The University's homepage tells you all about courses at Sydney, some careers they can lead to, and what university life is like. The interactive website, with video and sound clips, has links to the University faculties and departments.

You can explore the University of Sydney at [http://www.usyd.edu.au](http://www.usyd.edu.au)

The address of the Law School is
The University of Sydney Law School
173-175 Phillip Street
Sydney NSW 2006
### Semester and Vacation Dates
Semester and vacation dates are determined in accordance with a formula prescribed in the resolutions of the Senate.

<table>
<thead>
<tr>
<th>Semester</th>
<th>Day</th>
<th>1998</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>March</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Semester and lectures begin</td>
<td>Monday</td>
<td>2 March</td>
</tr>
<tr>
<td>Last day to enrol in a March semester unit</td>
<td>Friday</td>
<td>13 March</td>
</tr>
<tr>
<td>Withdraw from March semester units by</td>
<td>Tuesday</td>
<td>31 March</td>
</tr>
<tr>
<td>Easter recess</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Last day of lectures</td>
<td>Thursday</td>
<td>9 April</td>
</tr>
<tr>
<td>Lectures resume</td>
<td>Monday</td>
<td>27 April</td>
</tr>
<tr>
<td>Last day to discontinue with permission</td>
<td>Friday</td>
<td>1 May</td>
</tr>
<tr>
<td>March semester units</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Last day to discontinue March semester units (will count as fail)</td>
<td>Friday</td>
<td>12 June.</td>
</tr>
<tr>
<td>Study vacation - 1 week beginning</td>
<td>Monday</td>
<td>15 June</td>
</tr>
<tr>
<td>Examinations commence</td>
<td>Monday</td>
<td>22 June</td>
</tr>
<tr>
<td>Semester ends</td>
<td>Saturday</td>
<td>4 July</td>
</tr>
</tbody>
</table>

| **July**                  |                |               |
| Semester and lectures begin | Monday        | 27 July       |
| Last day to enrol in a July semester unit | Friday        | 14 August     |
| Withdraw from July semester units by | Monday       | 31 August     |
| Last day to discontinue with permission | Friday       | 11 September  |
| July semester units of study |                |               |
| Mid-semester recess       |                |               |
| Last day of lectures      | Friday         | 25 September  |
| Lectures resume           | Monday         | 12 October    |
| Last day to discontinue July semester units (will count as fail) | Friday | 6 November   |
| Study vacation - 1 week beginning | Monday | 9 November   |
| Examinations commence     | Monday         | 16 November   |
| Semester ends             | Saturday       | 5 December    |
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Welcome to the University of Sydney and especially to the Faculty of Law. May I extend a very special welcome to those of you joining us for the first time, and particularly those attending University for the first time.

If you are entering into our LLB program as a school-leaver, you have already achieved much in your school studies to gain entry to Law School. Only the top of your peer group has been selected at this point of entry. You will begin another very challenging journey with us at Law School, one which will take you into your future professional lives and way beyond. We will play a part in your intellectual and professional development: its beginning. The process will continue long after you have left us.

All of you who join us this year, whether at undergraduate or postgraduate level, step into a long tradition of legal education. Law was one of the foundation disciplines of the University, when the degrees of Bachelor of Laws and Doctor of Laws were established at the University in 1858, setting up formally as a Faculty in 1890. You will join a long history of fine legal graduates who have made their mark in the profession, politics, legal scholarship, government and social and economic life. But the University of Sydney Faculty of Law is much more than its history. Like you, we cannot sit back and reflect on the glories which brought us here today. Legal education is an active vibrant process, part of an ever-changing and dynamic professional continuum.

The face of the legal profession has changed considerably in recent years. The profession has grown enormously in size. The number of law schools has more than quadrupled. The composition of the profession is changing too. The proportion of women in the profession has risen steadily, from 6% in 1971 to about 25% today. While this growth must be recognised as significant, it is still the case that although the proportion of women law students remains steady around 50%, women are still under-represented at the senior levels of the profession: partnerships, professorships, at the Bar and on the Bench. Law graduates are moving into a wide range of careers. A significant and increasing proportion of law graduates practise outside the traditional professional roles of barrister and solicitor.

The face of legal education at Sydney Law School has also been changing dynamically. The aim is to provide an expansive liberal education, one which promotes intellectual breadth, strong analytical skills and an ethical sense of the role and purpose of lawyers in society. In recent years the Faculty has built on its recognised strengths in areas such as commercial law, taxation, property and equity law, criminal law and criminology, international and comparative law, public law and jurisprudence, through the development of diverse and exciting areas such as environmental law, feminist jurisprudence, dispute resolution, anti-discrimination law, industrial law, family law and Asian and Pacific legal systems. Not only has there been significant development of what we offer in our curricula at undergraduate and postgraduate levels, but there has also been a fundamental shift in the way we teach. In 1997 the Faculty moved away from the old large lecture and tutorial mode of undergraduate teaching to interactive seminar based teaching. This has important advantages for our teachers who are in more of a position to experiment and innovate; it has important consequences for the student who is expected to be a much more active participant in the teaching and learning process. Those of you joining us this year are extremely fortunate to be part of the beginning of this dramatic shift in the teaching paradigm of Sydney Law School.

The program of postgraduate study at the Law School has also been undergoing its own dynamic change. The range of our Masters' programs has expanded significantly in recent years, and this is to be complemented in 1998 with the addition of a broad range of graduate diplomas. We now offer 4 research degrees (PhD, SJD and LLM and MCrIm by thesis); 9 coursework Masters' degrees and 7 Graduate Diplomas.

The face of the Law School in a physical sense has changed little since it was built in its present location in the 1960s. Our Combined Law students spend the first three years on the Broadway campus and we send our teachers up the road from the Law School (the St James campus). But the last two years of Combined Law, all of Graduate Law, and our postgraduate program is taught where Law at Sydney has always been taught, downtown. You will hear many complaints about the building. To put a label on it, it is apparently a classic of 'brutalist' architecture. But do not let the building affect your enthusiasm. A Law School, after all, is not the building it is contained in. A Law School is people. It is the marvellously exciting combination of talented students and staff. At Sydney Law School we have the best of both. That is what makes it special. In this context the building is, surely, irrelevant.
For those of you in undergraduate study, you, as full-time students, have a great opportunity for reading, thought and reflection. Participate in University life - join the Law Revue team, participate in mooting, acting, singing, inter-Faculty sport, share in the many activities at Law School or on the Broadway campus. Do not let the pressures of work, anxiety or uncertainty about the future take away these student years from you. Hang on to them. They are very special years of your life.

For those of you in postgraduate study, we know only too well how busy you all are. In 1997 we commissioned a major survey of our postgraduate students to find out how better we can meet your needs. As we work on improving how we support you, keep us informed as to how we are going - let us know where we are getting things right, as well as where you think there is room for improvement.

This Handbook provides you details of our programs of undergraduate and postgraduate study. It gives you the details of the Law School staff, academic and administrative. If you have a question - please ask it. If it is a question about a unit of study, go straight to the academic staff concerned. If it is a question about the regulations or the program structure, contact the Student Services section on Level 12 of the Law School. If you need help personally then the University has many services which might assist - it might be a matter which you can raise with the Associate Deans, postgraduate or undergraduate, or a matter in which the Counselling Service of the University may be able to assist. Do not leave your questions unasked. Some of the corridors at Law School are locked as a security measure - part of the realities of office life in the city. But these are not barriers to you. There are phones on each floor so you can ring us - or you can leave messages for us personally on Level 12.

Enjoy University life. Best wishes and welcome again, each one of you, to the Law School community.

Associate Professor Rosalind Atherton

Acting Dean
History

The Faculty of Law was inaugurated in 1855. There were only two other faculties in the University at the time, Arts and Medicine. The Faculty of Law commenced its work in 1859, but this work in the main was examining rather than teaching for about 30 years.

In 1880 John Henry Challis, a merchant and landowner of Potts Point, N.S.W, died. Five years after the death of his wife in 1884, the substantial bequest of his real and personal estate began to pass to the University, 'to be applied for the benefit of that institution in such manner as the governing body thereof directs'. As a result of this bequest eight university chairs, including those of Law and of International Law and Jurisprudence, were founded, together with a number of specific lectureships, several of them in the Faculty.

In 1890 Pitt Cobbett was appointed to the first Chair of Law and became the first Dean of the Faculty. This marked the commencement of the Law School as we know it today. After Pitt Cobbett's resignation in 1910 Mr J.B. Peden (later Sir John Peden) was appointed to the Chair of Law and became Dean of the Faculty. A second chair was created after World War I, and A.H. Charteris, of the University of Glasgow, was appointed Challis Professor of International Law and Jurisprudence.

The earliest lectures in the Law School, before Pitt Cobbett's arrival from England, were given on the second, i.e. the top, floor of an old building called Wentworth Court, which ran from Phillip to Elizabeth on the site of the former Government Insurance Office (the old Sun Office). Soon after Professor Pitt Cobbett's arrival in 1890 the Law School, with its 14 students and teaching staff of five, four of whom were part-time lecturers, moved a few doors along Phillip Street to the premises that Sir John Peden, writing in 1940, described as 'attractive quarters' in what used to be the Australian Pioneers' Club at No.173.

In 1896 the Law School moved across Phillip Street to No. 174 Selbourne Chambers, a three-storeyed building on the site of the present Selbourne Chambers. The School remained there till 1913, when it moved for a year to a 'cramped and noisy' upper floor in Martin Place, while Wigram Chamber (No.167 Phillip Street) and Barristers Court (to the rear, facing Elizabeth Street), both of which the University had recently purchased, were being converted into University Chambers for the Law School and tenants. Some time later Barristers Court was resumed and demolished for the widening of Elizabeth Street, and in 1936 the University purchased all that remained of the original site. Of this block a 13 storeyed building was erected and opened in 1938. It was joined to the old Phillip Street Building although the floors were at different levels, and it contained a well-appointed law library occupying three floors. The rest of the space was let. In 1939 there were 288 students and a teaching staff of 17 - two professors and full-time tutor (EC. Hutley, later Mr Justice Hutley of the Supreme Court of N.S.W), and 14 part-time lecturers.

In the years immediately following World War II there were some 100 students in the Law School; the number fell to 650 by 1953. During the 1950s three further chairs of law were created and another was added in 1969. In that year the Faculty of Law moved again, this time into a building of some 16 storeys bounded by Phillip, King and Elizabeth Streets, which it still occupies. This is now known as the 'St James Campus'. The building contains 9 lecture rooms, which have been placed on two of the floors below street level as this gives better air-conditioning control and reduces noise problems. Student amenities include a cafeteria, common rooms, games rooms and two squash courts. The library, which occupies four floors of the building, can accommodate 450 readers, half of them in individual carrels.

The Faculty now has approximately 1300 undergraduate students, 600 postgraduate coursework students and 100 postgraduate research students. There are now 14 chairs, including the Challis Chairs of Law (Professor Harland), Jurisprudence (Professor Tay), and International Law (Professor Shearer) and externally supported Chairs in Industrial Law (Blake Dawson Waldron - Professor McCallum), Women and the Law (Dunhill Maden Butler - Professor Graycar), Litigation and Dispute Resolution (Abbot Tout - Professor Astor). The acting Dean of the Faculty in 1997 is Associate Professor Rosalind Atherton. A new Dean of the Faculty will be appointed from 1998.
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Tel. +61 2 9351 0347
3. Brief Introduction to the Undergraduate Degree

Undergraduate study in the Faculty of Law

In 1988 the Faculty of Law adopted the following statement of goals with respect to the undergraduate curriculum:

The University of Sydney Law School should seek to produce Bachelor of Laws graduates who are legally imaginative and creative, with a high level of critical and analytical ability, historically sensitive and socially perceptive, as well as being competent technical lawyers. The graduates should leave this Law School with a well-rounded and broad grasp of the law and the necessary knowledge to satisfy requirements for entering legal practice. They should be able to see the law in its wider social context and have the skills to respond to and direct change in law and society where necessary. The graduates should have a sense of professional responsibility and a sensitivity to the human element in legal problems. The emphasis in legal education should be on producing thinking graduates who can question and challenge, and who can also apply their legal skills to the increasingly varied environments in which the law is developing. Knowledge of law and thinking about law should be combined into an integrated teaching of the law. An evaluation of existing law should be a part of this process.’

Two broad foundation units (Legal Institutions; and Law, Lawyers and Justice in Australian Society) have been developed in order to enable students, from the outset of their legal studies, to gain an understanding of the historical, political, economic and ethical contexts in which the law operates and the policies which the law seeks to serve. This Law School has traditionally had a high reputation for providing students with a strong grounding in analytical skills, such as the ability to examine statutes, cases and other legal materials and to produce an accurate opinion on the current state of the law. These are essential skills for a lawyer and, accordingly, are an important goal of the curriculum. Integral to the foundation units are elements of legal research and legal writing skills.

Communication skills are developed in students by means of written assignments, moots, tutorials, seminars and class participation assessment, to as great an extent as the Law School’s resources permit.

The curriculum retains a significant compulsory component, which ensures a coverage of the full range of distinct ways in which the law operates. A large number of optional subjects is available which enables both students and staff to develop to a much greater extent their own particular interests and specialisation.

Finally, the curriculum is expected to develop in students a growing sense of professional responsibility, as well as a knowledge of the special place of lawyers in society and the responsibilities that the privileges of being a lawyer entail.

Programs available

Two types of Bachelor of Law programs are offered, Combined Law and Graduate Law, both of them full-time. There is no part-time course of study and there are no evening lectures for units of study in the Bachelor of Laws.

Combined Law degrees

Duration: 5 ydars (3 years on the Broadway Campus, 2 years at the St James Campus, Phillip Street)

1. Arts/Law (BA/LLB)
2. Economics/Law (BEc/LLB)
3. Economics (Social Science)/Law (BEc[SocSc]/LLB)
4. Commerce/Law (BCom/LLB)
5. Science/Law (BSc/LLB)

Students should ensure that they are familiar with the regulations of both faculties in which they are enrolled. Further information about the combined degrees can be found in the handbooks for the Faculties of Arts, Economics and Science. The faculty secretaries and undergraduate advisers in those faculties can assist students in their selection of units of study.

Graduate Law degree

Duration: 3 years

Graduates of any university in Australia, New Zealand or the United Kingdom may apply for admission to the Graduate Law program which may be completed in three years of full-time study at the Law School. Graduates of other institutions who are granted equivalent status by the Faculty of Law may also apply for admission. Competition for places is keen and admission is decided on the basis of the applicant’s secondary and tertiary academic record.

Structure of the Combined and Graduate Law degrees

Units of study

All units of study in the Bachelor of Laws are of one semester duration and are taught on the basis of two 2-hour seminars a week. All units of study in the Graduate Law program have been given a value of 8 credit points. In the Combined Law Program, the first year law units have been given a value of 6 credit points and the third year law units a value of 10 credit points. All other law units of study in Combined Law have been given a value of 8 credit points. (The differential weighting for units in Combined Law programs recognises the need to accommodate the programs in the requirements of partner faculties.)

Compulsory units of study

All candidates for the Bachelor of Laws degree must complete 12 compulsory units of study totalling 96 credit points. The compulsory units are listed below.

Optional units of study

All candidates for the degree must complete 48 credit points of optional units of study including a maximum of 40 credit points from units listed in Table 1 and a minimum of 8 credit points from units listed in Table 2. The optional units of study which have been prescribed by the Faculty are listed in Chapter 6 of this Handbook. 

No more than 48 credit points of optional units of study may be completed for the degree.

Combined Law

Candidates in a Combined Law program must complete their law units of study in the sequence set out below: All law units of study specified for years 1, 2 and 3 of Combined Law must be completed before students proceed to full-time Law studies at the St James campus.

Students who are eligible to do so, may, at the end of the third year, suspend Law studies for one year in order to complete an honours degree in Arts, Economics, Economics (Social Sciences), Commerce or Science. Combined Law students then complete the final two years (of full-time Law studies) at the St James campus in Phillip Street.

Students enrolled in a Combined Law program must proceed in the following manner:
Year 1: selected Arts, Economics, Economics (Social Sciences), Commerce or Science units
Legal Institutions
Law, Lawyers and Justice in Australian Society

Year 2: selected Arts, Economics, Economics (Social Sciences), Commerce or Science units
Contracts
Criminal Law

Year 3: selected Arts, Economics, Economics (Social Sciences), Commerce or Science units
Federal Constitutional Law
Torts

Year 4: (full-time Law studies)
Administrative Law
Real Property
Equity
Corporate Law* 
International Law*
Litigation
* students may choose instead to do a maximum of 2 units of study from Table 1 or 2.

Year 5: (full-time Law studies) **
48 credit points of the following units:
a) a maximum of 40 credit points from Table 1; and
b) a minimum of 8 credit points from Table 2
** Students who have not completed Corporate Law or International Law must do so in Year 5.

Graduate Law

Students enrolled in a Graduate Law program must proceed as follows:

Law I
Legal Institutions
Law, Lawyers and Justice in Australian Society
Federal Constitutional Law
Torts
Criminal Law
Contracts

Law II As for Combined Law Year 4
Law III As for Combined Law Year 5

Honours in Law

Honours are awarded on the basis of the weighted average marks. All law units are counted, including those taken as part of a combined degree and any failures. A further honours year is not required.

Weighted average marks

In calculating weighted average marks in Combined Law, all units of study will be weighted equally. Where students are selected to participate in exchange programs, while credit may be given towards the completion of the degree program at the University of Sydney, the marks received at the other institution will not be converted for the purpose of the calculation of weighted average marks, unless the exchange program is a Faculty-specific exchange program negotiated between the Faculty of Law and the other institution.

Seminars

Students in the final two years of Combined Law or in the Graduate Law program usually spend 12 seminar hours at the St James Campus each week. It is the experience of law teachers that to be successful, the student must spend a minimum of two hours of study for every class hour. Much of this time will be spent on material to be prepared for class, or material following-up class discussions. Considerable time will also be spent on preparation for written assignments.

Part-time work by Law students during the academic year

At this University, Law is studied as a full-time degree program. Inevitably some students find it financially necessary to engage in part-time employment. Students have to realise that to the extent that they do so, they may affect their academic results. They may fail to satisfy minimum progress requirements. Further, the timetabling of classes (including make-up classes) cannot be adjusted to take employment commitments into account. A few hours of part-time work per week should constitute no difficulty. A large involvement in part-time work (especially if it extends beyond the equivalent of one day per week) is inconsistent with proper participation in a full-time degree program.

There may be cases where students in the course of their degree encounter difficult financial circumstances which require a commitment to part-time employment beyond that compatible with full-time study. Whenever such circumstances arise, students should seek the advice of the Associate Deans or Undergraduate Adviser.

English expression

The study and practice of law demands a mastery of the English language and of its expression. Words are the main tools of lawyers. Clarity of thinking and expression is the mark of a good law student and lawyer. Weaknesses in these areas will affect adversely a law student's studies and assessment results.

It should not be thought these weaknesses are to be found only amongst students whose first language is not English. Many students, whatever their background, place themselves at a serious disadvantage by using the language carelessly.

If your first language is not English, you may care to seek assistance from the Learning Assistance Centre at the University.

Where to ask for help around the Law Faculty

You will find that the Undergraduate Adviser in the Faculty's Student Services Division will be able to answer most of your questions about admission requirements, enrolments, variations of enrolments, timetables and examinations. The Undergraduate Adviser attends the Broadway campus during published hours or can be contacted at the St James campus on Level 12.

For advice about credits, units of study and programs (including non-standard enrolments), permission to discontinue, suspension of candidature, study or personal difficulties, student exchanges or cross-institutional study, you should consult with the Undergraduate Adviser who may refer you to an Associate Dean (Undergraduate).

For academic questions affecting specific courses, you should see the lecturer concerned.

Library Facilities on the Broadway Campus

A holding of relevant law books, both set texts and works of reference, is kept in Fisher Library at the University and in the Wostenholme Library in the Merewether Building. Most law reports and law school journals, however, are available only at the Law School Library.
4. Undergraduate Units of Study Descriptions

Introduction and Information

Units of Study Information

Units of Study are subject to alteration.

Arrangements for units, including staff allocated, as stated in any publication, announcement or advice of the University are an expression of intent only and are not to be taken as a firm offer or undertaking. The University reserves the right to discontinue or vary such units, arrangements or staff allocations at any time without notice.

Textbooks and reference material

Reading lists will be issued at the commencement of the unit. Teaching in the Law School proceeds on the assumption that each student has all the prescribed material and is making a detailed study of it. It is possible to purchase some books second-hand privately or from the booksellers. Each year, especially during the long vacation, notices concerning books for sale privately appear on student noticeboards of the Law School. In February/March for the past few years the student Law Society has successfully operated a non-profit book exchange in the Law School, accepting and selling second-hand copies of prescribed text and reference books.

In certain units bound copies of notes have been prepared and may be purchased from the Student Services counter on Level 12 of the Law School Building. Some further material will be issued free of charge in lectures.

Acts and regulations of the Australian Parliament are obtainable from:

Australian Government Publishing Service
32 York Street
Sydney, N.S.W. 2000.

Acts and regulations of the N.S.W. State Parliament are obtainable from:

Government Information Service of N.S.W.
Goodsell Building
Cnr Hunter and Elizabeth Streets
Sydney, N.S.W. 2000.

LAWS 1006 Legal Institutions

6 credit points

May not be counted with/Additional Information: Unit is part of Combined Law program

When Offered: Semester 1

Classes: 1 x 1hr lecture & 2 x 2 hrs seminars per week

This unit of study aims to provide part of the foundation core for the study of Law. It consists of four components. The first, Sources of Law, involves an examination of the origins and development of common law (and equity); statute law; custom and other major sources of law; the basic nature and role of international law; and concepts of fundamental rights.

The second component, Sovereignty and Representative Democracy, examines constitutionalism and constitutional history; legislative process; the relationship between law, government and politics; and the law reform process.

The third component, Judicial and Executive Functions, provides an introduction to courts, tribunals and judicial method; other forms of dispute resolution; and regulatory and enforcement agencies.

The fourth component, the Relationship between the Legislature and the Judiciary, provides an introduction to statutory interpretation and judicial review.

LAWS 1000 Legal Institutions

8 credit points

May not be counted with/Additional Information: Unit is part of Graduate Law program

When Offered: Semester 1

Classes: 2x2 hrs seminars per week

As for combined law.

LAWS 1007 Law, Lawyers and Justice in Australian Society

6 credit points

Teacher/Coordinator: Alex Ziegert

Prerequisite: Legal Institutions

May not be counted with/Additional Information: Unit is part of Combined Law program

When Offered: Semester 2

Classes: 1 x 2h lecture & 2x 2hr seminar per week

The aim of this unit of study is to present students with a range of perspectives from which to analyse the role of law and lawyers in Australian society. The unit has a jurisprudential (especially sociological jurisprudence) and comparativist orientation, and addresses broad issues of ethics and professional responsibility. The unit consists of five components: Law and Social Theory, Law, Liberalism and the Welfare State; Law, Civil Society and the Struggle for Social Justice; The Sociology of Law, Lawyers and Professions; and Legal Ethics and Professional Responsibility.

The first component, Law and Social Theory, consists of an introduction to law and social theory, including analysis of the legal formalist claim that law is objective and neutral. It examines legal decision-making as a constructed, interpretative process, with specific reference to lawyer/client relations, the trial process and judicial reasoning.

The second component, Law, Liberalism and the Welfare State, involves an historical and sociological analysis of the emergence of the welfare state and the concomitant changes in the form and function of law. Examples are drawn from social security law, anti-discrimination law, environmental law, family law and consumer law.

