretical frameworks within which regulations can be analysed. Topics include the process of regulation; the role of the legal regulators; the role of ethics upon the market; regulatory theories; market manipulation; insider trading; takeovers; information disclosure; and creative accounting.

## 79270

### Industrial and Labour Law

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major, Employment Relations sub-major*

The aim of this unit is to provide students with an awareness and understanding of the legal background to employer–employee relations and the industrial system as it operates, and is changing, within Australia. Topics include industrial tribunals; awards; industrial action; trade unions and employer organisations; collective bargaining; and workers' compensation.

## 79365

### Company Law

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Accounting major, Business Law sub-major*

This unit is designed to provide students with a sound understanding of fundamental aspects of company law as it applies to the modern business corporation. Topics include incorporation; corporate constitution; promotion and pre-incorporation; company membership; duties of controlling shareholders; the raising of equity and debt; companies in difficulty; accounts and audit; reorganisation; takeovers; and investigations.

## 79366

### Banking Law

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major, Banking major*

This unit aims to provide students with an understanding of the manner in which banking institutions are regulated, dealing with the changes following the deregulation of banking. Topics include a historical introduction to the law relating to banking; the statutory regulation of banking; the banker–customer relationship; negotiable instruments; and the provision of loans and other banking facilities.

## 79370

### Law and Contracts

*3cp; 1 semester; prerequisite: 48074 Engineering Communication and Documentation; availability Bachelor of Technology*

This unit aims to familiarise the student with the Australian legal framework, the sources of commercial engineering law in Australia and the responsibilities of engineers in an industrial environment, and to prepare the student for the procedures and processes of operating and negotiating contractual matters as a client, consultant or contractor. Topics include an introduction to Australian law; elements of engineering contracting including the contract life cycle; contract organisation; application of quality assurance; occupational safety and security; environmental protection; product liability; intellectual property; and principles of employment contracts.

**79371****Legal Issues in Communications**

*6cp; 1 semester; availability Bachelor of Engineering in Telecommunications Engineering*

This unit introduces students to the legal context of telecommunications and information technology in Australia and internationally, and develops students' understanding of the interplay between technical, commercial and legal aspects of introducing a new product or service, and in particular how the regulatory structure shapes market opportunities. Topics to be covered include contract law; product liability; professional liability; intellectual property law; patents; privacy; and consumer rights.

**79403****Law and the Manager**

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major*

This unit attempts to apply a selective number of legal topics to areas of interest to both public and private sector managers and aims to highlight a range of legal situations that directly affect managers. Topics covered include employment law; decision making and the legal consequences of decisions; administrative law; alternative dispute resolution; and intellectual property, computers and the law.

**79404****Law for Third Sector Managers**

*6cp; 1 semester*

This subject is designed to provide a basic understanding of the many strands of law that affect community managers in their work. An introduction to the legal system will be followed by consideration of areas of contract, company, taxation, employment and tort law that are relevant to community managers.

**79411****Advanced Companies and Securities Law**

*6cp; 1 semester; prerequisites: 79202 Business Law; 79365 Company Law; availability Taxation Law sub-major, Business Law sub-major, Professional Accounting Practice sub-major*

As an advanced elective unit, the aim is to examine in depth certain selected topics, with an emphasis on the practical and comprehensive treatment of topical areas, and to develop an understanding of the operations of the

securities market and the Australian Securities Commission. Topics could include the following: the areas regulated by the *Corporations Law*; securities regulation; the broker-client relationship; the control of improper activities relating to takeovers; investigation and market manipulations; and the simplification reform program.

**79462****Revenue Law**

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Accounting major, Business Law sub-major*

This unit aims to develop students' conceptual and analytical skills and an appreciation of law as a strategic business tool. It concentrates on a study of the Australian income tax system including the *Income Tax Assessment Act*. Topics include the concepts of income and capital, assessable income, allowable deductions, capital gains tax, fringe benefits tax, tax accounting, trusts, partnerships and anti-avoidance.

**79502****Law and Finance**

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major*

In this unit, students are introduced to a number of relevant aspects of law relating to private sector financing, an area of law that has undergone dramatic changes over recent years, becoming more sophisticated, complex and diverse. Topics could include an evaluation of the different methods of secured and unsecured financing, liability for financial advice, taxation aspects of financing and financial restructuring.

**79603****International Business Law and Regulation**

*6cp; 1 semester; prerequisite: 79202 Business Law; availability International Business major, Business Law sub-major*

Students are introduced to those legal rules that most directly affect traders doing business where there is an international element involved. The unit focuses on matters relating to the formation of contracts in international business transactions, municipal and international regulation of such transactions, resolution of disputes with regard to contracts, and international tortious liability.

**79606****Advanced Revenue Law**

*6cp; 1 semester; prerequisites: 79202 Business Law; 79462 Revenue Law; availability Taxation Law sub-major, Professional Accounting Practice sub-major*

Advanced Revenue Law is an elective unit building on the principles developed in Revenue Law. The aim of the unit is to consider issues that are topical, controversial and important. Because of this, the content and style of the unit will change from year to year, reflecting developments and changed emphases. Topics could include capital gains tax, fringe benefits tax and salary packaging, taxation of retirement payments and superannuation funds, liability for professional negligence, tax ethics and tax agents.

**79659****Advanced Commercial Law**

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major*

Students are taught to develop a knowledge of business contractual obligations and their application to specific transactions. Topics include sale of goods; consumer protection; product liability; negligence; trusts; partnerships; agency; insurance; credit; negotiable instruments; and bankruptcy.

**79660****Environmental Law in Business**

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major, Societal and Corporate Issues in Accounting sub-major*

This subject examines environmental law issues as they relate to the business community. Topics covered include international environmental law; ESD; precautionary principle; natural resources management; pollution; waste management; liability of corporate officers; risk management; environmental audits; due diligence; taxes; and tradeable permits.

**79662****Business Bankruptcy**

*6cp; 1 semester; prerequisite: 79202 Business Law; availability Business Law sub-major*

This unit aims to provide students with an appreciation of the requirements for those appointed to act as receivers and managers and to alert students to alternatives to insolvency. Topics include how and why receivers are appointed, the role of trustees in bankruptcy, and aspects of personal and partnership bankruptcies.

**79666****International Aspects of Australian Taxation Law**

*6cp; 1 semester; prerequisites: 79202 Business Law; 79462 Revenue Law; availability Taxation Law sub-major, Professional Accounting Practice sub-major*

This unit focuses on the offshore aspects of taxation. Although topics would vary from time to time, they could include an analysis of the concept of residence and source of income, the taxation of offshore royalties, the operation of double tax arrangements, and international tax planning.

**79667****Indirect Taxation**

*6cp; 1 semester; prerequisites: 79202 Business Law; 79462 Revenue Law; availability Taxation Law sub-major, Small Business sub-major*

This unit will introduce students to the policy implications raised by direct taxes. It will analyse options for reform and overseas experience with indirect tax systems and examine the basic principles of current indirect taxes in Australia and their practical implications. The topics focus on areas such as payroll tax, sales tax, land tax and stamp duty.

**79991****Complex Forensic Cases (Law)**

*6cp; 1 semester*

Students will receive training in the preparation of reports and in the presentation of evidence in court. A substantial component of this subject is a moot court.

## SUBJECTS OFFERED BY OTHER FACULTIES

### 015110

#### Aboriginal Cultures and Philosophies

*BEd (Adult Ed)*

*8cp*

*subject coordinator: J Newman*

This subject will introduce participants to Aboriginal culture and social organisation as expressions of Aboriginal cosmology. Contemporary Aboriginal culture will be presented as an evolving response to colonialism and as an assertion of cultural empowerment.

### 015111

#### Issues in Aboriginal Education

*BEd (Adult Ed)*

*8cp; prerequisite: 015110 Aboriginal Cultures and Philosophies*

*subject coordinator: J Newman*

This subject provides opportunities for participants to develop a critical understanding of a range of issues concerning Aboriginal education. It explores the historical background and contemporary factors affecting Aboriginal education.

### 015112

#### Aboriginal Initiatives in Education: Towards Community Control

*BEd (Adult Ed)*

*8cp; prerequisite: 015111 Issues in Aboriginal Education*

*subject coordinator: J Newman*

This subject provides opportunities for participants to explore critically Aboriginal initiatives in education. The major thrust of this subject will be carried out by field visits and each participant will complete an extended internship.

### 015113

#### Teaching Aboriginal Studies

*BEd (Adult Ed)*

*8cp*

*subject coordinator: J Newman*

This subject provides an opportunity for students to become competent teachers of Aboriginal studies in a practical hands-on way. This subject will explore a number of ways of translating social content in learnable/teachable episodes.

### 015114

#### Aboriginal Studies

*BEd (Adult Ed)*

*4cp*

*subject coordinator: J Newman*

This subject will introduce students to Aboriginal culture and social organisation as expressions of Aboriginal cosmology. Contemporary Aboriginal culture will be presented as an evolving response to colonialism and as a reassertion of cultural empowerment.

### 015115

#### Introducing Aboriginal Cultures and Philosophies

*BEd (Adult Ed)*

*6cp*

*subject coordinator: J Newman*

This subject introduces students to Aboriginal culture and social organisation as expressions of Aboriginal cosmology. Contemporary Aboriginal cultures will be presented as an evolving response to colonialism and as a reassertion of cultural empowerment.

### 21125

#### International Business Environment

*Undergraduate*

*4cp*

Introduces some key elements of the vibrant business environment that Australia faces in the coming decades. A review of recent developments in Australia and the Asia-Pacific region is followed by a more detailed examination of major international players in the region, their business philosophies and practices, and the implications these issues have for Australian business and government organisations wishing to succeed in the region. The development of competitive advantage, through understanding the business environment in the Pacific Rim, and developing skills in gathering business information, provide important focal points of the course.

### 21130

#### Management and Organisations

*Undergraduate*

*4cp*

Introduces students to the concept of management and the different theoretical approaches to understanding management and organisations. Examines individual and group behaviour in organisational contexts. Examines and discusses organisational issues and processes, including culture leadership, power

and control, politics, communication, and the fundamentals of organisational structure and design. Develops skills in researching literature in the field of management and organisation studies.

## 21609

### Business Strategy

*Undergraduate*

*4cp; prerequisites: completion of at least 36cp of a major*

Offers 'virtual experience' in the creation and application of business strategy. It is the discipline that unites and gives purposeful expression to all the skills and knowledge previously acquired. A small number of lectures and video-tutorials give background to the subject, and prepare students for a business strategy simulation. The simulation is the major component of the subject and consumes the most student time. Students work in competing teams under time pressure and with imperfect knowledge to make strategic business decisions. Important learning comes from both the need to make the team function well to achieve results which count for marks, and the requirement to bring together and integrate diverse disciplines.

## 22105

### Accounting A

*Undergraduate*

*4cp*

Introduces accounting as an information system designed to enhance decision making, accountability and control within organisations and the marketplace. Covers three broad areas: (a) the nature of accounting and its relationships to financial and products markets, and the use of accounting information in external and some internal decision contexts of the organisation; (b) the accounting process, double entry bookkeeping, definition of the elements of financial statements, preparation of financial statements; and (c) the use of computer software packages in the analysis and presentation of accounting information, and as an aid to decision making.

## 22205

### Accounting B

*Undergraduate*

*4cp; prerequisite: 22105 Accounting A*

Equips students with appropriate skill in the accounting techniques necessary to participate in a managerial capacity in the analysis of accounting information as it is used to facilitate

decision making. Ethical implications of decisions will be considered throughout the subject.

Covers areas in both financial and management accounting, including the preparation of accounting reports for companies and partnerships; the development of relevant cost concepts used in costing systems that also facilitate product- and activity-based costing; and the use of this information in performance evaluation. Spreadsheets will be used extensively.

## 22730

### Assurance for Business Systems and Information

*Postgraduate*

*6cp*

Addresses the provision of assurance and auditing services for internal and external auditing. Sets out the professional and legal expectations and responsibilities of assurance services and financial statement audits. Deals with the control framework in accounting information systems for the ensuring of security of information and other assets and the integrity of these systems. These controls are evaluated from the perspective that they permeate the entire organisation and are pervasive and inherent in the management of a business. Issues considered include, COSO and COBIT, the nature and purpose of control, its design and operation and management. Application control framework, safeguarding assets and data integrity, cryptography and encryption, electronic business environment (EDI systems), and business continuity planning and disaster recovery plans. Provides students with competencies in audit methodology of risk and control evaluation, evidence collection and evaluation in various accounting information systems environments including enterprise resource programming (ERP) systems such as SAP. Develops and expands these competencies into providing assurance services on information other than financial information. Accredited by the accounting professional bodies.

## 22751

### Corporate Accounting Issues

*Postgraduate*

*6cp*

Examines the issues surrounding the provision of corporate reports to external users. Topics considered include the role of a conceptual framework of financial reporting, the role of



## 132 Subject descriptions

financial reporting in promoting the efficient allocation of scarce resources, corporate social responsibility in accounting, and the 'public interest' role of accountants.

### 22760

#### Applied Research Skills in Accounting

*Postgraduate*

*6cp; prerequisites: Semesters 1 to 3 of the Master of Business*

Provides a basis for the knowledge required to understand and use research methods and techniques. Areas of study include research methods, observational studies, data analytic techniques and computer-based statistical packages, which include experimental and case studies.

### 22810

#### Accounting Module 1

*Postgraduate*

*6cp*

Provides a basic introduction to the preparation and presentation of accounts and is one of the Professional Year subjects of The Institute of Chartered Accountants in Australia. Topics include the conceptual framework for statements of account; the role and interaction of regulatory bodies and their impact on financial reporting; documentation and recording of transactions within the historical cost model; financial statement preparation and presentation; accounting for economic entities and extended structures; accounting for partnerships, trusts, and superannuation plans; accounting for financial instruments; and areas of Corporations Law that impact upon the preparation and presentation of financial statements.

### 22812

#### Accounting Module 2

*Postgraduate*

*6cp; prerequisite: 22810 Accounting Module 1*

Provides a basic introduction to business finance, management accounting, and the professional and technical aspects of auditing, and is one of the Professional Year subjects of The Institute of Chartered Accountants in Australia.

### 24105

#### Marketing Principles

*Undergraduate*

*4cp*

Covers the basic principles of marketing. Develops an understanding of the overall processes of marketing planning, implementation and control in the contemporary international environment, as well as a basic understanding of marketing information systems, market research and marketing ethics, market segmentation, buyer behaviour, product development and the development of product, distribution, promotion and pricing strategies for both goods and services domestically and internationally.

