
LAW SUBJECT DESCRIPTIONS

CMP 901 Strategy and Sea Power 8cp
Not on offer in 2004

Assessment: Class presentations, Research Paper

Subject Description: The course will cover the following issues: the Mahanian legacy, the great White Fleet, the Gunboat Diplomacy, the Washington Disarmament Conference, Power in the Pacific, the Pacific War, the Cold War and the Nuclear Age, ANZUS and the Radford-Collins Agreement, the Asia-Pacific Regional Context, Lehman and the Forward Maritime Strategy, the New World Order.

CMP 902 Law of the Sea 8cp

Autumn/Spring Australian Defence Force Academy (Navy) On Campus

Assessment: Class presentations, Research Paper

Subject Description: The subject will cover the following: the history of international ocean management regimes; the 1982 Law of the Sea Convention; the Law of Armed Conflict of the Sea; the international legal regulation of marine resources; the protection of the marine environment; and law and order at sea.

CMP 903 Australian Maritime Power 8cp

Autumn/Spring Australian Defence Force Academy (Navy) On Campus

Assessment: Class presentations, Research Paper

Subject Description: The course deals with the historical evolution of Australian maritime power from a naval perspective. Topics covered include: international oceans politics; the uses of the sea; the development of national oceans policy; regional maritime policy issues in the Asia-Pacific; maritime and security arrangements in the Asia-Pacific region; Australia's maritime science and technology plan; co-operative arrangements for regional maritime surveillance and maritime transport.

CMP 904 Maritime Regulation and Enforcement 8cp

Autumn/Spring Wollongong On Campus

Assessment: Syndicate work and other class presentations, research paper.

Subject Description: The course focuses on the specific enforcement and regulatory powers, and responsibilities of states in the various maritime zones of jurisdiction, i.e. the territorial sea, the EEZ, continental shelf and high seas. Relevant policy and legal considerations in the development and enforcement of maritime jurisdiction will be covered.

CMP 905 Legal Regulation of Shipping 8cp
Not on offer in 2004

Subject Description: The course addresses the legal and regulatory frameworks relevant to shipping. It comprises two main elements: 1. The International Regulatory Framework, including: the Law of the Sea Convention; the role of the IMO; IMO related conventions; regional regulatory frameworks; and

the arrest and detention of ships. 2. The Australian Domestic Regulatory Framework, including: the constitutional framework; the administrative framework; the Navigation Act; marine insurance; and salvage.

CMP 906 Comparative Oceans Policy 8cp

Autumn/Spring Wollongong On Campus

Subject Description: The course analyses policy implications of increased sea use, comprising the following aspects: the conceptual basis for an integrated national ocean policy; the integration of national sectoral interests such as marine industries and other stakeholders; integrating ocean and coastal management; Australia's Oceans Policy; ocean policy developments in other parts of the world; and regional cooperation and management of shared ocean space, especially within the Southeast Asia.

CMP 907 Shipping and Ports 8cp

Autumn/Spring Wollongong On Campus

Subject Description: The subject addresses the key economic, geographic and policy aspects of international and domestic shipping and port operations. Key content includes global and Asia-Pacific trade, the emergence of a system of hub ports, and introduction to shipping and port/logistics economics, types of shipping, technology trends in shipping and port operations, flagging out of merchant fleets and port state control issues.

CMP 908 Contemporary Maritime Issues in the Asia-Pacific Region 8cp

Autumn/Spring Wollongong On Campus

Subject Description: This course deals with the leading maritime issues in the Asia-Pacific region, including: maritime territorial disputes (South China Sea, Taiwan, East China Sea, Kuriles); piracy/sea robbery; archipelagic sea lane passage; military operations in the EEZ; confidence-building; naval cooperation and competition; and maritime terrorism.

CMP 909 International Marine Environmental Law and Management 8cp

Not on offer in 2004

Subject Description: The subject covers International marine environmental law and conventions, including Part XII of the Law of the Sea Convention and Agenda 21; the specific concerns with, and importance of, the marine environment; important international conventions impacting upon the use and protection of the marine environment, and the domestic and international legal and policy implications of those conventions; the state of world and regional fisheries, and the legal and political efforts to sustain fish stocks.

CMP 910 Selected Topic in Maritime Studies 8cp

Autumn/Spring Wollongong Distance

Subject Description: 10,000 word research paper in an approved topic in maritime studies.

CMP 911 Research Project in Maritime Studies 8cp

Autumn/Spring Wollongong On Campus

Assessment: Research Paper

Subject Description: 10,000 word research paper in an approved topic in maritime studies.

CMP 912 Minor Thesis in Maritime Studies 16cp

Autumn/Spring Wollongong On Campus

Assessment: Thesis

Subject Description: 20,000 word minor thesis in an approved topic in maritime studies.