The third component, Law, Civil Society and the Struggle for Social Justice, examines the role of law in promoting the ideals of movements for social justice, e.g. in relations to issues of race, gender, class, disability and sexual orientation. This includes consideration of potential for law to promote social change; having regard to the prevalent practices of lawyers and judges; the effectiveness of particular regulatory programs in dealing with issues of social concern; and access to justice.

The fourth component, the Sociology of Law, Lawyers and Professions, is an introduction to the major issues in the sociology of law, lawyers and professions (especially the legal profession). This includes issues such as the concept of professionalism, the sociography and demography of lawyers; and the organisation and regulation of legal work.

The fifth component, Legal Ethics and Professional Responsibility, provides an introduction to the major issues and controversies involving legal ethics and professional responsibility, such as: lawyer-client relations; confidentiality and privilege; conflict of interest; the special obligations of advocates to the court; the disciplinary system and complaints against lawyers; and over-riding social, ethical and systematic duties.
LAWS 1001 Law, Lawyers and Justice in Australian Society

8 credit points

Teacher/Coordinator: Alex Ziegert
Prerequisite: Legal Institutions
May not be counted with/Additional Information: Unit is part of Graduate Law program
When Offered: Semester 2
Classes: 1 x 2hr lecture & 2 x 2hr seminar per week
As for combined law.

LAWS 1002 Contracts

8 credit points

When Offered: Semester 1 & 2
Classes: 2x2 hrs seminars per week
Contract law provides the legal background for transactions involving the supply of goods and services and one means, arguably the most significant means, by which the ownership of property is transferred from one person to another. It vitally affects all members of the community and a thorough knowledge of contract law is essential to all practising lawyers. In the context of the law curriculum as a whole, Contracts provides background which is assumed knowledge in many other units.

It necessarily follows from the above that the aims of this unit are composite in nature. Perhaps the central aim is to provide an understanding of the basic principles of the common law and statutes applicable to contracts and to provide a grounding in one of the most important areas of law in practice. A second aim is for students to be given the means to evaluate, to make normative judgments, about the operation of the law. This leads to a further aim, admittedly fairly modest in scope, to make some examination of contract law in other countries. As Contracts is basically a case law subject, the final aim of the unit of study is to provide experience in problem solving by application of the principles provided by the decided cases. Successful completion of this unit of study is a prerequisite to the option Advanced Contracts.

LAWS 1003 Criminal Law

8 credit points

When Offered: Semester 1 & 2
Classes: 2x2 hrs seminars per week
This unit of study is designed to assist students in developing the following understandings:

(1) A critical understanding of certain key concepts which recur throughout the substantive criminal law.

(2) A knowledge of the legal rules in certain specified areas of criminal law.

(3) A preliminary understanding of the working criminal justice system as a process, and, the interaction of that process with the substantive criminal law.

(4) A preliminary understanding of how the criminal law operates in its broader societal context.

The understandings referred to in the foregoing paragraphs will have a critical focus and will draw on procedural, substantive, theoretical and empirical sources. Race, gender, class and the interaction of these factors will be key themes.

LAWS 3000 Federal Constitutional Law

10 credit points

Prerequisite: Legal Institutions; Law, Lawyers and Justice in Australian Society
May not be counted with/Additional Information: Unit is part of Combined Law program
When Offered: Semester 1
Classes: 2 x 2hr seminars per week
The aim of the unit of study is to give students an understanding of State, and especially Federal constitutional law. In the latter area, the aim is to give an overall appreciation, combined with a more detailed examination of selected topics.

The state context includes the Constitution Act 1902 (NSW) generally, particular provisions (e.g. peace, welfare and government, manner and form, territoriality, separation of powers), the Australia Acts 1986, the State Constitution as affected by, and as compared with, the State Constitution as affected by, and as compared with, the Commonwealth Constitution. The Federal content includes introductory material (e.g. Federal, characterisation, severance, outline of judicial review and interpretation), selected federal legislative power and jurisdiction, prohibitions on power, inconsistency of laws, Commonwealth State relations.

LAWS 1004 Federal Constitutional Law

8 credit points

When Offered: Semester 2
Classes: 2 x 2hr seminars per week
As for combined law.

LAWS 3001 Torts

10 credit points

Prerequisite: Legal Institutions; Law, Lawyers and Justice in Australian Society
May not be counted with/Additional Information: Unit is part of Combined Law program
When Offered: Semester 2
Classes: 2 x 2hr seminars per week
This is a general introductory unit of study concerned with liability for civil wrongs. The unit seeks to examine and evaluate, through a critical and analytical study of primary and secondary materials, the function and scope of modern tort law and rationale and utility of its governing principles.

Particular topics on which the unit will focus include:

(a) The relationship between torts and other branches of the common law including contract and criminal law;

(b) The role of fault as the principal basis of liability in the modern law;

(c) Historical development of trespass and the action on the case and the contemporary relevance of this development;

(d) Trespass to the person (battery, assault, and false imprisonment);

(e) Interference with goods (trespass, detinue card conversion)

(f) Trespass to land;

(g) The action on the case for intentional injury;

(h) Defences to trespass, including consent, intellectual disability, minority, necessity and contributory negligence;

(i) Development and scope of the modern tort of negligence, including detailed consideration of duty of care, breach of duty, causation and remoteness of damage and assessment of damages;

(j) Injuries to relational interests, including compensation to relatives of victims of fatal accidents;
(k) Concurrent and vicarious liability;
(l) Defences to torts of negligence;
(m) Breach of statutory duty;
(n) Public nuisance;
(o) Private nuisance; and
(p) Liability for animals.

LAWS 1005 Torts
8 credit points
May not be counted with/Additional Information: Unit is part of Graduate Law program
When Offered: Semester 1
Classes: 2 x 2 hr seminars per week
As for combined law.

LAWS 2002 Administrative Law
8 credit points
Prerequisite: Legal Institutions
When Offered: Semester 1 & 2
Classes: 2 x 2 hr seminars per week
This unit of study involves a study of the relationships of individuals and organisations with government decision-makers. This unit examines the legal principles which apply to those relationships with the aim of developing an understanding of the extent to which decision-makers within executive branch of government are accountable to Parliament, to the courts and to other administrators, such as ombudsmen and review tribunals. The unit encourages the development of a critical perspective upon the legal principles and an understanding of how the values of openness, fairness and participation may be promoted. The critical perspective requires an appreciation of how political theory and the insights of other disciplines may provide a framework for analysing the choices made by administrators, and by judges in judicial review.

LAWS 2003 Corporate Law
8 credit points
Prerequisite: Legal Institutions; Contracts; Torts; Constitutional Law; Criminal Law; Administrative Law
When Offered: Semester 1
Classes: 2 x 2 hr seminars per week
This unit of study considers the legal structure of the corporation as an organisational form for both public and proprietary companies. It is designed as an introduction to both the law of corporations and the Australian context in which that operates. The focus of this unit is on the nature of the corporation and its governance structure. The unit covers issues such as the implications of the company as a separate legal entity, power to bind the company, duties of directors, and shareholders rights and remedies. Students will be required to evaluate critically existing corporate law and reform proposals, with particular reference to legislative policy and underpinning theory.

LAWS 2004 Equity
8 credit points
Prerequisite: Legal Institutions; Contracts; Criminal Law; Constitutional Law; Torts; Real Property
When Offered: Semester 2
Classes: 2 x 2 hr seminars per week
This unit of study will consider such matters as:
(1) the nature and history of equity, and the Judicature system;
(2) the concept of property in equity;
(3) estoppel;
(4) equity's approach to undue influence and unconscionable bargains;
(5) Fiduciary relationships;
(6) the nature of trusts, trusts and other relationships;
(7) trusts, powers and discretionary trusts;
(8) the constitution of trusts;
(9) secret trusts;
(10) the concept of the charitable trust (with emphasis on the notion of public benefit) and non-charitable purpose trusts;
(11) resulting trusts;
(12) constructive trusts;
(13) duties and powers of trustees, rights and liability of trustees, rights of beneficiaries;
(14) tracing and the in personam claim;
(15) specific performance;
(16) injunctions;
(17) damages in equity;
(18) dealings with property in equity: equitable assignments and dispositions of equitable interests.

LAWS 2005 International Law
8 credit points
Prerequisite: Legal Institutions; Contracts; Criminal Law; Constitutional Law; Torts
When Offered: Semester 1
Classes: 2 x 2 hrs seminars per week
The unit of study is an introduction to the general problems, sources and techniques of private international law and public international law and the relationship between these subjects. The private international law part of the unit will focus on the function and scope of this branch of municipal law, with particular reference to jurisdiction, substance and procedure, proof of foreign law, exclusionary doctrines, choice of law in contract, choice of law in tort and governmental seizure of property. The public international law part of the unit will focus on the function and scope of this regime of legal norms in the modern world, with particular reference to sources of law, the relationship between public international law and Australian law, state jurisdiction, jurisdictional immunities and state responsibility.

The unit provides an opportunity to consider particular practical problems, such as jurisdiction and governmental seizure of property, from the perspectives of both private and public international law.

LAWS 2006 Litigation
8 credit points
Prerequisite: Legal Institutions; Contracts; Criminal Law; Constitutional Law; Torts; Administrative Law; Corporate Law; International Law; Equity; Real Property; Personal Property
When Offered: Semester 2
Classes: 2 x 2 hrs seminars per week
This unit of study seeks to provide a knowledge of the basic elements of civil and criminal procedure and evidence. The focus is primarily on civil litigation, but the unit of study will identify and describe the important differences in criminal litigation.
Pre-trial procedures are studied including techniques for initiating litigation, limiting the issues for judicial decision, obtaining evidence to support a case and avoiding trial. Attention then turns to the trial itself. Rules governing forms of evidence, and the basic inclusionary and exclusionary rules of evidence, together with rules governing the burden and standard of proof are considered. Finally some attention is paid to appellate process and to the alternatives for avoiding litigation.
LAWS 2201 Personal Property

**Prerequisite:** Legal Institutions; Contracts; Criminal Law; Constitutional Law; Torts; Administrative Law

**When Offered:** Semester 2

**Classes:** 1 x 2hr lecture

Property is classified in the law as being either 'real' or 'personal'. The former includes land, and most interests in land. The latter concerns goods (and interests in goods) and rights in relation to certain other kinds of subject matter, particularly choses in action. This unit of study deals with the important aspects of personal property. The objects of this unit of study are:

(a) to develop an understanding of the concept 'personal property';
(b) to explore the role of personal property in society;
(c) to examine the methods by which rights in personal property are transferred;
(d) to examine the remedies available to protect and enforce personal property rights; and
(e) to evaluate the regulation of personal property in the legal and social contexts.

These objects are reflected in the teaching methods and the examination process. Teaching will include the consideration and evaluation of the solutions to real and hypothetical problems. These problems will emphasise the remedial side of the law.

Comparisons with other systems of law, or between real and personal property (and neighbouring 'categories' such as contract), are encouraged. So also is a comparison with other units of study emphasising the remedial side of the law, such as equity. Finally, the opportunity will be taken to introduce students to some aspects of the fastest growing common law subject, namely, Restitution.

The unit of study will cover the following topics, in the approximate order set out below.

1. Introduction
2. Title to Personal Property
3. Transfer and Disposition of Personal Property
4. Rights and Remedies in relation to Personal Property.

LAWS 3005 Aboriginal Peoples and Australian Legal Systems

**Prerequisite:** International Law

**When Offered:** Semester 2

**Classes:** 2 x 2hr seminars per week

This unit of study analyses the relationship between the indigenous people of Australia and the Anglo-Australian legal system. It considers the historical development of that relationship as well as its contemporary forms. The unit will consider a number of recent government enquiries, including the Australian Law Reform Commission's 'Report on the Recognition of Aboriginal Customary Laws', the Human Rights and Equal Opportunity Commission's 'Inquiry into Racist Violence', the Royal Commission into Aboriginal Deaths in Custody, and the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families.

This unit will conclude by discussing the impact of the High Court decision on Mabo, the introduction of native title legislation, and new political structures such as the Torres Strait Regional Authority and other regional agreements. A theme running through the program will be the importance of self-determination and the implication self-determination has for Australian law.

LAWS 3006 Advanced Administrative Law

**Prerequisite:** Administrative Law

**When Offered:** Not offered in 1998

**Classes:** 2 x 2hr seminars per week

The purpose of this unit of study is to provide students who have developed an interest in Administrative Law with the opportunity to deepen their understanding of the subject through participation in seminars and through individual research. Four or five topics are covered in seminars. These topics vary from year to year depending on contemporary relevance. Topics may include Tribunals and Inquiries; Specialist Jurisdictions (e.g. the Land and Environment Court); Public Torts and Contracts; Freedom of Information; Corporatisation and Privatisation of Government functions; the Purpose and Scope of Judicial Review; Comparative Administrative Law (e.g. with Chinese Administrative Law).

LAWS 3027 Advanced Constitutional Law

**Prerequisite:** International Law

**When Offered:** Semester 2

**Classes:** 2x2 hr seminars per week

This unit of study is intended for those students who are familiar with the basic principles of constitutional law and seek to deepen both their knowledge and research skills in particular aspects of that field. The area selected for detailed study in this unit of study is Chapter III of the Constitution, dealing with the Judicature.

The architecture of the Australian Constitution is revealed in two critical divisions of power - horizontally between the executive, legislature and the judiciary; and vertically between federal and state levels of government. This unit examines these divisions by focussing on the separation of judicial power and the value of judicial independence, on the one hand, and on the role of federalism in shaping relations between federal and state courts, on the other.
More particularly, this unit examines the following topics:

(1) historical and comparative origins of the federal judicial system
(2) the meaning of "matter", and other limitations on federal adjudication
(3) the subject-matter of federal jurisdiction in ss 75 and 76 of the Constitution
(4) original and appellate jurisdiction of the High Court
(5) original and appellate jurisdiction of the Federal Court of Australia
(6) the role of State courts exercising federal jurisdiction
(7) associated and accrued jurisdiction of federal courts
(8) cross-vesting of jurisdiction between state and federal courts
(9) relations between State and federal courts
(10) appointment and removal of federal judges and officers
(11) separation of powers
(12) choice of law in federal jurisdiction
(13) choice of law in cross-vested jurisdiction
(14) the law applicable when the Commonwealth or a State is a party

Where possible, comparison will be made with the law of other federations, particularly the United States and Canada. The United States Constitution was highly influential in the drafting of the relevant provisions of the Australian Constitution, and American law today remains a useful body of law for comparative purposes in respect of the federal judicial system.

**LAWS 3007 Advanced Contracts**

**8 credit points**

**Teacher/Coordinator:** Prof. Harland, Prof Carter

**Prerequisite:** Contracts

**When Offered:** Semester 2

**Classes:** 2 x 2hr seminars per week

**Assessment:** One essay of 3500w (optional, non-redeemable) for 35% and one open book exam for 65% or 100%.

This unit of study has four aims. First, to provide students with an opportunity to build on the knowledge obtained in the Contracts unit. Second, to expose students to some comparative analysis, drawing on other common law jurisdictions and, in some topics, civil law. Third, to explore the relationship between contract and other related topics, such as restitution for unjust enrichment. Fourth, to provide students who have developed an interest in contract with an opportunity to pursue that interest.

In addition the unit can be seen as a component program of study in any specialisation in commercial law, although this will to some extent depend on the topics offered in a given year.

Whatever the topics offered, students can expect a treatment of the law which examines how successful contract law is in regulating the institution of contract, in dealing with problems of planning and negotiating contracts, and the settlement of disputes in the context of consumer contracts and/or the commercial setting.

Twelve topics are listed below. It is envisaged that, in any given semester, three or four topics will make up the unit. There will, however, be no opportunity for students to choose between topics offered.

1. Theories of Contract
2. The Enforceability of Promises, with particular reference to good faith, consideration and promissory estoppel.
3. Uncertainty and Conditional Contracts
4. Discharge for Breach and the relationship with Suspension of Performance
5. Damages for Breach of Contract
6. The Recovery of Sums Fixed by the Contract and Relief Against Forfeiture
7. Unconscionability and Unfair Contracts at Common Law, in Equity and under Statute
8. Illegality
10. Privity of Contract
11. Special Performance and Injunction
12. The Relationship between Contract and Restitution.

**LAWS 3008 Advanced Corporate Law**

**8 credit points**

**Teacher/Coordinator:** Assoc. Prof Hill/Ms Bird

**Prerequisite:** Corporate Law

**When Offered:** Semester 2

**Classes:** 2 x 2hr seminars per week

**Assessment:** One compulsory redeemable 4000w essay (40%), one optional non-redeemable 6000w research paper or moot (60%) or one open book exam (60% or 90%).

This unit of study will deal with a number of contemporary issues concerning debt and equity finance in Australian public and propriety companies. It will cover both the raising of corporate finance, and the positions of shareholders and creditors in the event of the company's insolvency.

**LAWS 3054 Advanced Criminology (Seminar)**

**8 credit points**

**Teacher/Coordinator:** Assoc. Prof. Stubbs

**Prerequisite:** Criminology

**When Offered:** Not offered in 1998

**Classes:** 2 x 2hrs seminar per week

**Assessment:** One 5000w essay (50%) and one take home exam (50%).

This unit of study aims to encourage students to further develop their skills and knowledge in criminology through an examination of more complex theoretical and policy issues within contemporary criminology. This unit will cover more advanced theory and analysis of criminal justice institutions, policies and practices. A significant component of the unit will be devoted to the analysis of specific criminal justice policy issues of current relevance, e.g. in relation to policing, criminal prosecution and trial, or sentencing and punishment.

**LAWS 3009 Advanced Public International Law**

**8 credit points**

**Teacher/Coordinator:** Prof. Shearer/Assoc. Prof Rothwell

**Prerequisite:** International Law

**When Offered:** Semester 2

**Classes:** 2 x 2hr seminars per week

**Assessment:** One compulsory redeemable 4000w essay (40%), one optional non-redeemable 6000w research paper or moot (60%) or one exam (0-60%).

The purpose of this unit of study is to give an opportunity to students who are already familiar with the basic institutions and processes of international law to deepen their knowledge, and widen their research experience, in several topics of contemporary relevance.

The topics selected for 1998 are:

1. The Law of the Sea. The impact of the United Nations Convention on the Law of the Sea, 1982, will be assessed against the background of customary international law. Special attention will be given to those aspects of the law which affect natural resources, freedom of navigation and the protection of the marine environment. Australian policy and legislation will also be examined.
(2) Statehood. Statehood and sovereignty stand at the centre of the present international legal system. In practice they often give rise to dispute and conflict. The problems posed by the principle of self-determination, and by such doctrines as recognition of states and governments, and succession of states, will be studied. Contemporary examples will be discussed, such as the former Yugoslavia and Hong Kong.

(3) Treaties. Treaties and other types of international agreement are the principal means by which the international community, lacking a universal legislative organ, makes law for itself. Treaties are of increasing importance in Australian law by reason of their incorporation through legislation or by judicial recognition. The basic rules of treaty law and interpretation, the consequences of breach of treaties, and the application of treaties in Australian law will be studied.

(4) International Environmental Law. The development of international environmental law throughout the twentieth century will be assessed with attention devoted to the international law and policy responses to global and regional environmental and resource management issues. Basic principles of international environmental law will be assessed prior to undertaking a sectoral analysis of discrete areas such as marine pollution and species protection.

**LAWS 3100 Advanced Real Property and Legal Drafting (Seminar)**

*8 credit points*

**Teacher/Coordinator:** Associate Professor Butt, Associate Professor Skapinker  
**Prerequisite:** LAWS2007 Real Property  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One exam, of 2 or 3 hours; one essay of 2,000 words on property law; one drafting exercise. The essay may be optional or compulsory, depending on student numbers.

This unit combines aspects of real property and legal drafting. It is skills-based. It aims to develop expertise in substantive property law, along with an ability to draft property documents in a style that is both clear and legally effective.

The property law component deals in depth with important topics which the compulsory Real Property course has insufficient time to cover. The topics will vary from year to year, but you can expect them to cover some of the following: leases, mortgages, options, possessory title, old system title, Crown lands title, and strata and community titles.

The legal drafting component concentrates on the techniques of modern legal drafting, emphasising the 'plain language' style.

**LAWS 3010 Advanced Real Property**

*8 credit points*

**Teacher/Coordinator:** Assoc. Prof. Butt  
**Prerequisite:** Real Property  
**When Offered:** Not offered in 1998  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One optional essay, open book exam

The general undergraduate program in real property by necessity must cover a large number of areas of law, with only occasional opportunity to delve into particular areas in depth. The purpose of the Advanced Real Property unit is to provide the opportunity to delve in depth into other areas of law, all of which are important to understanding the operation of land law in modern Australian society. Topics selected for study may include leases, mortgages, options over real estate, possessory title, old system and Crown lands titles, strata titles and community title.

**LAWS 3011 Advocacy, Interviewing and Negotiation**

*8 credit points*

**Teacher/Coordinator:** Mr McCrimmon  
**Corequisite:** Litigation  
**When Offered:** Semester 1  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** Workshop performance (20%), reflective journal (30%), half-day trial (50%)

The primary focus of this unit of study is on three areas of legal practice: trial advocacy, negotiation and client interviewing. Students are expected to engage in seminar discussions, and to participate in workshops. A simulation model is used in the workshops and students will be asked to conduct client interviews, to negotiate settlements, and to present the various components of the trial process. The unit instructor will provide immediate, constructive feedback on the student's performance. Periodically, the student's performance will be videotaped. This is a hands-on program which explores the nexus between facts and law, theory and practice, means and ends. In the process, principles of effective communication, aspects of substantive law and procedure, the rules of evidence, trial tactics and ethics will be considered.

Assessment is based on three elements:

1. (1) performance throughout the semester - demonstrated preparation, understanding of advocacy principles and legal argument;
2. (2) written work - maintenance of a reflective journal; and
3. (3) presentation of a case in a mock trial at the end of the semester.

There is a quota on enrolments in this unit.

**LAWS 3012 Anti-Discrimination Law**

*8 credit points*

**Teacher/Coordinator:** Ms MacDermott  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One exam (30%), one essay (40%), class participation (10%), optional research paper

This unit of study examines discrimination issues that arise in a range of different contexts. The unit aims to give students an overview of theoretical perspectives on equality and discrimination, the substance of discrimination issues, and the institutional processes of anti-discrimination enforcement. Specific topics that will be discussed include disability discrimination, HIV/AIDS discrimination, discrimination against lesbians and gay men, sexual harassment, equal pay, occupational health and safety and reproductive hazards in the workplace, race discrimination, age discrimination, race discrimination, age discrimination and affirmative action. The unit will also seek to highlight the interaction of these discrete topics with other grounds of discrimination. The principal objective of this unit is to give students an appreciation of the utility and the limits of the law in the area of anti-discrimination.

**LAWS 3013 Business Taxation**

*8 credit points*

**Teacher/Coordinator:** Mr Allerdice & Dr Harris  
**Prerequisite:** Personal Taxation  
**When Offered:** Semester 2  
**Classes:** 2 x 2hrs seminars per week  
**Assessment:** One 3hr exam (60%), one assignment (30%), class participation (10%)

This unit of study further pursues the goals of Personal Taxation and is to be regarded as an extension of that unit.
In particular, the unit analyses the special difficulties of levying tax on business entities and complex transactions, and particularly in an international environment. The taxes covered extend beyond the income tax to include stamp duties, sales tax, payroll tax and land tax, being taxes usually paid by business.

This unit of study will cover the following topics:
(a) taxation of partnerships and trusts;
(b) taxation of companies and shareholders under the imputation system;
(c) taxation of international transactions;
(d) administration issues relating to the income taxation of business;
(e) sales tax;
(f) stamp duties;
(g) payroll tax;
(h) land tax.