### 25110

#### Microeconomics

*Undergraduate*

*4cp*

Develops an understanding of microeconomic theory as a basis for further business-related studies; an ability to analyse microeconomic issues; and a capacity to explain and predict microeconomic consequences of economic activities. Basic demand and supply theory; elasticity of demand and supply; simple applications of partial equilibrium; short-run and long-run cost theory; market behaviour including perfect competition; resource market theory; market failure; and income distribution.

### 25209

#### Macroeconomics

*Undergraduate*

*4cp; prerequisite: 25110 Microeconomics*

Introduces the basic tools and framework of macroeconomics. Examines the demand for goods and services, the assets market, foreign exchange market and the supply sector, and introduces dynamics. Develops a very general framework within which a large number of competing theories can be analysed.

### 25308

#### Financial Markets

*Undergraduate*

*4cp; corequisite: 26122 Quantitative Methods for Business*

Provides an understanding of the functioning of Australia's financial system and its relationship to global financial markets. Introduces students to the principles of intermediation

and professional financial markets; the forces that influence interest and exchange rates; the roles of the Reserve Bank; and the instruments (futures, forwards, options and swaps) that can be used for financial risk management purposes.

## 25314

### Business Finance

*Undergraduate*

*4cp; prerequisites: 26122 Quantitative Methods for Business; 22105 Accounting A; 25110 Microeconomics; corequisite: 25308 Financial Markets*

Financial mismanagement is a leading reason for business failure. Many firms invest in business ventures at prices that are not justified and then borrow huge amounts of money to finance the venture only to find that they cannot pay the interest. It is therefore critical that all business students understand, and can use, a set of analytical tools to make sound financial decisions.

Equips students with the necessary skills and knowledge to make sensible financial decisions. Reviews the traditional approaches to investment and financing decisions.

## 26122

### Quantitative Methods for Business

*Undergraduate*

*4cp; includes topics in two related areas – Mathematics of Finance and Business Statistics*

**Mathematics of Finance:** simple and compound interest – annual percentage rates and annual effective rates; annuities – mortgages and financial leases; perpetuities; amortisation schedules; discounted cash flow procedures – net present value and internal rate of return techniques, the cost of capital issue, sensitivity analysis, applications in business.

**Business Statistics:** uses SPSS extensively as the teaching software package. Descriptive statistics – central tendency and dispersion, exploratory data analysis, graphical techniques, probability and probability distributions, especially Binomial, Poisson and Normal; statistical inference – central limit theorem, sampling distributions of the mean, confidence intervals for sample means; hypothesis testing – Type I and Type II errors, one and two sample  $z$  and  $t$  tests for sample means; correlation, covariance and linear regression; statistical process control and statistical quality control; applications of all these topic areas in business generally.

## 31414

### Information Systems

*6cp*

*subject coordinator: Mr C S Johnson*

This subject deals with information systems in their organisational context.

The effects of information systems on society, organisations and individuals are discussed. Examples from typical organisations are used to illustrate information systems concepts. Techniques for analysing and describing user requirements are introduced.

Throughout the subject there is an emphasis on human activities, the importance of the user in the analysis phase and the usability of systems. Another theme is communication skills i.e. the ability of the analyst and designer of an information system to interview, to write reports and manuals, to design efficient and effective interfaces, and to give presentations on the system.

## 31415

### Principles of Software Development A

*6cp; corequisite: 31417 Computing Practice*

*subject coordinator: Dr R Rist*

The principles and practice of object-oriented software construction are introduced using the programming language Eiffel. Topics include the object-oriented concepts of classes, objects, clients and suppliers, inheritance, genericity, dynamic binding and polymorphism.

## 31416

### Computer Systems Architecture

*6cp*

*subject coordinator: Mr C W Johnson*

This subject provides a sound basis for understanding how computer hardware and data communications support higher level software constructions. All software undergoes a process of translation or interpretation which reduces it to primitive operations capable of being performed by the 'hardware'. In this subject, these primitive operations, and the organisation and design of computer systems that execute these operations, are examined. The SPARC architecture, together with its assembly language, is studied as an example of a contemporary (and real) computer architecture. This subject also presents some fundamental concepts in data communications, as a basis for later subjects which treat the topic in greater depth.

**31417**

**Computing Practice**

*6cp*

*subject coordinator: Mr J Colville*

Principles of responsible computer use. Computer skills. Touch typing. DOS commands. Microsoft Windows. The Macintosh environment. Introductory word processing, spreadsheets and graphics. The Unix environment, ftp, telnet, electronic mail. File conversions. Backups. Introductory library research skills. Introduction to report writing.

**31424**

**Systems Modelling**

*6cp*

*subject coordinator: Mr J El-Den*

This subject introduces information system concepts including their static and dynamic components. It describes how these concepts can be used to model information systems to correctly capture their structure and needs. It outlines how the ability to capture information about the system in ways understood by its eventual users will improve the final quality of the system.

The subject introduces analysis using various approaches found in contemporary system development, including object-oriented methods, data flow diagrams and Entity-Relationship modelling, and describes the relationships between these techniques and their application.

**31425**

**Principles of Software Development B**

*6cp; prerequisite: 31415 Principles of Software Development A*

*subject coordinator: Dr T Osborn*

The specification and implementation of stacks, queues, lists, and trees are discussed as abstract data types. Formal mathematical specification of software, and program correctness are discussed. Program testing methods are emphasised throughout the subject, as are aspects of software quality such as usability.

**31428**

**Quantitative Modelling**

*6cp*

*subject coordinator: Dr T Osborn*

Reasoning with data, descriptive statistics, probability theory, distributions, estimation, hypothesis testing, spreadsheet exercises,

report writing, principles of modelling, queuing models, utility models, adaptive methods, and case studies of some basic models.

**31429**

**Procedural Programming**

*6cp; prerequisite: 31415 Principles of Software Development A; corequisite: 31425 Principles of Software Development B*

*subject coordinator: Dr B Howarth*

Top-down structured program design techniques, and their application to the development of commercial programming applications. Emphasis will be on quality and usability of the resultant systems. Debugging and testing skills are developed. The language used is C.

**31434**

**Database Design**

*6cp; prerequisite: 31424 Systems Modelling*

*subject coordinator: Dr G Feuerlicht*

This subject introduces the students to basic database design and implementation concepts. Database design techniques including relational design and E-R analysis are presented. Database programming using SQL is covered in lectures and supported by practical exercises. Object database and distributed database concepts are introduced.

**31436**

**Systems Software and Networks**

*8cp; prerequisites: 31425 Principles of Software Development B; 31429 Procedural Programming; 31416 Computer Systems Architecture*

*subject coordinator: Mr U Szewcow*

This subject builds on Computer Systems Architecture to provide an understanding of the operating system and communications hardware and software that provide support for user applications. Particular attention is paid to the role of systems software in distributed systems.

**31444**

**Systems Design and Development**

*10cp; prerequisite: 31434 Database Design; corequisite: 31436 Systems Software and Networks*

*subject coordinator: Mr R Raban*

This is a project-based subject which guides students through an information systems development process. The requirements for the information system are specified in a series of

Use Cases. The development involves designing the user interface and data system and then designing and implementing the system. The emphasis throughout the development is on meeting the user's requirements, implementing a distributed solution and integrating the new systems with the existing information systems infrastructure. Attention to quality of the system outcomes is maintained throughout the development process. Students will work in managed teams of 10. There are no formal lectures and no exams in this subject; staff/student contact takes place at regular structured project meetings and discussion meetings. Students are expected to have at least four hours of contact with their team each week and, given that this is a ten-credit-point subject, to do significant work outside of this contact time.

### 31454

#### **Project Management and the Professional**

*6cp; prerequisites: 31444 Systems Design and Development; 31697 Industrial Training*  
*subject coordinator: Mr D Wilson*

This subject covers the management of the development and implementation of information technology solutions, with particular emphasis on information systems project management, managing software quality assurance and the professional ethics of software developers.

### 31455

#### **Software Development Case Study**

*12cp; prerequisite: 31444 Systems Design and Development*  
*subject coordinator: Dr R Van der Meyden*

In the first semester, lectures will run in two strands: one devoted to projects, and the other to automata theory and new theory and skills. Laboratories will work on the projects.

The major project will incorporate the following stages: modular decomposition of the system; development of interfaces to the user (GUIs), between modules, to class libraries, and to other applications (code-wrapping); coping with change of specifications; detailed coding; and verification, documentation and testing. This is a full-year subject.

### 31464

#### **Information Technology Planning and Design**

*6cp; prerequisites: 31428 Quantitative Modelling; 31436 Systems Software and Networks; 31444 Systems Design and Development; 31454 Project Management and the Professional; 31697 Industrial Training*  
*subject coordinator: Mr C S Johnson*

This subject is a capstone subject for the course and incorporates knowledge gained in previous subjects, including industrial experience. Students are required to work in groups to produce a large report based on case study material. The objective is to produce a strategic solution to the problem presented in the case study involving both planning and design. The subject emulates the commercial environment in that students work in project groups and hold weekly project review meetings. A presentation to management occurs at the end of the subject.

### 50105

#### **Communication and Information Environments**

*6cp*  
*Disciplinary strand – Communication and Information Studies – 100 level*

The subject aims to familiarise students with the major issues in the communication and information environments in which we live, and to introduce different ways of approaching and analysing those issues. It asks questions like: What is communication? How do societies and individuals create meanings? and, How do communication technologies in their social and industrial settings structure such meanings? The subject also explores the nature of information for daily life, social interaction, change and development.

Some of the current major issues in the communications and information sphere will be explored, e.g. 'convergence', the nature of the Information Society, globalisation, questions of ownership of and access to the channels of communication and information, the division between 'public' and 'private' and the role of the state, the development of new media and information forms.

The subject will also begin to examine the various theoretical paradigms and frameworks for analysing these issues, in preparation for the second subject in the Disciplinary strand.

**50106**

**Media, Information and Society**

*6cp*

*Disciplinary strand – Communication and Information Studies – 100 level*

This subject introduces current theoretical approaches to the study of the fields of communication and information, and will compare and contrast some of the major paradigms in use in the analysis of the issues in the communication and information environments in which we live. The subject will help students understand the range of social science and social and cultural theoretical approaches relevant to the field, including liberal pluralism, Marxist and post-Marxist approaches, post-modernist and post-structuralist approaches, as well as those helpful in taking a user-oriented approach to communication and information, such as cognitive science and interpretive-constructivist traditions.

In order to anchor these theoretical approaches, the subject will concentrate on one or two of the major issues introduced in the subject Communication and Information Environments e.g. questions of globalisation and national identity in relation to communication and information, questions of power and access, especially in relation to cultural diversity, and freedom of information and censorship. The theoretical paradigms will be compared and contrasted in terms of their historical origins, their epistemological soundness, and their effectiveness as methodologies for investigating problems and issues in the field.

**50107**

**Contemporary Cultures 1**

*6cp*

*Disciplinary strand – Cultural Studies – 100 level*

This subject will investigate forms of culture as they appear in late 20th century Australia. Employing a cultural studies approach, it aims to provide methods for analysing complex cultural phenomena in a media-saturated environment. The cultural complexity studied emerges through Aboriginal, Islander, European and other traditions and their hybrid forms. Theories associated with the textual manifestations of these traditions are presented, including modes of signification and representation, cultural and social differences, canons and their contestations and generic and multi-generic forms. Media and multimedia

are studied as written, visual and aural products which have specific institutional bases (e.g. Hollywood) for their production and particular audiences for their consumption.

**50108**

**Contemporary Cultures 2**

*6cp*

*Disciplinary strand – Cultural Studies – 100 level*

This subject will introduce students to the main concepts and methods of the field of cultural studies. The subject will present critical readings in the broad field of cultural studies in the first half of the semester before proceeding in the second half to a specific case study e.g. the city, performing popular culture, bodies and sexualities, critiques of anthropology.

**50109**

**Power and Change in Australia**

*6cp*

*Disciplinary strand – Social, Political and Historical Studies – 100 level*

This subject is focused on the question of how decisions are made in Australia. Students will investigate three case studies where decisions were taken after periods of intense conflict and debate. These case studies will introduce students to the varying but complementary approaches of historians, political scientists, anthropologists and sociologists in their analyses of the ways power is exercised, of the importance of collective beliefs and values and of the many formal and informal processes by which Australians generate and experience change. Students will be asked to investigate critically the relationships between the different arenas of decision making: from the floor of Parliament to the negotiating tables 'behind the scenes', from the public drama of street demonstrations to the 'private' sites of kitchen, bedroom and everyday life.

**50111**

**Colonialism and Modernity**

*6cp*

*Disciplinary strand – Social, Political and Historical Studies – 100 level*

This subject will allow students to analyse Australia's situation in relation to the world and our region by investigating the history of colonialism, including its engagement with modernity and the history of anti-colonial movements. Students will deepen their knowledge of the political, economic, social and cultural processes of colonial expansion

and imperialism as they affected the colonised peoples, the colonising settlers and the metropolitan powers. The subject will investigate the development of 'modernity' in Europe and its colonies. The subject will explore the roots of many intellectual disciplines and tools, investigating, e.g. the relationship between anthropology and colonialism, as well as the role of new technologies such as photography in colonial processes. Using international and Australian comparisons, the subject will introduce students to many perspectives: those of colonised indigenous peoples; those of members of diasporas (the populations which were dispersed by invasion, slavery and indentured labor schemes); those of the invading 'settlers' who established the colonies; and those of people remaining in or migrating into the colonisers' home country.

### 50114

#### Journalism 1

6cp

*Professional strand – Journalism – 100 level*

This subject is designed to introduce students to basic principles of professional journalism. Professional skills are developed in a way which encourages students to think critically about the media and the role which journalism plays in relation to audiences and the public. The emphasis is on developing practical skills in researching, interviewing and storytelling. Students produce their own reports and story ideas and are encouraged to see themselves as 'reporters'. An understanding of ethics and issues affecting the media and journalism are developed through discussion of contemporary print, radio, television and Internet media and practical student reporting tasks. Stories in this introductory subject will be produced in text (hard copy) and/or filed on the World Wide Web.

### 50115

#### Journalism 2

6cp

*Professional strand – Journalism – 100 level*

This subject develops news reporting, storytelling and writing skills to a higher level than in Journalism 1. Students are introduced to the elements of broadcast journalism and produce a number of stories in print and for radio. They develop an understanding of the similarities and differences between journalism produced for different media. Students are encouraged to see themselves as 'reporters' and an emphasis is placed on students developing a

portfolio of published stories and in being able to produce work under pressure. In the context of their practical reporting, students critically explore the use of sources, journalism ethics and develop an understanding of news agendas and audiences.

