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## LAW SUBJECT DESCRIPTIONS

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### LAW 100 Law in Society 6cp

Autumn	Wollongong	On Campus
Autumn	Shoalhaven	On Campus
Autumn	Batemans Bay	On Campus
Autumn	Bega/ Moss Vale	On Campus
Autumn	Dubai	On Campus

(Sept04-Jan05)

**Contact Hours:** Normally, 2 hours Tutorial per week.

**Exclusions:** Not to count with LLB100 or LAW130.

**Assessment:** Class participation; assignments; examination.

**Subject Description:** Effective participation in the business world, and in society in general, requires some understanding of the law and of legal processes. Law in Society aims to provide the knowledge and skills to achieve these goals. The subject introduces students to various stages of setting up and operating a small business and the areas of law most relevant to each stage. The consideration of the law focuses on its practical implications for achieving business objectives and preventing legal problems arising.

### LAW 210 Contract Law 6cp

Spring	Wollongong	On Campus
Spring	Shoalhaven	On Campus
Spring	Batemans Bay	On Campus
Spring	Bega/ Moss Vale	On Campus
Autumn	Dubai	On Campus

(Sept04-Jan05)

**Contact Hours:** Normally 2 hours Lecture per week.

**Pre-requisites:** LAW100 or LAW130.

**Exclusions:** Not to count with LLB210

**Assessment:** Problem question; examination.

**Subject Description:** A study of the common law governing contractual relationships together with an outline of relevant statutory modifications, including an introduction to the sale of goods and consumer law. The subject allows the student to have an understanding that contract law is the basis of commercial law and is thus essential for persons wishing to engage in business. Indeed the formation of contracts is an integral part of the conduct of any business enterprise and an ability to interpret and understand such contracts will enable the person involved in the business to make informed decisions and be aware of alternatives.

### LAW 302 Law of Business Organisations 6cp

Autumn	Wollongong	On Campus
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**Contact Hours:** 1 hour Lecture, 2 hours Seminar, per week.

**Pre-requisites:** LAW210.

**Exclusions:** Not to count with LLB302.

**Assessment:** Assignment; class tests; seminar presentation or class participation; and final examination.

**Subject Description:** The subject outlines the key features of the different legal structures which people might adopt for their business and voluntary activities. The legal regulation of two of these, partnership and a company incorporated under the Corporations Act, are then considered in depth. Practical applications of the law, and public policy dimensions, are addressed throughout the subject.

### LAW 303 Children, Families and the Law 6cp

Autumn	Wollongong	On Campus
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**Contact Hours:** 4 days intensive.

**Pre-requisites:** LAW100.

**Exclusions:** Not to count with LLB303.

**Assessment:** Essay; class participation; class exercises; and quiz.

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

### LAW 304 Criminal Law and the Process of Justice 6cp

Autumn	Wollongong	On Campus
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**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** LAW100.

**Exclusions:** Not to count with LLB304.

**Assessment:** Essay; examination.

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

### LAW 308 Administrative Law 6cp

Autumn	Wollongong	On Campus
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**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** LAW100

**Exclusions:** Not to count with LLB308

**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.

### LAW 315 Taxation Law 6cp

Spring	Wollongong	On Campus
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**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week

**Pre-requisites:** LAW210.

**Assessment:** Essay, group assignment, seminar participation & presentation, and final exam.

**Subject Description:** This subject focuses on the structure of the Income Tax Assessment Acts (1936 & 1997); Fringe Benefits Tax Assessment Act 1986; and related legislation. General principles with respect to the assessability of income and deductibility of expenses are studied, together with the treatment of fringe benefits and capital gains.

### LAW 316 Occupational Health & Safety Law 6cp

Autumn	Wollongong	On Campus
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**Contact Hours:** 4 days intensive.

**Pre-requisites:** LAW100 and 12 credit points in LAW subjects.

**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 317 E-Commerce Law 6cp**

**Contact Hours:** Not on offer in 2004.

**Pre-requisites:** LAW 210 and a minimum 48 credit points.

**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.

**LAW 330 Law of Employment 6cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** (MGMT240) OR (LAW100 PLUS either COMM100 or LAW210).