LAWS 3014 Chinese Laws and Chinese Legal Systems
8 credit points

Teacher/Coordinator: Ms Leung, Ms Franklin
When Offered: Semester 1
Assessment: One 3 hr exam and one 3500-4000w essay

This unit of study provides an overall picture of the modern Chinese legal system. It seeks to develop a perception of China's unique character and role through its imperial origins to the reforms of the Nationalist Government, to the eras of revolutionary and radical transformations and rejection of law under the Communists to the new role for law in the era of Dengist market economy. This unit examines the special economic and political structures as means of understanding the role, function and nature of law in the contemporary Chinese society and polity. This unit goes on to illustrate these perceptions through the establishment and development of various law regimes, including the civil law system, the legal profession, the court system, criminal law and procedures, foreign investment law system, intellectual property law, dispute resolutions, etc.

This unit usually takes place in January in the East China University of Politics and Law (ECUPL), Shanghai, the People's Republic of China. Lectures are given in English by Chinese professors from ECUPL. An introductory lecture is provided by Professor Tay either in Sydney or in Shanghai prior to the commencement of the unit.

Students must register with CAPLUS by 29 August 1997.

Practical Work:
This is a 4 week intensive unit of study conducted in Shanghai in January.

LAWS 3018 Clinical Environmental Law
8 credit points

Teacher/Coordinator: Ben Boer
When Offered: Semester 2
Classes: 1 x 2hr seminar per week

This unit of study is focussed on providing practical experience in the implementation of Environmental Law. Students are required to work on cases at the Environmental Defenders Office under the supervision of specialist solicitors for at least half a day per week over a period of 8 weeks. They may also be required to work on aspects of community legal education initiatives of the environmental Defenders Office, and a special program arising out of the EDO's membership of ELAW - the Environmental Law Alliance worldwide.

The unit also involves visits to some of the main institutions implementing environmental law and policy, including the Land and Environment Court, the office of the Commissioners of Inquiry and the legal section of the New South Wales Environment Protection Agency. This unit also includes a series of special lectures on environmental litigation, legal aid, alternative dispute resolution and research.

JURS 3007 Comparative Law
8 credit points

Teacher/Coordinator: Prof. Doeker-Mach
When Offered: Semester 1
Classes: 2 x 2hr seminars per week
Assessment: One 1500w optional essay

Comparative Law is a method of study and research rather than a distinct branch of law. Thus the primary object of the unit of study is to highlight through the comparative process the method, the attitude and approach of legal systems belonging to different families of law. The comparative method is central to the creation of legally imaginative and creative students with a high level of critical and analytical ability; it contributes to good international relations through a better understanding of different legal cultures; it gives a deeper understanding of our own legal system by exposing its essential elements; and suggests ideas for law reform through a study of the experience and approach of other legal systems to common problems. The secondary object of the unit is to provide an introduction to the Romano-Germanic family of laws through a comparison between Anglo-Australian law and French, German and Italian law.

LAWS 3016 Competition Law
8 credit points

Teacher/Coordinator: Dr McMahon
When Offered: Semester 2
Classes: 2 x 2hr seminars per week
Assessment: One optional redeemable essay of 3000w (30%) and one exam (70%)

This unit of study examines competition law and policy in Australia. The provisions of Part IV of the Trade Practices Act 1974 will be analysed within the context of the 'National Competition Policy'. The framework for analysis will include a critical overview of the fundamental purposes of competition policy and the legal regulation of economic activity in general. The restrictive trade practices provisions of comparative jurisdictions, with particular emphasis on the United States, will also be studied.

Topics include:
a) The Hilmer Committee reforms: the deregulation and corporatisation of essential services;
b) Vertical and horizontal arrangements which substantially lessen competition;
c) Mergers;
d) Misuse of substantial market power;
e) Third party access to essential facilities;
f) Competition policy and telecommunications; and
g) The role of the Australian Competition and Consumer Commission.

LAWS 3017 Conveyancing
8 credit points

Teacher/Coordinator: Assoc. Prof. Butt, Assoc. Prof. Skapinker
Prerequisite: Real Property
When Offered: Not offered in 1998
Classes: 2 x 2hr seminars per week
Assessment: One optional non-redeemable essay of 3000w (40%) one 2 hr (60%) or 3 hr (100%) exam

Conveyancing is sometimes regarded as a mere matter of form filling and rote-learned procedures, able to be undertaken with minimal legal expertise. In fact, conveyancing is one of the oldest and most complex areas of law, and modern day conveyancing is an elaborate mixture of real property and contract law, seasoned with a fair amount of statutory interpretation. This unit of study is designed to provide the theoretical foundations necessary for expertise in conveyancing practice.
This unit is divided into three sections, following generally the progress of a conveying transaction. The first section deals with matters preliminary to entry into a contract for the sale of land, including: formation of an enforceable contract, contractual capacity, identifying the subject matter of the sale, and the concept of 'caveat emptor' in modern conveying law. The second section deals with the law relating to the contract for sale itself, concentrating particularly upon the standard form of contract for the sale of land in use in New South Wales. Special attention is paid in this section to the law relating to auction sales, deposits, requisitions and objections to title, defects, the consequences of misdescribing the property, and the legality of structures upon the land. The third section deals with the remedies available to vendors and purchasers, including notices to complete, specific-performance, relief against forfeiture, and statutory remedies under the Contracts Review Act, the Fair Trading Act and the Trade Practices Act.

**LAWS 3019 Cricket and the Law**

**Teacher/Coordinator:** Mr Fraser  
**When Offered:** Not offered in 1998  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One 3500w essay, class participation & presentation

Sport has a firm grip on the public imagination. Daily conversations and sometimes more heated and passionate debates occur on the subject. Perhaps no sport has infiltrated the public psyche to such an extent as has cricket. Phrases such as ‘it’s just not cricket’, ‘to be put on the back foot’, or ‘you must never question the umpire’s decision’ have escaped from the confines of the game to become part of common discourse. In a similar way, law increasingly invades our daily existence and our conversations take place around issues of Aboriginal land rights or defamation writs among the rich and powerful.

This unit of study explores the neglected areas of intersection of cricket and the law. From restrictive trade practices to manslaughter, from underarm bowling to sledging, the connections between law and cricket are many and complex. This unit examines these and other questions to demonstrate that neither law nor cricket can be understood without the other. Cricket is indeed more than just a game.

**LAWS 3020 Criminology**

**Teacher/Coordinator:** Assoc. Prof Stubbs, Assoc. Prof Findlay  
**When Offered:** Semester 1  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One take-home exam (50%), one 5000w essay (50%)

This unit of study aims to introduce students to the theoretical issues associated with the definition and explanation of crime and criminality. Rationales for punishment are examined along with sentencing practice, and other possible responses to criminal behaviour are explored. The unit considers the impact of criminal justice policy and practice on particular groups such as juveniles, women, indigenous people, ethnic minorities and victims of crime. The regulation of particular types of offences such as public order offenses or corporate crime are considered. Other topical issues are covered as they arise.

Students are expected to take part in visits to a gaol and/or a juvenile detention centre. It should also be noted that Criminology is a prerequisite for Advanced Criminology.

**LAWS 3021 Critical Legal Studies**

**Teacher/Coordinator:** Mr Fraser  
**Prerequisite:** Constitutional Law, Contracts  
**May not be counted with/Additional Information:** Students who have already completed either Collective Employee Relations or Individual Employee Relations will not be permitted to enrol in this course. Similarly, students who elect to take this course will not be permitted to enrol in either Collective Employee Relations or Individual Employee Relations.  
**When Offered:** Not offered in 1998  
**Classes:** 2 x 2hr seminars per week

The most important philosophical insight of the movement known as Critical Legal Studies is that "law is politics". This unit of study aims to explore the writings of key members of CLS in order to gain an understanding of the ways in which law and legal discourse construct our political and personal understandings of issues of race, ethnicity, class, sexuality and gender. A primary focus of the unit will be on the interactions between the discourses of law and legality on the one hand and the ways in which these discourses are deployed in the media of popular culture on the other. The construction of a set of knowledges about law through popular culture will be critically examined.

Completion of this unit fulfils the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.

**LAWS 3022 Dispute Resolution**

**Teacher/Coordinator:** Prof Astor  
**When Offered:** Semester 2  
**Classes:** 2x2hrs seminars per week  
**Assessment:** One open book exam (50%), one 3500w essay (35%), classwork (15%)  

There has been a very rapid growth in the use of 'alternative' dispute resolution in recent years. This unit of study introduces a range of methods of resolving disputes, including negotiation, mediation, arbitration, independent expert appraisal. The relationship of 'alternative' methods to the formal justice system is considered. The application of alternative methods in several areas of law is examined. The unit is theoretical, critical and evaluative. It requires students to study policy and theory and to read materials from disciplines other than law.

The unit contains a skills component. Students who complete the unit will not be qualified as mediators. However they will learn skills in interviewing, negotiation and mediation. There is a quota on enrolments in this unit.

**LAWS 3036 Law and Economics**

**Teacher/Coordinator:** Prof Apps  
**May not be counted with/Additional Information:** Economic Analysis of Law  
**When Offered:** Semester 1  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** Class assignments (10%), 3000w essay (30%), 3 hour exam (60%)  

The aim of this unit of study is to provide an understanding of the economic analysis of law and to clarify differences between the role of legal argument and the welfare analysis of policy. The unit of study outlines the objectives of public policy defined within the framework of modern welfare economics and examines the social and economic effects of legal regimes within that framework. Particular attention is
given to the definition of a competitive market as an analytical concept, and to the available empirical evidence of market failure and the need for government intervention and policy reform. Topics covered include the following:

- Concepts of social justice and the public interest: fundamental theorems of welfare economics
- Economic analysis of property law: legal concept of property and the effects of property rights assignments on wealth and bargaining power
- Contract and consumer law: trade theory, bargaining models, asymmetric information, insurance and principles of contract damages
- Family law: economics of family formation, household production, intra-family transfers and exchange, child care, discrimination, and fertility
- Tort rights and remedies: economics of insurance, asymmetric information and moral hazard, and the distinction between fault and no-fault risk
- Economics of crime: formulation of behavioural models, empirical evidence on disincentive effects of punishment, estimation problems, and case studies
- Economics of regulation: monopoly theory and the structure of oligopolistic markets; applications to environmental problems and the labour market
- Agency theory: application to corporate governance and control.

**LAWS 3023 Employment and Industrial Law**

8 credit points

**Teacher/Coordinator:** Prof. McCallum, Assoc Prof. McCarry  
**Prerequisite:** Constitutional Law, Contracts  
**When Offered:** Semester 1  
**Classes:** 2x2 hr seminars per week  
**Assessment:** McCallum: One essay (40%), exam (50%), class participation (10%) or McCarry: One essay (50%), exam (70%)

The content and emphasis in this unit of study will differ between the groups to be taught by Prof. McCallum and Assoc. Prof. McCarry. Prof McCallum aims to introduce students to the subject of labour law. Labour Law has traditionally been divided into two components: individual and collective. The legal regulation of employment and industrial issues has been, and continues to be, the subject of much debate and legislative intervention. The changes this has brought about in labour law has contributed to a blurring of the distinction between the individual and collective aspects, a theme which will be examined during this unit. This unit also explores the manner in which labour law interacts with anti-discrimination law, and the interaction of sources of labour law generally.

Assoc. Prof. McCarry's course will be cognisant of the various interactions in the subject, but will give less emphasis to the relationship with anti-discrimination law. Approximately 25% of class time will be devoted to problem discussion.

**LAWS 3024 Environmental Law**

8 credit points

**Teacher/Coordinator:** Ms Franklin & Ms Lyster  
**When Offered:** Semester 1  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One take-home exam (50%), one 5000w essay (40%), class participation (10%)

This unit of study introduces students to the legal and institutional implications of adopting the precept of ecologically sustainable development, particularly for governments and corporations. The unit begins with a discussion of environmental ethics, followed by an exploration of its ramifications for policy and decision making, legal structures and processes, accountability, and federal and international relations. Various fields of regulation (including land-use; pollution and natural resources), and decision-making processes (including environmental impact assessment and environmental dispute resolution) provide the context in which to develop the issues.

An important focus of the unit is the Environmental Planning and Assessment Act 1979 (N.S.W.) and cognate legislation.

**LAWS 3025 External Placement Program**

8 credit points

**Teacher/Coordinator:** Mr McCrimmon  
**When Offered:** Semester 1  
**Classes:** 2x2 hr seminars per week  
**Assessment:** One 6000w essay (60%), seminar performance (20%) maintenance of a reflective journal, placement site evaluation (20%)

In this unit of study students are afforded the opportunity to work for up to one day per week during the semester in a placement site. In addition, students attend fortnightly seminars which are designed to promote discussion and reflection on a range of issues that may arise during the course of the placement. The unit has a public interest focus which is reflected in the selection of placement sites.

At the end of the unit students should have:
- acquired a better sense of the professional and personal responsibilities associated with the practice of law;
- developed an appreciation that the law is a people profession;
- observed and participated in a high level of problem solving flowing from real case files;
- been introduced to the basic inter-personal skills involved in the practice of law;
- been introduced to aspects of the practice of law such as legal writing, advocacy and time management; and
- developed the character and habits of a reflective practitioner.

There is a quota on enrolments in this unit.

**LAWS 3026 Family Law**

8 credit points

**Teacher/Coordinator:** Ms Kaye & Ms Tolmie, Prof. Astor & Assoc. Prof. Parkinson  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One open book exam (75%), one 2500w essay (25%)

This unit of study will include the following topics:

(a) Current issues in family law;  
(b) What is a family?;  
(c) De facto relationships;  
(d) Divorce;  
(e) The Family Court;  
(f) Counselling and alternative dispute resolution;  
(g) Constitutional factors;  
(h) Jurisdictional problems in family law;  
(i) Violence against women;
(j) Injunction, caveats and the property interests of third parties;  
(k) The division of property;  
(l) Maintenance and the Child Support Acts;  
(m) Financial agreements;  
(n) Parental responsibility; and  
(o) Residence and contact orders.
LAWS 3028 Gender, Injury and Compensation

Teacher/Coordinator: Prof. Graycar
Prerequisite: Torts; Criminal Law
When Offered: Not offered in 1998
Classes: 2 x 2hr seminars per week
Assessment: Research paper 5000 words (50%), take home exam (30%), class participation (20%)

This unit of study examines the gendered incidence of injuries and deals in detail with two types of harm. First, the unit of study looks at ways in which the assessment of damages for personal injury is significantly affected by gendered stereotypes and assumptions. It will demonstrate that gender can play a significant part in an area of law that tends to be seen as gender neutral. The second part of the unit focusses on gendered harms: those things that happen to women because they are women. The unit introduces students to the wide array of legal doctrines that have the potential to respond to such harms: these include tort law (in particular, intentional torts); statutory remedies such as those available under anti-discrimination statutes and victims’ compensation legislation; and equitable remedies such as the action for breach of fiduciary duty. Other issues to be examined are limitation of actions legislation and the gendered impact of legal aid policies in Australia.

Completion of this unit fulfills the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.

LAWS 3029 The Holocaust, Moral Responsibility and the Rule of Law

Teacher/Coordinator: Mr Fraser
When Offered: Not offered in 1998
Classes: 2 x 2hr seminars per week
Assessment: One 7000w essay, a take home exam or class participation paper

This unit of study attempts to examine the Holocaust as a part of the theory and practice of modernity. The ideological and political roots of the Shoah within the values of the Enlightenment and the modern ideal of national identity are discussed as are the roles of science and law in the extermination policies of the Nazis and their allies. The unit of study also raises questions about the moral choices faced by victims, perpetrators, bystanders and rescuers as well as looking at issues such as the rise of neo-Nazi groups, Holocaust revisionism and the nature and function of postwar prosecutions of perpetrators. Throughout, the status of law and legal ideology in the Western tradition is questioned.

Completion of this unit fulfills the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.

LAWS 3031 Independent Research Project

When Offered: Semesters 1 & 2
Assessment: 1 research paper of 10,000w

The goal of this unit of study is to provide senior students with an opportunity to pursue advanced research in an area of their choosing, under the supervision of a member of Faculty. The unit will be available as a one semester, four or eight unit unit of study, depending upon the particular project.

Given the nature of the unit, there are no set topics. This will be determined on a case-by-case basis. The project must involve a fresh piece of research and writing; material which previously has been submitted for assessment in any other unit of study may not form part of the project.

Enrolment in the unit is contingent upon:
(1) The student having an academic background in Law which is sufficient to handle the particular research project (an average mark in law courses in excess of 65% would be indicative, plus evidence of familiarity with the subject matter of the project;)
(2) The student formulating, in advance of enrolment, a well-defined research project, including a statement of the methodology to be used;
(3) Approval in writing from the member of Faculty who agrees to serve as supervisor and assessor of the project; and
(4) Approval in writing from both the Associate Dean (Undergraduate) and the Head of Department, who must be satisfied that the above conditions have been met and that no other unit of study is being offered at the time which would permit the student to undertake study in the proposed area.

No more than eight units of Independent Research Project may be credited towards the requirements for the LLB in respect to any student.

Given the nature of the unit, no particular library research requirement can be stipulated in advance and this will vary from project to project. (However, approval will not be given to projects for which the necessary research materials are not reasonably available).

The final day for submission of the project is the last day of classes for the semester. The project normally will be assessed by the Faculty member acting as supervisor; however the Head of Department also may designate an independent supervisor (who may or may not be a member of the Faculty).

LAWS 3028 Gender, Injury and Compensation

8 credit points

LAWS 3029 The Holocaust, Moral Responsibility and the Rule of Law

8 credit points

LAWS 3030 Independent Research Project

4 credit points

LAWS 3031 Independent Research Project

8 credit points
**LAWS 3033 Intellectual Property**  
8 credit points  
Teacher/Coordinator: Dr Loughlan, Ms Wright  
When Offered: Semesters 1 & 2  
Classes: 2 x 2hr seminars per week  
Assessment: To be announced.

This unit of study provides an introduction to the legal protection of invention, expression, ideas and information, as well as the commercial value of business reputation, get-up, trade marks and designs. The general objectives of the unit are to examine and evaluate the operation of the laws and policies governing Intellectual Property in Australia and to develop a critical perspective on those laws and policies.

**LAWS 3034 International Human Rights Law**  
8 credit points  
Teacher/Coordinator: Ms Wright  
Prerequisite: International Law  
When Offered: Semester 2  
Classes: 2x2hr seminars per week  
Assessment: One 5000w (50%) or 7000w (70%) essay, class presentation (20%) and take home exam (30 or 50%)

This unit of study will explore various issues in the area of international human rights, including civil and political rights, social and economic rights, rights of peoples and refugees. We will also be looking in relation to the treatment of people in armed conflicts. Students must have completed International Law.

**LAWS 3035 Jessup International Law Moot**  
8 credit points  
Teacher/Coordinator: Assoc. Prof. Rothwell  
Prerequisite: International Law  
When Offered: Semester 1  
Classes: 2 x 2hr seminars per week  
Assessment: Class participation, memorial writing, mooting, team participation

The unit of study is based on the Jessup International Law Moot Competition conducted annually among law schools throughout the world. Students in the unit work as a team preparing written memorials on a problem of current interest in international law. Mooting usually takes place over three days at the Australian Regional Rounds held in Canberra during February.

Assessment is based on a short paper dealing with an issue in the moot problem, memorial writing, mooting and team participation. Previous problems have dealt with the law of the sea, Antarctica, international environmental law and trade law, though always emphasising basic principles of public international law.

Enrolment in this unit will be only on the invitation of the course coordinator. A quota will be applied in accordance with the rules of the competition. The course requires students to consult individually with their team members and the lecturer with no formal classes scheduled. Offered between December and February each year.

**Practical Work:**  
Jessup International Law Moot Competition

**Jurisprudence**

Teacher/Coordinator: Assoc. Prof. Ziegert  
When Offered: Semesters 1 & 2  
Classes: 2x2 hrs seminars per week

The Jurisprudence units of study available offer a variety of different, alternative approaches to the theoretical study of the nature, function, source, techniques and precepts of law, and to legal thinking and law-making. These approaches are distinguished as analytic, philosophical, sociological, historical, international and comparative; they are also expressed in the singling out of specific and central issues of major social and ideological concern, such as human rights and Marxist/Socialist legal theory and legal structures and provisions.

Students interested in undertaking a further Jurisprudence unit as an optional choice may choose one of the strands outlined below which is not the strand already selected as their strand for the compulsory Jurisprudence/Table 2 units.

**Description of contents of units**

Jurisprudence strands offered are outlined under Optional Units of Study. Further descriptions will be available at the beginning of the year in Jurisprudence Syllabuses and Information.

**Jurisprudence/Table 2 requirement for the LLB degree:** Faculty has resolved that students may fulfill the Jurisprudence/Table 2 requirement for the LLB degree by successfully completing any 8-unit unit of study offered in the Department of Law and approved by the Faculty for that purpose.

The following units of study have been approved for that purpose:
- Critical Legal Studies
- The Holocaust, Moral Responsibility and the Rule of Law
- Law and Gender
- Law and Social Justice
- Cricket and the Law
- Gender, Injury and Compensation
- Law and Economics
- Law, Communications, Culture and Global Economies
- Thinking Through the Body of the Law
- Women, Law and Family

See entries under optional units of study.

**Strand A - Sociological Jurisprudence**

**Strand B - Contemporary Analytical Jurisprudence**

**Strand C - Comparative Constitutionalism**

**Strand D - Post Communist Law and Legal Theory**

**Strand E - Philosophy of Human Rights**

**Strand F - International/Comparative Jurisprudence.**

**JURS 3001 Jurisprudence - Strand A - Sociological**

8 credit points

Teacher/Coordinator: Assoc. Prof. Ziegert  
When Offered: Semester 1  
Classes: 2 x 2hr seminars per week  
Assessment: One oral exam (40%) and one 6000w research paper (60%)

The unit of study will introduce the student to the basic concepts of sociological theory and methodology and will show how these concepts can be applied to the observation of the functioning of law. On the basis of such a primary understanding of how societies organise themselves and their law it will become possible for the student to appreciate and evaluate critically the efforts of socio-legal research and the conceptions of some major contributors to the sociological theory of law.

The first part of this unit will look at what sociological theory and research can offer today in the description of social life, the explanation of how societies are organised, why people do what they do. Elementary sociological concepts like norm, role, group, power, class, social structure and social system will be related to the operation of the law. Concepts like these provide the tools which make it possible to examine and study systematically and carefully the social organisation and structure of legal systems, the operation and the social environments in which and in relation to which they are operating.
The second part of this unit will introduce the student to the methodological and practical issues of empirical socio-legal research. It will focus on the design and on the practical conducting of study on the role and operations of the courts in the legal process. This part of the unit will back up methodologically the 'Court Watch' program by making court observation a practical research task which will be assessed as a research assignment. Completion of this unit of study fulfils the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.

**JURS 3002 Jurisprudence - Strand B - Contemporary Analytical Jurisprudence**

**Teacher/Coordinator:** Prof. Tay  
**When Offered:** Semester 1  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One exam and one 4000w essay

Strand B will concern itself, in the first place, with the logical analysis of the concept of a legal system and of basic legal concepts such as rights and duties. It will then discuss the fundamental concepts of traditional analytical jurisprudence, e.g. property, possession, fault, contract, etc. in the context of a rapidly changing society and of new and different demands made on law, lawyers and the judicial process. Completion of this unit fulfils the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.