### 50116

#### Media Arts and Production 1

6cp

*Professional strand – Media Arts and Production – 100 level*

An introduction to the history, theory and practice of the media arts, in which students explore what it means to look at, and listen to, the world anew, and then create works which embody these new-found understandings. Through a coordinated series of lectures, seminars and production workshops, students will become aware of the fundamental attributes of a range of media arts practices. A history of techniques, poetics, aesthetics and politics within the media arts will be presented in order to gain insight into how others have perceived their surroundings and acted upon and within them, and to discover what relevance those insights might have for present-day realities. Within production itself, students will collaborate with one another to produce projects in a variety of media formats, with special concentration on the interplay among film/video, multimedia and sound/radio areas, and will learn to critically scrutinise one another's work.

### 50117

#### Media Arts and Production 2

6cp

*Professional strand – Media Arts and Production – 100 level*

In this subject students will extend the skills, knowledge and experience introduced in Media Arts and Production 1. Lectures will present recent developments across a wide range of genres and settings, issues and theories, as both illustration and provocation of the breadth, depth and possibilities of contemporary media arts practices. Students will be expected at the end of the semester to be able to collaborate with others to critically and creatively conceive of a media project, advancing it through stages of research, through 'scripting' of narrative forms and complex interactions among elements of sound, image, graphics and text, and through production, post-production and presentation.

**50120****Introduction to Social Inquiry***6cp**Professional strand – Social Inquiry and Change – 100 level*

This subject introduces students to the variety of ways of seeing the social world and how people order and analyse what we see. As professionals, students need to develop understanding of the diverse approaches to the collection and interpretation of social experiences: within and across disciplines, cultures, gender and time. How do power differences affect people? How do they describe and explain societies?

Students will be encouraged to explore and question their own experiences and their abilities to observe, sort and organise what they see; including indigenous and other non-European perspectives.

**50121****Theory and Method***6cp; prerequisite: 50120 Introduction to Social Enquiry**Professional strand – Social Inquiry and Change – 100 level*

This subject will introduce students to systematic use and interpretation of secondary data sources. Students will start reading research and analysing existing raw data and exploring how this is used and interpreted. Students will look at how media and political groups use data; exploring how paradigms, power and perspectives can influence the collection and interpretation of research. They will involve themselves in case studies and will familiarise themselves with sources of research and methodologies for collection and interpretations. These will include Australian Bureau of Statistics data, public opinion polls, ethnographies, push polling, market research, media monitoring, audience research, family histories, official histories, community histories, Internet resources and databases. Learning how to search and select will be a core skill developed in the subject.

**50128****Media, Information and the Law***8cp**Disciplinary strand – Communication and Information Studies – 200 level*

This subject examines the ways in which the media and information are regulated. Rather than examining the law in isolation, the subject

looks at law making and practice in the context of broader economic, political, historical and social processes. The subject begins with a comparative critique of notions of free speech and expression in different national and international contexts. While existing law in key areas (e.g. defamation, censorship, freedom of information, copyright) is outlined, there is a strong emphasis on developing a critical and comparative understanding of legal processes, the ways in which the law works in practice and the policy issues which arise. There will be an opportunity for students to select major individual or group projects in areas of professional and intellectual interest.

**50129****News and Current Affairs***8cp**Disciplinary strand – Communication and Information Studies – 200 level*

This subject takes a comparative theoretical approach to studying the exercise of power in the production of news and information programs in the media. It deals with the economic and institutional contexts, debates about the role of the press in democratic political processes, relations between journalists, their sources and public relations professionals, the impact of new media technologies and relations with audiences. Students are expected to develop research skills in this area, including a capacity to analyse their own media production work in the context of current scholarship in the field.

**50136****Culture and Screen***8cp; prerequisites: 50107 Contemporary Cultures 1; 50108 Contemporary Cultures 2*  
*Disciplinary strand – Cultural Studies – 200 level*

This subject provides students with an in-depth analysis of a particular cinema, and introduces them to the various methodologies used in undertaking such analyses. The subject will generally focus on the study of a particular national cinema, addressing such issues as: the notion of 'nation', and of other contending points of cultural identification that may be in conflict with the 'nation', such as ethnic, religious and regional identity; the notion of a 'social imaginary'; and film industry history. It will address how a national cinema registers its culture of origin, and projects and circulates a particular nexus of people, place and history both to itself and to the rest of the world. The

national cinemas available for study from time to time include Australian, German, Italian, Japanese and Latin American cinemas. This subject may also entail (depending on staff and student interest) a study of particular forms of cinema or periods of film history.

## 50142

### Social Theory

8cp

*Disciplinary strand – Social, Political and Historical Studies – 200 level*

This subject provides an introduction to the major Western social theorists whose ideas have addressed and impacted upon industrial and post-industrial societies. It looks at competing concepts of the social in this tradition, and introduces students to key alternative epistemologies, that is, to different theories of knowledge and ways of understanding the social. This subject provides a theoretical basis for later subjects dealing with social and political research and methodology.

## 50164

### Research Methods 1

8cp

*Professional strand – Social Inquiry and Change – 200 level*

This subject aims to provide students with hands-on experience of constructing research projects within a theoretical framework. It is project-based and a basic introduction to primarily quantitative social science research conventions with a sceptical and critical eye. It will concentrate on the development of skills in designing ways of collecting quantitative data and analysing these. Surveying skills will be taught as practice-based learning, with students working on projects in groups. Areas to cover include questionnaire design, drawing samples, coding and basic analysis.

## 50174

### Professional Practice and Culture

8cp

*Disciplinary strand – Communication and Information Studies – 300 level*

This subject examines professional agency in the production of culture. It situates professionalism within debates about the social role of intellectuals, and takes a comparative approach to issues including the relationship of professionals to principles of public service and ethics, the impact of corporatisation and industrialisation of professional work, the

impact of new communication technologies on relations with employers, clients and audiences, and the impact of increasing globalisation of professional practice. These issues are explored in relation to case studies of particular professions including journalism, communication management, the law, film and television production, and creative writing.

## 50198

### Media Arts Project

8cp

*Professional strand – Media Arts and Production – 300 level*

Students produce a short piece of production work informed by theoretical study, based on original research which shows evidence of professional skills and critical and creative thinking. The project can be in any of the media arts: radio, sound, film, video, multimedia, interactive media or performance. Resource constraints may apply to project proposals.

## 50217

### Professional Placement

8cp

*Professional strand – Social Inquiry and Change – 300 level*

This is a practice-based subject. It can be taken as multidisciplinary project work with other students, as individual project work and through working with organisations.

## 52107

### History of Ideas

8cp

This subject is a general introduction to some key issues in social science. It focuses on the problem of 'social order' through an exploration of arguments about power and authority, exoticism and otherness, inequality and exclusion, and dissent. The material used in the subject is drawn from a variety of cultural and historical contexts.

## 52108

### Politics and Political Institutions

8cp

This subject is an introduction to theories and debates relevant to the modern state. It provides students with an overview of the political and economic structures and institutions of the Australian State and examines theories of the state against these. Topics covered include liberal theories of the state; pluralism; critiques



## 140 Subject descriptions

of the liberal state; Australian federalism; parliament; bureaucracy; and Australian business and labour organisations.

### 52109

#### **Culture, History and Society**

*8cp*

Societies are constructed around processes of communication. These can be studied from various perspectives: anthropological, psychological, linguistic and economic. This subject compares some of these approaches and their application to the analysis of relations between social structures and communication processes. These may include structures of gender, race and ethnicity, and the ability to develop skills in the presentation of ideas and information to specific audiences. This subject lays the foundation for further communications-related subjects.

### 52111

#### **Contemporary Australia**

*6cp*

This subject is an introduction to theoretical and applied debates around the nature of public policy formation in contemporary Australia. It considers the role of the state in Australia, developments in economic, social and industrial policy over the last two decades, and the place of Australia in the world system. It focuses predominantly on applied and empirical study, requiring consideration of recent policy debates and areas of conflict.

### 54100

#### **Word and Text**

*6cp*

This subject presents a broadened conception of textuality. It moves away from those understandings of literature based on notions of great authors and canonical, trans-historically valuable works to explore questions of class, race, gender, genre, realism, narrative and post-modernism. Literary and other cultural texts are regarded as representational systems which are read differently according to different theoretical perspectives: feminism, post-colonialism and multiculturalism.

Overall, the subject emphasises a broadened notion of textuality (one which includes popular cultural texts and the practices of film/book reviewing) and a broadened notion of what it means to read a text. Just as various novels, plays, poems, films are constructed, so

too are the practices of reading used to interpret them. Thus the subject concentrates on the codes and conventions which organise particular forms of textuality, while also concentrating on what particular theoretical perspectives make this possible (how does a narrative analysis or a consideration of genre differ from an author-based interpretation?).

### 54101

#### **Sound and Image**

*6cp*

This subject introduces students to a range of written, visual and aural products and texts in the context of the study of, predominantly, Australian culture, so as to promote discussion of the strategies underlying them. The industrial and institutional bases for the production of such texts is linked to their consequences for individuals, communities, multi- and subcultural groupings. The subject consists of lecture-tutorial arrangements coupled with viewings and auditing of selected films, videos and sound works. Computer-based exercises integrate in class teaching with students' own interests and capabilities and a major group-based project is produced.

### 54103

#### **Communication Environments**

*6cp*

This subject introduces some of the key aspects of the study of Australian communication and cultural industries, including the historical development of the major institutions and industries, their relationships to political and economic structures, the roles of media and cultural professionals, the construction of audiences and the impact of media technologies.

### 54230

#### **Aboriginal Social and Political History**

*8cp*

Examines and analyses the impact of colonialism on indigenous peoples, with particular reference to the Aboriginal inhabitants of this region. The emergence of Aboriginal social and political movements will be presented as the basis for repossession of their traditional heritage in land and culture.

**54231****Aboriginal People and the Media**

*8cp; prerequisites: 015110 Aboriginal Cultures and Philosophies; 54230 Aboriginal Social and Political History*

Familiarises students with the field of debate in relation to the representation of Aborigines in the media, and with the productions of Aboriginal media organisations. Where possible, some written, video or film production could become part of the course assessment.

**54330****The Politics of Aboriginal History**

*8cp; prerequisites: Aboriginal Studies subjects at 100 and 200 levels*

Introduces students to the wide range of historical work by Aboriginal and non-Aboriginal people over the last three decades, and encourages students to develop skills in the critical evaluation of this work in its political and social contexts. Students will enhance their knowledge of primary research materials for the field of Aboriginal history, and will develop their skills in the analysis and use of these sources.

**54331****Aboriginal Forms of Discourse**

*8cp; prerequisites: 015110 Aboriginal Cultures and Philosophies; one Aboriginal Studies subject at the 200 level*

Familiarises students with a broad range of Aboriginal forms of discourse – novels, plays, films, oral narratives – and introduces them to methods of analysis, of both text and content, deriving from the disciplines of cultural studies and textual studies.

**55860****Information Science 1: Foundations of Information Science**

*6cp*

This subject is a foundation for the study of the theory of information science as it is presented in the information science disciplinary sequence. It presents an overview of the historical development of information science and an introduction to basic concepts such as information and information transfer. It draws on a range of theoretical and empirical literature to demonstrate the development of thinking about information science and is designed to make students aware of the environment for information provision and the variables influencing this environment.

Learning strategies include lectures, tutorials, workshops and independent study. Students are required to prepare thoroughly through reading and small group work in accordance with the overall emphasis in the subject on developing independent learners.

**55864****Psychology**

*6cp; for Bachelor of Arts/Bachelor of Laws students*

Designed to introduce students to the theories, principles and practices of psychological research, emphasising those issues that are also within the framework of information provision. Learning strategies include lectures and small group work.

**56955****Communication 1: Foundations of Communication**

*6cp*

This subject extends students' understanding of, and competence in, interpersonal communication processes which are essential for the effective functioning of any professional. It introduces them to the basic models of the communication process and changing views on communication; explores the inter-relationships between communication and factors such as perception, attribution making, values, self-concept, language and culture; examines the specific skills of assertion, listening and nonverbal communication; and addresses questions of ethics and power as they affect interpersonal communication.

**65101****Chemistry 1C**

*6cp; 6hpw; assumed knowledge: core of HSC 2-unit chemistry or equivalent*

This subject is an introduction to some fundamental concepts in chemistry. Topics covered are: chemicals and chemical reactions; atomic structure; periodic table; chemical bonding; enthalpy changes in chemical reactions; and the structures and properties of solids. The subject is designed for students with a strong background in chemistry and accordingly the topics are covered to a greater depth than in 65012 Chemistry 1A. There is a laboratory program which complements the learning experiences in the lectures and tutorials. Other important aims of this subject are to enhance students' thinking skills, to foster their abilities to work cooperatively with their peers and to assist in the development of their communication skills.

### 65201

#### Chemistry 2C

*6cp; 6hpw; prerequisite: 65101 Chemistry 1C or equivalent*

This subject builds on the foundation studies in 65101 Chemistry 1C. Topics covered are: chemical equilibrium; acid-base theory; complex ions; electrochemistry; chemical kinetics; structure and bonding in carbon chemistry; chemical reactions of carbon compounds. There is a laboratory program which complements the learning experiences in the lectures and tutorials. The subject also aims to enhance students' thinking skills, to foster their ability to work cooperatively with their peers, and to assist in the development of their communication skills.

### 65241

#### Principles of Forensic Science

*6cp; 4hpw*

This subject provides a broad and sound overview of forensic science. It is designed to introduce the different disciplines, principles and concepts peculiar to forensic science. It covers, in the forensic context, the following areas: history, general definitions and concepts, sub-disciplines, methodology and methods, introduction to crime scene, trace typology, function of the expert, legal system, judicial admissibility, ethical considerations, interpretation of forensic evidence. Lectures are complemented by tutorials/workshops involving guest speakers.

### 68101

#### Physics 1C

*6cp; 6hpw*

This is a foundation physics subject primarily for students in the physical sciences. It covers the fundamentals of dynamics and statics, fluid mechanics, thermal physics, electricity and waves. Students are introduced to the basic techniques of measurement.

### 68201

#### Physics 2C

*6cp; 6hpw; prerequisite: 68101 Physics 1C*

This subject covers the fundamentals of electrostatics, electromagnetism, optics and atomic and nuclear physics, as well as extending the Physics 1C coverage of mechanics, thermal and fluids.

### 91313

#### Biochemistry 1

*6cp; 6hpw; prerequisites: 91311 Biology; 65022 Chemistry 2A*

Bioenergetics and physical biochemistry: energy flow and transformation, laws of thermodynamics, free energy considerations in equilibrium and steady-state situations; electrolyte behaviour, pH and proton equilibria; colligative properties, osmotic pressure; chemical kinetics, catalysis and enzyme action. Structure and function of biological molecules emphasising structural, energy-providing and informational characteristics: carbohydrates, lipids, amino acids, peptides, proteins (including enzymes), nucleosides, nucleotides, nucleic acids. Replication and repair of DNA; recombinant DNA. Protein synthesis. Basic concepts of metabolic pathways; energetics of metabolism.