CMP 913 Integrated Marine and Coastal Management 8cp

Not on offer in 2004

Assessment: Syndicate work and other class presentations
Research Paper

Subject Description: The subject covers: 1. The processes and importance of marine and coastal environments 2. Marine and coastal resources, ecological systems and ecosystem services. 3. The factors involved with integrated coastal zone management. 4. Planning for integrated management: roles, components, parties and processes.

CMP 914 International Fisheries Law 8cp

Not on offer in 2004

Assessment: Syndicate work and other class presentations
Research paper

Subject Description: The course addresses: 1. The Law of the Sea Convention framework for international fisheries law; 2. Shortcomings of the Law of the Sea framework; 3. Post-Law of the Sea fisheries instruments; 4. Fisheries enforcement; 5. Regional fisheries management organisations; 6. Fisheries sector dispute settlement.

CMP 915 Fisheries Management Law 8cp

Not on offer in 2004

Assessment: Syndicate work and other class presentations
Research paper

Subject Description: The subject addresses: 1. Fisheries allocation and property rights and stakeholders; 2. Implementation instruments and national policy considerations; 3. National enforcement regimes; 4. Dispute settlement and litigation; 5. Ecological assessment of fisheries.

LAW 923 The Law of the Sea 8cp

Not on offer in 2004

Pre-requisites: LAW 910 and LAW 911

Assessment: Class participation, examination, research essay

Subject Description: The evolving law of the sea from an historical perspective. The 1982 United Nations Convention on the Law of the Sea (LOSC) and its associated instruments. Maritime zones of jurisdiction and the navigational regime under (LOSC). The major factors influencing the development of the law of the sea; the various interests involved in the law of the sea and how LOSC attempts to balance these interests.

LAW 924 International Environmental Law 8cp

Not on offer in 2004

Pre-requisites: LAW 910 and LAW 911

Assessment: A selection from assignments, class participation, class presentation, examination and research essay.

Subject Description: The relevant legal rules at the international level designed to protect the global environment. The historical development of these rules and the institutional framework within which they are made and enforced. The weaknesses of international environmental law, focusing on problems of domestic implementation.

INTR 900 International Law and Diplomacy 8cp

Autumn Wollongong On Campus

Assessment: Research essay and final examination

Subject Description: Sources of international law; the relationship between domestic law and international law; the law of treaties; the structure of the international legal system; statehood, state jurisdiction, state responsibility, nationality and refugees.

LAW 930 Research Project in Natural Resources Law 24cp

Autumn/Spring Wollongong On Campus

Pre-requisites: 24 credit points at 900 level from the Natural Resources Law & Policy course

Co-requisites: 24 credit points at 900 level from the Natural Resources Law & Policy course

Assessment: Research essay

Subject Description: Content as arranged.

LAW 950 Foreign Investment Law in the People's Republic of China 8cp

Not on offer in 2004

Assessment: class participation, negotiation group work, examination

Subject Description: An analysis of the laws and procedures regulating foreign investment in, and trade with, the PRC. This subject will examine those laws relating to: joint ventures and other forms of foreign investment; revenue and finance law including taxation, customs duties and exchange control; foreign trade including compensation trade, technology transfer and intellectual property; and dispute resolution.

LAW 960 Legal Studies For Professionals 6cp

Spring Wollongong On Campus

Spring Wollongong Flexible

Assessment: problem assignment, research essay, examination

Subject Description: This subject is offered in a series of modules. The first module lasts for 5 weeks and is completed by all students. It introduces Australia's constitutional and legal structure and explores the nature and processes of law. The second and third modules are designed for postgraduate students and, currently, address areas of law relevant to health and accounting professionals and general management issues.

LAW 969 Occupational Health and Safety Law 6cp

Autumn Wollongong On Campus

Contact Hours: 4 day intensive**Assessment:** Class participation, research essay and examination**Subject Description:** This subject is concerned with the study of the legal regime governing health, safety and welfare of people at work in New South Wales. Its focus will be the Occupational Health and Safety Act 2000 and the Occupational Health and Safety Regulations 2001.**LAW 970 Banking and Financial Institutions Law 6cp**

Autumn Wollongong On Campus

Contact Hours: Refer to Faculty**Pre-requisites:** Bachelor of Commerce specialising in Finance or approval by the Head of Department**Exclusions:** Not to count with LLB321**Assessment:** Refer to subject outline**Subject Description:** The legal framework establishing, controlling and regulating financial institutions, including the Reserve Bank, banks, money market dealers and securities. The law dealing with financial money market instruments, particularly bills of exchange, promissory notes and cheques. Legal basis of the relationship between financial institutions and their clients. The law of securities - nature and types of securities; capacity and authority of borrowers entering transactions; remedies available to secured lenders.**LAW 993 Research Essay 8cp**