**JURS 3003 Jurisprudence - Strand C - Comparative Constitutionalism**

**Teacher/Coordinator:** Prof. Tay  
**When Offered:** Semester 1  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One exam, one 4000w essay

This unit of study will examine the rise and spread of constitutions and constitutionalism throughout the modern world and the extent to which these have transformed or affected modern and modernising societies. In the 200 years since the Declaration of Rights of Man and the Citizen in France and the coming into force of the first U.S. Constitution, monarchies have fallen, colonies have become independent, countries have become socialist or revolutionary communist and new states have been formed, in Europe, the Americas, Asia, Africa, Pacific and the Indian Ocean. In the past five to ten years, momentous events have taken place in the People's Republic of China, the U.S.S.R. and Eastern European societies. This unit will show how systemic and ideological causes have destroyed the legal order and changed the legal culture in East European societies. It will provide an outline, in the context of the dichotomy of civil society and the state, of the modes and contents of changes in the weak democratic structures of Central and Eastern Europe, the stages in the transition of democratic state, the rule of law and the 'marketisation of the economy'. In this framework, the possibilities for the revival of law, of political stability and undistorted legal discourse will be discussed and related to a comparative perspective on the different styles of Western, Central and Eastern European legal culture. Completion of this unit fulfils the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.

**JURS 3005 Jurisprudence - Strand E - Philosophy of Human Rights**

**Teacher/Coordinator:** Prof. Sadurski  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One optional, non-redeemable 3500w essay (40%), one 2hr open book exam (60%) or one 3hr exam (100%) or Two essays (50% each)

The aim of this unit of study is to provide a basis for the theoretical analysis of rights, and to apply that analysis to specific legal situations in which human rights are the central issue. The emphasis will be on the philosophical and ethical foundations of human rights, and on the interconnections that exist between theory and practice. Analyses of actual cases culled from various legal systems will be used to illustrate more general propositions about the proper nature, scope and rationale of human rights. The lectures will focus on the concept of rights and the functions of the rights talk, on the alleged right to civil disobedience, the limits of legally protected liberty (including the problems of the enforcement of morals, legal paternalism and the duty to render aid), and rights to equal protection. Throughout the unit, the emphasis will be on philosophical and moral justification of various rights and not on specific legal arrangements in any particular legal system. Completion of this unit fulfils the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.
JURS 3006 Jurisprudence - Strand F - International/Comparative Jurisprudence

**8 credit points**

**Teacher/Coordinator:** Assoc. Prof. Ziegert  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One oral exam (40%) and one 6000w research paper (60%)

The unit of study will introduce the student to a basic understanding of the variability of law as a function of the variability of the social context in which it operates. By applying comparativist theory and empirical methodology from different perspectives, the unit is structured in four parts and it will prepare the ground for an appreciation of the operation of society's law in the complex historical setting of different cultural systems, nation states, multicultural societies and on the international level.

Completion of this unit fulfils the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.

LAWS 3037 Law and Gender

**8 credit points**

**Teacher/Coordinator:** Prof. Graycar  
**When Offered:** Semester 1  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** To be announced.

The aims of this unit of study are as follows:

(a) to introduce students to the development of feminist legal theory and its major strands;  
(b) to examine three major constructions of duality, power and ambiguity which underlie law and society from a gendered perspective;  
(c) to highlight the practical as well as theoretical implications of the gendered analysis of law and society;  
(d) to break down the unquestioning acceptance of the current mythologies relating to masculinity and femininity which appear as universal norms called law; and  
(e) to encourage a practical and political response to problems in this area.

This unit will not be restricted to 'feminist legal studies' although this must be a significant priority. Feminist theory is, necessarily, interdisciplinary and this unit will therefore examine the theoretical constructions which underpin law.

Completion of this unit fulfils the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.

JURS 3008 Law and Social Justice

**8 credit points**

**Teacher/Coordinator:** Prof. Sadurski  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One 3500w essay (40%), class participation and essay presentation (20%) and one open book exam (40%) or two essays (40% each) and class participation and essay presentation (20%)

The unit of study will explore main contemporary theories of social justice with special emphasis on the conflicting ideologies that attempt to provide foundations for a conception of distributive justice compatible with the ideal of the rule of law. The main focus will be on the notion of desert and its central role in a theory of just distribution; also the idea of distribution according to basic human needs will be explored. In the course of the discussion of these substantive issues, some modern philosophies of justice will be assessed: Rawls's 'justice as fairness', Nozick's 'entitlement theory', Walzer's 'pluralist' theory of distributive justice, etc.

LAWS 3038 Legal Drafting and Interpretation (Seminar)

**8 credit points**

**Teacher/Coordinator:** Assoc. Prof. Butt  
**When Offered:** Not offered in 1998  
**Classes:** 2 x 2hr seminars  
**Assessment:** To be announced.

The unit of study aims to provide students with an introduction to the theory and process of legal drafting (both of legislation and of other documents), to the basic rules and presumptions of interpretation which affect the process and outcome of drafting, and to recent developments in drafting aimed at simplifying language and reducing disputes over meaning. It is a 'hands-on' unit, with emphasis on developing student skills in plain language legal drafting. There is a quota on enrolments in this unit.

LAWS 3039 Law, Communications, Culture and Global Economics

**8 credit points**

**Teacher/Coordinator:** Dr McKeown & Ms Karpin  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** Class participation/presentation (20%), long essay 8000w or 2 x 4000w essays (80%)

This unit of study introduces students to communications law in the context of its impact on social and cultural production. Specifically its effect on law and legal institutions and our notion of community, the nation state and the public sphere. Throughout the unit we will place the communications law we are studying within the framework of the massive economic, political, cultural and technological transformation of our media environment. This can be characterised by accelerated transnationalisation and globalisation. For instance, we consider the question of whether communications law has or can respond to the introduction of new communication technologies such as satellite transmission and the internet. How have the rules been modified to deal with new communications technologies and the move towards the globalised marketplace? We consider how concepts such as the "virtual city" and the "netizen" challenge our traditional understanding of regulatory boundaries, the "public sphere" and cultural identity. This unit will also examine the development of a cyberculture which, while resisting government attempts to regulate "decency" and censorship, has introduced new and different forms of self-regulation and informal justice. We will consider how these mechanisms have dealt with issues such as pornography, racial vilification, privacy and surveillance.

We will also examine the structure of communications law in relation to technologies such as television. We will look at content rules and the regulation of media ownership within the context of the production of culture and issues of representation. Have the approaches to antitrust regulation, foreign ownership and "cross-media" rules in fact led to a greater concentration of ownership and control of the national and international media? To what extent has the language of "global markets" and the convergence of technology been manipulated by those who are best served by deregulatory approaches?

Students undertaking this unit will obtain an understanding of the regulatory framework of communications law, its efficacy in light of technological innovation and its impact on our collective knowledge and perception of Australian culture, democracy and legal institutions.

Completion of this unit fulfils the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.
LAWS 3059 Media Law

Teacher/Coordinator: Ms McDonald, Dr Loughlan, Dr Magnussen
When Offered: Semester 1
Classes: 2 x 2hr seminars per week
Assessment: To be announced

This unit of study is intended to allow students to examine and analyse a number of important legal issues affecting the freedom of the media and others to collect, produce, reproduce and disseminate material, both factual and fictional and whether in print, film or by broadcast.

The unit will concentrate on common law, equitable and statutory privileges and restrictions on the conduct of the media and other parties engaged in the arts, publications or performance. Both civil and criminal sanctions will be examined as will the role of the courts, parliament and other organisations in the regulation of the media. The unit will also include an introduction of the licensing and regulation of ownership and control of media organisations.

Students will be expected to be able to identify and apply the current legal rules and to evaluate their efficacy in protecting and balancing various interests in society: freedom of expression, protection of reputation, privacy, freedom from harassment, protection of confidential information, copyright interests, the right to a fair trial, public interest in the due administration of government and justice.

Topics to be covered:
1. Freedom of expression and the role of the media in society
2. Defamation and the protection of reputation
3. Privacy
4. The media and court proceedings
5. Offensive and prohibited communications
6. Copyright and the media.

LAWS 3046 Medical Law

Teacher/Coordinator: Dr Bennett
When Offered: Semester 1
Classes: 2 x 2hr seminars per week
Assessment: One optional essay, one take home exam

This unit of study aims to provide students with an introduction to the legal issues that arise in modern health care. Issues to be covered in the course include: consent to treatment, negligence by health professionals, confidentiality, dispute resolution, legal implications of reproductive technologies, euthanasia, and organ transplantation. By the end of the unit of study students will be expected to be familiar with the application of case and statute law to health care and to be able to discuss the relevant ethical principles which may arise. Student participation in class discussion will be expected.

LAWS 3045 Migration Law

Teacher/Coordinator: Dr Crock
Prerequisite: Administrative Law
When Offered: Not offered in 1998
Classes: 2 x 2hr seminars per week
Assessment: one exam, one 3500w essay and tribunal observation exercise/classwork

The aim of this unit of study is to introduce students to the legal and policy framework governing immigration control in Australia. Of all the sub-specialties of applied Administrative Law, Migration Law stands out for the breadth of interest and the depth of emotions it excites in members of the broader community. Statistics suggest that one in four of today’s Australians were either born overseas or have a foreign-born parent. In spite of this, resentment persists of the immigration program in general and of the uninvited migrants in particular the unlawful non-citizens and on-shore refugee claimants. By placing the current mechanisms for controlling migration in their legal, social, historical and economic contexts, students will be given the opportunity to explore the ‘big’ issues raised by migration and to look at why the subject has assumed such a central role in Australia’s identity as a nation.

On a practical level, the unit seeks to develop in students:
(a) Skills of statutory interpretation and problem-solving, through the study and use in practical situations of the Migration Act 1958 and its associated Regulations;
(b) Skills of legal analysis, gained in the examination and synthesis of court decisions and rulings by the three major administrative review bodies: the Immigration Review Tribunal; the Refugee Review Tribunal; and the Administrative Appeals Tribunal; and
(c) Oral and writing skills, through class presentations and the preparation of a major research paper or participation in a moot.

More generally, the unit aims to encourage students to think clearly about the issues involved in immigration control and about the methods adopted by the government to achieve its policy objectives.

LAWS 3047 Personal Taxation

Teacher/Coordinator: Mr Allerdice, Dr Harris
When Offered: Semester 1
Classes: 2 x 2hr seminars per week
Assessment: One exam (70%), one assignment (20%), class participation (10%)

Personal taxation and more particularly reform of current tax law is one of the dominant legal, political and social issues of our times. This unit of study will seek to provide students with an understanding of why taxation is of such fundamental concern in modern democratic societies and why it is an inherently complex problem (especially at the legal level), not susceptible to easy solution.

At the same time students will be provided with a knowledge of the current law, particularly as it affects individuals. Many of the legal principles discussed in the unit are of general application and not confined to individuals. This unit therefore serves as an introduction to tax law and the principles upon which it is based.

Tax Policy. The first one-quarter of the unit will consist of a study of general issues of tax policy and a critical examination of the Australian tax system.

Principles of Income Tax. In the remainder of the unit of study there will be a study of the federal income tax system (including the capital gains tax and fringe benefits tax) mainly as it affects individuals. Many of the legal principles discussed in the unit are of general application and not confined to individuals. This unit therefore serves as an introduction to tax law and the principles upon which it is based.

Principles of Income Tax. In the remainder of the unit of study there will be a study of the federal income tax system (including the capital gains tax and fringe benefits tax) mainly as it affects individuals. This unit therefore serves as an introduction to tax law and the principles upon which it is based.

LAWS 3048 Policing Crime and Society

Teacher/Coordinator: Assoc. Prof. Findlay, Assoc. Prof Stubs & Mr Cunneen
Prerequisite: Criminology
When Offered: Not offered in 1998
Classes: 2 x 2hr seminars per week
Assessment: One 8000w essay/research paper (50%), one take home exam (50%)
The unit of study aims to encourage students to further develop their skills and knowledge in criminology through an examination of more complex theoretical and policy issues within contemporary criminology. Critical attention will be paid to policing (in its widest sense) and other criminal justice institutions. The unit of study will cover advanced theory, methodology and policy analysis. A significant component of the unit of study will be devoted to the analysis of specific criminal justice issues of current relevance. Students will examine: crime and crime control within a social and political context; institutions and processes of criminal justice in the light of contemporary research and policy debates; the major theoretical frameworks within which crime and criminal justice policy are constructed and analysed; methods of undertaking research and policy analysis; and the theoretical assumptions underpinning criminal justice policy.

**LAWS 3015 Private International Law**

**8 credit points**

**Teacher/Coordinator:** Mr Anderson  
**May not be counted with/Additional Information:** Conflict of Laws  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** 2000w assignment (30%), 2 hour examination (70%)

Private international law is the part of local or municipal law which is concerned with questions which contain a foreign element. A foreign element in a legal question may consist of a relevant connection between a fact or party and a foreign legal system. For example, private international law issues may require consideration if a question arises in New South Wales concerning the distribution on death of the New South Wales property of a person domiciled in Greece whose last will was executed in New York. This unit of study seeks to develop your understanding of the international dimension of private law and your appreciation of the fact that many legal questions which arise in everyday life are not confined within one legal system.

Although there are no formal prerequisites or corequisites, students taking this unit will, in the ordinary course, have completed or will be taking concurrently, the compulsory unit of study, International Law, which includes an introduction to private international law. This unit builds on that introduction by focusing on selected theoretical and applied aspects of the subject including, the personal connecting factors (domicile, nationality and residence), renvoi and the incidental question, the interplay between statutes and choice of law rules, historical development, choice of law theories and methods (including a comparative evaluation of choice of law in tort in the United States), property transactions, marriage and matrimonial causes and the recognition and enforcement of foreign judgments.

**Textbooks:**  

**LAWS 3049 Regulation of Financial Markets**  
**8 credit points**

**Teacher/Coordinator:** Ms Kingsford Smith  
**Prerequisite:** Corporations Law, Equity, Administrative Law  
**May not be counted with/Additional Information:** Securities Market Law  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** Essay 4000 word (40%), exam - open book or take home (40%), class participation

This unit of study studies a number of concepts which are fundamental to the regulation of a financial market. The most established and most closely studied of all financial markets are those in corporate securities, and this unit will study rules and techniques which govern securities markets. But those rules and techniques have developed important differences when employed in other financial markets, such as those for futures and derivatives, interests in a superannuation fund, unit trusts, life insurance linked investments or markets with a substantial international element. In any particular semester each of the fundamental concepts covered by the unit will be studied, but taking into account regulatory developments in markets other than for corporate securities.

The unit will introduce the student to the institutions and practices of financial markets. The unit will then consider some of the literature from economics which explains the purposes of financial markets, how they work and why they may require regulation. The rest of the unit will be spent considering the juristic nature of financial regulation, its creation, the style of enforcement and the most important regulatory techniques adopted e.g. disclosure, licensing, control of ownership, control of business form, prudential requirements and other issues such as enforcement powers and internationalisation.

A particular feature of the unit is a visit to the business of a financial intermediary (where possible) in the first week and contributions from financial regulators and legal professionals practising in the area of the markets under study.

**LAWS 3050 Remedies**

**8 credit points**

**Teacher/Coordinator:** Prof. Carter, Ms McDonald  
**Prerequisite:** Contracts, Torts, Equity  
**May not be counted with/Additional Information:** Commercial Equity  
**When Offered:** Not offered in 1998  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One 3000w essay (30%) and one open book exam (70%)

The primary aim of this unit of study is to analyse and evaluate civil remedies from the perspectives of four primary functions:  
(a) Compensation;  
(b) Coercion;  
(c) Restitution; and  
(d) Punishment.

This unit provides an opportunity to explore the relationship and interaction between the various concepts, remedies and defences in the law of civil obligations.

This unit will include analysis of: compensatory damages for contract, tort and equitable wrongs; the availability and role of equitable relief, particularly injunctions, rescission, proprietary remedies and relief against penalties and forfeiture; the law of restitution and unjust enrichment; defences and limitation issues.

**LAWS 3051 Remedies for Defamation and Personal Injury**

**8 credit points**

**Teacher/Coordinator:** Dr Ball  
**Prerequisite:** Torts  
**May not be counted with/Additional Information:** Advanced Torts  
**When Offered:** Semester 2  
**Classes:** 2 x 2hr seminars per week  
**Assessment:** One exam (50% or 80%), one optional essay (30%), class assignments (20%)

This unit of study seeks to evaluate, through a critical and analytical study of primary and secondary materials, the way in which the law in New South Wales attempts (1) to reconcile the interest in freedom of speech with the right to protection from attacks on individual reputation and (2) to provide compensation for personal injury.

Topics to be covered in the section on defamation include defamatory imputation; the form of defamatory statement; publication and republication; identification of the person defamed; the basis of liability; the defences of justification, absolute privilege, qualified privilege, protected report, comment, unlikelihood of harm: defence
under s 13, and offer of amends; pre-trial practice; conduct of a defamation trial; remedies; criminal defamation; and reform of defamation law.

Topics to be covered in the section on compensation for personal injury include identification of the basic issues involved in compensation; the tort system in theory; the tort system in operation; other compensation schemes; injuries resulting from motor accidents; work related injuries and diseases; occupiers’ liability; product liability; medical negligence; mass or toxic torts; comprehensive accident compensation schemes; and reform of compensation law.

**LAWS 3052 Roman Law**

*8 credit points*

**Teacher/Coordinator:** Justice Emmett

**When Offered:** Semester 1

**Classes:** 2 x 2hr seminars per week

**Assessment:** One exam (80%), one 2000w essay (20%)

This unit of study is a general introduction to all aspects of Roman law both public and private. It consists of an historical sketch of Roman life and institutions from the earliest times until the time of Justinian, together with an introduction to Roman legal history and the development of Roman legal concepts. The Roman law of persons, property, obligations (both contractual and tortious) and succession are dealt with in depth and students are expected to know in some detail the Institutes of Justinian, the fundamental text to be studied. The unit is dealt with in a fairly flexible manner, so that students may choose which parts of the unit to study in detail and which parts to study in general outline only. Roman law is studied as a subject partly because of its great intrinsic worth, partly because Roman law has always been, and still is, of great historical importance; and partly, and probably most importantly, because it provides a means of comparing Roman law and the common law with each other and thereby gives a yardstick by which both the virtues and the shortcomings of our own common law can be appreciated.

**LAWS 3053 Sale of Goods and Consumer Protection**

*8 credit points*

**Teacher/Coordinator:** Prof. Carter

**Prerequisite:** Contracts

**May not be counted with/Additional Information:** Sale of Goods

**When Offered:** Not offered in 1998

**Classes:** 2 x 2hr seminars per week

**Assessment:** One 3000w essay One exam (65%), essay (35%)

This unit of study has five aims. First to develop an understanding of sale of goods law. Second, to examine the remedies available in relation to sale of goods transactions. Third, to explore the principles and policy concerns applicable in consumer contracts for the sale of goods. Forth, to examine the impact of international conventions on sale transactions. Fifth, to evaluate the current statutory regimes.

1 Introduction
2 Domestic Commercial Transactions
3 International Sale Transactions
4 Consumer Transactions.

**LAWS 3055 Social Security Law**

*8 credit points*

**Teacher/Coordinator:** Prof Carney

**When Offered:** Not offered in 1998

**Classes:** 2 x 2hr seminars per year

**Assessment:** One 500w word research paper (50%), one take home exam (40%), class participation (10%) (Postgraduate students will have different markings and requirements)

This unit of study assesses the development and operation of the law and policy of the social security system as an instrument of social policy (the redistribution of income and wealth, poverty alleviation, fostering of social integration). It combines policy and legal analysis, built around the Social Security Act 1991 (Cth). The unit canvases material on the nature of poverty and the current and alternative responses to poverty; the operation of social security as it affects particular groups (the unemployed, the ill or disabled, the sole or ‘intact’ family), and will consider various ways of judging consistency of outcomes, including by reference to ‘citizenship theory’, Tifecycle’ approaches, and the implications of ‘contractualism’. The administration and social impact of the system is an important theme (including the operation of review and appeal systems).

This unit is open to postgraduate students.

**Textbooks:**


**LAWS 3056 Succession**

*8 credit points*

**Teacher/Coordinator:** Assoc. Prof. Atherton

**When Offered:** Not offered in 1998

**Classes:** 2 x 2hr seminars per week

**Assessment:** One exam (60%), one 4000w research essay or moot or take-home exam (40%)

The aim of this unit of study is to provide a knowledge of the rules of devolution of property on death in Australia and an understanding of the context in which those rules emerged and in which they now operate. The concept of testamentary freedom is taken as the pivot around which the rules relating to wills and family provision are discussed and assessed.

**LAWS 3057 Sydney Law Review**

*8 credit points*

**Teacher/Coordinator:** Dr Bennett

**When Offered:** Semesters 1 & 2

**Classes:** 2 x 2hr seminars per week

**Assessment:** One essay of 2000w, and drafting, editing and reviewing articles

The unit of study is offered annually under the supervision of the Editor of the Sydney Law Review, who is a member of the full-time teaching staff. The unit is limited to approximately 18-24 students per year, who are selected on the basis of their academic results. Preference may be given to students in their fifth year in the selection of students for the unit.

Each student will complete a range of tasks with respect to the Review, including the following:

(a) an initial reading of one or more allocated articles, etc. submitted to the Review, and the preparation of a written recommendation to the Editor as to whether the article should be accepted for publication;
(b) checking articles which have been accepted for accuracy and completeness;
(c) assisting in the editing and proofreading of accepted articles in the production process;
(d) writing for submission to the Review one item (usually a case note or a book review essay) on a subject approved by the Editor.

Students selected for this unit must be prepared to serve for six months (d) writing for submission to the Review one item (usually a case note or a book review essay) on a subject approved by the Editor. Students selected for this unit must be prepared to serve for six months
LAWS 3058 Technology Law

8 credit points

When Offered: Not offered in 1998
Classes: 2 x 2hr seminars per week
Assessment: One 2000w essay

This unit of study will consider the present and future impact of technology on law and legal practice and of law on the development and control of technology. In particular, topics will include, but not be confined to the following:

(a) Problems of evidence: electronic records, video evidence;
(b) Problems of definition: 'life', 'literary work' 'document', 'payment', etc.;
(c) The effects of information and communication technology on law: legal information retrieval systems, litigation support systems, the conduct of trials by telephone or other remote communication systems;
(d) Expert systems: who should have access, how can quality be controlled, who will be liable for incorrect advice?;
(e) What is, or should be, the effect of law on the development of biological experiments and genetic engineering? What are the effects of prohibiting certain types of scientific research?; and
(f) What is the effect of laws on the ownership and dissemination of information? What legal controls should be placed on transborder data flows? How can privacy be accommodated in the electronic age.

LAWS 3060 Thinking Through the Body of the Law

8 credit points

Teacher/Coordinator: Mr Fraser
When Offered: Semester 1
Classes: 2 x 2hr seminars per week
Assessment: Major research essay 7000 words plus presentation of seminar papers and contribution to critical discussions.

Despite the explosion of innovative thinking in contemporary critical social theory, legal studies, even in its more radical forms such as Critical Legal Studies and Feminist Legal Theory, remains mired in obsolete forms of philosophical understanding. Legal reasoning largely ignores the fact that the law must first have a hold over bodies in order to function at all. This unit of study will examine the multiple ways in which the body of the law - codes, statutes and the common law - is dependent upon the lawfulness of an embodied legal subject. These relations between the subjected body that is law's condition of possibility and the determinate corpus of positive will be examined in a number of concrete and theoretical contexts.

Completion of this unit fulfils the Jurisprudence/Table 2 requirement for the LLB in the Faculty of Law.