### 91701

#### Medical Science 1

*6cp; 6hpw*

This subject provides an introduction to the anatomy and physiology of the healthy human body. Lectures are complemented by an appropriate practical program. The content includes: the levels of organisation in the body; basic anatomy, anatomical terms, surface anatomy and body regions and overview of major organ systems. Transport of materials across membranes, osmosis diffusion, active transport. The basic concepts of microscopy and the histology of tissues and major organ systems. The general structure and functional significance of the major organ systems. Basic microbiology and aseptic technique. The basic concepts of modern genetics. Chromosomes, mitosis and meiosis, DNA, RNA, transcription, translation. Mutations and oncogenes. Genetic inheritance, disorders and pedigrees. The structure, function and histology of the integumentary system, the musculoskeletal system, the gastrointestinal system, cardio-vascular, lymphatic and renal systems. The chemical principles related to enzyme action and kinetics and the chemical reactions in digestion.

### 91702

#### Medical Science 2

*6cp; 6hpw; prerequisite: 91701 Medical Science 1*

This subject completes the coverage of the anatomy and physiology of the body systems begun in Medical Science 1. It is also designed

to foster an appreciation of the interactions between and control of all body systems. Independent learning as well as critical analysis and communication skills will also be developed in this unit. Topics include: structure and function of the respiratory, endocrine, nervous, reproductive and immune systems along with relevant clinical applications in each system.

### 91703

#### Physiological Systems

*6cp; 5hpw; prerequisite: 91702 Medical Science 2*

This subject extends the knowledge and understanding of cellular elements of the body and of certain body organ systems that were introduced in the subjects Medical Science 1 and 2. It provides an understanding of control systems, principles of mass transfer and compartmental systems analysis and how these principles apply to the body. Ion channels and membrane transport processes. Circulation and cardiovascular system. Control of metabolism and endocrine system. Formation and excretion of urine. Regulation of extracellular fluid composition and volume. Lecture material complemented by practicals, tutorials and directed self-study modules.

### 91704

#### Behavioural Sciences

*6cp; 4hpw; prerequisites: 33105 Introductory Biometrics or equivalent; 91703 Physiological Systems*

The overall aim of this study is to demonstrate the significance of contributions of theories and practices from the behavioural sciences to effective medical theory and practice. Key concepts, principles and theories from the behavioural sciences that have particular relevance to the medical sciences are explored within the framework of selected health care and medical scenarios such as chronic pain, the placebo effect, depression, cardiovascular disease, health promotion. Content provides an introduction to the field of behavioural medicine, which addresses the application of theory and practice of the behavioural sciences to the theory and practice of modern medicine. Students have practical experience in the application of principles from cognitive learning theory in design and completion of behavioural monitoring and self-management programs.

### 91705

#### Medical Devices and Diagnostics

*6cp; 6hpw; prerequisites: 68041 Physics 1A or 68101 Physics 1C; 91703 Physiological Systems*

This subject provides an introduction to the principles of operation and use of typical devices encountered in medical practice. Specific emphasis is given to various methods of transducing information from the body such as pressure, internal voltage signals, oximetry temperature. Principles of active stimulation of various organs such as heart, muscle and cochlear are also taught. Medical overview of the regulatory framework imaging modalities explored is also given.

### 91706

#### Neuroscience

*8cp; 6hpw; prerequisite: 91703 Physiological Systems; corequisite: 91707 Pharmacology*

This subject provides an advanced understanding of the physiological basis of the nervous system. Physiology of excitable tissue. Structure, function and control of ion channels. Functions of the nervous system, with special reference to systems including complex reflex systems, control of posture and movement, cutaneous, deep and visceral sensation, central regulation of visceral function vision, hearing and equilibrium, smell and taste, arousal mechanisms, sleep and electrical activity of the brain, autonomic nervous system, neural basis of instinctual behaviour and emotions. Higher functions of the nervous system. Neural nets and cybernetics. Case studies of disease states in the nervous system. Lecture material is complemented by practicals, tutorials and self-directed study modules. Emphasis on student presentation of case studies and seminars.

### 91707

#### Pharmacology 1

*8cp; 6hpw (average); prerequisites: 91320 Biochemistry 2; 91703 Physiological Systems; corequisite: 91706 Neuroscience*

This subject provides the introductory principles governing drug and xenobiotic action to be developed further in Pharmacology 2. It is designed to foster a problem-solving approach to pharmacology with particular emphasis on applying molecular pharmacology concepts to pathophysiological problems. Major objectives will be to develop the concepts of dose response relationships and the specificity of drug action. Therapeutic

index and the concept of selective toxicity. Pharmacokinetic factors and their role in pharmacotherapy. Chemical neurotransmitters, ion channels and receptors as determinants of drug action in the central and peripheral nervous systems. Clinical efficacy of the major pharmacology drug classes used in the treatment of pathophysiological processes involving the cardiovascular, renal and nervous systems. Lectures are complemented by a tutorial/practical program which emphasises the clinical nature of the subject and develops lecture material using a variety of experimental, tutorial, computer-simulation and case-study approaches.

### 91708

#### Psychophysiology

*8cp; 6hpw; prerequisite: 91704 Behavioural Sciences*

This subject builds on material provided in Behavioural Sciences. It provides the student with a solid grasp of the relationship between mind and behaviour with emphasis upon the underlying physiological mechanisms. Implications for health are emphasised throughout the course. The unit will encourage the student to evaluate the connections believed to occur between attitudes, behaviour, lifestyle, physiology, and health outcome. Lectures are complemented by practical workshops and discussion in tutorials.

### 91709

#### Pharmacology 2

*8cp; 6hpw (average); prerequisite: 91707 Pharmacology 1*

This subject develops and extends the principles governing drug and xenobiotic action covered in Pharmacology 1. Objectives are to further develop the concept of receptors as cellular determinants of drug and xenobiotic action and to develop the concepts of modulated receptors and ion channels in determining anaesthetic drug action. The clinical efficacy of the major pharmacology drug classes used in the treatment of diabetes and respiratory and musculoskeletal systems disorders. Endogenous opioids in pain control mechanisms and the interaction of opioid analgesics with these systems. Selective toxicity in the treatment of microbial, viral and protozoal infections. Toxicokinetic factors, defence mechanisms, cellular reactivity, receptors and binding sites as determinants of target organ toxicity. Drugs in the conception and birthing process. Carcinogens and teratogens. Specific classes of toxic substances. Lectures are complemented by a tutorial/practical program which emphasises the clinical nature of the subject and develops lecture material using a variety of experimental tutorial, computer simulation and case-study approaches.

# ALPHABETICAL LIST OF SUBJECTS

Aboriginal Cultures and Philosophies	015110	Applied Research Skills	22760
Aboriginal Forms of Discourse	54331	Australian Civil Liberties Law	76074
Aboriginal Initiatives in Education:		Banking Law	77715
Towards Community Control	015112	Banking Law	79366
Aboriginal People and the Media	54231	Banking Law (LS)	77821
Aboriginal Social and Political History	54230	Behavioural Sciences	91704
Aboriginal Studies	015114	Biochemistry 1	91313
Accounting A	22105	Biomedical Law and Bioethics	76070
Accounting B	22205	Building and Construction Law 1	77797
Accounting Module 1	22810	Building and Construction Law 2	77795
Accounting Module 2	22812	Building and Construction Law 2 (LS)	77861
Administration of Criminal Justice	76004	Business Bankruptcy	79662
Administrative Law	70617	Business Finance	25314
Administrative Law	77880	Business Law	79202
Admiralty Law	77736	Business Law Project	79791
Admiralty Law (LS)	77832	Business Strategy	21609
Advanced Administrative Law	76061	Capital Gains Tax	77719
Advanced Administrative Law	77706	Capital Gains Tax (LS)	77838
Advanced Administrative Law (LS)	77834	Carriage of Goods by Sea	77737
Advanced Audit and Computer Security	22730	Carriage of Goods by Sea (LS)	77833
Advanced Commercial Law	79659	Chemistry 1C	65101
Advanced Companies and Securities Law	79411	Chemistry 2C	65201
Advanced Company Law	76028	Children and the Law	76066
Advanced Comparative Law		Chinese Law and Legal Systems	77733
for Civil Lawyers	77799	Chinese Law and Legal Systems (LS)	77806
Advanced Computerised Legal Research	77778	Chinese Trade and Investment Law	77729
Advanced Computerised Legal		Chinese Trade and Investment Law (LS)	77805
Research (LS)	77853	Citizenship and Immigration Law	76048
Advanced Conflict of Laws	76059	Colonialism and Modernity	50111
Advanced Constitutional Law	76060	Commercial and Estate Practice	75403
Advanced Contracts	76047	Commercial Arbitration (Domestic)	77752
Advanced Corporate Insolvency and		Communication 1: Foundations of	
Restructuring	77754	Communication	56955
Advanced Corporate Insolvency and		Communication and Information	
Restructuring (LS)	77823	Environments	50105
Advanced Criminal Law	76037	Communication Environments	54103
Advanced Family Law	76044	Communications Law	76042
Advanced Family Law:		Community Dispute Resolution	77763
Proprietary Remedies	77757	Community Legal Research	76069
Advanced Industrial Law	79711	Companies and Securities Law	79733
Advanced Legal Problem Solving	77897	Company Law	79365
Advanced Legal Research	77700	Comparative Law A	76001
Advanced Mediation	77746	Comparative Law B	76003
Advanced Public Law	76054	Complex Forensic Cases (Law)	79991
Advanced Remedial Law: Damages	77731	Computer Law	77793
Advanced Remedial Law:		Computer Law (LS)	77859
Equitable Remedies	77732	Computer Systems Architecture	31416
Advanced Revenue Law	79606	Computerised Legal Information Systems	77714
Advanced Taxation	79718	Computing Practice	31417
Advanced Taxation Law	76016	Confidential Information, Copyright	
Advocacy	75413	and Designs	76072
Applied Legal Research	79760	Conflict of Laws	76112

## 146 Alphabetical list of subjects

Construction Industry Dispute Resolution	77749	Environmental Law in Business	79660
Contemporary Australia	52111	Equity and Trusts	70516
Contemporary Business Law	79708	Equity and Trusts	77878
Contemporary Cultures 1	50107	European Community Law	76035
Contemporary Cultures 2	50108	European Union Law	77704
Contemporary Issues in Taxation	79763	European Union Law (LS)	77824
Copyright Law	77756	Family Dispute Resolution	77760
Copyright Law (LS)	77819	Family Law	76516
Corporate Accounting Issues	22751	Family Law and Women's Perspectives –	
Corporate Insolvency and Administration	79162	Aboriginal and Torres Strait	
Corporate Insolvency and Restructuring	77730	Islander People	76701
Corporate Insolvency and		Federal Constitutional Law	70616
Restructuring (LS)	77813	Federal Constitutional Law	77879
Corporate Law	70417	Finance Law	76065
Corporate Law	77877	Financial Markets	25308
Corporations, Finance and Securities	77711	Franchising Law	77744
Corporations, Finance and Securities (LS)	77820	Franchising Law (LS)	77818
Court-based Dispute Resolution	77765	Health Care Law	79003
Criminal and Civil Law –		Health Law 1	77869
Indigenous Perspectives	76702	History of Ideas	52107
Criminal Law	70217	Human Rights	76007
Criminal Law	77873	Indigenous Dispute Resolution	76706
Criminology	76012	Indigenous Peoples and Land Law	76703
Crisis Negotiation	77792	Indigenous Peoples and the Law	76707
Culture and Screen	50136	Indirect Taxation	79667
Culture, History and Society	52109	Industrial and Intellectual Property	76011
Current Issues in Corporate Law	77774	Industrial and Labour Law	79270
Current Issues in Corporate Law (LS)	77852	Industrial Dispute Resolution	77762
Current Issues in Industrial Law	79753	Industrial Law	76053
Current Law Reform Proposals –		Industrial Law	79731
Indigenous Perspectives	76704	Information Science 1:	
Current Problems of Public		Foundations of Information Science	55860
International Law	77702	Information Systems	31414
Current Problems of Public		Information Technology Planning	
International Law (LS)	77803	and Design	31464
Customs Duties/Levies	79706	Insolvency	76115
Database Design	31434	Insurance Law	77768
Deceptive Trade Practices and		International and Comparative Law Project	77710
Product Liability	76023	International Aspects of Australian	
Deceptive Trade Practices and		Taxation Law	79666
Product Liability	77712	International Banking and Finance Law	77724
Deceptive Trade Practices and		International Banking and	
Product Liability (LS)	77811	Finance Law (LS)	77822
Design Law and Practice	77893	International Business Environment	21125
Discrimination and the Law	76058	International Business Law	77784
Dispute Resolution	76052	International Business Law	79742
Dispute Resolution	77735	International Business Law and Regulation	79603
Dispute Resolution (S)	79771	International Business Transactions	77703
Dispute Resolution in Commerce	77761	International Business Transactions (LS)	77804
Economic Law of the People's		International Commercial Arbitration	77751
Republic of China	77766	International Commercial Arbitration (LS)	77814
Drafting of Specifications	77894	International Commercial	
Economic Law of the People's		Dispute Resolution (S)	77783
Republic of China (LS)	77807	International Economic Law	76018
Employment Legislation	79752	International Economic Law	77701
Environmental Dispute Resolution	77764	International Economic Law (LS)	77802
Environmental Law	76024	International Environmental Law	77794