**Exclusions:** Not to count with LLB330.

**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; unfair work contracts; occupational health and safety.

**LAW 331 Intellectual Property Law 6cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** LAW210.

**Exclusions:** Not to count with LLB331.

**Assessment:** Class participation, research assignment and 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.

**LAW 332 Labour Relations Law 6cp**

**Spring** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** (MGMT240) OR (LAW100 PLUS either COMM100 or LAW210).

**Exclusions:** Not to count with LLB332.

**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). 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; law of industrial action.

**LAW 334 Environmental Law 6cp**

**Spring** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** LAW100.

**Exclusions:** Not to count with LLB334, LAW380 or LLB3911.

**Assessment:** Take-home assignment 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.

**LAW 335 Anti-Discrimination Law 6cp**

**Spring** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week

**Pre-requisites:** LAW100.

**Exclusions:** Not to count with LLB335

**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, carer responsibilities, 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.

**LAW 343 International Law 6cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** LAW100.

**Exclusions:** Not to count with LLB343 or INTR900.

**Assessment:** Research essay and a 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 344 Indigenous Peoples and Legal Systems** **6cp**  
**Contact Hours:** Not on offer in 2004.  
**Pre-requisites:** LAW100 or ABST100.  
**Exclusions:** Not to count with LLB344.  
**Assessment:** Essay, research paper.  
**Subject Description:** This subject introduces 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, exploring 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.
- LAW 348 Media Law** **6cp**  
**Spring** Wollongong On Campus  
**Contact Hours:** 2 hours Seminar per week.  
**Pre-requisites:** 72 cp including among completed subjects one of: (LAW100 and LAW210) or (COMS100 and COMS101 and LAW100) or other as may from time to time be approved  
**Exclusions:** Not to count with LLB348.  
**Assessment:** Research project, class tests, final 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.
- LAW 352 Advanced Taxation Law** **6cp**  
**Autumn** Wollongong On Campus  
**Pre-requisites:** LAW315.  
**Exclusions:** Not to count with LLB341.  
**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 and representatives from KPMG, the Australian Tax Office and the NSW Office of State Revenue.
- LAW 360 Foreign Investment Law in the People's Republic of China** **6cp**  
**Autumn** Wollongong On Campus  
**Contact Hours:** 4 days intensive.  
**Pre-requisites:** LAW100.  
**Co-requisites:** LAW210.  
**Assessment:** Class participation, negotiation group work and final assignment.  
**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 380 Law for Environmental Managers** **8cp**  
**Spring** Wollongong On Campus  
**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.  
**Pre-requisites:** 72 credit points in a discipline other than Law.  
**Exclusions:** Not to count with LAW334.  
**Assessment:** Take-home assignment 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 in NSW, including the limitations of legal instruments in achieving environmental management and policy objectives.
- LLB 100 Foundations of Law A** **6cp**  
**Autumn** Wollongong On Campus  
**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.  
**Exclusions:** Not to count with LAW100.  
**Assessment:** Essay, class participation, problem assignment, and take home exam.  
**Subject Description:** The subject introduces students to the legal system, legal terminology and legal concepts in a broader context and allows students to start thinking about the values law embodies, implicitly and explicitly, and their relationship to society. This approach also enables students to reflect upon the law in theory and in practice, the knowledge needed to make sense of the difference and the skills needed to mediate it successfully. In addition, the subject provides opportunities to start practising the legal skills of statutory interpretation and case analysis which are fundamental to the study and practice of law. Finally, the subject requires students to reflect upon their own assumptions and values.
- LLB 110 Legal Research and Writing** **4cp**  
**Autumn** Wollongong On Campus  
**Contact Hours:** 2 hour lab per week.  
**Co-Requisites:** LLB100 or LAW810  
**Assessment:** Assignments, oral presentation, and quizzes.  
**Subject Description:** This subject comprises values, knowledge and skills. Accordingly, the subject introduces students to basic legal writing skills, legal terminology and legal concepts in a broader context which allows students to start thinking about the values law embodies, implicitly and explicitly, and their relationship to society. This subject also introduces students to legal research & writing, oral presentation skills and to statistical literacies. In addition, the subject provides opportunities to start practising the legal skills of statutory interpretation and case analysis which are fundamental to the study and practice of law.
- LLB 200 Foundations of Law B** **6cp**  
**Spring** Wollongong On Campus  
**Contact Hours:** 2 hour Seminar per week.  
**Prerequisites:** LLB100 and LLB110.  
**Exclusions:** LLB222  
**Assessment:** Assignments, class participation, and exam.  
**Subject Description:** The subject explores the sources of law, the application of law and ways of arguing the law. It aims to contribute to students foundational understanding of law and its place in Australian society by encouraging social and

philosophical analysis of key issues dealt with in other areas of first year LLB program.

