
LAW SUBJECT DESCRIPTIONS

LAW 100 Law in Society

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

Credit Points: 6**Contact Hours:** Autumn 1L, 2T, DXB UG Autumn**Pre-requisites:** Nil**Co-requisites:** Nil**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 the 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

DXB UG Spring	Dubai	On Campus
Spring	Wollongong	On Campus
Spring	Shoalhaven	On Campus
Spring	Bega	On Campus
Spring	Batemans Bay	On Campus
Spring	Moss Vale	On Campus

Credit Points: 6**Contact Hours:** DXB UG Spring , Spring 2L**Pre-requisites:** LAW100 or LAW130**Co-requisites:** Nil**Assessment:** Problem questions; and 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

Autumn	Wollongong	On Campus
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Credit Points: 6**Contact Hours:** Autumn 1L, 2S**Pre-requisites:** LAW210**Co-requisites:** NIL**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, a 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

Autumn	Wollongong	On Campus
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Credit Points: 6**Contact Hours:** Autumn 2S**Pre-requisites:** LAW100**Co-requisites:** NIL**Exclusions:** Not to count with LLB303**Assessment:** Essay; class participation; 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.

LAW 304 Criminal Law and the Process of Justice

Autumn	Wollongong	On Campus
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Credit Points: 6**Contact Hours:** Autumn 1L 2S**Pre-requisites:** LAW100**Co-requisites:** Nil**Exclusions:** Not to count with LLB304**Assessment:** Essay; examination.

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

LAW 308 Administrative Law

Autumn	Wollongong	On Campus
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Credit Points: 6**Contact Hours:** Autumn 1L, 2S**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

Spring	Wollongong	On Campus
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Credit Points: 6**Contact Hours:** Spring 1L, 2S**Pre-requisites:** LAW210**Co-requisites:** Nil

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 and Safety Law

Autumn Wollongong On Campus

Credit Points: 6

Contact Hours: Autumn Delivered as 4 Day Intensive. Dates to be advised.

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

Spring Wollongong On Campus

Credit Points: 6

Contact Hours: Spring 2S

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

Co-requisites: Nil

Exclusions: LLB317

Assessment: Class participation; class tests; research essay OR class presentation and report.

Subject Description: The subject explores some of the more significant legal and regulatory issues and developments that e-commerce gives rise to. The main perspective is that of the on-line business and its risk management needs for achieving business success. This brings the interests of suppliers consumers and regulators into focus. We begin with an overview of the cyber-marketplace and relevant public policy considerations. Then we adopt a timeline approach focusing on those issues and developments most relevant at start up and once the business opens for on-line trading. Start up introduces intellectual property law, privacy and transactional security issues and responses. On-line trading raises identity, contract, consumer protection, payment systems and jurisdictional issues and responses. Finally, we turn to an area for special study. Students will be invited to select that area, for example from among the issues and developments relating to the infrastructure constituting the cyber-marketplace.

LAW 321 Banking Law

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 2S

Pre-requisites: LAW 210

Exclusions: LLB 321

Assessment: Class Participation, assignment, examination.

Subject Description: This subject 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.

LAW 330 Law of Employment

Autumn Wollongong On Campus

Credit Points: 6

Contact Hours: Autumn 1L, 2S

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

Co-requisites: Nil

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

Autumn Wollongong On Campus

Credit Points: 6

Contact Hours: Autumn 1L, 2S

Pre-requisites: LAW210

Co-requisites: Nil

Exclusions: Not to count with LLB331

Assessment: Class participation, reserch 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 breeders' rights, designs and circuit layouts.

LAW 332 Labour Relations Law

Spring Wollongong On Campus

Credit Points: 6

Contact Hours: Spring 2S

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

Co-requisites: Nil

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; 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

Spring Wollongong On Campus

Credit Points: 6

Contact Hours: Spring 2S

Pre-requisites: LAW100

Co-requisites: Nil

Exclusions: LAW380

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

Spring Wollongong On Campus

Credit Points: 6

Contact Hours: Spring 1L, 2S

Pre-requisites: LAW100

Co-requisites: Nil

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

Autumn Wollongong On Campus

Credit Points: 6

Contact Hours: Autumn 2S

Pre-requisites: LAW100

Co-requisites: Nil

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, and state responsibility.

LAW 344 Indigenous Peoples and Legal Systems

Autumn Wollongong On Campus

Credit Points: 6

Contact Hours: Autumn 2S

Pre-requisites: LAW100 or ABST100

Co-requisites: Nil

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

Credit Points: 6

Not on offer in 2005

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

Co-requisites: Nil

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

Credit Points: 6

Not on offer in 2005

Pre-requisites: LAW315

Co-requisites: Nil

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

Credit Points: 6

Not on offer in 2005

Pre-requisites: LAW100

Co-requisites: LAW210

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.