Autumn/Spring Wollongong On Campus

Assessment: 10,000 word dissertation**Subject Description:** Information may be obtained from the Postgraduate Co-ordinator or Sub-Dean regarding the research essay.**LAW 994 Legal Research Proposal 8cp**

Autumn/Spring Wollongong On Campus

Pre-requisites: LAW 993 or equivalent**Subject Description:** This subject will provide students with the skills to develop a research proposal suitable for research at Master's level, and to choose an appropriate methodology for carrying out the research. It will explore the range of approaches available to legal researchers at a time when legal research is in a considerable state of flux. Traditional approaches based on detailed analysis of case law and legislation will be compared and contrasted with socio-legal approaches which rely on theoretical and methodological inputs from other disciplines. In particular, the relevance of empirical research to the issues of implementation and law reform, both qualitative and quantitative, will be examined. After completing the subject, students will be in a position to pursue more detailed studies in relation to their methodology of choice.**LAW8311 Lawyers and Legal Ethics 6cp**

Autumn/Spring Wollongong On Campus

Contact Hours: 2 hr seminar per week**Pre-requisites:** LAW810**Exclusions:** Before becoming eligible for a grade in this subject, a candidate must complete the practical component of the subject to the satisfaction of the Faculty.**Assessment:** Research essay or project 50%; Problems in Professional Responsibility assignment 40%, Class participation 10% (total will be scaled back to 60%). Placement program 40%.**Subject Description:** This subject falls into two parts. 1) the nature of professionalism and ethics; the 'legal profession', its regulation, and its rules of conduct; and how the law in practice relates to access to justice. 2) a practical or clinical element, in which students can observe and participate in the practice and operation of the law, through the Professional Experience Placement Program. Each student must undertake 2 placements each of 20 working days of professional experience, in two different legal environments approved by the Faculty. The Placement Program is undertaken after the Course work in the subject has been completed.**LAW9317 E-Commerce Law 6cp**

Spring Wollongong On Campus

Contact Hours: 2 hr seminar per week**Pre-requisites:** 24 credit points of Master of Electronic Commerce**Exclusions:** LAW317, LLB317**Assessment:** Class participation, class tests, research essay or class presentation and report.**Subject Description:** This subject considers some of the more significant legal and regulatory issues that e-commerce has given rise to, and the efficacy of sustainability of the emerging responses to them. The subject begins with an overview of the structural framework of the cyber marketplace. It then focuses on starting up an on-line business activity, the legal issues at the forefront, and the progress thus far towards resolving them. Intellectual property aspects and privacy are particularly relevant at this stage. The subject then focuses on operating an on-line business and considers contract and consumer protection, and payment and security issues.**LAW9380 Law For Environmental Managers 8cp**

Spring Wollongong On Campus

Contact Hours: 2 hr seminar, 1 hr lecture per week**Pre-requisites:** 72 credit points in a discipline other than Law or enrolled in MEnvSc**Exclusions:** Not to count with LAW100, LAW334 or LAW380**Assessment:** Take-home examination and a final examination.**Subject Description:** The goal of this subject is to enable candidates to develop a basic, critical understanding of the law in relation to environmental management in Australia, with particular emphasis on NSW, including the limitations of legal instruments in achieving environmental management and policy objectives.**LEGL910 International Cooperation in Crime Prevention 4cp**

Autumn Wollongong On Campus

Contact Hours: WebCT and 2 days compulsory intensive classes

Subject Descriptions

Assessment: class presentation, assignments and research paper

Subject Description: The politics of international relations, regional security and transnational crime and their historical background. UN institutions including the proposed International Criminal Court, different regional institutions, anti-corruption mechanisms, whistleblowing, transparency in governance and the role of civil society.

LEGL911 International Criminal Law 4cp

Autumn Wollongong On Campus

Contact Hours: WebCT and 2 days compulsory intensive classes

Assessment: class presentation, assignments, research paper

Subject Description: International law related to national extraterritorial regulatory and enforcement jurisdiction, mutual assistance and extradition, and international crimes and tribunals. Includes an overview of relevant international instruments such as the UN Narcotic Drugs and Psychotropic Substances Treaty, the OECD Convention Bribery, the Draft UN Convention against Transnational Organised Crime, the Law of the Sea Convention, and bilateral instruments such as extradition treaties and mutual assistance treaties.

LEGL912 Comparative Criminal Justice 4cp

Autumn Wollongong On Campus

Contact Hours: WebCT and 2 days compulsory intensive classes

Assessment: class presentation, assignments, research paper

Subject Description: Common Law, civil law and shari'a criminal justice systems are compared with the objective of developing an appreciation of different legal systems, cultures and ethics. International criminal procedure is examined including international policing cooperation.