International Environmental Law (LS)	77860	Legal Issues in Communications	79371
International Law and Treaty Obligations, State and Regional Protocols – Indigenous Peoples	76705	Legal Issues in E-Commerce	77887
International Legal Studies	76600	Legal Method	76067
International Legal Skills	76600	Legal Process and History	70113
International Monetary Law	77759	Legal Process and History	77870
International Monetary Law (LS)	77809	Legal Process and Legal Research	77885
International Taxation	77720	Legal Regulation of the Environment	77888
International Taxation 1	79762	Legal Research	70105
International Taxation 2	79707	Legal Research	77871
International Trade Law	76051	Legal Skills and Awareness	75412
International Trade Law	77716	Litigation	75401
International Trade Law (LS)	77801	Local Government Law	76026
Introducing Aboriginal Cultures and Philosophies	015115	Macroeconomics	25209
Introduction to Insolvency Law	79161	Management and Organisations	21130
Introduction to Social Inquiry	50120	Maritime Law	77705
Introduction to Taxation Law	77865	Maritime Law (LS)	77830
Issues in Aboriginal Education	015111	Marketing Legislation in Australia	79741
Jessup International Moot	76039	Marketing Principles	24105
Journalism 1	50114	Master's Qualifying Research Paper	77868
Journalism 2	50115	Media Arts and Production 1	50116
Jurisprudence	76008	Media Arts and Production 2	50117
Labour Law	76015	Media Arts Project	50198
Land Dealings	76029	Media, Information and Society	50106
Land Tax and Payroll Tax	79702	Media, Information and the Law	50128
Law and Computers	76014	Media Law	76063
Law and Contracts	79370	Medical Devices and Diagnostics	91705
Law and Finance	79502	Medical Science 1	91701
Law and Medicine	76045	Medical Science 2	91702
Law and Natural Resources	76064	Microeconomics	25110
Law and the Digital Economy	79102	Moot	76900
Law and the Manager	79403	Negotiation	77745
Law for Marketing Management	79211	Neuroscience	91706
Law for Third Sector Managers	79404	News and Current Affairs	50129
Law of Contract	70211	Patent Law	77896
Law of Contract	77872	Patent System	77891
Law of Evidence	71216	Patents, Trade marks and Related Rights	76073
Law of Evidence	77882	Personal Property	70318
Law of Futures and Derivatives	77785	Personal Property	77876
Law of Futures and Derivatives (LS)	77855	Pharmacology 1	91707
Law of Insurance	76022	Pharmacology 2	91709
Law of Managed Investments	77789	Physics 1C	68101
Law of Managed Investments (LS)	77858	Physics 2C	68201
Law of Tort	70311	Physiological Systems	91703
Law of Tort	77874	Planning and Development Law 1	77709
Legal Aspects of Contracts		Planning and Development Law 1 (LS)	77835
Administration	79703	Planning and Development Law 2: Pollution Control Legislation	77773
Legal Aspects of Human Reproduction and Child Protection	79002	Planning and Development Law 2: Pollution Control Legislation (LS)	77836
Legal Aspects of Occupational Health and Safety	77884	Politics and Political Institutions	52108
Legal Aspects of Occupational Health and Safety	69342	Politics of Aboriginal History, The	54330
Legal Issues and Disadvantaged Groups	79001	Power and Change in Australia	50109
Legal Issues for Community Managers	79794	Practical Experience	75411
		Practice and Procedure	71005
		Practice and Procedure	77881
		Principles of Forensic Science	65241



## 148 Alphabetical list of subjects

Principles of Software Development A	31415	Revenue Law	79462
Principles of Software Development B	31425	Sale of Goods	76411
Private International Law	77758	Securities Market Regulation	79264
Private International Law (LS)	77828	Social Security Law	76062
Procedural Programming	31429	Social Theory	50142
Professional Conduct (IP)	77892	Software Development Case Study	31455
Professional Conduct 1 (Legal Accounting)	75415	Sound and Image	54101
Professional Conduct 2		Stamp Duties	79701
(Legal Ethics)	75416	Titles and Community Schemes	76017
Professional Placement	50217	Succession	76517
Professional Practice and Culture	50174	Superannuation Law	77755
Project Management and the Professional	31454	Superannuation Law (LS)	77839
Property Transactions	75402	Systems Design and Development	31444
Psychology	55864	Systems Modelling	31424
Psychology and Dispute Resolution	77850	Systems Software and Networks	31436
Psychophysiology	91708	Tax Administration	77767
Public International Law	76006	Tax Administration (LS)	77840
Quantitative Methods of Business	26122	Tax Procedures, Sales Tax and Stamp Duties	77713
Quantitative Modelling	31428	Tax Procedures, Sales Tax and	
Readings in International Business Law	79781	Stamp Duties (LS)	77837
Real Property	70317	Taxation of Partnerships and Trusts	77796
Real Property	77875	Taxation of Partnerships and Trusts (LS)	77866
Regulation and Competition Law	77886	Taxation Paper	79792
Remedies	71116	Taxation Project	79764
Remedies	77883	Teaching Aboriginal Studies	015113
Research Methods 1	50164	Theory and Method	50121
Research Paper	77740	Tourism Law	76071
Research Paper (DR)	77780	Trade Mark Law and Practice 1	77889
Research Project	77725	Trade Mark Law and Practice 2	77890
Research Project (DR)	77781	Transport Law – Selected Problems	76049
Research Project (LS)	77800	Validity and Infringement of Specifications	77895
Research Project 4	76040	Victim–Offender Dispute Resolution	77748
Restrictive Trade Practices	76027	Vis Arbitral Moot	76901
Restrictive Trade Practices	77721	Women and the Law	76046
Restrictive Trade Practices (LS)	77812	Word and Text	54100
Revenue Law	76212	Workplace Dispute Resolution	77867

# CENTRES WITHIN THE FACULTY

---

## The Australasian Legal Information Institute

The Australasian Legal Information Institute (AustLII) provides free access to Australian legal material to anyone who has access to the Internet. AustLII operates one of the world's largest publicly accessible databases of legal materials on the World Wide Web. AustLII aims to make available all public legal information: primary legal materials (legislation and decisions of courts and tribunals); and secondary materials that are (or ought to be) in the public domain or able to be licensed free of charge.

AustLII's public policy agenda is to convince governments, courts, law reform bodies and other publicly funded organisations to make legal materials they control available free via the Internet. It has an innovative approach to computerising legal materials, based on 10 years' research and development.

Some of AustLII's research features are: automated rich hypertext; development and use of its own search engine (SINO); and integration of hypertext and text retrieval. AustLII's URL is <http://www.austlii.edu.au/>

AustLII is operated jointly by the Faculties of Law at UTS and the University of New South Wales (UNSW). It was established by funding from DEET and the two host universities, and also receives funding from the Australian Research Council, the Law Foundation of NSW, the Australian Business Chamber, the Council for Aboriginal Reconciliation, Department of Foreign Affairs and Trade, Asian Development Bank and other bodies.

## Community Law and Legal Research Centre

The UTS Community Law and Legal Research Centre was opened in May 1996. The Centre works closely with the Faculty of Law and is under the direction of Ian Ellis-Jones, Solicitor and Lecturer in Law, and a management committee.

The Centre has two vital functions – the provision of free legal services to UTS staff and students, and community legal research. In providing a legal service, the Centre relies on the assistance of law students who volunteer three hours each per week.

The objectives of the legal service include developing effective ways of informing the community of their legal rights and responsibilities, adopting a multidisciplinary approach which recognises that many conflicts require a broader response than strict traditional legal remedies, and initiating and participating in law reform programs.

The legal research function places the Centre at the gateway for community access to the research and academic capabilities of the UTS Law Faculty. It provides metropolitan community organisations with the much-needed legal research expertise in order to respond to proposed law reform, comment on current law and its impact on the community, or generally examine the viability, fairness and importance of law in a particular area. The research function also provides students with important analytical and research skills, which are invaluable in the profession.

From the educational aspect, the Centre provides students with an understanding of the impact of law on particular communities, the dynamics of law reform, community consultations and the impact of politics on the legal system.<sup>1</sup>

It is envisaged that the Centre will enhance the Law Faculty's research strengths and will increase the community's awareness of the University's value and relevance as a service provider.

For information concerning the Centre and its services, contact Louise Boon-Kuo at Blackfriars on the City campus, Blackfriars Street, Chippendale, telephone (02) 9514 2914, fax (02) 9514 2919 or log on to our website address: <http://www.law.uts.edu.au/~utsclc/>

---

<sup>1</sup> Students can also undertake an undergraduate law elective – Community Legal Research – through the Centre.

# BOARDS AND COMMITTEES

## FACULTY BOARD IN LAW

### Composition

#### Ex officio members

##### *Dean*

Professor D Barker (Chair)

##### *Associate Dean*

Mr A Mowbray

##### *Professor*

Professor S Blay

##### *Faculty Manager*

Mr E G Marsh

#### Nominated members

##### (Two-year terms of office)

Mr P Bebbington, Faculty of Mathematical and Computing Sciences

Ms J McPhie, Law Society of NSW

The Hon. B. Cohen, Representative of the Chief Justice of NSW

Dr D Kirkpatrick, Centre for Learning and Teaching

Mr G Lindsay, Bar Association of NSW

Mr F Portelli, Faculty of Business

Associate Professor P Miller, Faculty Board in Science

Mr D Rosen, Law Chapter of UTS Alumni Association

Ms B Vlies, University Library

#### Elected members

##### (Two-year terms of office)

##### *Academic Staff*

Associate Professor M Adams

Ms K Bubna-Litic

Mr J Cooper

Mr P Chung

Ms R Davis

Mr P Egri

Ms K Gould

Associate Professor P Griffith

Ms J Lancaster

Dr D Meltz

Mr G Monahan

Mr G Moore

Ms V Nagarajan

Ms B Olliffe

Mrs M Scott

Associate Professor R Watt

Ms J Zetler

##### *Support Staff*

Mrs P Williams

Mr P Holt

#### Elected student members

##### (One-year term of office)

Mr M Huckerby

Mr N Kennedy

Mr J O'Shannassy

Mr T Toemoe

#### Official observer

Ms K Newton, Law Students' Society

## FACULTY OF LAW ADVISORY COMMITTEE

#### Ex officio members

##### *Dean of the Faculty*

Professor D Barker

Mr A Mowbray

#### External members

The Hon. A Rogers QC (Chair)

Her Hon. Judge L Ashford

Mr R J Bartley AM

Mr G Bugden

Ms C Chung

His Hon. Judge H Cooper

Ms P Fell

Mr L Glanfield

Ms N Goodman

The Hon. Justice K Lindgren

The Hon. B S J O'Keefe AM QC

Mr R Seidler

Mr T K Tobin QC

# RESEARCH INTERESTS OF STAFF

---

The Faculty of Law is located on both the City and Kuring-gai campuses. Staff can be contacted through the switchboard number – (02) 9514 3444. All staff are available for consultation during the hours specified on the Law Information Office Noticeboard.

The research interests of each member of staff are listed below.

M Adams

Corporate Law, Securities Markets Regulation, Management Law

T Atherton

Legal Education, Practice and Procedure, Dispute Resolution, Tourism Law

D Barker

Access into the Legal Profession, Local Government, Military Law, Waterfront Reform, Unsatisfactory Professional Conduct of Legal Practitioners

S Blay

International Law, International Environmental Law, Torts, Antarctic Law and Policy, Financial Institutions, Human Rights, International Trade and Arbitration

K Bubna-Litic

Environmental Law, International Environment Law, Environmental Dispute Resolution, Sustainable Development

S Carr-Gregg

Contracts Law, Insolvency, Legal Education, Bankruptcy, Company Liquidations, Dispute Resolution

T Chiu

International Trade Law, Chinese Investment Law and Constitution, Mediation and Arbitration

J Cooper

Intellectual Property and Entertainment Law, Trade Practices, Administrative Law, Teaching and Learning

P Crofts

Legal Narrative Theory, Feminist Theory and Criminology, Military Law

K Cutbush-Sabine

National and International Business Law, Trade Law, Monetary Law, Company and Contract Law, EEC Law, Securities, Intellectual Property Law, International Labour Law, Competition Law

R Davis

Environmental Law, International Law, Constitutional Law, Antarctic Law and Policy, Administrative Law

P Edmundson

Taxation Law, Corporate Law

K Edwards

Criminal Law, Feminist Trust Theory, Corporations Law, Criminology, Equity, Trusts, Law Teaching

P Egri

Computerised Legal Reasoning

L Greentree

Family Law, Pre-Admission Skills and Training, Ecclesiastical Law

I Ellis-Jones

Local Government, Administrative Law, Statutory Interpretation, Discrimination and the Law

M Evans

Equity, Trusts, Law and Medicine, Legal and Constitutional History

K Gould

Australian Legal and Constitutional History, English Legal History, the Australian Legal System

P Griffith

Patent Law, Copyright Law, Intellectual Property

D Hipsley

Professional Responsibility, Advocacy

J Hussain

Legal Education, Property, South-East Asian Law, Islamic Law

## 152 Research interests of staff

- P Keyzer  
Constitutional Law, Intellectual Property,  
Comparative Law, International Law, Law  
and Disabilities, Legal Education
- J Lancaster  
Law and Medicine, Legal Education,  
Discrimination and the Law, Tort Law,  
Government, Children and the Law, Ethics
- M Langford  
Ethics, Litigation, Practice and Procedure,  
Practical Legal Training
- T Libesman  
Indigenous People and the Law, Legal  
Education
- P Lothian  
Trade Practices, Civil Litigation Process,  
Evidence, Local Government and Town  
Planning
- D Meltz  
Trade Practices, Private Law, the Law and  
Community Organisations
- G Moore  
Deceptive Trade Practices, Remedies, Real  
Property, Civil Litigation
- G Monahan  
Family Law, Children and the Law, Contract  
Law, Legal Education, Legal Ethics,  
Advocacy, Dispute Resolution
- A Mowbray  
Information and Technology Law, Legal  
Computer Applications
- V Nagarajan  
Restrictive Trade Practices, Corporations  
Law, Discrimination Law
- B Olliffe  
Legal Education, Dispute Resolution,  
Property Law, Deceptive Trade Practices
- R Pettit  
Legal Aid, Advocacy
- M Scott  
Dispute Resolution, Family Law, Legal  
Education
- S Smith  
Law and Medicine, Professional Misconduct  
and Discipline, Criminal Law, Personal  
Property
- D Spencer  
Contract Law, Dispute Resolution,  
Pre-Admission Legal Education, Advocacy
- P Stewart  
Torts, Family Law, Civil Litigation, Industrial  
Law
- A Stuhmcke  
Health and Law, Administrative Law, Legal  
Education, Jurisprudence
- J Taggart  
Computer Law, Migration and Nationality  
Law, Business Law, Revenue Law, Law of  
Meetings
- R Tong  
Commercial Law, Easements, Ecclesiastical  
Law, Voluntary Associations
- P Underwood  
Land Dealings, Land Law, Remedies
- R Watt  
Federal Constitutional Law, Legal History,  
Legal Research, Legal Bibliography,  
Administrative Law
- M Whitehead  
Company Law
- C Ying  
Contract Law, Insurance Law, Maritime Law,  
Evidence
- J Zetler  
Medico-Legal, Torts, Children and the Law,  
Revenue Law, Family Law, Dispute  
Resolution

# STAFF LIST

---

## *Professor and Dean of Law*

D Barker, LLB (Lond), MPhil (Kent), LLM (Hons) (Cantab), DipLG (Kent), GradDipLegPrac (UTS), FCIS, ACI Arb, FAIM, FIMgt, MACE, Solicitor of the Supreme Court of NSW and the High Court of Australia

## *Associate Dean*

A S Mowbray, BSc, LLB (UNSW), Solicitor of the Supreme Courts of NSW and ACT

## *Professors*

S K N Blay, LLB (Hons) (Ghana), LLM (ANU), PhD (Tas)