LAW 380 Law For Environmental Managers

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 2S

Pre-requisites: 72 credit points in a discipline other than Law

Co-requisites: Nil

Exclusions: Not to count with LAW334

Assessment: Take-home assignment and 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.

LLB 100 Foundations of Law A

Autumn Wollongong On Campus

Credit Points: 6

Contact Hours: Autumn 1L, 2S

Exclusions: LAW 100

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

Autumn Wollongong On Campus

Credit Points: 4

Contact Hours: Autumn 2S

Co-requisites: LLB100 or LAW810

Exclusions: Not to count with LLB395

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

Spring Wollongong On Campus

Credit Points: 6

Contact Hours: Spring 2S

Pre-requisites: LLB100 and LLB110

Co-requisites: Nil

Exclusions: LLB222 Perspectives on Law

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 the first year LLB program.

LLB 210 Law of Contracts

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 1L, 2S

Pre-requisites: LLB100

Co-requisites: Nil

Exclusions: LAW 210

Assessment: Mid session assignment; class participation; and final examination.

Subject Description: LLB210 introduces students to the substantive law of contract. Using the casebook method, students study the legal principles governing the formation, performance and discharge of contracts. Topics covered include the requirements for a valid contract (agreement, consideration and intention to create legal relations), finding and interpreting the terms of a contract, the impact of vitiating factors (such as misrepresentation, mistake, undue influence, duress and unconscionability), the operation of the doctrines of privity and frustration, and the consequences of performance, defective performance or non performance of a contract.

LLB 300 Remedies and Procedure

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 2S

Pre-requisites: LLB210 and LLB307

Co-requisites: Nil

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

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 1L, 2S

Pre-requisites: LLB304 and LLB307

Co-requisites: Nil

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; credibility, character and tendency 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

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 1L, 2S

Pre-requisites: LLB306

Co-requisites: Nil

Exclusions: 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

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 2S

Pre-requisites: 48 credit points of LLB subjects

Exclusions: Not to count with LAW303

Assessment: Essay; class participation; 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

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 1L 2S

Pre-requisites: LLB100

Co-requisites: Nil

Exclusions: LAW304

Assessment: Essay and examination.

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

LLB 305 Property and Trusts A

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 1L, 2S

Pre-requisites: LLB210

Co-requisites: Nil

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

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 1L, 2S

Pre-requisites: LLB305

Co-requisites: Nil

Assessment: Class participation; assignment and final examination.

Subject Description: The modern law of real property, including Torrens title, mortgages and co-ownership. Legal and equitable principles relating to the validity of gifts. 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

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 2 x 1L, 1S

Pre-requisites: LLB210

Co-requisites: Nil

Assessment: Mid-session tests, assignment 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 subject will consider the development of the common law, recent legislative reforms, and the operation of public policy granting relief in a variety of tort actions.

LLB 308 Public Law A

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 1L, 2S

Pre-requisites: LLB100

Co-requisites: Nil

Exclusions: Not to count with LAW308

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

Spring Wollongong On Campus

Credit Points: 8**Contact Hours:** Spring 1L, 2S**Pre-requisites:** LLB308**Assessment:** Mid-session test; assignment; 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 power; Commonwealth and State fiscal powers; express and implied constitutional rights; constitutional change.

LLB 311 Lawyers and Australian Society

Spring Wollongong On Campus

Autumn Wollongong On Campus

Credit Points: 8**Contact Hours:** Spring 2S, Autumn 2S**Pre-requisites:** LLB304**Co-requisites:** LLB210

Assessment: Research essay or project 50%; Problems in Professional Responsibility assignment 50%, (class participation 10% - optional). Total for coursework component will be scaled back to 70%). Placement program 30%.

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 1 placement of 20 working days of practice-based professional experience and 30 hours of voluntary community based professional experience approved by the Faculty. Guidelines apply. The Placement Program is undertaken after the course work in the subject has been completed.

LLB 312 Legal Theory

Spring Wollongong On Campus

Credit Points: 8**Contact Hours:** Spring 2S**Pre-requisites:** 48 credit points of LLB subjects including LLB222**Exclusions:** PHIL270**Assessment:** Assignments; 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

Spring Wollongong On Campus

Autumn Wollongong On Campus

Credit Points: 8**Contact Hours:** Spring 2S, Autumn 2S**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**Credit Points:** 16**Not on offer in 2005****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 and Safety Law

Autumn Wollongong On Campus

Credit Points: 8**Contact Hours:** Autumn Delivered as 4 Day Intensive. (Dates TBA)**Pre-requisites:** 48 credit points of LLB subjects**Exclusions:** LAW316**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

Spring Wollongong On Campus

Credit Points: 8**Contact Hours:** Spring 2S**Pre-requisites:** 48 credit points of LLB Subjects**Co-requisites:** Nil**Exclusions:** LAW317**Assessment:** Class participation; class tests; and research essay OR class presentation and report.