LEGL920 Transnational Corporate Crime 4cp

Spring Wollongong On Campus

Contact Hours: WebCT and 2 days compulsory intensive classes

Co-requisites: LEGL911

Assessment: class presentation, assignments, research paper

Subject Description: Fraud, money laundering, tax evasion and tax havens, securities offences, corporate structures including holding companies and subsidiaries, directors' responsibilities. Case studies and examples provided by relevant guest lecturers from government and commerce.

LEGL921 Crime and Transnational Financial Transactions 4cp

Autumn Wollongong On Campus

Contact Hours: WebCT and 2 days of compulsory intensive classes

Co-requisites: LEGL911

Assessment: class discussions, assignments, individual essay

Subject Description: The subject focuses on the implications of fraud for the financial sector. It entails analysis of fraudulent activity in financial transactions, e.g. letters of credit, credit cards, electronic transfers, insurance, banking

codes, and other banking procedures, together with the rules governing the disclosure of account holders and other forms of government record tracing.

LEGL922 Financial Investigations Practice and Procedure 4cp

Spring Wollongong On Campus

Contact Hours: WebCT and 2 days compulsory intensive classes

Co-requisites: LEGL911

Assessment: class discussions, assignments, research essay

Subject Description: This subject focuses on the investigation of accounts and other relevant financial information held by financial organisations. It entails analysis of financial and other account information, auditing of accounts, and accountant and lawyer ethics and responsibilities, eg. in relation to confidentiality, search warrants and subpoenas.

LEGL923 Crime and Information Technology Regulation 4cp

Spring Wollongong On Campus

Contact Hours: WebCT and 2 days compulsory intensive classes

Co-requisites: LEGL911

Assessment: class discussions, assignments and research essay.

Subject Description: The subject focuses on the implications of developments in information technology for corporate and governmental security. It entails analysis of E-commerce regimes, theft of services and intellectual property and information piracy, dissemination of offensive materials, money laundering, vandalism, illegal interception, fraud, mobility and location of crime together with the rules governing the disclosure of account holders by Internet Service Providers (ISP) and forensic skills.

LEGL930 Legal Research and Writing 2cp

Autumn Wollongong On Campus

Contact Hours: WebCT and compulsory intensive class

Assessment: A case summary; a web-based exercise; small group exercise

Subject Description: The subject is intended to introduce students to the particular characteristics of legal research and writing relevant to the Master of Transnational Crime Prevention (MTCP) program. The subject content is similar to that offered by the Faculty in LLB9395 Legal Research and Writing.

LEGL931 Computing and Statistical Skills 2cp

Autumn Wollongong On Campus

Contact Hours: WebCT and compulsory intensive class

Assessment: practical exercises and assignments

Subject Description: The subject is intended to introduce students to the application of information technology in legal and financial work, including information retrieval, litigation support, property (land) transactions, company searches, court and office management and the use of expert systems. The

subject content is similar to that offered by the Faculty in LLB390.

LEGL940 Transnational Organised Crime 8cp

Spring Wollongong On Campus

Contact Hours: WebCT and 4 days compulsory intensive classes

Pre-requisites: LEGL 911

Assessment: class presentations and research paper

Subject Description: All students will undertake a common core module on the analysis and structure of transnational organised crime, including the sociology of the development of such crime. Thereafter, students will choose one case study on serious organised crime to be selected from Terrorism, Banking Fraud, Firearms Trafficking, Narcotics, People Trafficking, Environmental Crime, Maritime Crime and Intellectual Property Crimes. Examples and case studies will be provided by relevant experts from Government and Commerce.

LEGL950 Transnational Crime Prevention Research Project 8cp

Autumn/Spring Wollongong On Campus

Pre-requisites: 24 credit points of LEGL subjects

Assessment: 10,000 word dissertation.

Subject Description: Students will research and write a dissertation of approximately 10,000 words, on a subject selected by the student and approved by the subject coordinator. The student should approach the topic from an international and comparative law perspective drawing together different threads of the Master of Transnational Crime Prevention (MTCP) program undertaken by the student in light of the students experience and background. Where appropriate, assistance from external experts is encouraged.

LEGL951 Special Studies in Transnational Crime and Prevention 8cp

Autumn/Spring Wollongong On Campus

Pre-requisites: 24 credit points of LEGL subjects

Assessment: 5,000 word essay

Subject Description: This subject permits the inclusion in the Master of Transnational Crime Prevention (MTCP) program of an in depth study of a particular aspect of transnational crime prevention within the specialisation of a visiting expert, which would otherwise not be offered by the Faculty.

LLB 843 Professional Practice 8cp

Autumn/Spring Wollongong On Campus

Pre-requisites: Bachelor of Laws degree or equivalent

Co-requisites: LLB844

Assessment: Workshops, small group activities, assignments, reflective journal, professional experience component, report.