LAWS 3061 Women, Law and Family

8 credit points

Teacher/Coordinator: Prof. Graycar
Prerequisite: Litigation
When Offered: Not offered in 1998
Classes: 2 x 2hr seminars per week
Assessment: Major research paper (60%), detailed abstract for assessment to ensure early feedback and appropriate guidance in their research (20%), class participation (20%)

This unit of study provides an opportunity for in-depth examination of mainly feminist critical perspectives on the relationship between law and the maintenance of unequal relations within and among families. Key issues to be examined include ideologies of the family, and the public/private distinction. Questions about definitions of family are also canvassed as are issues of the roles of gender, class, race and sexuality in the construction of 'family'.
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<td>LAWS 2003</td>
<td>Corporate Law</td>
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<td>International Law</td>
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<td>Advanced Real Property and Legal Drafting (Seminar)</td>
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<td>LAWS 3021</td>
<td>Critical Legal Studies</td>
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<td>P: Constitutional Law, Contracts</td>
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<td>Students who have already completed either Collective Employee Relations or Individual Employee Relations will not be permitted to enrol in this course. Similarly, students who elect to take this course will not be permitted to enrol in either Collective Employee Relations or Individual Employee Relations.</td>
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<td>International Human Rights Law</td>
<td>8</td>
<td>P: International Law</td>
<td></td>
<td></td>
<td>Semester 2</td>
</tr>
<tr>
<td>LAWS 3035</td>
<td>Jessup International Law Moot</td>
<td>8</td>
<td>P: International Law</td>
<td></td>
<td></td>
<td>Semester 1</td>
</tr>
<tr>
<td>JURS 3001</td>
<td>Jurisprudence - Strand A - Sociological</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td>Semester 1</td>
</tr>
<tr>
<td>Alpha &amp; Num. codes</td>
<td>Unit of Study Name</td>
<td>Credit Point Value</td>
<td>Assumed Knowledge (AK) Prerequisites (P) Corequisites (C)</td>
<td>Additional Information / May not be counted with</td>
<td>When Offered (Semester)</td>
<td></td>
</tr>
<tr>
<td>-------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>--------------------</td>
<td>----------------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>------------------------</td>
<td></td>
</tr>
<tr>
<td>JURS 3002</td>
<td>Jurisprudence - Strand B - Contemporary Analytical Jurisprudence</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 1</td>
<td></td>
</tr>
<tr>
<td>JURS 3003</td>
<td>Jurisprudence - Strand C - Comparative Constitutionalism</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 1</td>
<td></td>
</tr>
<tr>
<td>JURS 3004</td>
<td>Jurisprudence - Strand D - Post-Communist Law and Legal Theory</td>
<td>8</td>
<td></td>
<td></td>
<td>Not offered in 1998</td>
<td></td>
</tr>
<tr>
<td>JURS 3005</td>
<td>Jurisprudence - Strand E - Philosophy of Human Rights</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 2</td>
<td></td>
</tr>
<tr>
<td>JURS 3006</td>
<td>Jurisprudence - Strand F - International/Comparative Jurisprudence</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 2</td>
<td></td>
</tr>
<tr>
<td>LAWS 3037</td>
<td>Law and Gender</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 1</td>
<td></td>
</tr>
<tr>
<td>JURS 3008</td>
<td>Law and Social Justice</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 2</td>
<td></td>
</tr>
<tr>
<td>LAWS 3039</td>
<td>Law, Communications, Culture and Global Economics</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 2</td>
<td></td>
</tr>
<tr>
<td>LAWS 3038</td>
<td>Legal Drafting and Interpretation (Seminar)</td>
<td>8</td>
<td></td>
<td></td>
<td>Not offered in 1998</td>
<td></td>
</tr>
<tr>
<td>LAWS 3059</td>
<td>Media Law</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 1</td>
<td></td>
</tr>
<tr>
<td>LAWS 3046</td>
<td>Medical Law</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 1</td>
<td></td>
</tr>
<tr>
<td>LAWS 3045</td>
<td>Migration Law</td>
<td>8</td>
<td>P: Administrative Law</td>
<td></td>
<td>Not offered in 1998</td>
<td></td>
</tr>
<tr>
<td>LAWS 3047</td>
<td>Personal Taxation</td>
<td>8</td>
<td></td>
<td></td>
<td>Semester 1</td>
<td></td>
</tr>
<tr>
<td>LAWS 3048</td>
<td>Policing Crime and Society</td>
<td>8</td>
<td>P: Criminology</td>
<td></td>
<td>Not offered in 1998</td>
<td></td>
</tr>
<tr>
<td>LAWS 3015</td>
<td>Private International Law</td>
<td>8</td>
<td></td>
<td>Conflict of Laws</td>
<td>Semester 2</td>
<td></td>
</tr>
<tr>
<td>LAWS 3049</td>
<td>Regulation of Financial Markets</td>
<td>8</td>
<td>P: Corporations Law, Equity, Administrative Law</td>
<td>Securities Market Law</td>
<td>Semester 2</td>
<td></td>
</tr>
</tbody>
</table>

27
<table>
<thead>
<tr>
<th>Unit of Study Name</th>
<th>Credit Point Value</th>
<th>Assumed Knowledge (AK)</th>
<th>Prerequisites (P)</th>
<th>Corequisites (C)</th>
<th>Additional Information / May not be counted with</th>
<th>When Offered (Semester)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remedies 3050</td>
<td>8</td>
<td>P: Contracts, Torts, Equity</td>
<td></td>
<td></td>
<td>Commercial Equity</td>
<td>Not offered in 1998</td>
</tr>
<tr>
<td>Remedies for Defamation and Personal Injury 3051</td>
<td>8</td>
<td>P: Torts</td>
<td></td>
<td></td>
<td>Advanced Torts</td>
<td>Semester 2</td>
</tr>
<tr>
<td>Roman Law 3052</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Semester 1</td>
</tr>
<tr>
<td>Social Security Law 3055</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Not offered in 1998</td>
</tr>
<tr>
<td>Succession 3056</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Not offered in 1998</td>
</tr>
<tr>
<td>Sydney Law Review 3057</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Semesters 1 &amp; 2</td>
</tr>
<tr>
<td>Technology Law 3058</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Not offered in 1998</td>
</tr>
<tr>
<td>Thinking Through the Body of the Law 3060</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Semester 1</td>
</tr>
<tr>
<td>Women, Law and Family 3061</td>
<td>8</td>
<td>P: Litigation</td>
<td></td>
<td></td>
<td></td>
<td>Not offered in 1998</td>
</tr>
</tbody>
</table>
6. Regulations Covering the Undergraduate Degree

Resolutions of the Senate and the Faculty

The requirements for the completion of degrees in Law are laid down in resolutions of the Senate. These are published annually in the University of Sydney's Calendar, Vol. 1: Statutes and Regulations. Relevant extracts are reproduced below.

Bachelor of Laws

1998 Resolutions of the Senate (New Resolutions)

These resolutions shall apply

a) to persons who commence their candidature after 1 January 1998; and

b) to persons who commenced their candidature in a combined law degree prior to 1 January 1998 and have completed Legal Institutions or Legal Institutions I and Legal Institutions JJ, and who have not completed any other Bachelor of Laws units.

Units of Study

1. A unit of study consists of such lectures, seminars, tutorials, written assignments, moots, experiential learning, and any other method of instruction or assessment as may be prescribed by the Faculty.

2. A pre-requisite unit of study means a unit which may have been completed with a results of Pass or better prior to a candidate enrolling in another unit for which it is a pre-requisite.

3. A co-requisite unit of study means a unit which must be completed with a result of Pass or better, or be taken concurrently with the unit for which it is a co-requisite.

4. The Head of Department or Dean may vary the entry requirements for units of study for particular candidates in special circumstances.

5. All units of study for the degree will be of semester length.

Grades of Award

6. The degree is awarded in two grades: pass and honours.

7. In the honours grade there are two classes: first class honours and second class honours.

8. A candidate who qualifies for the award of first class honours, and whose work is of outstanding merit in the opinion of the Faculty, may be considered for the award of a University medal.

Requirements for the degree

9. To qualify for the degree, candidates must complete units of study to the value of 144 credit points, made up of the following:

   i) 96 credit points of the following compulsory units of study:
      
      - Legal Institutions
      - Law, Lawyers and Justice in Australian Society
      - Federal Constitutional Law
      - Torts
      - Criminal Law
      - Contracts
      - Administrative Law
      - Litigation
      - Real Property
      - Equity
      - Corporate Law

   ii) 48 credit points of the following optional units of study:

      - a maximum of 40 credit points from the units of study listed in Table 1, and
      - a minimum of 8 credit points from the units of study listed in Table 2.

10. No unit of study may be credited more than once for the degree.

11. Except with the express permission of the Faculty, candidates may not take more than 24 credit points in any one semester.

Sequence of Units of Study

12. Except with the express permission of the Faculty, candidates who are combining their study with the Bachelor of Arts, Bachelor of Economics, Bachelor of Economics (Social Sciences), Bachelor of Commerce, or Bachelor of Science must successfully complete Legal Institutions and Law, Lawyers and Justice in Australian Society before enrolling in any other Bachelor of Law units of study.

13. Candidates for the Bachelor of Laws who are combining their study with the Bachelor of Arts, Bachelor of Economics, Bachelor of Economics (Social Sciences), Bachelor of Commerce, or Bachelor of Science must complete the law units of study in the following annual sequence:

<table>
<thead>
<tr>
<th>Year</th>
<th>Unit of Study</th>
<th>Credit Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined Law I</td>
<td>Legal Institutions</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Law, Lawyers &amp; Justice in Australian Society</td>
<td>6</td>
</tr>
<tr>
<td>Combined Law JJ</td>
<td>Contracts</td>
<td>8</td>
</tr>
<tr>
<td>Criminal Law</td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>Combined Law HI</td>
<td>Federal Constitutional Law</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Torts</td>
<td>10</td>
</tr>
</tbody>
</table>

On completion of the requirements for the degree of Bachelor of Arts, or Economics, or Economics (Social Sciences), or Commerce, or Science, then (except as provided in Resolution 15):

<table>
<thead>
<tr>
<th>Year</th>
<th>Unit of Study</th>
<th>Credit Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined Law IV</td>
<td>Administrative Law</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Corporate Law</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Equity</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>International Law</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Litigation</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Real Property</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>optional units of study selected from Table 1 and Table 2 as required in Resolution 9(ii)</td>
<td></td>
</tr>
</tbody>
</table>

14. Candidates for the Bachelor of Laws who have been admitted on the basis of having completed the requirements of a degree at the University of Sydney, or other such institution as approved by the Faculty, must complete their Law degree in the following sequence:
Credit for previous units of study

22. A candidate may be granted credit for up to 64 credit points for units of study completed during a previous candidature in an award course of the University of Sydney or at an equivalent institution recognised by the Faculty.

Suspension of study

20. A candidate must re-enrol each calendar year unless Faculty has approved suspension of candidature. Candidature lapses if a candidate has not obtained approval for suspension and does not re-enrol. Candidates whose candidature has lapsed must be selected for admission again before they can re-enrol.

21. Suspensions will not be approved for more than two years, unless the Dean is satisfied that there are exceptional circumstances.

Variation of requirements for the degree

25. The Dean may vary these resolutions for a particular candidate in exceptional circumstances.

Optional Units of Study

Table 1

<table>
<thead>
<tr>
<th>Unit of Study</th>
<th>Credit Points</th>
<th>Pre-requisites /Co-requisites</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal Peoples and the Australian Legal Systems</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Advanced Administrative Law</td>
<td>8</td>
<td>P: Administrative Law</td>
</tr>
<tr>
<td>Advanced Constitutional Law</td>
<td>8</td>
<td>P: International Law</td>
</tr>
<tr>
<td>Advanced Contracts</td>
<td>8</td>
<td>P: Contracts</td>
</tr>
<tr>
<td>Advanced Corporate Law</td>
<td>8</td>
<td>P: Corporate Law</td>
</tr>
<tr>
<td>Advanced Public International Law</td>
<td>8</td>
<td>P: International Law</td>
</tr>
<tr>
<td>Advanced Real Property</td>
<td>8</td>
<td>P: Real Property</td>
</tr>
<tr>
<td>Advocacy, Interviewing and Negotiation</td>
<td>8</td>
<td>C: Litigation</td>
</tr>
<tr>
<td>Anti-Discrimination Law</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Business Taxation</td>
<td>8</td>
<td>C: Personal Taxation</td>
</tr>
<tr>
<td>Clinical Environmental Law</td>
<td>8</td>
<td>P: Environmental Law</td>
</tr>
<tr>
<td>Comparative Law</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Competition Law</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Conveyancing</td>
<td>8</td>
<td>P: Real Property</td>
</tr>
<tr>
<td>Criminology</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Dispute Resolution</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Employment and Industrial Law</td>
<td>8</td>
<td>P: Constitutional Law</td>
</tr>
<tr>
<td>Environmental Law</td>
<td>8</td>
<td>P: Contracts</td>
</tr>
<tr>
<td>External Placement Program</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Family Law</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Independent Research Project</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Indonesian Law</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Intellectual Property</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>International Human Rights Law</td>
<td>8</td>
<td>P: International Law</td>
</tr>
</tbody>
</table>

Graduate Law I

Legal Institutions 8
Law, Lawyers and Justice in Australian Society 8
Contracts 8
Criminal Law 8
Federal Constitutional Law 8
Torts 8

Graduate Law II

Administrative Law 8
Corporate Law 8
Equity 8
International Law 8
Litigation 8

Graduate Law III

optional units of study selected from Table 1 and Table 2 as required in Resolution 9(ii)

15. Candidates may be permitted to enrol in a maximum of two optional units of study selected from Table 1 and Table 2 in Year 4 for Combined Law and year 2 for Graduate Law instead of Corporate Law and/or International Law. In such cases, candidates must enrol in Corporate Law and/or International Law in the final year of their candidature.

Satisfactory progress

16. The Faculty will require candidates to show good cause why they should be allowed to re-enrol in the Faculty of Law if, in the opinion of the Faculty, they have not made satisfactory progress towards fulfilling the requirements of the degree.

17. Satisfactory progress cannot be defined in all cases in advance, but a candidate who:

i) does not pass at least 24 credit points in any year of enrolment, or

ii) has failed a compulsory unit of study more than once, shall normally be presumed not to have made satisfactory progress. Therefore candidates must normally remain enrolled in at least 24 credit points each year, except when they need fewer than 24 credit points to complete the requirements for the degree.

18. Where the Faculty permits the re-enrolment of a candidate whose progress has been presumed to be unsatisfactory, it may require the completion of specified units of study or a specified number of credit points in a specified time. If the candidate fails to comply with these conditions, he or she may again be presumed not to have made satisfactory progress.

19. Except with the express permission of the Faculty, a candidate must complete the requirements for the award of the degree within ten calendar years of admission to candidature.

23. Non-specific credit may be granted for up to 24 of these 64 credit points for units of study not sufficiently related to units of study in Table 1 or Table 2.

24. A candidate will not be granted credit toward the degree for any units of study:

i) for which the result is a Terminating Pass, Conceded Pass or the equivalent;

ii) which were completed more than nine years before admission to candidature for the degree; or

iii) upon which the candidate has relied to qualify for another degree or academic qualification.

Transitional provisions

26. All candidates who first enrolled prior to 1 January 1998

i) will be required to complete the unit of study Personal Property unless they complete both revised units of study in Torts and Real Property after 1 January 1998; and

ii) must comply with all other 1988 resolutions for the Bachelor of Laws degree.

27. From 1 January 1998, all candidates who have completed Legal Institutions or Legal Institutions 1 and Legal Institutions JJ, and who have not completed any other Bachelor of Laws units of study, will be transferred to the new degree resolutions.
Jessup International Law Moot
Law and Social Justice
Media Law
Medical Law
Migration Law
Personal Taxation
Policing Crime and Society
Private International Law
Regulation of Financial Markets

Remedies
Remedies for Defamation and Personal Injury
Roman Law
Sale of Goods and Consumer Protection
Social Security Law
Succession
Sydney Law Review
Seminar*

Table 2

<table>
<thead>
<tr>
<th>Unit of Study</th>
<th>Credit Points</th>
<th>Pre-requisites</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese Laws and Chinese Legal Systems</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Comparative</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Constitutionalism</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Contemporary Analytical Jurisprudence</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Cricket and the Law</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Critical Legal Studies</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Gender, Injury and Compensation</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>International /Comparative Jurisprudence</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Law and Economics</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Law and Gender</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Law, Communications, Culture and Global Economies</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Philosophy of Human Rights</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Post Communist Law and Legal Theory</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Seminar*</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Sociological Jurisprudence</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>The Holocaust, Moral Responsibility and the Rule of Law</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Thinking Through the Body of the Law</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Women, Law and Family</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

1988 Resolutions of the Senate (Old Resolutions)

1. (1) These resolutions shall apply—
   (a) to persons who commence their candidature after 1 January 1988; and
   (b) to persons who commenced their candidature prior to 1 January 1988 and who elect to proceed under these resolutions subject to:
      (i) the approval of the Dean of the Faculty;
      (ii) any direction of the Faculty; and
      (iii) the availability of the appropriate units of study.

2. (1) A candidate who elects to complete the requirements for the degree in accordance with section 1(1)(b) shall receive credit for and complete such units of study for the degree as the Faculty may prescribe.

3. In the case of any candidates who might be prejudiced by any change in the curriculum the Dean of the Faculty may, subject to any resolutions of the Faculty, give such directions as to attending lectures and passing examinations and give such credit for units of study completed as the circumstances may require.

Five-year Combined Law courses

4. (1) This resolution shall apply to the following candidates
   (a) candidates for the degrees of Bachelor of Arts and Bachelor of Laws under the provisions of the resolutions of Senate relating to combined Arts/Law degrees;
   (b) candidates for the degrees of Bachelor of Economics or Bachelor of Economics (Social Sciences) or Bachelor of Commerce and Bachelor of Laws under the provisions of the resolutions of Senate relating to combined Economics/Law, Economics (Social Sciences)/Law or Commerce/Law degrees;
   (c) candidates for the degrees of Bachelor of Science and Bachelor of Laws under the provisions of the resolutions of Senate relating to combined Science/Law degrees.

   (2) Such candidates shall complete in the Faculty of Law in the sequence prescribed
      (a) while also enrolled for the degree of Bachelor of Arts or Economics or Economics (Social Sciences) or Commerce or Science, the following units of study:

<table>
<thead>
<tr>
<th>Year</th>
<th>Unit of Study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined Law I</td>
<td>Legal Institutions I and U *</td>
</tr>
<tr>
<td>Combined Law II</td>
<td>Legal Research and Writing</td>
</tr>
<tr>
<td></td>
<td>Constitutional Law</td>
</tr>
<tr>
<td></td>
<td>Torts</td>
</tr>
<tr>
<td>Law HI</td>
<td>Criminal Law ** Combined Contracts</td>
</tr>
<tr>
<td></td>
<td>Administrative Law</td>
</tr>
<tr>
<td></td>
<td>Criminal Law **</td>
</tr>
</tbody>
</table>

For Combined Law students Legal Institutions I and H is a prerequisite for all other law units of study, except with the permission of the Dean.
(b) having completed the requirements for the degree of Bachelor of Arts or Economics or Economics (Social Sciences) or Commerce or Science, the following units of study:

<table>
<thead>
<tr>
<th>Year</th>
<th>Unit of Study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined Law IV</td>
<td>Real Property</td>
</tr>
<tr>
<td></td>
<td>Equity</td>
</tr>
<tr>
<td></td>
<td>Personal Property</td>
</tr>
<tr>
<td>International Law</td>
<td>Corporate Law</td>
</tr>
<tr>
<td></td>
<td>12 to 20 optional credit points</td>
</tr>
<tr>
<td>Combined Law V</td>
<td>Litigation</td>
</tr>
<tr>
<td></td>
<td>jurisprudence</td>
</tr>
<tr>
<td></td>
<td>28 to 36 optional credit points</td>
</tr>
</tbody>
</table>

All units of study for the degree will be semester length. Candidates must complete 48 credit points in optional units of study to qualify for the degree.

Three-year Graduate Law course

5. (1) This resolution shall apply to candidates for the degree of Bachelor of Laws who are admitted to candidature on the basis of:

(a) having completed the requirements for a degree of the University of Sydney; or
(b) being members of such class of graduates of such universities as may be approved by the Faculty of Law; or
(c) being graduates not mentioned in subsections (a) or (b) of this resolution, but who are granted equivalent status by the Faculty of Law.

(2) Such candidates shall complete the following units of study for the degree of Bachelor of Laws:

<table>
<thead>
<tr>
<th>Year</th>
<th>Unit of Study</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduate Law I</td>
<td>Legal Institutions I and II</td>
</tr>
<tr>
<td></td>
<td>Legal Research and Writing</td>
</tr>
<tr>
<td></td>
<td>Constitutional Law</td>
</tr>
<tr>
<td></td>
<td>Torts</td>
</tr>
<tr>
<td></td>
<td>Criminal Law</td>
</tr>
<tr>
<td></td>
<td>Administrative Law</td>
</tr>
<tr>
<td></td>
<td>Contracts</td>
</tr>
<tr>
<td>Graduate Law II</td>
<td>Real Property</td>
</tr>
<tr>
<td></td>
<td>Equity</td>
</tr>
<tr>
<td></td>
<td>Personal Property</td>
</tr>
<tr>
<td></td>
<td>International Law</td>
</tr>
<tr>
<td></td>
<td>Corporate Law</td>
</tr>
<tr>
<td></td>
<td>12 to 20 optional credit points</td>
</tr>
<tr>
<td>Graduate Law III</td>
<td>Litigation</td>
</tr>
<tr>
<td></td>
<td>jurisprudence</td>
</tr>
<tr>
<td></td>
<td>28 to 36 optional credit points</td>
</tr>
</tbody>
</table>

The optional units of study and their credit point values are those prescribed by the Faculty in Table 1 and Table 2 of the New Regulations. Candidates must complete 48 credit points in optional units of study to qualify for the degree.

Compulsory units of study

6. (1) The credit point values of the compulsory units of study for the degree of Bachelor of Laws shall be:

<table>
<thead>
<tr>
<th>Unit of study</th>
<th>Credit points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Institutions I and II</td>
<td>6 each</td>
</tr>
<tr>
<td>Legal Research and Writing</td>
<td>0</td>
</tr>
<tr>
<td>Constitutional Law</td>
<td>8</td>
</tr>
<tr>
<td>Torts</td>
<td>8</td>
</tr>
<tr>
<td>Criminal Law</td>
<td>8</td>
</tr>
<tr>
<td>Administrative Law</td>
<td>8</td>
</tr>
<tr>
<td>Contracts</td>
<td>8</td>
</tr>
<tr>
<td>Real Property</td>
<td>8</td>
</tr>
<tr>
<td>Personal Property</td>
<td>4</td>
</tr>
<tr>
<td>Equity</td>
<td>8</td>
</tr>
<tr>
<td>Corporate Law</td>
<td>8</td>
</tr>
<tr>
<td>International Law</td>
<td>8</td>
</tr>
<tr>
<td>Litigation</td>
<td>8</td>
</tr>
<tr>
<td>Jurisprudence</td>
<td>8</td>
</tr>
</tbody>
</table>

Optional units of study

7. (1) Candidates for the degree of Bachelor of Laws proceeding in accordance with the requirements of sections 4, 5 or 6 shall select options as are available from those options prescribed by the Faculty.

(2) On the recommendation of the Dean and Heads of Departments, the Faculty may determine which of the optional units of study will be offered in any particular year.

(3) (a) A candidate may not select a Jurisprudence option which is substantially equivalent to the strand in the compulsory unit of study in Jurisprudence which that candidate has completed or in which that candidate is enrolled.

(b) A candidate may not enrol in a strand in the compulsory unit of study in Jurisprudence which is substantially equivalent to a Jurisprudence option which that candidate has completed.