Subject Description: The subject explores some of the more significant legal and regulatory issues and developments that e-commerce gives rise to. The main perspective is that of the on-line business and its risk management needs for achieving business success. This brings the interests of suppliers consumers and regulators into focus. We begin with an overview of the cyber-marketplace and relevant public policy considerations. Then we adopt a timeline approach focusing on those issues and developments most relevant at start up

and once the business opens for on-line trading. Start up introduces intellectual property law, privacy and transactional security issues and responses. On-line trading raises identity, contract, consumer protection, payment systems and jurisdictional issues and responses. Finally, we turn to an area for special study. Students will be invited to select that area, for example from among the issues and developments relating to the infrastructure constituting the cyber-marketplace.

LLB 320 Commercial and Consumer Contracts

Credit Points: 8

Not on offer in 2005

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 Banking Law

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 2S

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

Exclusions: LAW 321

Assessment: Class Participation, assignment, examination.

Subject Description: This subject 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

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 1L, 2S

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

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 1L, 2S

Pre-requisites: 48 credit points of LLB subjects

Exclusions: Not to count with LAW331

Assessment: Class participation, research assignment, and take home exam.

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

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 2S

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; 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

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 2S

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, the assessment of development proposals and the role of the Land & Environment Court.

LLB 335 Anti-Discrimination Law

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 1L, 2S

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

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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

Spring Wollongong On Campus

Credit Points: 8

Contact Hours: Spring 4 day intensive dates TBA

Pre-requisites: 48 credit points of LLB subjects

Co-requisites: Nil

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

Credit Points: 8

Not on offer in 2005

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

Assessment: Essay, research paper, and 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

Credit Points: 8

Not on offer in 2005

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

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 2S

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, and state responsibility.

LLB 344 Indigenous Peoples and Legal Systems

Autumn Wollongong On Campus

Credit Points: 8

Contact Hours: Autumn 2S

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

Credit Points: 8

Not on offer in 2005

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

Credit Points: 8

Not on offer in 2005

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

Credit Points: 8

Not on offer in 2005

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

Credit Points: 8

Not on offer in 2005

Pre-requisites: 48 credit points of LLB Subjects

Assessment: 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 the development of the International Criminal Court. The subject will be a useful complement to LLB335 Anti-Discrimination Law.

LLB 355 Bankruptcy and Corporate Insolvency Law and Practice

Credit Points: 8

Not on offer in 2005

Pre-requisites: 48 credit points of LLB subjects including LLB302

Exclusions: None

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

Credit Points: 8

Not on offer in 2005

Pre-requisites: 48 credit points of LLB subjects

Exclusions: None

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 357 Conflict of Laws

Credit Points: 8

Not on offer in 2005

Pre-requisites: LLB210 and LLB307

Assessment: Class Participation, problem assignment, final examination.

Subject Description: This elective subject will provide an overview of the legal principles that apply when a court in New South Wales (or a court exercising federal jurisdiction) hears a matter that involves events occurring, or persons

resident, outside New South Wales (or in the case of a court exercising federal jurisdiction, outside Australia). These principles cover three main areas: (i) jurisdiction - in what circumstances will the forum court deal with a matter involving a "foreign" element?; (ii) choice of law - if the forum court does take jurisdiction, what law will it apply to dispose of the matter?; and (iii) foreign judgments - in what circumstances will a foreign judgment be recognised within the forum? The subject will consider the particular constitutional and statutory principles that apply to intra-Australian conflicts. Conflict of laws principles apply to every area of private law. Special attention in this subject will be given to the areas of torts, contract and family law.

LLB 360 Foreign Investment in the People's Republic of China

Credit Points: 8

Not on offer in 2005

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

Credit Points: 8

Not on offer in 2005

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

Autumn Wollongong On Campus

Spring Wollongong On Campus

Credit Points: 2

Contact Hours: Autumn 2S from week 8 to 13, Spring 2S from weeks 4-10 inclusive

Pre-requisites: LLB 210

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, including litigation, with emphasis on the skills of negotiation and mediation.