## *Associate Professors*

M A Adams, BA (Hons), LLM (Lond), FCIS, MACE

K Cutbush-Sabine, Dr Jur (Zur), LLM (Hons) (Lond), MInstAM (UK)

P B C Griffith, LLB, BJur (Monash), LLM (Lond)

R J Watt, BCom, DipLib (UNSW), LLB (Syd), LLM (Hons) (UTS), Solicitor of the Supreme Court of NSW (Law Collection Consultant)

## *Senior Lecturers*

K Bubna-Litic, BJuris, LLB (UWA), LLM (Syd), Barrister and Solicitor of the Supreme Court of Western Australia

S Carr-Gregg, BCom, LLB (UNSW), LLM (UTS), Solicitor of the Supreme Court of NSW

T Chiu, BSocSci (Hons) (Chinese HK), LLB (UNSW), GradDipLegPrac, PhD (UTS), Solicitor of the Supreme Court of NSW and the High Court of Australia, Solicitor and Barrister of the Supreme Court of ACT, Mediator CCPIT, Henan, China

P Egri, BA, LLB (Syd), MCogSc (UNSW)

I D Ellis-Jones, BA, LLB (Syd), LLM (UTS), MASA, Solicitor of the Supreme Court of NSW and the High Court of Australia

M B Evans, BA (Hons), LLB, LLM (Syd), LLM (Hons) (Cantab), Barrister of the Supreme Court of NSW

P Keyzer, BA (Hons), LLB (Hons), GradDipLegPrac (UTS), LLM (Syd), Barrister and Solicitor of the High Court of Australia, Solicitor of the Supreme Court of NSW

D Meltz, LLM (Syd), SJD (UTS), Admitted as Solicitor of the Supreme Court of NSW

G Monahan, BA (Macq), LLB (Syd), LLM (UNSW), Graduate Certificate in Higher Education (UTS), Solicitor of the Supreme Court of NSW and the High Court of Australia, Notary Public

G A Moore, BA, LLM (Syd), Barrister of the Supreme Courts of NSW and ACT and the High Court of Australia

V Nagarajan, BEc, LLB (Macq), LLM (Monash), Solicitor of the Supreme Court of NSW

S F Smith, BA, MHA (UNSW), LLM, SJD (Syd), Solicitor of the Supreme Court of NSW

A Stuhmcke, BA, LLB (Hons) (Macq), MJur (Hons) (Syd), Solicitor of the Supreme Court of NSW (Director, Undergraduate Programs)

W J Taggart, RFD, BA, LLB, LLM (Syd), Solicitor of the Supreme Court of NSW and the High Court of Australia, Registered Migration Agent

P Underwood, BA, LLM (Syd), Solicitor of the Supreme Court of NSW

C Ying, BA (Manit), LLM (Lond), Barrister at Law of Lincoln's Inn and the Supreme Court of NSW

J Zetler, RGN, RPN, BA (Syd), LLM (UTS)

RCNA, Solicitor of the Supreme Court of NSW

## *Lecturers*

J A Cooper BEc, DipEd (Syd), LLB (UNSW), LLM (Syd), MHEd (UNSW), Solicitor of the Supreme Court of NSW and Attorney of the New York Bar

P Crofts, BEc, LLB (Hons) (Syd), MPhil (Cantab)

R A Davis, BEc, LLB (Hons), LLM (Syd), Solicitor of the Supreme Court of NSW (Director, Undergraduate Programs)

P Edmundson, BJuris, LLB (UNSW)

K Edwards, BA, LLB (Hons) (ANU), GradDipLegalPractice (UTS), Legal Practitioner of the Supreme Court of NSW

K C Gould, BA, DipEd (Macq), LLB (Hons) (UTS)

J S Gray BA, DipEd, MA, LLB (NSW), GradPracLegStuds (UTS)

J A H Lancaster, BA, LLB (Hons) (Macq), Graduate Certificate in Higher Education (UTS), RGN, Solicitor of the Supreme Court of NSW

## 154 Staff list

M Langford, BA, LLB (Macq), LLM (Syd), Graduate Certificate in Higher Education (UTS), Solicitor of the Supreme Court of NSW  
T Libesman, BA, LLB (Macq)  
A Lynch LLB (Hons), LLM (QUT)  
B M Olliffe, BA (Hons), LLB (Syd), LLM (UTS), Solicitor of the Supreme Court of NSW  
R Pettit, BA, LLB (Macq), LLM (Syd), Graduate Certificate in Higher Education (UTS), Solicitor of the Supreme Court of NSW and the High Court of Australia  
M A K Scott, BA, DipEd, LLB (UNSW), GradDipLegPrac, LLM (UTS), Solicitor and Barrister of the Supreme Court of New South Wales  
P Stewart, LLB, LLM (Syd), admitted as a Solicitor of the Supreme Court of NSW and the High Court of Australia  
L Taylor BA, LLB (Hons), LLM (Qld), GradCertHEd (UNSW), LLM (Bond)  
R Tong, LLB (Syd), LLM (Lond), Solicitor of the Supreme Court of NSW and the High Court of Australia  
P M Whitehead, BA, LLB (UNSW), LLM (Lond), Solicitor of the Supreme Court of NSW and the High Court of Australia  
*Clinical Practitioners*  
T Atherton, BA LLB (Hons) (UQ), LLM (Bond), admitted as a solicitor in Queensland, South Australia, England and Wales  
L Greentree, BA, LLB (Syd), Solicitor and Barrister of the Supreme Court of NSW and the High Court of Australia  
D Hipsley, LLB (UTS), Barrister of the Supreme Courts of NSW and ACT and the High Court of Australia  
J Hussain, BA, LLB (Syd), DipEd (UNE), Dip Shariah Law Practice, MCL (IIU), Solicitor of the Supreme Court of NSW  
S Hunter-Taylor, BEc, LLB (Macq), Solicitor of the Supreme Court of NSW and High Court of Australia  
P Lothian, BA (Hons) (Syd), DipLaw (LPAB), Solicitor of the Supreme Court of NSW and the High Court of Australia  
D Spencer, BA, LLB (Syd), GradDipLegPrac, LLM (UTS), Solicitor of the Supreme Court of NSW and the High Court of Australia

### *Invited Professor*

Dr U R Mayer

### *Visiting Professors*

The Hon. R Fox AC, QC, LLB (Syd)

B French

The Hon. A Rogers, QC, LLB (Hons) (Syd)

### *Adjunct Professors*

I Bailey, BArch (Newc), DipLaw (BAB)

T Nyman, LLB (Syd)

H Sorensen, LLB (Otago), LLM (Hons) (Well), PhD (Melb)

R Vermeesch, LLM (Syd)

### **Administrative staff**

#### *Chief Administrative Officer*

P Williams, BA (Syd)

#### *Administrative Officer*

P Holt, BA (Auck)

#### *Administrative Assistants*

V Cooper

R Jones

V John

J Rheinberger

R Wyllie, BA (Syd), DipLaw (LPAB)

#### *Administrative Secretaries*

N Grierson

J Jaeger

N Lemaire

D Margaritis

L Martin

#### *Computer Service Officers*

A Boyd, BCompSc (W'gong)

C Booker

R Rumakiek

#### *Executive Assistant*

C Wong

#### *Faculty Manager*

E G Marsh, BA (Open), MM (UTS)

## **Australasian Legal Information Institute**

### *Co-Director*

A S Mowbray, LLB, BSc (UNSW), Solicitor of the Supreme Courts of NSW and ACT

### *Manager*

P T H Chung, BEc (Hons), LLB (Syd)

*Project Officer (Primary Materials and Software Support)*

D Austin, BSc, LLB (ANU)

*Project Officer (Primary Materials)*

J Kwok

J Wan

*Project Officer (Secondary Materials)*

S McCann, BA/LLB (Tas)

*Project Officer (Indexing)*

M Davis, BA (Hons) (Flinders)

*Project Officer (Inferencing)*

R Allen, LLB (Hons) (UTS)

*Administrator*

C Thomson

## **Community Law and Research Centre**

### *Director*

I D Ellis-Jones, BA LLB (Syd), LLM (UTS), Solicitor of the Supreme Court of NSW and the High Court of Australia

### *Solicitor*

K McFarlane, LLB

### *Manager*

L Boon-Kuo



# INDEX

---

## A

Aboriginal Cultures and Philosophies 130  
 Aboriginal Forms of Discourse 141  
 Aboriginal Initiatives in Education: Towards  
   Community Control 130  
 Aboriginal People and the Media 141  
 Aboriginal Social and Political History 140  
 Aboriginal Studies 130  
 Abstudy 8  
 Accounting A 131  
 Accounting B 131  
 Accounting Module 1 132  
 Accounting Module 2 132  
 Administration of Criminal Justice 79  
 Administrative Law 76, 119  
 Admiralty Law 103  
 Admiralty Law (LS) 113  
 Advanced Administrative Law 89, 100  
 Advanced Administrative Law (LS) 113  
 Advanced Commercial Law 129  
 Advanced Companies and Securities Law 128  
 Advanced Company Law 83  
 Advanced Comparative Law for Civil  
   Lawyers 109  
 Advanced Computerised Legal Research 107  
 Advanced Computerised Legal  
   Research (LS) 114  
 Advanced Conflict of Laws 88  
 Advanced Constitutional Law 88  
 Advanced Contracts 86  
 Advanced Corporate Insolvency and  
   Restructuring 105  
 Advanced Corporate Insolvency and  
   Restructuring (LS) 112  
 Advanced Criminal Law 84  
 Advanced Family Law 85  
 Advanced Family Law: Proprietary Remedies 105  
 Advanced Industrial Law 123  
 Advanced Legal Problem Solving 122  
 Advanced Legal Research 99  
 Advanced Mediation 104  
 Advanced Public Law 87  
 Advanced Remedial Law: Damages 102  
 Advanced Remedial Law: Equitable Remedies 102  
 Advanced Revenue Law 129  
 Advanced Taxation 123  
 Advanced Taxation Law 81  
 Advocacy 99  
 Alphabetical list of subjects 145  
 Applications 6  
 Applied Research Skills in Accounting 132  
 Art Collection, UTS 11

Assurance for Business Systems and  
   Information 131  
 Australian Civil Liberties Law 92  
 Austudy 8

## B

Bachelor of Arts in Communication (Journalism)/  
   Bachelor of Laws 39  
 Bachelor of Arts in Communication (Media Arts  
   and Production)/Bachelor of Laws 40  
 Bachelor of Arts in Communication (Social  
   Inquiry)/Bachelor of Laws 41  
 Bachelor of Arts/Bachelor of Laws 36, 39  
 Bachelor of Business/Bachelor of Laws 34  
 Bachelor of Laws 28  
 Bachelor of Laws in Australian Indigenous  
   Studies 32  
 Bachelor of Laws/Bachelor of Arts in International  
   Studies 42  
 Bachelor of Medical Science/Bachelor of Laws 38  
 Bachelor of Science in Computing Sciences/  
   Bachelor of Laws 35  
 Bachelor of Science/Bachelor of Laws 38  
 Banking Law 101, 127  
 Banking Law (LS) 112  
 Behavioural Sciences 143  
 Biochemistry 1 142  
 Biomedical Law and Bioethics 90  
 Boards and committees 150  
 Building and Construction Law 1 109  
 Building and Construction Law 2 109  
 Building and Construction Law 2 (LS) 115  
 Business Bankruptcy 129  
 Business Finance 133  
 Business Law 126  
 Business Law Project 125  
 Business Strategy 131

## C

Capital Gains Tax 101  
 Capital Gains Tax (LS) 114  
 Careers Service 9  
 Carriage of Goods by Sea 103  
 Carriage of Goods by Sea (LS) 113  
 Centres within the Faculty of Law 149  
   Community Law and Legal Research  
   Centre 149  
   The Australasian Legal Information  
   Institute 149  
 Chemistry 1C 141  
 Chemistry 2C 142  
 Chemistry Learning Resources Centre 9  
 Child care 11  
 Children and the Law 90

- Chinese Law and Legal Systems 103
  - Chinese Law and Legal Systems (LS) 110
  - Chinese Trade and Investment Law 102
  - Chinese Trade and Investment Law (LS) 110
  - Citizenship and Immigration Law 86
  - Co-op Bookshop 11
  - Colonialism and Modernity 136
  - Combined degrees 34
  - Commercial and Estate Practice 78, 98
  - Commercial Arbitration (Domestic) 104
  - Committees 150
  - Communication 1 141
  - Communication 1: Foundations of Communication 141
  - Communication and Information Environments 135
  - Communication Environments 140
  - Communications Law 84
  - Community Dispute Resolution 106
  - Community Law and Legal Research Centre 149
  - Community Legal Research 90
  - Companies and Securities Law 123
  - Company Law 127
  - Comparative Law A 78
  - Comparative Law B 79
  - Complex Forensic Cases (Law) 129
  - Computer laboratories 10
  - Computer Law 109
  - Computer Law (LS) 115
  - Computer Systems Architecture 133
  - Computerised Legal Information Systems 101
  - Computing Practice 134
  - Confidential Information, Copyright and Designs 91
  - Conflict of Laws 92
  - Construction Industry Dispute Resolution 104
  - Contacts, UTS 161
  - Contemporary Australia 140
  - Contemporary Business Law 123
  - Contemporary Cultures 1 136
  - Contemporary Cultures 2 136
  - Contemporary Issues in Taxation 124
  - Copyright Law 105
  - Copyright Law (LS) 112
  - Corporate Accounting Issues 131
  - Corporate Insolvency and Administration 126
  - Corporate Insolvency and Restructuring 102
  - Corporate Insolvency and Restructuring (LS) 111
  - Corporate Law 76, 118
  - Corporations, Finance and Securities 101
  - Corporations, Finance and Securities (LS) 112
  - Counselling 9
  - Courses
    - Postgraduate courses 46
    - Undergraduate 21
  - Courses and codes list 20
  - Coursework programs 56
  - Court-based Dispute Resolution 106
  - Criminal and Civil Law – Indigenous Perspectives 94
  - Criminal Law 75, 117
  - Criminology 80
  - Crisis Negotiation 108
  - Culture and Screen 138
  - Culture, History and Society 140
  - Current Issues in Corporate Law 107
  - Current Issues in Corporate Law (LS) 114
  - Current Issues in Industrial Law 124
  - Current Law Reform Proposals – Indigenous Perspectives 95
  - Current Problems of Public International Law 99
  - Current Problems of Public International Law (LS) 110
  - Customs Duties/Levies 122
- D**
- Database Design 134
  - Dates for 2000, Principal 12
  - Dean's message 15
  - Deceptive Trade Practices and Product Liability 82, 101
  - Deceptive Trade Practices and Product Liability (LS) 111
  - Degrees
    - Combined degrees 34
    - Coursework programs 56
    - Professional Program 70
    - Research degrees 51
  - Design Law and Practice 121
  - Discrimination and the Law 88
  - Dispute Resolution 87, 103
  - Dispute Resolution (S) 125
  - Dispute Resolution in Commerce 106
  - Doctor of Juridical Science 52
  - Doctor of Philosophy 51
  - Drafting of Specifications 121
- E**
- Economic Law of the People's Republic of China 107
  - Economic Law of the People's Republic of China (LS) 111
  - Electives
    - Undergraduate courses 21
  - Employment Legislation 124
  - English Language Study Skills Assistance (ELSSA) Centre 9
  - Environmental Dispute Resolution 106
  - Environmental Law 82
  - Environmental Law in Business 129
  - Equity and Diversity 10
  - Equity and Trusts 76, 118
  - European Community Law 83
  - European Union Law 100
  - European Union Law (LS) 112
  - Exchange program 25
  - Extension (non-award) study 73
  - External award study 72