8. (1) This resolution shall apply to all candidates proceeding in accordance with the provisions of sections 4, 5 and 6. Any such candidate except with the permission of the Dean

(a) shall not progress to the next year until such candidate has completed all the units of study of the preceding year, provided that such candidate shall be permitted to enrol in such units of study as would be sufficient to satisfy minimum progress requirements;

(b) shall be required to complete all the requirements for the degree of Bachelor of Laws within ten years from the date of first enrolment as a candidate.

(2) Candidates enrolled prior to 1988, notwithstanding the resolutions of the Senate under which their candidatures are progressing, shall be required to complete all requirements for the degree of Bachelor of Laws by 31 December 1997.

9. (1) The Dean may, subject to such conditions as the Faculty may prescribe, allow a candidate credit towards the requirements for the degree:

(a) (i) for any unit of study completed under a previous curriculum of the Faculty of Law in the University of Sydney;

(ii) for any unit of study deemed to be equivalent to a unit or units of study offered by the Faculty of Law in the University of Sydney, and the Dean shall in allowing such credit designate in respect of which unit or units of study credit is allowed

(b) for any unit of study completed other than at the University of Sydney and deemed to be not equivalent to any unit of study offered by the Faculty of Law in the University of Sydney, and the Dean shall in allowing such credit determine the equivalent credit point value of any such unit of study.

(2) Unless the Faculty otherwise prescribes, credit shall not be granted for any unit of study commenced more than ten years before the year in which credit is sought.
Resolutions of the Faculty

The Faculty has passed a number of resolutions governing the degree of Bachelor of Laws. Some of these are reproduced below.

Optional Units of Study

Please refer to Table 1 and Table 2 in the New Regulations for optional units of study. Students will satisfy the Jurisprudence requirement by completing any unit of study shown in Table 2.

Reassessment

That there be no supplementary examinations but that, in exceptional circumstances, a candidate may be reassessed where, in the opinion of the Dean, the performance of the candidate at the final examination has been impaired by illness or misadventure. In such circumstances, the Dean may authorise reassessment provided that such reassessment must be completed prior to the meeting of the Board of Examiners at the end of the semester in which the unit/s of study to be re-assessed was undertaken. Wherever practicable, such reassessment shall be completed no later than the end of the week succeeding the last examination in the Faculty of Law in a semester.

Honours

In the calculation of honours and order of meritists, units of study are weighted in accordance with their unit value. In calculating weighted average marks in Combined Law, all units of study will be weighted equally. Where students are selected to participate in exchange programs, while credit may be given towards the completion of the degree program at the University of Sydney, the marks received at the other institution will not be converted for the purpose of the calculation of weighted average marks, unless the exchange program is a Faculty-specific exchange program negotiated between the Faculty of Law and the other institution.

Examination booklets

Unclaimed assignments, essays and exam scripts may be destroyed no earlier than three months from the date on which the final results of the examinations are published following the relevant Board of Examiners Meeting.

Credit transfer

While credit may be given for units of study completed elsewhere, you must complete at least 80 credit points in the Faculty of Law at the University of Sydney.

Assessment guidelines for written work

Written work is worth 10% for each 1000 words.

Jurisprudence requirement for the LLB degree

You may fulfil the Jurisprudence requirement for the LLB degree by successfully completing any 8 credit point unit offered in the Department of Law and approved by the Faculty for that purpose. In the 1998 Resolutions, such units are set out in Table 2.

Enrolment instructions

These are the special requirements for all candidates for the Bachelor of Laws degree.

Dates

Combined first year students will be required to enrol on the Broadway Campus in early February. Graduate Law first year students will be required to enrol at the St James campus (Law School). Re-enrolling students will receive instructions on re-enrolment with their pre-enrolment forms in late September.

Late enrolment

You may be permitted to enrol late, but a late fee will be payable and your choice of units of study and classes will be restricted.

Confirmation of enrolment

All the information provided when you enrol is added to the University’s computerised student record system. This includes the degree, academic year and the units of study being taken. It is important that this information is recorded correctly at the beginning of the year and amended should any variation of enrolment be made. You should be aware that with the Higher Education Contribution Scheme (HECS), any unit of study enrolment has a financial implication.

To enable you to see what enrolment data have been recorded, you will be given or sent a ‘confirmation of enrolment’ in January or shortly after completion of enrolment. This should be checked carefully. If the information is correct, the form should be kept as record of current enrolment. Should the enrolment be incorrect in any detail, application should be made to the Faculty’s Student Services as soon as possible to have the record amended. A new confirmation will then be prepared and sent to you.

You will also receive, about two months after the beginning of each semester, a statement showing your HECS assessment for that semester. If there appears to be an error in this assessment, the directions for correction of the assessment, which are included on the statement, should be followed.

If you wish to —

• change a unit in which you are enrolled,
• discontinue a unit,
• discontinue your enrolment totally,

you should apply to the Faculty’s Student Services to obtain the appropriate approval. Campus students may also apply at the Arts, Economics or Science Faculty Office, as appropriate, although many variations of enrolment will require the approval of the Faculty of Law.

Your enrolment record at the University will not be correct unless the information is recorded correctly at the beginning of the year and the units of study being taken. It is important that this information is recorded correctly at the beginning of the year and the units of study being taken. It is important that this information is recorded correctly at the beginning of the year and the units of study being taken. It is important that this information is recorded correctly at the beginning of the year and the units of study being taken. It is important that this information is recorded correctly at the beginning of the year and the units of study being taken. It is important

Enrolment in any law unit is not permitted after the end of the second week of each semester, a statement showing your HECS assessment for that semester.

Progression through the degree

You are required to take units of study in the order specified in the relevant Senate resolutions, as detailed earlier in this chapter.

To pass a unit: throughout the Faculty, 50 percent represents a passing grade. Some standardisation of results may occur in accordance with the policies of the Academic Board in order to achieve a reasonable distribution of marks above the pass grade.

The timetable prepared for each year contains details of the type and nature of assessment in each unit.

Time limits

A time limit of ten years for completion of the Law degree applies to students who enrolled in Law for the first time in 1988 or later. This time limit is, however, subject to the Faculty’s rules on minimum progress and suspension of candidature.

If you are enrolled in combined Arts/Law, Economics/Law, Economics
4. The Dean, Pro-Dean or a Sub-Dean of a Faculty, Director or Deputy Director of a College or Chairperson of the Board of Studies concerned may determine that a discontinuation of enrolment after the due date should be recorded as 'Discontinued with Permission' on the grounds of serious ill health or misadventure.

Withdrawal from a unit or discontinuation with permission is not considered as a failure for the purposes of the resolutions relating to exclusion from a course or the Faculty. However, discontinuation is equivalent to a failure in a unit and is taken into account for the purposes of exclusion. If you do not present for the final examination you will be recorded as 'Absent Fail' in the unit concerned.

The following table sets out the dates by which variations of enrolment must be made in 1998.

<table>
<thead>
<tr>
<th>March Semester</th>
<th>July Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Withdraw by:</td>
<td></td>
</tr>
<tr>
<td>Discontinue with permission by:</td>
<td></td>
</tr>
<tr>
<td>Discontinue by:</td>
<td></td>
</tr>
</tbody>
</table>

Resolutions of the Senate governing discontinuation of enrolment and re-enrolment after discontinuation — undergraduate

Further details concerning withdrawal and discontinuation will be found in the following extract from these resolutions.

1. A candidate for a degree of bachelor who ceases attendance at classes must apply to the faculty, college board or board of studies concerned and will be presumed to have discontinued enrolment from the date of that application, unless evidence is produced (i) that the discontinuation occurred at an earlier date, and (ii) that there was good reason why the application could not be made at the earlier time.

2. A candidate for a degree of bachelor who at any time during the first year of attendance discontinues enrolment in all units of study shall not be entitled to re-enrol for that degree unless the faculty, college board or board of studies concerned has granted prior permission to re-enrol the person is reselected for admission to candidature for that degree.

3. Subject to paragraphs (i) and (ii) of section 1, no candidate for a degree of bachelor may discontinue enrolment in a unit of study or year after the end of lectures in that unit of study or year.

4. The Dean, Pro-Dean or a Sub-Dean of a Faculty, Director or Deputy Director of a College or the Chairperson of a Board of Studies, may act on behalf of that Faculty, College Board or Board of Studies in the administration of these resolutions unless the Faculty, College Board or Board of Studies concerned decides otherwise.

5. A candidate for a degree of bachelor who discontinues enrolment in a full year or March Semester unit of study on or before 30 March in that year shall be recorded as having withdrawn from that unit of study.

6. A candidate for a degree of bachelor who discontinues enrolment in a July Semester unit of study on or before 30 August in that year shall be recorded as having withdrawn from that unit of study.

7. (1) A discontinuation of enrolment in a unit of study shall be recorded as 'Discontinued with Permission' when the discontinuation occurs after the relevant withdrawal period, and

   (a) on or before the Friday of the first week of July Semester for a full year unit of study, or
   (b) up to the last day of the seventh week of teaching in a one semester unit of study.

   (2) A discontinuation of enrolment in a unit of study shall be recorded as 'Discontinued' when the discontinuation occurs,

   (a) after the Friday of the first week of July Semester for a full year unit of study, or
   (b) after the last day of the seventh week of teaching in a one semester unit of study.

   (3) Notwithstanding subsection (2) the Dean, Pro-Dean or Sub-Dean of the Faculty, Director or Deputy Director of the College or Chairperson of the Board of Studies concerned may determine that a discontinuation of enrolment should be recorded as 'Discontinued with Permission' on the grounds of serious ill health or misadventure.

Suspension of candidature for the LLB degree: readmission and re-enrolment after suspension

The following procedures concerning suspension of candidature apply to all students enrolled in the Bachelor of Laws degree, namely, students undertaking law units of study as part of combined degrees and students studying law full time at the Law School.

You are permitted to suspend your candidature for the degree for one year but you must inform the Faculty of Law in writing of your decision to do so.

In exceptional circumstances, the Faculty may approve a suspension of candidature beyond one year. If you wish to do so you are advised to arrange an interview with one of the Associate Deans (Undergraduate) before making your application.

Applications for re-enrolment after any suspension of candidature must be lodged with the Faculty's Student Services by 1 November in the year prior to the planned re-enrolment.

If you discontinue or fail due to absence each of the law units of study in which you have enrolled in any one year you will be deemed to have suspended your candidature for the LLB degree.

If you fail to enrol in the law units specified for the combined degrees under the Senate resolutions governing the LLB degree you will also be deemed to have suspended your candidature for the LLB degree.

Your candidature for the LLB degree will lapse if you have suspended or been deemed to have suspended candidature for more than one year without the approval of the Faculty. If your candidature has lapsed you cannot re-enrol as a candidate for the LLB degree unless successful in applying for admission to the degree in competition with all other qualified applicants.

If you discontinue enrolment in all units during the first year of attendance you shall not be entitled to re-enrol for the degree unless the Faculty has granted you prior permission to re-enrol or you are reselected for admission to candidature for the degree.

Applications for special consideration

In general, applications for special consideration due to illness or misadventure must be made on the special consideration form obtainable from the Student Centre, the University Health Service or the St James campus (Law School), Level 12.
Supporting documentation required with applications for special consideration

Medical certificates
Medical certificates must:
(a) be submitted and signed by your own medical practitioner and indicate the dates on which you sought attention;
(b) certify unambiguously a specified illness or medical disability for a definite period; and
(c) indicate the degree of your incapacity and express a professional opinion as to the effect of your illness on your ability to take an examination or complete an essay.

Applications relating to a significant part of the semester or academic year may not only be relevant to the assessment prior to the final examination but also to the final examination itself. If this is the case, you should submit a 'Special Consideration' form. Such applications will be referred to the examiners in the units concerned. While the examiners will exercise their judgement on what effect, if any, such applications should have on the results in the final examination, it must be appreciated that examiners will find it difficult to equate a particular illness or misadventure with specific marks.

The Faculty of Law's method of dealing with applications for special consideration

The way in which the Law Faculty deals with applications for special consideration depends on the time when your performance was affected and the length of the time during which your performance was affected. Some examples of the way in which such applications may be dealt with are given below.

(i) Applications relating to relatively short periods of time during the semester (or academic year in the case of a full-year unit) will normally only be relevant to assessment prior to the final examination in the units. It is therefore essential, if you are affected, to approach the lecturers in the units concerned for extensions of time or other special arrangements with regard to such assessment.

(ii) Applications relating to a significant part of the semester or academic year may not only be relevant to the assessment before the final examination but also to the final examination itself. If this is the case, you should submit a 'Special Consideration' form. Such applications will be referred to the examiners in the units concerned. While the examiners will exercise their judgement on what effect, if any, such applications should have on the results in the final examination, it must be appreciated that examiners will find it difficult to equate a particular illness or misadventure with specific marks.

In general, examiners are only likely to refer to such applications to assist them in determining borderline cases in any category of grade and especially borderline cases of Pass/Fail.

(iii) Where continuing illness or misadventure has had a serious effect on your performance, consideration should be given to approaching an Associate Dean (Undergraduate) for permission to discontinue a unit or units. Only in the most exceptional cases will it be possible to seek permission to discontinue a unit after an examination has been attempted and marked.

(iv) Where the application relates to illness or misadventure during the examination period, or possibly during the study vacation, it may be appropriate for the student to apply for reassessment in a unit of study or units. Details relating to applications for reassessment are given in the following section. If you do not wish to apply for reassessment, the application will be referred to the examiners in the units concerned for their consideration, as outlined in (ii) above. It is not possible for you to apply for reassessment on the ground that illness or misadventure during the examination period prevented you from effectively undertaking the final examination in a unit and also to ask that the examination paper be marked to see if it deserves a Pass. A choice must be made between an application for special consideration and an application for reassessment.

Applications for reassessment

There are no supplementary examinations in the Faculty of Law. This applies to law units of study taken on campus as part of Combined Law degrees as well as to units taken in the Faculty of Law. In exceptional circumstances, you may be reassessed where, in the opinion of the Associate Dean, your performance at the examination has been impaired by illness or misadventure. In such circumstances, the Associate Dean may authorise reassessment provided that such reassessment must be completed prior to the meeting of the Board of Examiners at the end of the semester in which the unit to be reassessed was undertaken. The method of reassessment may or may not take the same form as the affected examination. It may, for example, take the form of an oral examination, closed book examination, or a take-home examination. Wherever practicable, such reassessment shall be completed no later than a week after the last examination in the Faculty of Law in a semester.

Reassessment will only be authorised where you have completed all other requirements in a unit of study, including regular attendance at class, but you are prevented by illness or misadventure (for example, injury in an accident) from effectively undertaking the final examination. In such a case you would have to show that you were unable to sit for the examination or sat but was unable to make a proper attempt.

If you wish to apply for reassessment, an application must be received by an Associate Dean (Undergraduate) within three working days of the affected examination. The application must be supported by independent evidence such as medical certificates and a full explanation of the circumstances relevant to the request for reassessment. It is not sufficient simply to submit a special consideration form for this purpose. In addition, telephone contact must be made with the Faculty of Law on the day of the affected examination with either an Associate Dean (Undergraduate) or the Undergraduate Adviser. The application will be considered by an Associate Dean (Undergraduate).

Since reassessment will be permitted only in exceptional circumstances, it is most important that if you encounter difficulties during the semester you seek the advice of an Associate Dean (Undergraduate) or the Undergraduate Adviser. If you are unable to meet unit of study requirements or to prepare for the final examination because of serious illness or misadventure, the appropriate solution is to apply for a ‘Discontinuation with Permission’. Extensions or other special arrangements with regard to assessment prior to the final examination, e.g. essays, etc., are matters for the teachers in the units concerned.

Disclosure of assessment and examination results

In 1989 the Faculty approved the following procedure for the disclosure of assessment and examination results:

(1) That within a reasonable time of the completion of the marking of interim assessment (essay, assignment, case-note or take-home examination) in a unit of study, the unit coordinator makes available to students in the unit the work they have submitted displaying the mark awarded, together with the examiner's comments if any.
That within a reasonable time following publication of the results of the final examination in any unit, there be made available for collection at the Law School by students who wish to obtain them, each student's examination scripts, displaying the addition of the marks awarded in interim assessment.

That on receipt of a request by a student for information regarding his or her assessment, whether interim or final, in a particular unit of study,

(a) a request concerning final assessment (including interim non-redeemable examinations) be referred to the lecturer responsible for the class or the marking of the assessment; and

(b) the unit coordinator or lecturer discuss with the student, in a personal interview if the student wishes, the calculation of the assessment and the reason for the assessment; and

(c) where appropriate, the unit coordinator refer the student to an individual examiner in the unit for further discussion to clarify any part of the assessment.

Procedures for requesting the return of examination scripts will be published at the end of the March and July semesters. With respect to unclaimed scripts, Faculty resolved as follows on 6 March 1990:

That unclaimed assignments, essays and exam scripts may be destroyed no earlier than three months from the date on which the final results of the examinations are published following the relevant Board of Examiners Meeting.

Student misconduct — Chapter 13 of the by-laws

Chapter 13 of the University's by-laws, which is entitled 'Discipline of Students' covers aspects of student misconduct, which includes:

(a) misconduct on the part of a student which is prejudicial to the good order and government of the University or impairs the reasonable freedom of other persons to pursue their studies or research in the University or to participate in the life of the University; and

(b) refusal by a student to give satisfactory particulars of the student's identity in response to a direction to do so by a prescribed officer and any other form of wilful disobedience to a reasonable direction of a prescribed officer.

Misconduct can thus cover a very wide range of misbehaviour, from damaging University property to cheating in examinations. There have been a number of cases of misconduct in the University emerging from the classwork context rather than examinations. These have included students being found guilty of plagiarism in essays and of copying other students' assignments.

The University recognises that there is a difference between innocent and deliberate plagiarism and the former can usually be dealt with within the department or faculty, without reference to the Registrar. Some cases of plagiarism arise from lack of knowledge as to what constitutes plagiarism and the student may be unaware that the practice is unacceptable.

In such cases staff have a duty to correct students and direct any required remedial work to be undertaken. Such plagiarism, whilst it is unacceptable, is not misconduct in terms of Chapter 13 of the by-laws, nor is the correction of it a penalty. Blatant plagiarism, where it appears there is a deliberate intention to deceive or where a student has copied another student's work, is a serious matter and may attract penalties ranging from a reprimand to failing a course. In extreme cases an offender may be failed in all units of study and suspended from the University. Such penalties can only be legally applied by following the Chapter 13 procedures.

Interviews with staff members

It is the policy of the Faculty that the Dean, Pro-Dean, Associate Deans, and members of the staff generally should be available to the students for interviews and advice. The following suggestions are made for the guidance of students:

Routine matters

Enquiries about routine arrangements, for example, the place and time of lectures, should be made at Student Services, the St James campus, Level 12, or for Combined Law students, the counter in the Old Teachers' College building.

Study problems

Enquiries about study problems arising within a particular unit of study should be addressed to the teachers of the unit. If you have a general study problem you may, of course, seek advice from anybody likely to be helpful; in particular, such problems may always be discussed with the Associate Deans (Undergraduate), the Head of Departments or, if necessary, the Dean.

Disabilities

If you have a medical or physical disability of a kind likely to impair your working program you should place this on record, accompanied where appropriate by medical evidence. This will make it easier to accommodate your needs in the lecture room and at examination time. The Faculty's adviser for students with disabilities is located in the Law School building in the city, but any law student, whether a combined law student studying on campus or a law student studying law full-time at the Law School, who has a disability which should be drawn to the attention of Law School staff, should contact the adviser. A handbook for students with disabilities is also available from the Student Centre and the Student Services counters at the St James campus and the Old Teachers' College building.

Resolutions

Enquiries which involve the application of the Senate or Faculty resolutions should be made to the Undergraduate Adviser.

Appointments

In general, you are requested to direct your enquiries as indicated above. If you wish to see the Dean you should make an appointment with her secretary. Appointments may also be made to see an Associate Dean (Undergraduate) but they make themselves available to see students without an appointment at particular times. The hours during which students may contact the Faculty's Student Services will be published on Level 12 at the St James campus and the Student Services Counter in the Old Teachers' College building.
7. Postgraduate Study in the Faculty of Law

(Undergraduate) but they make themselves available to see students without an appointment at particular times. The hours during which students may contact the Faculty's Student Services will be published on Level 12 at the St James campus and the Student Services Counter in the Old Teachers' College building.

Background to the postgraduate courses of study

Sydney Law Faculty educates more than half of all Australia's postgraduate students in law, whether by full thesis, or by coursework. It offers more courses and programs of study than any other Australian Law School. It also offers leading-edge programs in interdisciplinary fields; programs open to lawyers and non-lawyers alike. Specialised programs, providing in-depth treatment of particular areas, are available in addition to generic programs such as the LLM which allow for more scope and diversity in subject (ie. unit of study) choice.

Sydney Law Faculty has been in the business of postgraduate education since its outset. Established in 1855, it soon made provision for a Doctor of Laws by thesis and in 1950 added the degree of Master of Laws by thesis. Soon after, Faculty offered its now highly popular Master of Laws by coursework. Practitioners, overseas and interstate graduates alike are attracted to the quality and breadth of the program.

In 1966 Faculty added the PhD (normally 3–4 years full time). Then, in 1991 we pioneered in Australia the 'professional doctorate, the Doctor of Juridical Studies, allowing doctoral study by a combination of major thesis and coursework. The Master of Criminology by thesis was introduced in 1994.

Postgraduate study at Sydney provides opportunities to work with academics, practitioners and visiting scholars who are leaders in their fields. Capitalising on its 'gateway' location, Sydney has deliberately sought to internationalise its offerings. Because of its long history in the field, Sydney is also able to provide flexibility in the courses of study on offer. Coursework programs are now sequenced, allowing suitably qualified candidates to take single unit enrolments, and build them into Diplomas (4 units) or full Master's degrees (8 units). Increasing numbers of units of study in these courses may be taken as 'intensives' over a period of four to five days. The richness of the current program reflects our long tradition as a provider of postgraduate education.

Sydney University is also a leader in the establishment of specialist Master's programs. These include:

- Master of Criminology (including a minor dissertation option);
- Master of Taxation (catering both to lawyers and to accountants and others working in the field);
- Master of Labour Law and Relations (1993), open to those working in labour law and relations as well as those seeking to specialise in employment or industrial law;
- Master of Environmental Law (1993), a degree offering a wide range of internationally and domestically-focused subjects open to lawyers and those from other disciplines, and supported by the Australian Centre for Environmental Law (ACEL), under the joint auspices of the University of Sydney, ANU, and University of Adelaide;
- Master of Jurisprudence (1993), providing specialist qualifications in jurisprudence and legal theory, including sociological theories of law;
- Master of Administrative Law and Policy (1996), providing an interdisciplinary approach to understanding the relationship between law and the analysis and implementation of public policy;
- Master of Health Law (1996), providing a range of subjects exploring contemporary legal and social issues about health care;
- Master of Asian and Pacific Legal Systems (1997), focusing on the legal cultures, legal systems and business environments of countries in the Asia-Pacific Region, as well as business, tax and investment laws and regulations in individual systems;
- Master of International Taxation (1998), allowing further specialisation in taxation and reflecting the internationalisation of the Sydney University postgraduate program and economic globalisation.

Graduate Diploma courses have been a part of the Sydney University program as well, since graduate diplomas in Jurisprudence and Criminology were set up in 1964. Other well established programs include such courses as the Diploma of Law. From 1998 these programs are joined by four new programs, the:

- Graduate Diploma in Commercial Law
- Graduate Diploma in Corporate, Securities and Finance Law
- Graduate Diploma in Environmental Law
- Graduate Diploma in Taxation.