Subject Description: An introductory program which will provide frameworks, foundations and strategies for the other Practice Subjects of the course. The subject contains seven modules: Professional Responsibility and Competent Practice; Problem Analysis Skills; Dispute Resolution Skills; Cross-cultural Communication Skills; Electronic Research Skills;

Writing and Drafting Skills and Professional Experience Program. Students attend on-campus for the first week of the Course, and thereafter meet the requirements of the Professional Experience program in law-related employment or in a placement arranged by the Practical Legal Training Unit. The requirements of this subject are not completed until all components of professional experience.

LLB 844 Practice Management 8cp

Autumn/Spring Wollongong On Campus

Pre-requisites: Bachelor of Laws degree or equivalent

Co-requisites: LLB843

Assessment: The completion of a workbook, several assignments, attend and actively participate in a seminar.

Subject Description: This subject will introduce students to the statutory and professional requirements in relation to clients' Trust monies and securities, and to principles of practice management including computerised accounting and recording systems, costing, risk management and related matters. The subject contains three inter-related modules: Trust and Office Accounting; and Law Office Management.

LLB 845 Conducting Litigation 16cp

Autumn/Spring Wollongong On Campus

Pre-requisites: Bachelor of Laws degree or equivalent

Co-requisites: LLB843 and LLB844

Assessment: A combination of workshops, self-directed learning, assignments, Court visits, and interactive legal files.

Subject Description: The subject is organised in seven modules: Litigation Strategy Workshop; Civil Litigation Practice; Criminal Law Practice; Family Law Practice; Advocacy Workshop; Administrative Law Practice and Environmental Law Practice.

LLB 846 Commercial and Property Practice 16cp

Autumn/Spring Wollongong On Campus

Pre-requisites: Bachelor of Laws degree or equivalent

Co-requisites: LLB843 and LLB844

Assessment: Assessment involves a combination of workshops, seminars, an auction report, workbook exercises, assignments, and conduct of a legal file.

Subject Description: The subject is delivered in 8 modules: Commercial Planning; Revenue Implications; Real Property Transactions; Commercial Contracts; Government Commercial Transactions; Trusts, Wills and Estate Planning; Probate and Estate Administration; Small Business Practice. The subject provides an overview of particular aspects of commercial and property transactions, and related matters which affect clients in planning their business and personal affairs.

LLB 950 Foreign Investment Law in the People's Republic of China 8cp

Not on offer in 2004

Pre-requisites: Refer to Faculty

Assessment: Class participation, negotiation group work, examination.

Subject Description: An analysis of the law and procedures regulating foreign investment in, and trade with, the PRC. This

Subject Descriptions

subject will examine those laws relating to: joint ventures and other forms of foreign investment; revenue and finance law including taxation, customs duties and exchange control; foreign trade including compensation trade, technology transfer and intellectual property; and dispute resolution.

LLB9100 Introduction to Legal Systems 8cp

Autumn/Spring Wollongong On Campus

Subject Description: An overall perspective on the Australian legal system and its role in the Australian social order; an introduction to the sources and authority of legal rules, the nature of legal institutions and practices, legal materials, reasoning and terminology. Aspects of substantive law will be used to illustrate general principles.

LLB9210 Law of Contracts 8cp

Spring Wollongong On Campus

Contact Hours: 1 hr lecture, 2 hr seminar per week

Co-requisites: LLB9100

Assessment: Case note; mid session assignment; class participation; and final examination.

Subject Description: The study of the modern law of contract as it has developed in Australia. The subject introduces the context and significance of contract law, especially in relation to commercial dealings. Using the case book method, students study the legal principles as to formation of a contract, privity of contract, the terms of the contract, the contract excuses, performance breach and termination of the contract, and remedies for breach of contract. Similarly, students study promissory estoppel. The subject is designed to facilitate students acquiring a sound knowledge of the basic legal principles of the discipline area and their diverse applications.

LLB9222 Perspectives on Law 8cp

Not on offer in 2004

Co-requisites: LLB9100

Assessment: assignments

Subject Description: As its title suggests, this is a subject about law rather than a subject on the law itself. A basic theme of the subject is the underlying tension between law as an abstract medium of scholarship and the way it operates in real life. A wide variety of theoretical tools will be presented to help students make sense of the differences between law in books and law in action.

LLB9300 Remedies and Procedure 8cp

Spring Wollongong On Campus

Contact Hours: 2 hr seminar per week

Pre-requisites: LLB9210 and LLB9307

Assessment: class participation, assignment, examination

Subject Description: The Remedies component of this subject explores the major legal and equitable remedies available in a civil action. These judicial remedies are considered according to the particular purpose or goal that they are intended to achieve, including compensation, punishment, restitution and coercion. In addition, some attention is given to non-judicial (or "self help") remedies. The Civil Procedure component of the subject examines pre-trial procedure in civil actions in the Supreme Court of New South Wales. Topics covered include

determining who may be a party to the proceedings; choosing originating process; serving court process; pleading; bringing proceedings to an early end; obtaining discovery and administering interrogatories.