**F**

- Faculty of Law
  - Centres 149
  - Inquiries 16
  - Mission Statement 16
  - Regulations 26
- Family Dispute Resolution 105
- Family Law 93
- Family Law and Women's Perspectives –
  - Aboriginal and Torres Strait Islander People 94
- Federal Constitutional Law 76, 119
- Fees 50
  - Australian citizens 49
  - Equity Scholarship 49
  - International students 50
  - Permanent residents 49
  - Postgraduate courses 49
- Fees and costs 6
- Finance Law 89
- Financial Markets 132
- Franchising Law 103
- Franchising Law (LS) 111
- Freedom of Information 11

**G**

- Gallery and Art Collection, UTS 11
- Graduate Certificate in Dispute Resolution 58
- Graduate Certificate in International Trade Law 65
- Graduate Certificate in Legal Practice 71
- Graduate Diploma in Australian Law 63
- Graduate Diploma in Law 68
- Graduate Diploma in Legal Practice 70
- Graduate Diploma in Legal Practice (by Flexible Learning) 70
- Graduate Diploma in Legal Studies 61
- Graduate Diploma in Trade Mark Law and Practice 64
- Graduate employment 23

**H**

- Health 9
- Health Care Law 126
- HECS (Higher Education Contribution Scheme) 7
- History of Ideas 139
- Honours 25
- Housing 9
- Human Rights 79

**I**

- Indigenous Dispute Resolution 95
- Indigenous Peoples and Land Law 94
- Indigenous Peoples and the Law 96
- Indirect Taxation 129
- Industrial and Labour Law 127
- Industrial Dispute Resolution 106
- Industrial Law 87, 123

**Information**

- Faculty of Law 15
  - for Law students 17
  - Law Information Office 17
  - Postgraduate courses 46
  - Undergraduate course information and inquiries 21
- Information Science 1: Foundations of Information 141
- Information Systems 133
- Information Technology Planning and Design 135
- Inquiries 16
- Inquiries, Student 6
- Insolvency 92
- Insurance Law 107
- International and Comparative Law Project 100
- International Aspects of Australian Taxation Law 129
- International Banking and Finance Law 102
- International Banking and Finance Law (LS) 112
- International Business Environment 130
- International Business Law 108, 124
- International Business Law and Regulation 128
- International Business Transactions 99
- International Business Transactions (LS) 110
- International Commercial Arbitration 104
- International Commercial Arbitration (LS) 111
- International Commercial Dispute Resolution (S) 108
- International Economic Law 81, 99
- International Economic Law (LS) 110
- International Environmental Law 109
- International Environmental Law (LS) 115
- International Law and Treaty Obligations, State and Regional Protocols – Indigenous Peoples 95
- International Legal Studies 93
- International Monetary Law 105
- International Monetary Law (LS) 111
- International Taxation 101
- International Taxation 1 124
- International Taxation 2 123
- International Trade Law 87, 101
- International Trade Law (LS) 110
- Introducing Aboriginal Cultures and Philosophies 130
- Introduction to Insolvency Law 126
- Introduction to Social Inquiry 138
- Introduction to Taxation Law 115
- Issues in Aboriginal Education 130

**J**

- Jessup International Moot 84
- Journalism 1 137
- Journalism 2 137
- Jumbunna Centre for Australian Indigenous Studies, Education and Research (CAISER) 10
- Jurisprudence 80

**L**

Labour Law 80  
 Land Dealings 83  
 Land Tax and Payroll Tax 122  
 Law and Computers 80  
 Law and Contracts 127  
 Law and Finance 128  
 Law and Medicine 85  
 Law and Natural Resources 89  
 Law and the Digital Economy 126  
 Law and the Manager 128  
 Law for Marketing Management 127  
 Law for Third Sector Managers 128  
 Law Information Office 17  
 Law of Contract 74, 117  
 Law of Evidence 77, 119  
 Law of Futures and Derivatives 108  
 Law of Futures and Derivatives (LS) 115  
 Law of Insurance 82  
 Law of Managed Investments 108  
 Law of Managed Investments (LS) 115  
 Law of Tort 75, 117  
 Law Students' Society 17  
 Legal Aspects of Contracts Administration 122  
 Legal Aspects of Human Reproduction and Child Protection 126  
 Legal Issues and Disadvantaged Groups 126  
 Legal Issues for Community Managers 125  
 Legal Issues in Communications 128  
 Legal Issues in E-Commerce 120  
 Legal Method 90  
 Legal Process and History 74, 116  
 Legal Process and Legal Research 120  
 Legal Regulation of the Environment 121  
 Legal Research 74, 117  
 Legal Skills and Professional Awareness 98  
 Library, UTS 8  
 Litigation 78, 98  
 Local Government Law 83

**M**

Macroeconomics 132  
 Management and Organisations 130  
 Maps 162  
 Maritime Law 100  
 Maritime Law (LS) 113  
 Marketing Legislation in Australia 124  
 Marketing Principles 132  
 Master of Dispute Resolution 58  
 Master of Industrial Property 64  
 Master of International Trade Law 65  
 Master of Law and Legal Practice 68  
 Master of Laws (by coursework) 56  
 Master of Laws (by thesis) 54  
 Master of Laws (Mandarin International) 67  
 Master of Legal Studies 11  
 Master of Taxation Law 60  
 Master Qualifying Research Paper 116  
 Master's Qualifying Research Paper 116  
 Mathematics Study Centre 10

Media Arts and Production 1 137  
 Media Arts and Production 2 137  
 Media Arts Project 139  
 Media, Information and Society 136  
 Media, Information and the Law 138  
 Media Law 89  
 Medical Devices and Diagnostics 143  
 Medical Science 1 142  
 Medical Science 2 142  
 Microeconomics 132  
 Mission Statement 16  
 Moot 96

**N**

Negotiation 103  
 Neuroscience 143  
 News and Current Affairs 138

**P**

Patent Law 122  
 Patent System 121  
 Patents, Trade Marks and Related Rights 91  
 Personal Property 75, 118  
 Pharmacology 1 143  
 Pharmacology 2 144  
 Physics 1C 142  
 Physics 2C 142  
 Physics Learning Centre 10  
 Physiological Systems 143  
 Planning and Development Law 1 100  
 Planning and Development Law 1 (LS) 113  
 Planning and Development Law 2: Pollution Control 107, 113  
 Politics and Political Institutions 139  
 Postgraduate  
   Equity Scholarship 49  
   Scholarships 48  
 Postgraduate courses 46  
   Coursework programs 56  
   Extension (non-award) study 73  
   External award study 72  
   Fees 49, 50  
   General information 46  
   Postgraduate cross-disciplinary programs 72  
   Professional Program 70  
   Research degrees 51  
 Postgraduate cross-disciplinary programs 72  
 Postgraduate students  
   Rules 50  
 Postgraduate subject descriptions 98  
 Power and Change in Australia 136  
 Practical Experience 98  
 Practice and Procedure 77, 119  
 Principles of Forensic Science 142  
 Principles of Software Development A 133  
 Principles of Software Development B 134  
 Private International Law 105  
 Private International Law (LS) 112  
 Prizes and scholarships 18  
 Procedural Programming 134

## 160 Index

Professional Conduct (IP) 121  
Professional Conduct 1 (Legal Accounting) 78, 99  
Professional Conduct 2 (Legal Ethics) 78, 99  
Professional Placement 139  
Professional Practice and Culture 139  
Professional Program 70  
Project Management and the Professional 135  
Property Transactions 78, 98  
Psychology 141  
Psychology and Dispute Resolution 114  
Psychophysiology 144  
Public International Law 79

### Q

Quantitative Methods for Business 133  
Quantitative Modelling 134

### R

Radio Station 2SER (107.3 FM) 11  
Readings in International Business Law 125  
Real Property 75, 118  
Regulation and Competition Law 120  
Regulations 26  
Remedies 77, 120  
Research degrees 51  
Research interests of staff 151  
Research Methods 1 139  
Research Office 8  
Research Paper 103  
Research Paper (DR) 107  
Research Project 102  
Research Project (DR) 108  
Research Project (LS) 109  
Research Project 4 84  
Restrictive Trade Practices 83, 102  
Restrictive Trade Practices (LS) 111  
Revenue Law 92, 128

### S

Sale of Goods 93  
Scholarships. *See* Prizes and Scholarships  
    Postgraduate 48  
Securities Market Regulation 127  
Social Security Law 89  
Social Theory 139  
Software Development Case Study 135  
Sound and Image 140  
Special Needs Coordinator 9  
Staff list 153  
Staff research interests 151  
Stamp Duties 122  
Strata Titles and Community Schemes 81  
Student Ombud 11  
Student Services 9  
Students' Association 11  
Subject descriptions 74  
    Postgraduate subjects 98  
    Undergraduate subjects 74

### Subjects

    Alphabetical list of subjects 145  
Succession 93  
Summer Clerkship programs 23  
Summer program in Law 22  
Superannuation Law 105  
Superannuation Law (LS) 114  
Systems Design and Development 134  
Systems Modelling 134  
Systems Software and Networks 134

### T

Tax Administration 107  
Tax Administration (LS) 114  
Tax Procedures, Sales Tax and Stamp Duties 101  
Tax Procedures, Sales Tax and Stamp  
    Duties (LS) 114  
Taxation of Partnerships and Trusts 109  
Taxation of Partnerships and Trusts (LS) 116  
Taxation Paper 125  
Taxation Project 124  
Teaching Aboriginal Studies 130  
The Australasian Legal Information Institute 149  
The Politics of Aboriginal History 141  
Theory and Method 138  
Tourism Law 91  
Trade Mark Law and Practice 1 121  
Trade Mark Law and Practice 2 121  
Transport Law – Selected Problems 86

### U

Undergraduate courses 21  
    Course information and inquiries 21  
    Electives 21  
Undergraduate cross-disciplinary program 44  
Undergraduate subjects  
    Subject descriptions 74  
Union, UTS 10  
University Graduate School 9, 46  
University medal 26  
UTS contacts 161

### V

Validity and Infringement of Specifications 122  
Victim–Offender Dispute Resolution 104  
Vis Arbitral Moot 97

### W

Welfare 9  
Women and the Law 85  
Word and Text 140  
Workplace Dispute Resolution 116

### Y

Youth Allowance 8

# UTS CONTACTS

---

## University of Technology, Sydney

### Postal address

PO Box 123  
Broadway,  
New South Wales, 2007, Australia

### Telephone

(02) 9514 2000  
International: +61 2 9514 2000  
Fax: (02) 9514 1551

### World Wide Web

<http://www.uts.edu.au>

## City campus

### Broadway

- Building 1 (Tower Building)  
1 Broadway, Ultimo
- Building 2  
1 Broadway, Ultimo
- Building 3 (Bon Marche Building)  
Cnr Harris Street and Broadway, Ultimo
- Building 4  
Cnr Thomas and Harris Streets, Ultimo
- Building 6 (Peter Johnson Building)  
702–730 Harris Street, Ultimo
- Broadway Terraces  
9, 11 and 13 Broadway, Ultimo
- Magic Pudding Childcare Centre,  
Thomas Street, Ultimo

### Haymarket

- Building 5  
Cnr Quay Street and Ultimo Rd, Sydney

### Blackfriars

- Cnr Blackfriars and Buckland Streets,  
Chippendale
- Blackfriars Childrens Centre  
Buckland Street, Chippendale

### Smail Street

- 3 Smail Street, Ultimo

### Quay Street

- 10 Quay Street, Sydney
- Prince Centre,  
Cnr Quay and Thomas Streets

### Wembley House

- 839–847 George Street, Sydney

### Harris Street

- 645 Harris Street, Ultimo

### Student housing

- Bulga Ngurra  
23–27 Mountain Street, Ultimo
- Geegal  
82–84 Ivy Street, Ultimo

### Institute for Sustainable Futures

- National Innovation Centre  
Cnr Garden, Cornwallis and  
Boundary Streets  
Eveleigh, NSW, 1430  
Telephone: (02) 9209 4350  
Fax: (02) 9209 4351

## Kuring-gai campus

- Eton Rd, Lindfield  
(PO Box 222, Lindfield, NSW, 2070)

## St Leonards campus

- Dunbar Building  
Cnr Pacific Highway and  
Westbourne Street, Gore Hill
- Clinical Studies Building, Centenary  
Lecture Theatre and West Wing  
Reserve Road, Royal North Shore Hospital
- Gore Hill Research Laboratories  
Royal North Shore Hospital