The postgraduate program is administered by the Faculty's Postgraduate Studies Committee. In the extracts of the University Regulations (Resolutions of the University Senate or of the Faculty of Law), this is often abbreviated to 'the Committee' for simplicity.

Courses of study - Doctorates

Doctor of Laws

The degree of Doctor of Laws (LLD) is awarded, on the recommendation of the Faculty of Law, for published work that has been recognised by scholars in the field concerned as a distinguished contribution to knowledge. Persons contemplating the submission of work for the Doctor of Laws should first consult the Dean of the Faculty. Only a mature scholar would be likely to present work meeting this requirement and the degree has been awarded on only a few occasions. The degree may also be awarded on an honorary basis in recognition of distinguished achievement.

Doctor of Philosophy

The degree of Doctor of Philosophy (PhD) is awarded by the University on the basis of a thesis which is regarded by the examiners as a substantially original contribution to the area in which it is written. Candidates are required to submit a thesis of approximately 100,000 words, which is undertaken under supervision. The full text of the regulations governing the degree may be found in the University's Calendar 1996, Vol. I: Statutes and Regulations. The following is a summary of the requirements.

1. Admission

What are the requirements for admission?

1.1 There are two main conditions of admission, namely (1) academic qualifications and (2) suitability of the proposed course of study and research. An applicant for admission to candidature for the degree of Doctor of Philosophy (PhD) must submit to the Faculty of Law a proposed program of advanced study and research. The applicant must also submit satisfactory evidence of training and ability to pursue the proposed program and, if required, pass a special examination.

(1) Academic qualifications

The normal requirement is that the applicant has:

(a) completed one of the following degrees in Law of the University of Sydney:
   (i) Master of Laws, or
   (ii) Bachelor of Laws with First or Second Class Honours; or
(b) qualifications which the University's Committee for Graduate Studies considers equivalent.
2. Course requirements

What are the course of study requirements?

2.1 A candidate must complete a thesis and such research units of study as are required by the Faculty of Law from time to time.

(a) Thesis:
The degree is examined on the basis of a thesis, of approximately 100,000 words, which is regarded as a substantially original contribution to the field in which it is written.

(b) Units of study in legal research:
Following changes to the PhD resolutions in 1996, the Faculty now requires that candidates enrolled for the PhD undertake the three postgraduate legal research units of study offered by the Faculty (Legal Research 1-3). This requirement may be waived in special circumstances.

3. Credit for other study

Can I credit time spent in other research degrees?

3.1 Candidates enrolled for at least one semester as a candidate for a Master's degree by research (i.e. not by coursework) who are admitted to candidacy for the PhD degree, may be credited for time spent towards the Master's degree provided that the research was directly related to the proposed research for the PhD degree.

3.2 Candidates enrolled at this University for at least one semester as a candidate for a Doctor of Juridical Studies degree who are admitted to candidacy for the PhD degree, may be credited for time spent towards the Doctor of Juridical Studies degree provided that the research was directly related to the proposed research for the PhD degree.

4. Course progress

How long do I have to write my thesis?

4.1 The minimum period of full-time candidature is three years except where the qualifying degree is that of Master’s by research, in which case it is two years.

Except with the permission of the Faculty, the maximum period is five years. For members of the full-time academic staff of the University the maximum period is seven years.

4.2 The Faculty may admit to part-time candidature an applicant who, in the opinion of the Faculty, is substantially free to carry out study and research for the degree.

The maximum part-time candidature is seven years. The minimum, to be recommended by the Faculty in each case, is not less than three years.

The Academic Board has approved the following guidelines for admission of part-time PhD candidates to the Faculty of Law:
(a) An applicant should be able to devote at least 20 hours per week to the candidature.
(b) An applicant should be able to attend the University for at least one day each week per year, or for an equivalent period made up in blocks.
(c) The applicant’s intended research should be planned by the applicant in consultation with the proposed supervisor and carried out by the applicant. The arrangements for supervision should be such that the research is under the control of the University. A supervisor will be appointed from within the University.

5. Submission and examination of thesis

What are the obligations with respect to my thesis?

5.1 The requirements for the submission of theses are applicable generally across the University. The complete resolutions are available in the Calendar 1996, Vol. I: Statutes and Regulations.

Doctor of Juridical Studies

The degree of Doctor of Juridical Studies comprises both a coursework and a thesis component. Candidates are required to submit a thesis of approximately 75,000 words, which is undertaken under supervision and is examined on the same criteria as the Doctor of Philosophy, namely that it amounts to a substantially original contribution to the area in which it is written. There are two main conditions of admission, namely academic qualifications and suitability of the proposed course of study and research.

Resolutions of the Senate for the Doctor of Juridical Studies

The text below is a much simplified draft consolidation for consideration for adoption by Faculty and the University during 1998. The current text of the existing resolutions from which it is drawn is printed in Volume 1 of the University Calendar and the 1997 Faculty Handbook.

In these resolutions unless the context or subject matter otherwise requires:
- 'degree' means the degree of Doctor of Juridical Studies;
- 'course of study' means the course of study towards the degree; and
- 'Faculty' means the Faculty of Law.

A candidate shall complete all the requirements for the degree within such time limits as the Faculty may prescribe from time to time.
Resolutions of the Faculty for the Doctor of Juridical Studies

The text below is a much simplified draft consolidation for consideration for adoption by Faculty and the University during 1998. The current text of the existing resolutions from which it is drawn is printed in Volume I of the University Calendar and the 1997 Faculty Handbook In these resolutions unless the context or subject matter otherwise requires:

‘Committee’ means the Postgraduate Studies Committee of the Faculty;
‘degree’ means the degree of Doctor of Juridical Studies;
‘course of study’ means the course of study towards the degree;
‘Program Coordinator’ means the person in the Faculty in charge of the relevant course of study; and
‘Faculty’ means the Faculty of Law.

1. Admission
What are the admission requirements?
1.1 An applicant may be admitted to candidature for the course of study if
(a) the applicant—
   (i) has completed a degree of Bachelor of Laws with First or Second Class Honours;
   (ii) has completed a degree of Master of Laws by coursework at a level of attainment prescribed by the Committee; or
   (iii) is a person accepted by the Faculty and by the Academic Board as having standing equivalent to that required of a law graduate who is qualified for admission to candidature for the course of study; and
(b) the Committee approves of the proposed program of advanced study and research, including both the area of the proposed thesis and proposals for related coursework units of study.

Can I study on part-time basis?
1.2 An applicant may be admitted as either a full-time or part-time candidate for the degree.

How do I apply for admission?
1.3 (1) Applications for admission to candidature shall be made in writing to the Faculty by the time and in the manner laid down by the Faculty from time to time. Such applications will be referred to the Committee.
   (2) An applicant for admission to part-time candidature shall submit with the application a written undertaking that the applicant will—
   (a) have sufficient time available to satisfy the requirements of section 4.1(c);
   (b) be able to complete the requirements of the degree within the time limit specified in section 4.1(b); and
   (c) be able to attend at the University at such times and on such occasions for purposes of consultation and participation in departmental activities, as may be required on the recommendation of the Head of Department concerned or the Associate Dean (Postgraduate).

What is the required proficiency in English?
1.4 The Faculty may require the production of evidence to its satisfaction of aproposed candidate's proficiency in English before it accepts such a candidate for enrolment in the course of study and it may require a proposed candidate successfully to undertake a specialised program of study in English as a prerequisite to enrolment.

2. Course requirements
What are the general course requirements?
2.1 (a) Candidates shall pursue an approved program of advanced study and research comprising:
   (i) coursework units of study as approved by the Faculty from time to time which have a total of 18 credit points, which relate to the thesis referred to in (iii) below;
   (ii) the following postgraduate research units of study:
      Legal Research 1
      Legal Research 2
      Legal Research 3;
   and
   (iii) a thesis.

(b) The Committee may approve a variation in a candidate's program of study and research.

What are the course requirements if I enrolled before 1996?
2.2 Candidates who enrolled for the course of study before 1996, or who were enrolled in the Master of Laws before 1996 and prior to enrolling for the Doctor of Juridical Studies had completed coursework units of study having a total of 36 credit points at an approved level by 1995, shall pursue an approved program of advanced study and research comprising:
(a) postgraduate coursework units of study offered for the course of study of Master of Laws at the University of Sydney having a total of 48 credit points, of which 36 are in units of study related to the thesis referred to in (c) below and completed in accordance with the resolutions governing that course of study;
(b) a unit of study in either Legal Education or Legal Research 1; and
(c) a thesis.

What are the thesis requirements?
2.3 (a) The Committee shall appoint a member of the academic staff of the University as supervisor of each candidate. The Committee may appoint an associate supervisor or co-supervisor.
   (b) The candidate shall present a thesis of approximately 75,000 words in length, which shall be a substantially original contribution to the subject concerned.
   (c) The topic of the thesis shall be approved by the Committee.

3. Credit for other study

How can I get credit for other study?
3.1 (a) Applications for credit for other study are to be made to the Committee,
   (b) Such other study may include
      (i) study prior to enrolment; and
      (ii) study during enrolment.

Can I credit postgraduate units of study offered towards another degree?
3.2 The Committee may grant a candidate credit for:
   (a) completion of postgraduate coursework units of study totalling at most 18 credit points and postgraduate research units of study totalling at most 18 credit points in respect of units of study offered towards the Master of Laws in this Faculty; or
   (b) completion of postgraduate coursework units of study totalling at most 12 credit points in respect of units of study in another faculty of this University or at an equivalent provider of tertiary education;

The following conditions apply to such credit:
(i) no unit of study for which credit is granted has been a basis for the award of any other degree;
(ii) the unit or units of study were passed at a level or with such additional assessment or other requirements as may be determined by the Committee in each case;
(iii) the unit or units of study were completed within the six years immediately preceding the commencement of candidature for the Doctor of Juridical Studies;
(iv) each unit of study falls within the scope of the approved program of study and research under sections 2.1 and 2.2.

1 In the case of a candidate enrolled before 1996, credit may only be given for 24 credit points of coursework units for the purpose of section 2.2.
Can I credit undergraduate units of study towards the degree?

3.3 A candidate may be granted credit for units of study for the degree in either an undergraduate unit of study offered by this Faculty or in another Faculty of this University or at another University, provided that:

(a) the unit of study has an equivalent credit point value of at least 6;
(b) no more than 6 credit points may be granted;
(c) no unit of study for which credit is granted is the basis for the award of any other degree;
(d) the unit of study is passed at a level and on terms as may be determined by the Committee in each case;
(e) a research paper be completed constituting not less than 60% of the grade and that it be marked at postgraduate level.

Can I credit time spent on a Master of Laws or Doctor of Philosophy?

3.4 The Committee may grant credit for the whole or any part of a period of candidature undertaken for the course of study of Master of Laws by thesis or the course of study of Doctor of Philosophy, provided that:

(a) the candidate has abandoned candidature for the course of study for which credit is sought; and
(b) the period of candidature for which credit is sought:
   (i) involved a program of advanced study and research related to the candidate's proposed program of advanced study and research for the course of study of Doctor of Juridical Studies;
   (ii) was taken within six years immediately preceding the commencement of the course of study of Doctor of Juridical Studies.

4. Course progress

What are the time constraints for the degree?

4.1 Except in special circumstances and with the approval of the Committee:

(a) a full-time candidate shall complete all the requirements for the degree not earlier than the third and not later than the end of the fifth year of candidature, or in the case of candidates enrolled prior to 1996, not earlier than the second and not later than the fourth year of candidature, excluding any period of approved suspended candidature;
(b) a part-time candidate shall complete all the requirements for the degree not earlier than the fourth and not later than the end of the fifth year of candidature, or in the case of candidates enrolled prior to 1996, not earlier than the third and not later than the fourth year of candidature, excluding any period of approved suspended candidature;
(c) all candidates shall complete a minimum of two semesters of full-time candidature over a period of time approved by the Committee.

How often do I need to report my progress?

4.2 (a) A candidate shall prepare annually, before enrolment, a statement of the work done by the candidate towards completion of the requirements for the course of study.
(b) The supervisor shall also prepare annually a report on the work done by the candidate, which shall be shown to the candidate for comment.
(c) Both reports shall be lodged with the Faculty prior to referral to the Associate Dean (Research).

What if my progress is unsatisfactory?

4.3 Where, in the opinion of the Committee, a candidate has not made satisfactory progress towards completing the requirements for the degree the Committee may call upon the candidate to show cause why the candidature should not be terminated for lack of satisfactory progress.

5. Assessment and Grades

How is the thesis examined?

5.1 (a) The thesis is examined according to the standard prescribed by the University for the examination of the degree of Doctor of Philosophy.
(b) The Committee will appoint examiners for the thesis. There shall be not less than two examiners, of whom at least one (and normally both) must be an external examiner.

How is the result of my candidature determined?

5.2 The Committee shall recommend the result of the candidature:

(a) upon completion of the coursework units of study at the level of attainment prescribed by the Committee, and
(b) after consideration of the reports of the examiners on the thesis.

How should the thesis be presented?

53 (a) The candidate shall state the sources from which the information is derived, the extent to which the work of others has been made use of, and the portion of the work the candidate claims as original.
(b) A candidate may not present as the thesis any work which has been presented for a degree at this or another university, but the candidate will not be precluded from incorporating such work in the thesis, provided that, in presenting the thesis, the candidate indicates the part of the work which has been so incorporated.
(c) A candidate shall submit three copies of the thesis through the Faculty in a form prescribed by the Committee.
(d) The thesis shall be accompanied by a certificate from the supervisor stating whether, in the supervisor's opinion, the form of presentation of the thesis is satisfactory.
(e) When the degree has been awarded, a copy of the thesis incorporating any required emendations and revisions shall be lodged in the University Library.

Can I credit time spent on a Master of Laws or Doctor of Philosophy?

The Committee has resolved that the minimum level of attainment will be an average mark of 75% in the best 24 credit points, while the Committee retains a discretion in cases falling below that average. In the case of candidates enrolled before 1996 the minimum level attainment mark of 75% in the best of 36 credit points.
Courses of study - Masters' Degrees and Graduate Diplomas

The Faculty offers a broad range of Masters' degrees and Graduate diplomas, including the Master of Laws (LLM) and Graduate Diploma of Law (GradDipLaw) and a range of specialist programs of study. The Master of Laws and Master of Criminology degrees are available by thesis or by coursework. The Diplomas are based on programs of 24 credit points of study; the Masters' Degrees on 48 credit points of study. Most units of study are worth 6 credit points. The units of study available for each degree or diploma are listed in the Appendix to the Resolutions of the Faculty.

Master of Laws (LLM)/Graduate Diploma of Law (GradDipLaw)

The Master of Laws may be undertaken by thesis or by coursework. The Master of Laws by thesis is awarded on the basis of a thesis which is approximately 50,000 words, is undertaken under supervision and is a substantial contribution to the area in which it is written. The Master of Laws by coursework and the Graduate Diploma in Law offer a broad range of choice across the whole field of postgraduate units of study in the Faculty.

Master of Administrative Law and Policy (MALP)

The Master of Administrative Law and Policy provides a specialist postgraduate qualification in administrative law and public policy. The curriculum is designed to offer comprehensive coverage of the legal, economic and policy issues arising in the context of public administration.

Master of Asian and Pacific Legal Systems (MAPLS)

The Master of Asian and Pacific Legal Systems provides comprehensive and interdisciplinary coverage of the legal cultures, legal systems and, business and investment regimes in the countries of the Asia-Pacific region.

Master of Criminology (MCrim)/Graduate Diploma in Criminology (GradDipCrim)

The Master of Criminology may be taken by thesis or by coursework. The Master of Criminology by thesis is awarded on the basis of a thesis which is approximately 50,000 words, is undertaken under supervision and is a substantial contribution to the area in which it is written. The Master of Criminology by coursework offers a comprehensive coverage of contemporary criminology and criminal justice issues. The Graduate Diploma in Criminology offers students a choice of units of study from a comprehensive range of units related to contemporary criminology and criminal justice issues.

Master of Environmental Law (MEL)/Graduate Diploma in Environmental Law (GradDipEnvLaw)

The Master of Environmental Law provides a specialist postgraduate qualification through comprehensive coverage of contemporary issues in environmental law and policy. The Graduate Diploma in Environmental Law provides a shorter specialist postgraduate qualification in environmental law.

Master of Health Law (MHL)

The Master of Health Law degree provides a specialist postgraduate qualification in health law providing a wide-ranging interdisciplinary coverage of the contemporary legal and social debates about health care.

Master of Jurisprudence (MJur)/Graduate Diploma in Jurisprudence (GradDipJur)

The Master of Jurisprudence provides a specialist postgraduate qualification in jurisprudence and legal theory, including sociology of law. The Graduate Diploma in Jurisprudence requires completion of units of study totalling 24 credit points from the range of units of study offered by the Department of Jurisprudence, plus a research project relating to a problem within the subject matter contained in one of the units of study undertaken.

Master of Labour Law and Relations (MLLR)

The Master of Labour Law and Relations is an interdisciplinary program taught jointly by the University's Department of Law and Department of Industrial Relations.

Master of Taxation (MTax)/Graduate Diploma in Taxation (GradDipTax)

The Master of Taxation provides a specialist postgraduate qualification in taxation. The program will expose students to both policy issues and the operation of the tax system in practice. The Graduate Diploma in Taxation provides a shorter specialist postgraduate qualification in taxation.

Master of International Taxation (MIntTax)

The Master of International Taxation provides a specialist postgraduate qualification in taxation and caters especially for students concerned with issues of economic globalisation and for international students being taught both in Australia and abroad.

Graduate Diploma in Commercial Law (GradDipCommLaw)

The Graduate Diploma in Commercial Law allows students to choose from a wide range of units of study specialising in commercial law areas.

Graduate Diploma in Corporate, Securities and Finance Law (GradDipCorpLaw)

The Graduate Diploma in Corporate, Securities and Finance Law allows students to choose from a range of units of study related to financing, taxation, business law and corporate governance.

Resolutions of the Senate for Masters' Degrees and Graduate Diplomas in the Faculty of Law

The text below is a much simplified draft consolidation or consideration for adoption by Faculty and the University during 1998. The current text of the existing resolutions from which it is drawn is printed in Volume 1 of the University Calendar and the 1997 Faculty Handbook.

In these resolutions unless the context or subject matter otherwise requires:
'-Committee' means the Postgraduate Studies Committee of the Faculty;
'-degree' means the degree of Master of Administrative Law and Policy, Master of Asian and Pacific Legal Systems, Master of Criminology, Master of Environmental Law, Master of Health Law, Master of International Taxation, Master of Jurisprudence, Master of Labour Law and Relations, Master of Laws or Master of Taxation;
'-diploma' means the Graduate Diploma in Commercial Law, Graduate Diploma in Corporate, Securities and Finance Law, Graduate Diploma in Criminology, Graduate Diploma in Environmental Law, Graduate Diploma in Jurisprudence, Graduate Diploma in Taxation or Graduate Diploma of Law;
'-course of study' means the course of study towards the relevant degree or diploma; and
'-Faculty' means the Faculty of Law.
• Graduate programs available

1. The following Masters' degrees and Graduate diplomas are available within the Faculty of Law:

Master of Administrative Law and Policy
Master of Asian and Pacific Legal Systems
Master of Criminology
Master of Environmental Law
Master of Health Law
Master of International Taxation
Master of Jurisprudence
Master of Labour Law and Relations
Master of Laws
Master of Taxation
Graduate Diploma in Commercial Law
Graduate Diploma in Corporate, Securities and Finance Law
Graduate Diploma in Criminology
Graduate Diploma in Environmental Law
Graduate Diploma in Jurisprudence
Graduate Diploma of Law
Graduate Diploma in Taxation

• Admission

2. An applicant may be admitted to candidature in the particular degree or diploma if the applicant holds such qualifications at such levels of achievement as may be determined from time to time by the Faculty in accordance with policies and resolutions of the Academic Board.

3. In the Master of Laws an applicant may be admitted to candidature as either a candidate for the Master of Laws by coursework or the Master of Laws by thesis on such terms and conditions as may be determined from time to time by the Faculty.

4. In the Master of Criminology an applicant may be admitted to candidature as either a candidate for the Master of Criminology by coursework or the Master of Criminology by thesis on such terms and conditions as may be determined from time to time by the Faculty.

• Course Requirements

Coursework degrees and diplomas

5. A candidate admitted to a Master's degree by coursework or to a Graduate diploma must:
   - enrol in accordance with the procedure prescribed by the University;
   - comply with the attendance requirements of the Faculty;
   - satisfactorily undertake such examinations, research papers or other assessments as the Faculty requires or permits; and
   - if eligible, be permitted to enrol for an Honours dissertation.

Thesis degrees

6. A candidate admitted to the Master of Laws by thesis or to the Master of Criminology by thesis must present a thesis which, in the opinion of the examiners, is a substantial contribution to the subject concerned.

• Credit for other study

7. A candidate may be given credit for units of study completed towards a degree or diploma at this university or an equivalent provider of tertiary education on such terms and conditions as the Faculty may prescribe from time to time.

• Course progress

A candidate shall complete all the requirements for the degree or diploma within such time limits as the Faculty may prescribe from time to time.

Assessment and Grades

The degrees may be awarded as either a Pass degree or an Honours degree (Class I or Class II) on such conditions as the Faculty may prescribe from time to time. The diplomas may be awarded only on a Pass basis.

Resolutions of the Faculty for Masters' Degrees and Graduate Diplomas

The text below is a much simplified draft consolidation for consideration for adoption by Faculty and the University during 1998. The current text of the existing resolutions from which it is drawn is printed in Volume 1 of the University Calendar and the 1997 Faculty Handbook:

In these resolutions unless the context or subject matter otherwise requires:

'Committee' means the Postgraduate Studies Committee of the Faculty; 'degree' means the degree of Master of Administrative Law and Policy, Master of Asian and Pacific Legal Systems, Master of Criminology, Master of Environmental Law, Master of Health Law, Master of International Taxation, Master of Jurisprudence, Master of Labour Law and Relations, Master of Laws or Master of Taxation; 'diploma' means the Graduate Diploma in Commercial Law, Graduate Diploma in Corporate, Securities and Finance Law, Graduate Diploma in Criminology, Graduate Diploma in Environmental Law, Graduate Diploma in Jurisprudence, Graduate Diploma in Taxation or Graduate Diploma of Law; 'course of study' means the course of study towards the relevant degree or diploma; 'Program Coordinator' means the person in charge of the relevant course of study; and 'Faculty' means the Faculty of Law.

1. Graduate programs

What is the range of programs available?

1.1 Applications may be made to the Faculty for candidature for:

(a) the following Masters' Degrees by coursework:
   - Master of Administrative Law and Policy
   - Master of Asian and Pacific Legal Systems
   - Master of Criminology
   - Master of Environmental Law
   - Master of Health Law
   - Master of International Taxation
   - Master of Jurisprudence
   - Master of Labour Law and Relations
   - Master of Laws
   - Master of Taxation
   - Master's Degree by coursework: MALP
   - Master's Degree by coursework: MAPLS
   - Master's Degree by coursework: MCrims
   - Master's Degree by coursework: MEL
   - Master's Degree by coursework: MHL
   - Master's Degree by coursework: MIntTax
   - Master's Degree by coursework: MJur
   - Master's Degree by coursework: MLLR
   - Master's Degree by coursework: MMTax

(b) the following Master's Degrees by thesis:
   - Master of Laws
   - Master of Criminology
   - Master's Degree by thesis: LLM
   - Master's Degree by thesis: MCrims
   - Master's Degree by thesis: GradDipCommLaw
   - Master's Degree by thesis: GradDipCorpLaw
   - Master's Degree by thesis: GradDipCrim
   - Master's Degree by thesis: GradDipEnvLaw
   - Master's Degree by thesis: GradDipJur
   - Master's Degree by thesis: GradDipLaw
   - Master's Degree by thesis: GradDipTax

(c) the following Graduate Diplomas:
   - Graduate Diploma in Commercial Law
   - Graduate Diploma in Corporate, Securities and Finance Law
   - Graduate Diploma in Criminology
   - Graduate Diploma in Environmental Law
   - Graduate Diploma in Jurisprudence
   - Graduate Diploma in Taxation
   - Graduate Diploma of Law
   - Graduate Diploma of Taxation
   - GradDipCommLaw
   - GradDipCorpLaw
   - GradDipCrim
   - GradDipEnvLaw
   - GradDipJur
   - GradDipLaw
   - GradDipTax
   - GradDipCommLaw
   - GradDipCorpLaw
   - GradDipCrim
   - GradDipEnvLaw
   - GradDipJur
   - GradDipLaw
   - GradDipTax
2. Admission

General

How do I apply for admission?