**LLB 210 Law of Contracts 8cp**

**Spring** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** LLB100.

**Exclusions:** Not to count with LAW210.

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

**Subject Description:** The subject introduces the context and significance of contract law, especially in relation to commercial dealing. 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.

**LLB 300 Remedies and Procedure 8cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** LLB210 and LLB307.

**Assessment:** Class participation, assignment and 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.

**LLB 301 Evidence 8cp**

**Spring** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** LLB304.

**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.

**LLB 302 Law of Business Organisations 8cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** LLB306.

**Exclusions:** Not to count with LAW302.

**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.

**LLB 303 Family, Children and Welfare 8cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 4 days intensive.

**Pre-requisites:** 48 credit points of LLB subjects.

**Exclusions:** Not to count with LAW303.

**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.

**LLB 304 Criminal Law and the Process of Justice 8cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** LLB100.

**Exclusions:** Pre-requisites apply only to candidates in double degree courses; not to count with LAW304.

**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.

**LLB 305 Property and Trusts A 8cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** LLB210.

**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; the notions of ownership, title and possession; legal and equitable interests in property (including the resulting and constructive trust); legal protection of property interests. The law of landlord and tenant, easements and covenants.

**LLB 306 Property and Trusts B 8cp**

**Spring** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** LLB305.

**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.

- LLB 307 Law of Torts 8cp**  
**Autumn** Wollongong On Campus  
**Contact Hours:** 2 x 1 hour Lectures, 1 hour Seminar per week.  
**Pre-requisites:** LLB210.  
**Assessment:** Assignments and examination.  
**Subject Description:** Introduction to the law of civil wrongs, its aims, operation and relationship to other societal mechanisms of compensation. Topics include negligence; intentional 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.
- LLB 308 Public Law A 8cp**  
**Autumn** Wollongong On Campus  
**Contact Hours:** 1 hour Lecture, 2 hours Tutorial per week.  
**Pre-requisites:** LLB100.  
**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.
- LLB 309 Public Law B 8cp**  
**Spring** Wollongong On Campus  
**Contact Hours:** 2 hours Seminar per week.  
**Pre-requisites:** LLB308.  
**Assessment:** Research essay 40%; exam 60%.  
**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.
- LLB 311 Lawyers and Australian Society 8cp**  
**Autumn / Spring** Wollongong On Campus  
**Contact Hours:** 2 hours Seminar per week.  
**Pre-requisites:** LLB304.  
**Co-requisites:** LLB210.  
**Assessment:** Research essay or project 35%, Problems in Professional Responsibility assignment 40%, class participation 10% (total will be scaled back to 60%) and 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.
- LLB 312 Legal Theory 8cp**  
**Spring** Wollongong On Campus  
**Contact Hours:** 2 hours Seminar per week.  
**Pre-requisites:** 48 credit points of LLB subjects including LLB222.  
**Assessment:** Assignment; research essay; class participation.  
**Subject Description:** This subject addresses a selection of issues in jurisprudence, including 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, pluralism and autonomy.
- LLB 313 Legal Research Project A 8cp**  
**Spring / Autumn** Wollongong On Campus  
**Contact Hours:** 2 hours Seminar per week.  
**Pre-requisites:** 48 credit points of LLB subjects.  
**Assessment:** Performance is assessed by progress on a number of tasks, with the greatest weight given to the final research paper. The research paper will be assessed by two persons appointed by the Dean on the recommendation of the subject co-ordinator. Each examiner must provide a written report which will be made available to the students and the supervisor.  
**Subject Description:** A supervised research paper of no more than 10,000 words on a subject selected by the student and agreed with a supervisor by week 4 of the session of enrolment.
- LLB 314 Legal Research Project B 16cp**  
**Annual** Wollongong On Campus  
**Contact Hours:** 2 hours Seminar per week.  
**Pre-requisites:** 48 credit points of LLB subjects.  
**Assessment:** Performance is assessed by progress on a number of tasks, with the greatest weight given to the final research paper. The research paper will be assessed by two persons appointed by the Dean on the recommendation of the subject co-ordinator. Each examiner must provide a written report which will be made available to the students and the supervisor.  
**Subject Description:** A supervised research paper of no more than 25,000 words on a subject selected by the student and approved by the Dean by week 6 of the first session of enrolment in this subject.
- LLB 316 Occupational Health & Safety Law 8cp**  
**Autumn** Wollongong On Campus  
**Contact Hours:** 4 days intensive.  
**Pre-requisites:** 48 credit points of LLB subjects.  
**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.