LLB9301 Evidence 8cp

Spring Wollongong On Campus

Contact Hours: 1 hr lecture, 2 hr seminar per week

Pre-requisites: LLB9210

Assessment: Research essay, moot or assignment, class participation and final examination.

Subject Description: Students will be introduced to the rules relating to the sources and admissibility of evidence in civil and criminal trials. Topics will include the burden and standard of proof; the examination of witnesses; character evidence; documentary evidence; and the rules in relation to opinion evidence, hearsay, confessions and admissions; illegally obtained evidence; discretions and warnings.

LLB9302 Law of Business Organisations 8cp

Autumn Wollongong On Campus

Contact Hours: 1 hr lecture, 2 hr seminar per week

Pre-requisites: LLB9210

Assessment: Assignments and examination.

Subject Description: The subject introduces the central concerns of a law of organisations, and of the law of business organisations, and the public policies informing the development of the Australian legal response. The range of organisations available for business and non-business purposes and their legal regulation are overviewed. Partnerships and companies and their legal regulations are considered in depth, including current policy issues.

LLB9303 Family, Children and Welfare 8cp

Autumn Wollongong On Campus

Contact Hours: Delivered as intensive subject over 4 days

Pre-requisites: LLB9100

Assessment: Essay; class participation; class exercises; quiz; and final examination.

Subject Description: To develop in students a satisfactory level of understanding of all aspects of the Family Law Act and related legislation.

LLB9304 Criminal Law and the Process of Justice 8cp

Autumn Wollongong On Campus

Contact Hours: 2 hr seminar per week

Assessment: Essay and examination

Subject Description: This subject is an introduction to: general principles of criminal liability; major categories of offences and selected defences; and aspects of criminal procedure.

LLB9305 Property and Trusts A 8cp

Autumn Wollongong On Campus

Contact Hours: 1 hr lecture, 2 hr seminar per week

Pre-requisites: LLB9210

Assessment: Class participation, assignment and final examination

Subject Description: Consideration of the notion of property and interests in property; the distinctions between 'real, personal and intangible' property; legal and equitable interests in property and the notion of title; the notion of ownership; legal protection of property interests. The relationship of landlord and tenant; easements and covenants.

LLB9306 Property and Trusts B 8cp

Spring Wollongong On Campus

Contact Hours: 1 hr lecture, 2 hr seminar per week

Pre-requisites: LLB9305

Assessment: Class participation; assignment and final examination

Subject Description: The modern law of real property, including Torrens title, mortgages and co-ownership. The law of express trusts, including the powers and obligations of trustees, and remedies of the beneficiary for breach of trust.

LLB9307 Law of Torts 8cp

Autumn Wollongong On Campus

Contact Hours: 2 x 1 hr lectures, 1 hr seminar per week

Pre-requisites: LLB9100

Assessment: assignments; examination

Subject Description: Introduction to the law of civil wrongs, its aims, operation and relationship to other societal mechanisms of compensation. Topics include negligence; international torts; nuisance. The focus will be the development of the common law and the operation of public policy granting relief in a variety of tort actions.

LLB9308 Public Law A 8cp

Autumn Wollongong On Campus

Contact Hours: 1 hr lecture, 2 hr seminar per week

Pre-requisites: LLB9100

Assessment: problem assignment and exam.

Subject Description: The notion of the state and state power; limitations on state power; the constitutional structure of the Australian nation-state; the notion of division and separation of powers; mechanisms of accountability and control of government officials, including access to government information, the Ombudsman, merits review tribunals and judicial review.

LLB9309 Public Law B 8cp

Spring Wollongong On Campus

Contact Hours: 2 hr seminar per week

Pre-requisites: LLB9308

Assessment: research essay and exam.

Subject Description: Division of power between Commonwealth and State legislatures; the structure and powers of State and Commonwealth governments, with special emphasis on the limitation of the power of the Commonwealth; the place of the judiciary and judicial review of legislative and executive power; Commonwealth and State fiscal powers;

express and implied constitutional rights; constitutional change.

LLB9312 Legal Theory 8cp

Spring Wollongong On Campus

Contact Hours: 2 hr seminar per week

Pre-requisites: LLB9100

Assessment: Assignments; research essay; class participation

Subject Description: This subject addresses a range of fundamental issues in jurisprudence, revolving around the nature of law, the basis for legal authority, the scope and limits of law, and the relationship between law, morality and values such as justice, liberty and autonomy.