LLB 392 Communication Skills

Spring	Wollongong	On Campus
Autumn	Wollongong	On Campus

Credit Points: 2**Contact Hours:** Spring 2S from week 1 to 7 only, Autumn 2S**Pre-requisites:** LLB100 Foundations of Law A**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; issues in cross cultural communication; difficulties in the use of interpreters and in eliciting information from children.**LLB 393 Drafting Skills**

Spring	Wollongong	On Campus
Autumn	Wollongong	On Campus

Credit Points: 2**Contact Hours:** Spring 3 x 2S (DATES TBA), Autumn 3 x 2S (DATES TBA)**Co-requisites:** LLB306 Property and Trusts B**Subject Description:** The aim of this subject is to teach and reinforce the fundamental skills required to produce modern legal writing and drafting in professional legal practice in the private profession, or in the corporate or public sector. The skills focus is on planning, writing and reviewing legal documents such as letters and memoranda, as well as litigious and property and commercial documents, with clarity of expression in plain language. An additional skills component in the subject is will drafting and the legislative, common law and equitable principles to be applied to estate succession.**LLB 394 Advocacy Skills**

Autumn	Wollongong	On Campus
Spring	Wollongong	On Campus

Credit Points: 2**Contact Hours:** Autumn 2S (weeks 1-6), Spring 2S (weeks 1-6)**Co-requisites:** LLB 304**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.**LLB 396 Advanced Legal Skills**

Spring	Wollongong	On Campus
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Credit Points: 8**Contact Hours:** Spring 2S**Pre-requisites:** 48 credit points of LLB subjects, including LLB300, LLB301, LLB391, LLB392, LLB393, LLB394, LLB311**Subject Description:** This subject builds on the core skills program, and is compulsory for students who intend to enrol in the Practical Legal Training Course at this university. The subject will encompass the following modules: litigation

workshop - an intensive civil litigation workshop based around a case study with practical skills exercises; client or witness interviewing; conveyancing practice; and advanced advocacy - an introduction to the skills of trial advocacy, in both civil and criminal proceedings. A 2nd 4 week placement is also required, to provide credit towards the University of Wollongong Practical Legal Training Course.

LLB3920 Local Government Law and the Neighbourhood Environment

Spring	Wollongong	On Campus
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Credit Points: 8**Contact Hours:** Spring 4 day intensive - TBC**Pre-requisites:** 48 credit points of LLB subjects**Assessment:** Class participation; assignment; take-home examination**Subject Description:** The development of local government in Australia. The law relating to the constitution, functions and powers of local government in terms of the ability of local government to control the development and conservation of natural resources. Relations between local and higher levels of Government. The law relating to environmental planning and assessment by local government authorities. The financial context in which local government operates.**LLB3927 Natural Resources Law Review**

Autumn	Wollongong	On Campus
Spring	Wollongong	On Campus

Credit Points: 8**Contact Hours:** Refer Faculty**Pre-requisites:** 48 credit points of LLB subjects and approval the subject co-ordinator.**Co-requisites:** Nil**Assessment:** Revision of student research paper for publication. Preparation of case/legislation note Editorial work**Subject Description:** Writing and editing of academic papers for the Australasian Journal of Natural Resources Law and Policy, a biannual publication by the Faculty of Law and distributed worldwide. Student will work in consultation with the Managing Editor and the subject co-ordinator.**SOC 244 Punishment: Purpose, Practice, Policy**

Spring	Wollongong	On Campus
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Credit Points: 8**Contact Hours:** Spring 1 hr lecture; 2 hr seminar per week**Pre-requisites:** 36cp at 100 level**Assessment:** 1000 word concept paper (30%), 2500 word research essay (50%), group presentation (20%)**Subject Description:** Why do we punish those who break the law; what benefit is gained, and for whom, from imprisonment and other forms of criminal justice sanctions? Are jails for retribution, rehabilitation, deterrence, revenge, a symbol of control or order, a way to make us feel superior? Once some the reasons or justifications for punishment are addressed we look at some of the multiple ways to punish offenders and some policy options that can, or cannot make a difference. The course is an investigation into the more general issue of what we as a society get out of punishment and what it costs each of us, ie the differential impact of punishment on various sections of society.

SOC 349 Governing Society, the Self and the Social

Autumn Wollongong On Campus

Credit Points: 8

Not on offer in 2005

Pre-requisites: 16cp at 200-level

Assessment: 1000 word concept paper (30%), Group presentation (20%), 3000 Research essay (50%)

Subject Description: How are your everyday practices governed or is being governed only for those who need it, those who transgress like deviants, the mentally ill, criminals, youth, gangs, dole bludgers, welfare cheats, etc? Do we only experience government through institutions and their processes, for example, medicine, law and social security? The theory of governance or governmentality (how the social is governed) practices of self (how we govern our self) and neo-liberalism (the politics through which society is governed) will be used to address these questions. The theories will be linked to a number of current issues, for example, self-esteem, crime prevention, pumping iron at the gym and unemployment.