**LLB 317 E-Commerce Law 8cp**

**Contact Hours:** Not on offer in 2004.

**Pre-requisites:** 48 credit points of LLB Subjects.

**Assessment:** Class participation; class tests; and 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.

**LLB 320 Commercial and Consumer Contracts 8cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects.

**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.

**LLB 321 Finance and Security 8cp**

**Spring** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects, including LLB306 and LLB302.

**Assessment:** Class participation, assignment, examination.

**Subject Description:** LLB321 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.

**LLB 330 Law of Employment 8cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects.

**Exclusions:** Not to count with LAW330.

**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; unfair work contracts; occupational health and safety.

**LLB 331 Intellectual Property Law 8cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects.

**Exclusions:** Not to count with LAW331.

**Assessment:** Class participation, Tutorial Presentation, 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 breeders' rights, designs and circuit layouts.

**LLB 332 Labour Relations Law 8cp**

**Spring** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects.

**Exclusions:** Not to count with LAW332.

**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). 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; law of industrial action.

**LLB 334 Environmental Law 8cp**

**Autumn/Spring** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects.

**Exclusions:** Not to count with LAW334 or LLB3911.

**Assessment:** Take-home assignment, research essay, class participation/presentation of research progress/findings.

**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.

**LLB 335 Anti-Discrimination Law 8cp**

**Spring** Wollongong On Campus

**Contact Hours:** 1 hour Lecture, 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB Subjects.

**Exclusions:** Not to count with LAW335.

**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, carer responsibilities, 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.

**LLB 337 Comparative Studies in Law 8cp**

Spring Wollongong On Campus

**Contact Hours:** 4 day intensive.

**Pre-requisites:** 48 credit points of LLB subjects.

**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.

**LLB 339 Advanced Criminal Law and Procedure 8cp**

Spring Wollongong On Campus

**Contact Hours:** 4 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects including LLB304.

**Assessment:** Essay, research paper, presentation.

**Subject Description:** This subject critically examines the role of the criminal justice system in the regulation of individual and organisational behaviour. Selected alternatives to conventional 'command and control' regulation are explored.

**LLB 341 Revenue Law 8cp**

Spring Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects.

**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 like the GST. LLB341 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 a combined Commerce/Law degree.

**LLB 343 International Law 8cp**

Autumn Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects.

**Exclusions:** Not to count with LAW343 or INTR900.

**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.

**LLB 344 Indigenous Peoples and Legal Systems 8cp**

**Contact Hours:** Not on offer in 2004.

**Pre-requisites:** 48 Credit points of LLB subjects.

**Exclusions:** Not to count with LAW344.

**Assessment:** Essay, 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.

**LLB 348 Media Law 8cp**

Spring Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Pre-requisites:** 48 credit points of LLB subjects.

**Exclusions:** Not to count with LAW348.

**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.

**LLB 350 Special Study in Law A 8cp**

Spring / Autumn Wollongong On Campus

**Pre-requisites:** 48 credit points of LLB subjects and permission of Dean or Sub-Dean.

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

**LLB 351 Special Study in Law B 8cp**

Spring / Autumn Wollongong On Campus

**Pre-requisites:** 48 credit points of LLB subjects and permission of Dean or Sub-Dean.

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

**LLB 354 Human Rights Law 8cp**

Spring Wollongong On Campus

**Contact Hours:** 3 hours Seminar per week.

**Prerequisites:** 48 credit points of LLB Subjects.

**Assessments:** Essays 40%; Examination or Research Paper 60%.

**Subject Description:** The subject will cover aspects of public international human rights law and international humanitarian law. There will be an examination of the principal international instruments that underlie human rights law, as well as consideration to the manner these instruments are manifested in Australian domestic law. The operation of the international human rights system, both at a global and regional level will

also be examined and evaluated. The principal instruments in international humanitarian law will also be examined, as well as development of the International Criminal Court. The subject will be a useful complement to LLB335 Anti-Discrimination Law.