LLB9320 Commercial and Consumer Contracts 8cp

Autumn Wollongong On Campus

Contact Hours: 2 hr seminar per week

Pre-requisites: LLB9210

Assessment: Class participation; assignment and examination

Subject Description: The special rules relating to common commercial contracts, such as contracts of agency, contracts for the sale of goods, insurance contracts, and contracts of carriage; statutory restrictions on contracts.

LLB9321 Finance and Security 8cp

Spring Wollongong On Campus

Contact Hours: 2 hr seminar per week

Pre-requisites: LLB9210

Assessment: class participation, assignment, examination

Subject Description: LLB9321 Finance & Security is designed to develop in students a sound understanding of the law governing financial institutions in Australia, and the manner in which these institutions are regulated. The relationship between financial institutions and their customers will be examined, along with the impact of recent technological developments on this relationship and on the business of banking. The law dealing with cheques and other negotiable instruments will be discussed in detail. The issue of security for transactions with financial institutions will be analysed, along with the position of banks as creditors when a customer becomes bankrupt.

LLB9330 Law of Employment 8cp

Autumn Wollongong On Campus

Contact Hours: 1 hr lecture, 2 hr seminar per week

Pre-requisites: LLB9210

Assessment: class participation, essay/project and examination

Subject Description: The rights and duties of individual employers and employees under common law and selected legislation, including: formation, content and termination of the contract of employment; implied duties of employers and employees; remedies at common law; unfair dismissal legislation; anti-discrimination law; unfair work contracts; occupational health and safety.

LLB9331 Intellectual Property Law 8cp

Autumn Wollongong On Campus

Contact Hours: 1 hr lecture, 2 hr seminar per week

Pre-requisites: LLB9100

Assessment: class participation, research essay, take-home examination

Subject Description: This subject provides an overview of the field of intellectual property law commencing with an analysis of the 2 major and oldest forms of intellectual property - copyright and patents. The course then moves on to the methods of protecting business reputation both at common law/equity, and through the registration of trade marks. Other more recent forms of intellectual property are also covered, such as plant breeder's rights, designs and circuit layouts.

LLB9332 Labour Relations Law 8cp

Spring Wollongong On Campus

Contact Hours: 2 hr seminar per week

Pre-requisites: LLB9210

Assessment: Assignment, class participation, presentation and examination.

Subject Description: The legal regulation of collective relations between employers and employees under the Workplace Relations Act 1996 (Cth) and the Industrial Relations Act 1996 (NSW). Topics include: constitutional requirements; parties to an industrial dispute; powers of industrial tribunals (including natural justice); processes of award making and variation; collective bargaining and certified agreements; Australian Workplace Agreements; legal regulation of trade unions; liability for industrial action.

LLB9334 Environmental Law 8cp

Spring Wollongong On Campus

Contact Hours: 2 hr seminar per week

Pre-requisites: LLB9100

Assessment: assignment, research essay, class participation, examination

Subject Description: The goal of this subject is to enable candidates to develop a basic, critical understanding of the law in relation to environmental management in Australia, with particular emphasis on NSW, including the limitations of legal instruments in achieving environmental management and policy objectives.

LLB9335 Anti-Discrimination Law 8cp

Spring Wollongong On Campus

Contact Hours: 1 hr lecture, 2 hr seminar per week

Pre-requisites: LLB9100

Assessment: essay/research project, class participation and examination

Subject Description: An analysis and appraisal of laws prohibiting discrimination in Australia on various grounds, including: sex, marital status, race, disability, age, sexual preference and transgender. Laws prohibiting harassment and vilification will also be examined. The subject includes exploration of the aims and social context of anti-discrimination legislation, as well as related concepts such as equal opportunity, social justice and affirmative action. Examination of processes for complaints, dispute resolution

and enforcement, and powers of investigative and adjudicatory bodies.

LLB9336 Regulation of Business 8cp

Not on offer in 2004

Pre-requisites: LLB9100

Assessment: Class participation, assignment and research paper 4,000 words.

Subject Description: This course is concerned with the law controlling the sale and distribution of products and services, credit, restrictive trade practices and other aspects of the commercial environment. It examines the relation of production and consumption in the economy and the law, the policies and legal rules intended to protect consumers, and legal remedies and institutions which are designed to offer assistance to consumers. Consumer protection is related to business regulation and restrictive trade practices (competition law) since both these areas seek to supplement and support market and other mechanisms which ensure that consumers get the goods and services that they want, at a fair price, and without risk of injury or deception. There is also an examination of consumerism as a world-wide phenomenon with specific emphasis on the international consumer movement and consumer rights as well as anti-competitive concerns about intellectual property in the context of the multilateral trading system of the WTO.