## Yarrowood conference and research centre

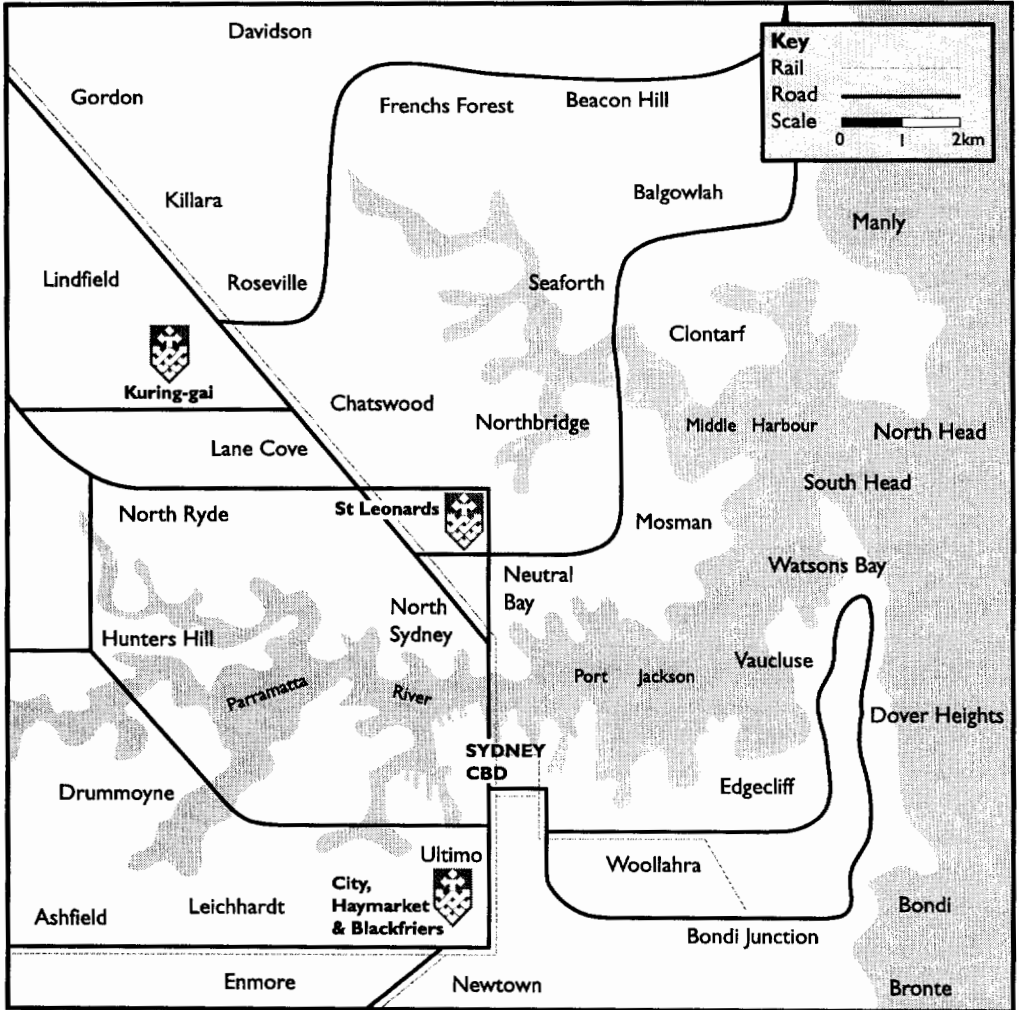
- 689 Springwood Road  
Yarramundi, NSW, 2753

## Stroud Field Station

- 2605 The Bucketts Way  
Booral, NSW, 2425

# MAPS

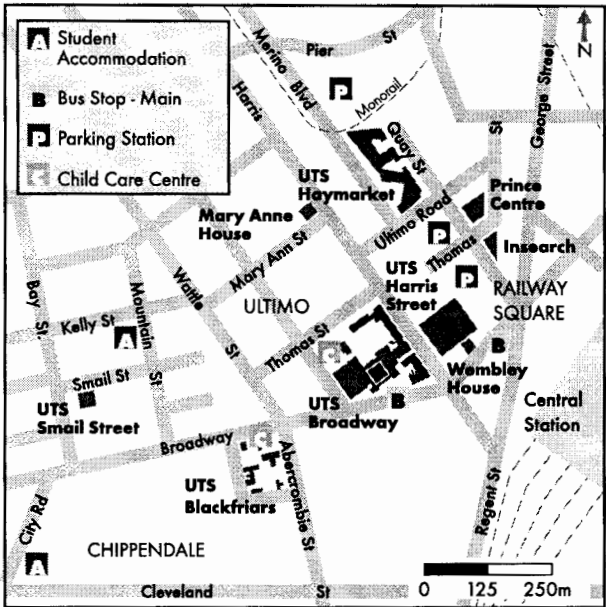
Sydney regional map



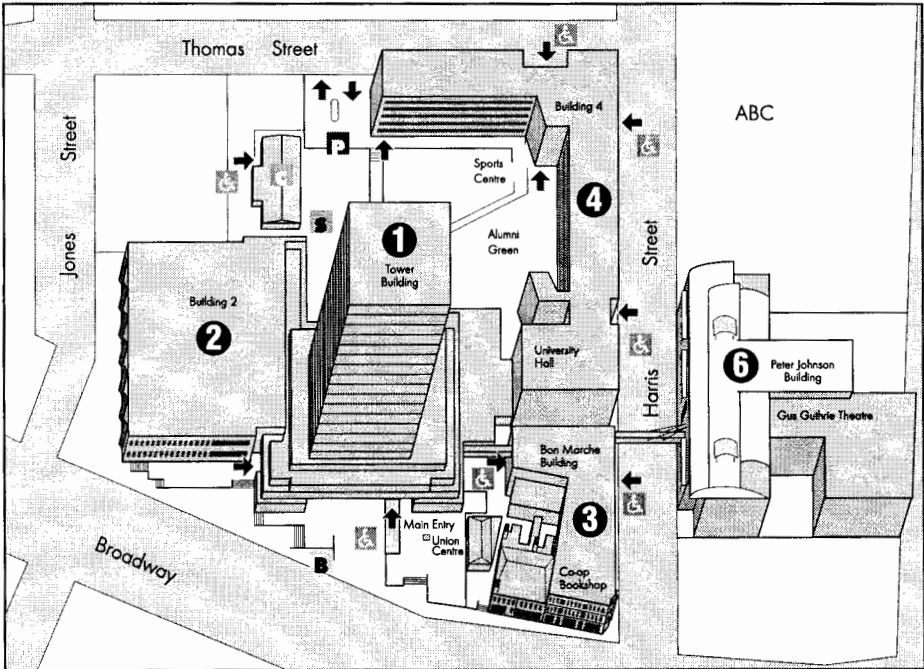
**KEY**

- ➔ Entry/Exit
- ♿ Disabled access
- B** Main bus stop
- S** UTS shuttle bus
- P** Parking
- 1** Building numbers
- C** Child care

City campus

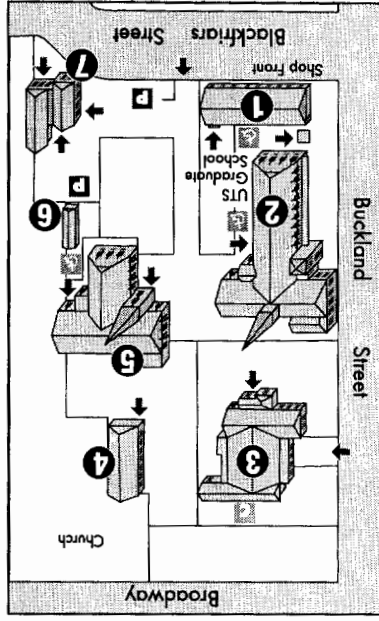


Broadway

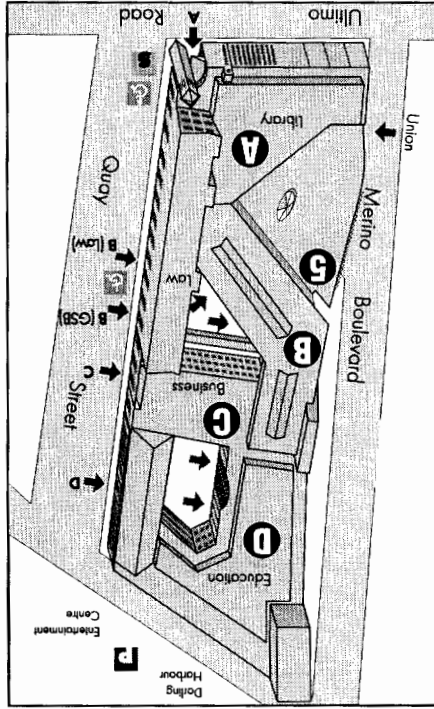




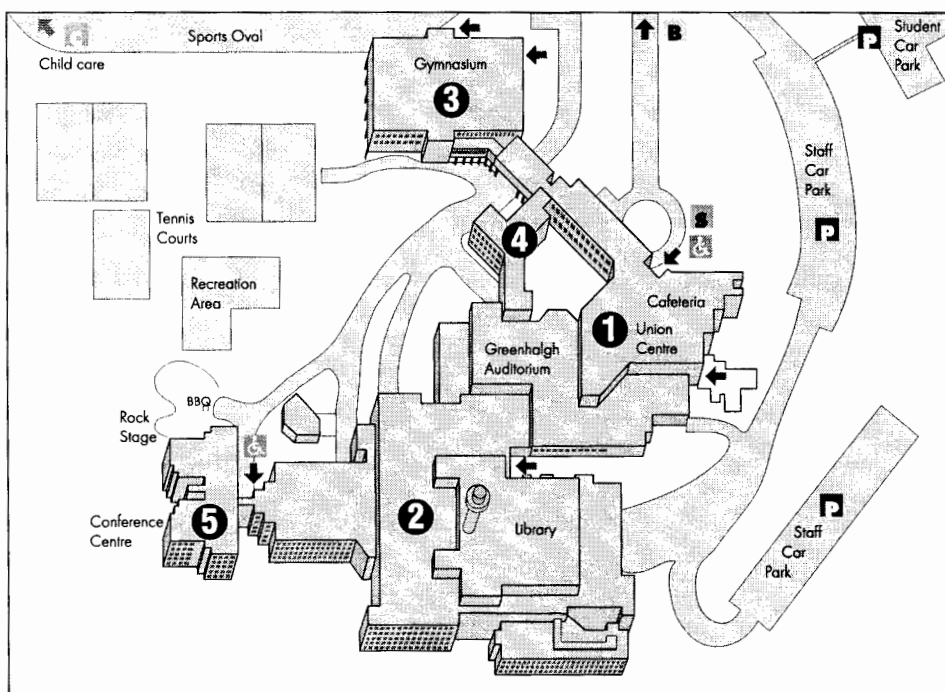
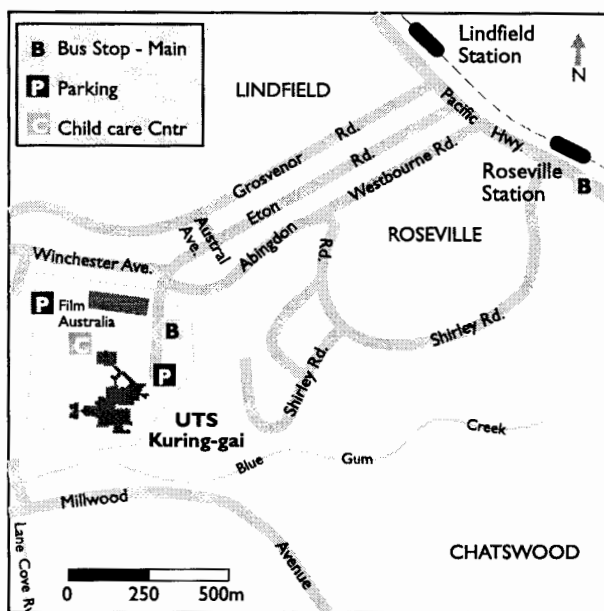
Blackfriars



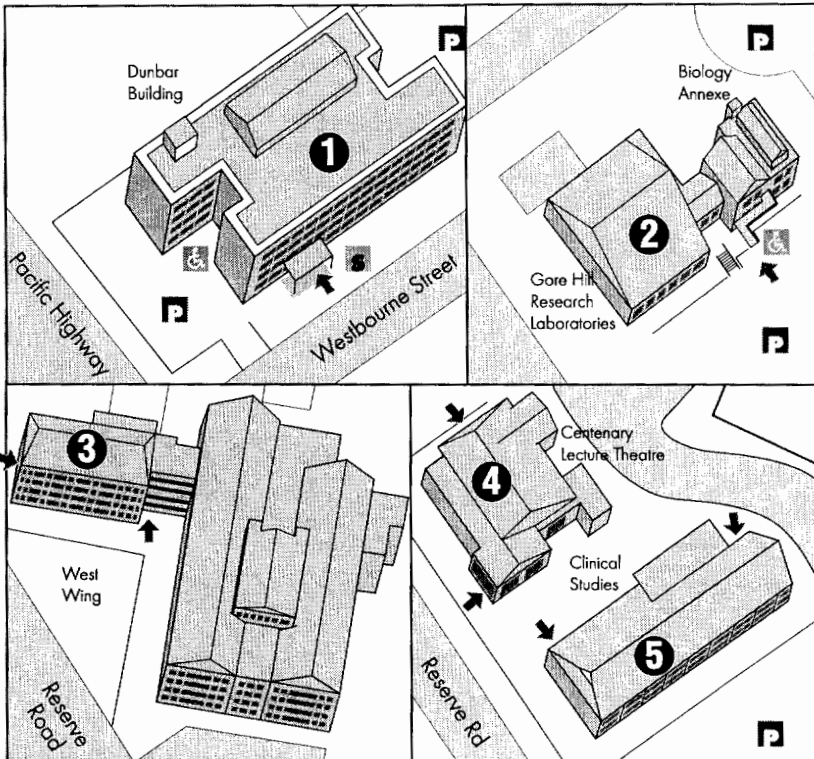
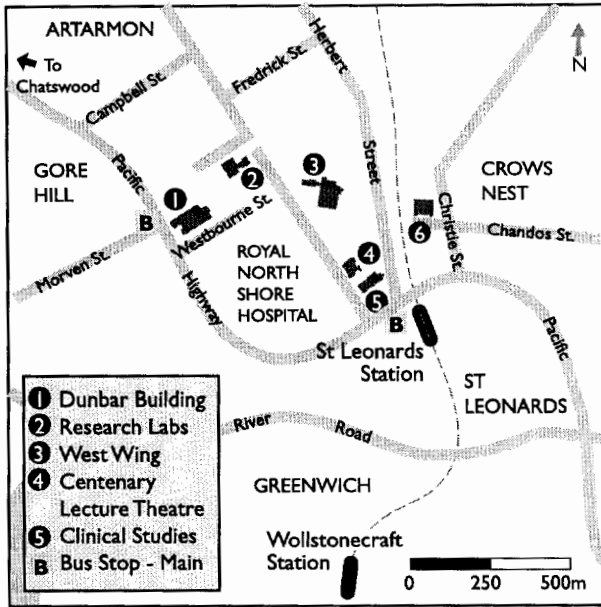
Haymarket



### Kuring-gai campus



St Leonards campus



**University of Technology, Sydney**

PO Box 123

Broadway NSW 2007

Australia

Telephone (02) 9514 2000

**Course inquiries within Australia**

Information service (02) 9514 1222

email [info.office@uts.edu.au](mailto:info.office@uts.edu.au)

**International inquiries**

International Programs +61 2 9514 1531

email [intlprograms@uts.edu.au](mailto:intlprograms@uts.edu.au)

**World Wide Web** <http://www.uts.edu.au>

**ISSN 1329-5187**

Price \$10