### **LLB 355 Bankruptcy & Corporate Insolvency Law & Practice 8cp**

**Contact Hours:** Not on offer in 2004.

**Prerequisites:** 48 credit points of LLB subjects including LLB302.

**Assessment:** Essay; class participation; research essay.

**Subject Description:** In the wake of numerous recent and high profile 'corporate collapses', the subject will seek to give students an insight into the legal principles governing the consequent 'mopping-up' that must follow. The course will examine the duties of directors and companies in the period leading up to a corporate collapse and, will consider the position of creditors, employees and shareholders of the insolvent entity following the collapse. The role and duties of the various forms of administrator that may be appointed to an insolvent entity and the effect that such an appointment has on all who are involved with the entity will also be examined. Finally, the equivalent issues arising in relation to personal insolvency will be addressed.

### **LLB 356 Insurance Law 8cp**

**Contact Hours:** Not on offer in 2004.

**Pre-requisites:** 48 credit points of LLB subjects.

**Assessment:** 2 short answer papers; class participation; take home examination.

**Subject Description:** This subject will give an introduction to the general principles of insurance law. Including an overview of the legislation that regulates insurance, particularly the Insurance Contracts Act 1984 (Cth) and the Insurance (Agents and Brokers) Act 1984 (Cth), as well as an examination of the common law relating to insurance law. Consideration of the fundamental principles in insurance law such as the duty of utmost good faith, the duty of disclosure, double insurance and subrogation. This subject is taught with an emphasis on the practical application of the principles of insurance law.

### **LLB 360 Foreign Investment in the People's Republic of China 8cp**

**Autumn** Wollongong On Campus

**Contact Hours:** 4 days intensive.

**Pre-requisites:** 48 credit points of LLB subjects.

**Assessment:** Class participation; negotiation group work, final assignment.

**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.

### **LLB 362 Advanced Revenue Law 8cp**

**Autumn** Wollongong On Campus

**Pre-requisites:** 48 credit points of LLB subjects including LLB341.

**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.

### **LLB 391 Dispute Management Skills 2cp**

**Spring** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week (weeks 7-13).

**Co-requisites:** LLB304.

**Assessment:** Attendance and participation in class exercises and role plays; planning and conducting a mediation (including filing a report).

**Subject Description:** This subject deals with the continuum of dispute resolution procedures available in legal practice, involving litigation, with emphasis on the skills of negotiation and mediation.

### **LLB 392 Communication Skills 2cp**

**Autumn/Spring** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week.

**Prerequisites:** LLB100.

**Assessment:** Simulated interview with a client; written memorandum; oral presentation. Students must achieve a satisfactory standard.

**Subject Description:** The skills of listening, observing, presenting ideas clearly in non-threatening and adversary contexts, and the differences between them; eliciting information; difficulties in the use of interpreters and in eliciting information from children.

### **LLB 393 Drafting Skills 2cp**

**Spring / Autumn** Wollongong On Campus

**Contact Hours:** 4 x 2 hours Seminar.

**Co-requisites:** LLB306.

**Subject Description:** The skills of modern legal drafting in plain English, including those skills employed in professional legal practice in planning, writing and reviewing letters, memoranda and other legal documents. An introduction to will drafting.

### **LLB 394 Advocacy Skills 2cp**

**Spring** Wollongong On Campus

**Contact Hours:** 2 hours Seminar per week (weeks 1-6).

**Pre-requisites:** LLB304.

**Assessment:** 1. Participation in an advocacy exercise. 2. Class participation, including participation in simulations and role plays. 3. Preparation of a 'no bill' submission.

**Subject Description:** Introduction to the principles of advocacy, professional responsibility and courtroom etiquette, and criminal procedure. Exercises include practice court submissions and the preparation of written submissions.