LLB9337 Comparative Studies In Law 8cp

Spring Wollongong On Campus

Contact Hours: 4 day intensive

Pre-requisites: LLB9100

Assessment: Research essay and final examination

Subject Description: A comparison of the French civil law with the common law of England and Australia, with the objective of developing an appreciation of different legal systems and approaches.

LLB9338 International Trade Law 8cp

Not on offer in 2004

Pre-requisites: A Law degree

Assessment: Class participation, assignments, research papers or take home examination

Subject Description: Public and private law aspects of international trade and investment, including contracts, transport, insurance and the settlement of international commercial disputes, the role of the World Trade Organisation, its regime of trade regulation and dispute resolution mechanisms, multilateral agreement on trade in services, and the financing of international transactions.

LLB9341 Revenue Law 8cp

Not on offer in 2004

Pre-requisites: LLB9210

Assessment: class presentation, written advice to clients involving 2 scenarios; class participation and assignment

Subject Description: Revenue Law, or taxation law, is one of the highly technical fields of law bringing together economic, accounting and financial concepts into a legal construct for the determination of how the costs of good government are to

be shared among the members of society. Taxation pervades everyone's life in some way, whether in the form of income tax, for instance, or some form of consumption or other tax. LLB9341 is confined to the Income Tax Assessment Act (1936/97), the Fringe Benefits Tax Assessment Act and associated legislation. These fields alone provide more than enough content for a one semester subject, but are essential for those students seeking registration as CPAs or Chartered Accountants after completing their Degree.

LLB9343 International Law 8cp

Autumn Wollongong On Campus

Contact Hours: 2 hr seminar per week

Pre-requisites: LLB9100

Assessment: research essay and final examination

Subject Description: Sources of international law; the relationship between domestic law and international law; the law of treaties; the structure of the international legal system; statehood, state jurisdiction, state responsibility, nationality and refugees.

LLB9344 Indigenous Peoples and Legal Systems 8cp

Not on offer in 2004

Pre-requisites: LLB9100

Assessment: essays, research paper.

Subject Description: This subject is an introduction to the relationship between Indigenous and non-Indigenous laws and legal systems in Australia. It considers the nature and status of Aboriginal and Torres Strait Islander laws, and explores some of the specific legal issues of current relevance to Indigenous peoples in Australia. Topics include the impact of European colonisation, over-representation in the criminal justice system, land rights and native title, recognition of Aboriginal law, and self-determination.

LLB9348 Media Law 8cp

Not on offer in 2004

Pre-requisites: LLB9100

Co-requisites: LLB9210

Assessment: research project, class tests, examination

Subject Description: An introduction to the law affecting information (in the broadest sense of the term) gathering and dissemination, and to the policies and philosophies informing the legal protection of and restrictions on freedom of speech.

LLB9349 Feminism and Law 8cp

Not on offer in 2004

Pre-requisites: LLB9100

Subject Description: This subject introduces the major themes in feminist thought and modes of contemporary feminist scholarship and applies them to law, legal institutions and the practice of law in Australia. It provides a foundation for future analysis of substantive and procedural law by students and subjects the institutions of law and their practitioners to scrutiny from a feminist perspective.

LLB9350 Special Study in Law A 8cp

Autumn/Spring Wollongong On Campus

Pre-requisites: LLB9210

Subject Description: A study in depth of selected area of law.

LLB9351 Special Study in Law B 8cp

Autumn/Spring Wollongong On Campus

Pre-requisites: LLB9210

Assessment: Not available.

Subject Description: A study in depth of a selected area of law.

LLB9360 Foreign Investment Law in the People's Republic of China 8cp

Not on offer in 2004

Pre-requisites: LLB9100

Co-requisites: LLB9210

Assessment: class participation, negotiation group work, examination

Subject Description: An analysis of the law and procedures regulating foreign investment in, and trade with, the PRC. This subject will examine those laws relating to: joint ventures and other forms of foreign investment; revenue and finance law including taxation, customs duties and exchange control; foreign trade including compensation trade, technology transfer and intellectual property; and dispute resolution.

LLB9362 Advanced Revenue Law 8cp

Not on offer in 2004

Pre-requisites: LLB9341

Assessment: Research project; client interview and class participation

Subject Description: In this subject, students will be exploring selected aspects of income tax, capital gains tax, fringe benefits tax, the new goods and services tax and state taxes. The course is run on an intensive basis and features presentations from tax professionals, the Australian Tax Office, and the NSW Office of State Revenue.

LLB9395 Legal Research and Writing 2cp

Autumn/Spring Wollongong On Campus

Assessment: Exercises, small-group presentation, class participation

Subject Description: An introduction to the location and use of primary legal materials, including the use of computers in retrieving legal material; observation of legal practice in courts and elsewhere; analysis of legal documents; development of clear, concise and simple styles of presenting ideas and arguments in writing; citation of legal materials.