2.1 Applications for admission to candidature must be made in writing to the Faculty by the time and in the manner laid down by the Faculty from time to time. Such applications will be referred to the Committee.

What is the required proficiency in English?

2.2 The Faculty may require the production of evidence to its satisfaction of a proposed candidate's proficiency in English before it accepts such a candidate for enrolment in the course of study and it may require a proposed candidate successfully to undertake a specified program of study in English as a prerequisite to enrolment.

Can I study on apart-time basis?

2.3 An applicant may be admitted as either a full-time or part-time candidate for the degree or diploma.

Coursework candidates

What are the admission requirements for Masters' degrees and Graduate diplomas?

2.4 An applicant may be admitted to candidature for a Masters' degree or Graduate diploma if

(a) the applicant has completed a degree of Bachelor of Laws; or

(b) the applicant has completed with sufficient merit all the examinations of the Joint Examinations Committee of the University of New South Wales.

What if I do not have a legal qualification?

2.5 An applicant may be admitted to candidature for a Masters' degree or Graduate diploma (excluding the Master of Laws, Graduate Diploma of Law and Graduate Diploma in Commercial Law) if

(a) the applicant is the holder of a degree or completed qualification which is, in the opinion of the Committee, equivalent to an undergraduate degree; and

(b) that degree or completed qualification has been obtained at a level of merit which is, in the opinion of the Committee, sufficient to enable the candidate to undertake the course of study.

(c) Candidates without a legal qualification will be required to attend a short, intensive bridging course on law and legal methodology in the following degrees and diplomas:

- Master of Administrative Law and Policy
- Master of Asian and Pacific Legal Systems
- Master of Environmental Law
- Master of Health Law
- Master of Labour Law and Relations
- Graduate Diploma of Environmental Law

Thesis candidates

How are applications for admission to candidature for the Master of Laws by thesis and for the Master of Criminology by thesis assessed?

2.7 Applications for admission to candidature for the Master of Laws by thesis or for the Master of Criminology by thesis will be assessed on the basis of:

(a) suitability of prior qualifications;

(b) suitability of proposed topic; and

(c) availability of appropriate supervision.

2.8 (a) A thesis candidate shall apply in writing for approval by the Committee of the subject of the proposed thesis.

(b) The Committee shall appoint a member of the academic staff of the University or in exceptional cases another suitably qualified person as supervisor of each candidate.

3. Course requirements

Coursework candidates

What are the general course requirements for Masters' degrees by coursework and Graduate diplomas?

3.1 (a) Subject to the requirements for particular courses of study referred to in sections 3.2-3.22, a candidate for a Master's degree by coursework must attend classes in units of study totalling 48 credit points chosen from the units of study prescribed by the Faculty as units of study leading to the degree and pass the assessments in those units of study.

(b) Subject to the requirements for particular courses of study referred to in sections 3.2-3.22, a candidate for a diploma must attend classes in units of study totalling 24 credit points chosen from the units of study prescribed by the Faculty as units of study leading to the diploma and pass the assessments in those units of study.

What are the particular requirements for the Master of Criminology and the Master of Jurisprudence?

3.2 A candidate for the Master of Criminology by coursework must either

(a) attend classes in units of study totalling 48 credit points chosen from the units of study prescribed by the Faculty as units of study leading to the degree and pass the assessments in those units of study; or

(b) complete a research project worth 12 credit points on a topic approved by the Program Coordinator and attend classes in units of study totalling 36 credit points chosen from the units of study prescribed by the Faculty as units of study leading to the degree and pass the assessments in those units of study.

3.3 (a) A candidate for the Master of Jurisprudence must

(i) attend classes in units of study totalling 36 credit points chosen from the units of study prescribed by the Faculty as units of study leading to the degree and pass the assessment in those units of study; and

(ii) complete a research project worth 12 credit points within the subject matter of the course of study as approved by the Head of the Department of Jurisprudence.

(b) With the permission of the Head of Department of Jurisprudence, a candidate for the Master of Jurisprudence may complete up to 24 credit points of the coursework requirement in (a) by undertaking a unit or units of study prescribed for one of the other Masters' degrees offered by the Faculty of Law.

What are the particular requirements for the Master of Administrative Law and Policy?

3.4 (a) The units of study for the Master of Administrative Law and Policy may be prescribed by the Faculty, by the Department of Government and Public Administration and by the Department of Social Work and Social Policy as units of study leading to the degree.

(b) Of the optional units of study prescribed by the Faculty of Law for the degree, not including Public Sector Policy 2, candidates must attend classes in units of study totalling at least 12 but no more than 24 credit points.

What are the particular requirements for the Master of Labour Law and Relations?

3.5 (a) Unless varied by the Committee, all labour relations units of study shall be selected from units of study comprising the syllabus for the courses of study for the Graduate Diploma in Industrial Relations or the Master of Industrial Relations in the Faculty of Economics (hereafter 'Faculty of Economics units of study') subject to the following conditions and restrictions:

(i) All Faculty of Economics units of study shall be counted as units of study of 6 credit points for the purposes of the course of study.
(ii) Candidates must comply with all regulations, charges, attendance and assessment requirements of the Faculty of Economics units of study (which override these resolutions where inconsistent).

(iii) No candidate shall be permitted to enrol in any of the units of study which are part of the syllabus for the Master of Industrial Relations, unless that candidate has completed a major in industrial relations in the candidate's undergraduate course of study or unless the candidate has sought and obtained the permission in writing of the Head of the Department of Industrial Relations or of the Coordinator of Postgraduate Courses in that department to enrol.

(iv) Candidates shall not enrol in any labour relations units of study unless either the candidate has completed (or is concurrently enrolled in) the unit of study Australian Industrial Relations or written permission has been given by the Head of the Department of Industrial Relations (or of the Coordinator of Postgraduate Courses in that department) to substitute another unit of study on the basis that the candidate has already completed an equivalent undergraduate unit of study.

(b) Normally half of the credit points for a candidate enrolled in the Master of Labour Law and Relations shall be in the area of labour relations and half in the area of labour law. In special circumstances such as where prior undergraduate studies mean that there are insufficient remaining suitable labour relations units of study, the Program Co-ordinator may, after consulting the Head of the Department of Industrial Relations, approve a written application by a candidate to take 30 credit points of labour law units of study and 18 credit points of labour relations units of study.

What are the particular requirements for the Environmental Law and Taxation programs?

3.6 A candidate for the Master of International Taxation, Master of Taxation or Graduate Diploma of Taxation may, subject to the approval of the Committee on the recommendation of the Program Coordinator and up to the limit prescribed from time to time by the Committee, take any coursework unit of study or seminar offered by a member of the Consortium of Australian Tax Schools (CATS) towards the degree requirements.

3.7 A candidate for the Master of Environmental Law or the Graduate Diploma of Environmental Law may, subject to the approval of the Committee on the recommendation of the Program Coordinator and up to the limit prescribed from time to time by the Committee, take any coursework unit of study or seminar offered by institutions which are members of the Australian Centre for Environmental Law (ACEL).

What are the units of study I can/must undertake?

3.8 The units of study prescribed by the Faculty as leading to the degree or diploma are set out in the Appendix to these resolutions.

3.9 Not all units of study offered within the Faculty may be available at a particular time.

3.10 Any special graduate seminar unit offered within the Faculty may be approved as a unit of study by the Head of Department, subject to meeting any time limits and conditions of approval laid down in Faculty policies.

3.11 Any unit of study available in the Faculty may be included amongst the units of study prescribed for a particular degree or diploma (not including the Master of Laws or Graduate Diploma of Law) with the approval of the relevant Program Coordinator.

3.12 The Committee may place restrictions on the units of study to be taken by coursework candidates either generally or in any particular case.

Can I get exemption for a compulsory unit of study?

3.13 In exceptional cases, candidates who, through previous tertiary study or a combination of such study with work experience, can demonstrate competence in one or more of the compulsory units of study may be exempted from the requirement to undertake the compulsory unit or units of study. In cases where exemption from a compulsory unit or units of study has been granted, an optional unit or units of study should be substituted for such unit(s) of study. A candidate must still complete units of study of the credit point value required for completion of the course of study.

What do the credit points mean?

3.14 All units of study offered shall be assigned a credit point value. A unit of study of 6 credit points requires attendance of approximately 25 hours of classes. A unit of study of 12 credit points requires attendance of approximately 50 hours of classes.

What are the rules concerning research papers?

3.15 Every candidate for a Master's degree by coursework (excluding the Master of Jurisprudence) must write a research paper in at least one unit of study and may, subject to any policies issued by the Program Coordinator, write a research paper in additional units of study up to a value of 48 credit points.

3.16 Every candidate for a Graduate diploma may, with the approval of the Program Coordinator, write a research paper in any unit of study in which the candidate is enrolled.

3.17 (a) The topic of any research paper to be submitted shall be nominated by the candidate and approved by the lecturer in the unit of study concerned. When nominating a topic the candidate shall outline briefly the matter to be dealt with in the research paper.

(b) The length of any research paper for a unit of study shall be 6,000-10,000 words for a unit of study of 6 credit points and 12,000-20,000 words for a unit of study of 12 credit points at the discretion of the lecturer in charge of the unit of study concerned.

What are the rules concerning research projects (Master of Criminology by coursework and Master of Jurisprudence only)?

3.18 (a) The topic of the research project in the Master of Criminology by coursework and the Master of Jurisprudence may be related to any unit of study undertaken by the candidate as part of the course of study.

(b) The topic of the research project to be submitted shall be nominated by the candidate after consultation with and approval by the lecturer in charge of the unit of study concerned.

(c) The research project is assigned a value of 12 credit points.

3.19 (a) For students enrolled in the Master of Criminology by coursework choosing to complete a research project but not an Honours dissertation, the length of the research project shall be approximately 15,000 words.

(b) For students enrolled in the Master of Jurisprudence, the length of the research project shall be approximately 15,000 words.

What are the rules concerning Honours dissertations?

3.20 (a) A candidate for a Master's degree by coursework (excluding the Master of Criminology by coursework and the Master of Jurisprudence) will be invited to enrol for an Honours dissertation if the candidate obtains an average mark of 75 or above, determined from the best 36 credit points.

(b) The Committee may allow a candidate to enrol for the Honours dissertation before all required units of study have been completed.

(c) The topic of the dissertation shall be nominated by the candidate and approved by the Committee after receipt of a recommendation from the Program Coordinator. When nominating a topic the candidate shall outline briefly the matter to be dealt with in the dissertation.

(d) The Committee shall appoint a full-time member of the academic staff of the University to act as supervisor of each candidate enrolled for an Honours dissertation.

(e) The dissertation shall be approximately 20,000 words in length.

(f) The dissertation shall, for the purposes of calculating the final grade for Honours, have a value of 24 credit points.

(g) The dissertation shall be at a standard determined by the Committee.

3 Candidates for a Master's degree by coursework (except the Master of Criminology by coursework and the Master of Jurisprudence) who first enrolled prior to 199 are not required to write a research paper.
What are the rules concerning Honours dissertations in the Master of Criminology by coursework?

3.21 (a) A candidate who first enrols for the Master of Criminology by coursework in 1993 or later will be invited to enrol for an Honours dissertation if
(i) the candidate has not chosen to complete a research project and obtains an average mark of 75 or above determined from the best 36 credit points; or
(ii) the candidate has chosen to complete a research project and obtains an average mark of 75 or above determined from the best 24 credit points.
(b) The Committee may allow a candidate to enrol for the Honours dissertation before all required units of study have been completed.
(c) The topic of the dissertation shall be nominated by the candidate and approved by the Committee after receipt of a recommendation from the Program Coordinator. When nominating a topic the candidate shall outline briefly the matter to be dealt with in the dissertation.
(d) The Committee shall appoint a full-time member of the academic staff of the University to act as supervisor of each candidate enrolled for an Honours dissertation.
(e) For those candidates not choosing to complete a research project, the Honours dissertation shall be approximately 20,000 words.
(f) For those candidates choosing to complete a research project, the Honours dissertation and the research project shall be submitted in the form of a single thesis of approximately 30,000 words in length.
(g) The dissertation will, for the purposes of calculating the final grade for Honours, have a value of 24 credit points.
(h) The dissertation shall be at a standard determined by the Committee.

What are the rules concerning Honours dissertations in the Master of Jurisprudence?

3.22 (a) A candidate will be invited to enrol for an Honours dissertation if the candidate obtains an average mark of 75 or above determined from the marks obtained in the best 24 credit points and the research project.
(b) The Committee may allow a candidate to enrol for the Honours dissertation before all required units of study have been completed.
(c) The topic of the dissertation shall be nominated by the candidate and approved by the Committee after receipt of a recommendation from the Program Coordinator. When nominating a topic the candidate shall outline briefly the matter to be dealt with in the dissertation.
(d) The Committee shall appoint a full-time member of the academic staff of the University to act as supervisor of each candidate enrolled for an Honours dissertation.
(e) The dissertation shall be approximately 20,000 words in length.
(f) The dissertation, for the purposes of calculating the final grade for Honours, will have a value of 24 credit points.
(g) The dissertation shall be at a standard determined by the Committee.

Thesis candidates

What are the rules concerning theses?

3.23 A thesis candidate shall present to the Faculty a thesis in the subject approved by the Committee. To obtain award of the degree the thesis shall, in the opinion of the examiners, be a substantial contribution to the subject concerned.
3.24 A thesis candidate shall personally consult with such supervisor or supervisors as the Committee may appoint on a regular basis and in accordance with University and Faculty policies about supervision practices. These requirements may be adapted to meet special geographic or other circumstances.
3.25 Before each re-enrolment a thesis candidate shall submit to the Associate Dean (Postgraduate) a short statement of the work done by the candidate in the preceding twelve months.

3.26 (a) A full-time thesis candidate shall present three copies of the thesis not less than one year and not more than two years after the date of admission to candidature.
(b) A part-time thesis candidate shall present the thesis not less than two years and not more than four years after the date of admission to candidature.
(c) These periods may be varied by the Committee on the application of the candidate.

4. Credit for other study

How can I get credit for other study?

4.1 (a) Applications for credit for other study are to be made to the Committee.
(b) Such other study may include
(i) study prior to enrolment; and
(ii) study during enrolment.

Coursework candidates

Can I get credit for units of study offered towards another degree or diploma?

4.2 A candidate for a Master's degree by coursework or a Graduate diploma may be granted credit for completion of units of study offered towards another degree or diploma in this university or an equivalent provider of tertiary education. The following conditions apply to such credit:
(a) credit may not be given for units of study taken outside the Faculty having a total credit point value more than half of that required for completion of the course of study;
(b) credit may be given for units of study taken in the Faculty subject to Faculty fee or other policies;
(c) credit may not be given for units of study which are credited towards the award of another degree or diploma;
(d) the candidate may not take units of study in the curriculum for the course of study which are substantially similar to the units of study for which credit has been given;
(e) the subject of the units of study for which credit is sought must be sufficiently relevant to the course of study;
(f) the work completed for the other degree or diploma must, in the opinion of the Committee, be of a sufficient standard;
(g) credit may not be given for work done in another faculty of this university or at an equivalent provider of tertiary education as satisfying the requirements (if any) for a dissertation.

Can I get credit for non-law units of study?

4.3 The Master of Labour Law and Relations and the Master of Administrative Law and Policy prescribe non-law units as part of the degree. These are referred to in the course requirements for each degree.
4.4 A candidate for all other Masters’ degrees by coursework and Graduate diplomas may, if the committee thinks fit, be granted credit for non-law units of study provided that credit may not be given for the completion of non-law units of study totalling more than 12 credit points in the case of a Masters’ degree and 6 credit points in the case of a Graduate diploma.

Can I get credit for undergraduate units of study?

4.5 A candidate for a Master's degree by coursework or a Graduate diploma may credit toward the degree or diploma units of study totalling at most 12 credit points in the case of a Master's degree and 6 credit points in the case of a Graduate diploma from designated undergraduate law units of study as approved and offered by the Faculty, provided that the candidate has complied with such special unit of study assessment requirements as are specified for candidates for the course of study. It will normally be specified for postgraduate students undertaking an undergraduate unit of study for credit that a research paper be required constituting not less than 60% of the grade and that it be marked at postgraduate level. Approval of such credit may be given by the Committee on the recommendation of the Associate Dean (Postgraduate).
Can I get credit for single unit enrolment?  
4.6 A candidate who has completed a unit of study in the Faculty as a single unit enrolment may be granted credit for such unit towards a degree or diploma on such terms as the Committee may prescribe from time to time.

Thesis candidates  
Can I count work done in an uncompleted PhD towards a Master of Laws by thesis or a Master of Criminology by thesis?  
4.7 The Committee may deem time spent or work done towards the degree of Doctor of Philosophy by a candidate before admission to candidature for the Master of Laws by thesis or the Master of Criminology by thesis to be time spent or work done after admission, provided the candidate has ceased to be a candidate for the Doctor of Philosophy.

5. Course progress  
What are the time constraints for the degree or diploma?  
5.1 (a) For a Master's degree by thesis—  
(i) a full-time candidate shall complete all the requirements for the degree within a period of not more than two years and not less than one year from the date of first enrolment as a candidate;  
(ii) a part-time candidate shall complete all the requirements for the degree within a period of not more than four years and not less than two years from the date of first enrolment as a candidate.  
(b) For a Master's degree by coursework—  
(i) a full-time candidate shall complete all the requirements for the degree within a period of not more than three years and not less than one year from the date of first enrolment as a candidate;  
(ii) a part-time candidate shall complete all the requirements for the degree within a period of not more than six years and not less than two years from the date of first enrolment as a candidate.  
(c) For a Graduate diploma—  
(i) a full-time candidate shall complete all the requirements for the degree within a period of not more than two years and not less than six months from the date of first enrolment as a candidate;  
(ii) a part-time candidate shall complete all the requirements for the degree within a period of not more than three years and not less than one year from the date of first enrolment as a candidate.  
(d) Years of suspended candidature shall not be counted in the time period within which a degree or diploma shall be completed.  
(e) In special circumstances and with the approval of the Committee, a candidate may complete a degree or diploma outside the time periods specified in (a) and (b).

What are the rules concerning suspension, deferral and termination of candidature?  
5.2 The Committee may—  
(a) on written application by a candidate grant a suspension of candidature on such grounds and on such conditions as the Committee thinks fit; any period of suspension of candidature so granted shall not be counted towards any period of time within which the course of study would otherwise have been required to be completed;  
(b) on written application permit a candidate who has been admitted to candidature but has not enrolled for a first time to defer enrolment for a period of one year;

S3 (a) Where either:  
(i) a candidate has not completed all the requirements of the degree or diploma within the time specified in section 5.1; or  
(ii) in the case of a thesis candidate, the annual review of progress concludes that the candidate is not making adequate progress; or  
(iii) in the case of a candidate for a Master's degree by coursework, the candidate has obtained failures in any two units of study or two failures in one unit of study; or  
(iv) in the case of a candidate for a Graduate diploma, the candidate has obtained a failure in any unit of study; the Committee may call upon the candidate to show cause why the candidature should not be terminated by reason of unsatisfactory progress.  
(b) The Committee may, where in its opinion the candidate does not show good cause why the candidature should not be terminated, terminate the candidature.

Coursework candidates  
What are the attendance requirements?  
5.4 (a) A coursework candidate whose attendance record at classes in a unit of study in which the candidate is enrolled is unsatisfactory may be refused permission to take the annual assessments in that unit of study. A candidate refused such permission shall be deemed to have discontinued the unit of study with permission.  
(b) For the purpose of this resolution, attendance at less than 70 per cent of scheduled classes shall be deemed to be an unsatisfactory attendance record.

Thesis candidates  
6. Assessment and grades  
What are the requirements before sitting an examination?  
6.1 In exceptional circumstances, the Committee may waive any or all of the unit of study attendance, practical, research or written work requirements normally required before a candidate can present himself or herself at an annual examination of a unit of study for any Master's degree or Graduate diploma, and may do so upon such conditions as it deems fit.

What are the grades applicable to units of study?  
6.2 (a) Each unit of study will be assessed in grades of High Distinction, Distinction, Credit and Pass. The range of marks for each grade shall be as follows:  
<table>
<thead>
<tr>
<th>Grade</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Distinction</td>
<td>85-100</td>
</tr>
<tr>
<td>Distinction</td>
<td>75-84</td>
</tr>
<tr>
<td>Credit</td>
<td>65-74</td>
</tr>
<tr>
<td>Pass</td>
<td>50-64</td>
</tr>
</tbody>
</table>

(b) An Order of Merit in each unit of study shall be published.

How much is a research paper worth?  
6.3 Where a coursework candidate elects to write a research paper for a unit of study, the research paper shall be worth at least 60% of the assessment for the unit of study but may be worth up to 100% at the discretion of the lecturer in charge of the unit of study concerned.

In what grades is a Master's degree by coursework awarded?  
6.4 (a) The grades in which a Master's degree by coursework may be awarded shall be determined as follows:  
(i) Pass may be awarded where a candidate has completed units of study prescribed by the Faculty,  
(ii) Honours may be awarded to candidates who have, in addition to completing the requirements in (i), submitted an Honours dissertation in accordance with these resolutions and who have in those units of study and the dissertation achieved a satisfactory standard as determined by the Faculty.  
(b) A candidate who has failed one unit of study twice or who has failed two units of study shall not be eligible for Honours.  
(c) Any explanations offered for a failure and claimed to be relevant in deciding the award of Honours shall be put to the Committee by the candidate as soon as possible after the occurrence of the failure.

How are Honours awarded in Masters’ degrees by coursework (excluding the Master of Criminology by coursework and the Master of Jurisprudence)?  
6.5 (a) Honours may be awarded to a candidate for a Master's degree by coursework (excluding the Master of Criminology by coursework and the Master of Jurisprudence) who has completed all units of study required for the course of study
and the Honours dissertation and will be calculated using the marks from the best 36 credit points and the dissertation or the marks from the best 48 credit points and half the dissertation, whichever is the higher.

(b) In special circumstances, Honours may be awarded to a candidate who has failed a unit of study by calculating the final grade by taking the average of the candidate's 48 best credit points and half the dissertation.

How are Honours awarded in the Master of Criminology by coursework? 6.6

(a) Honours may be awarded to a candidate for the Master of Criminology by coursework who has completed all units of study required for the course of study and the Honours dissertation.

(b) Where a candidate has not chosen to complete a research project, the average mark for the calculation of Honours shall be determined by reference to:
   (i) the candidate's 36 best credit points and the dissertation; or
   (ii) the candidate's 48 best credit points and half the dissertation, whichever is the higher.

(c) Where a candidate has chosen to complete a research project, the average mark for the calculation of Honours shall be determined by reference to:
   (i) the candidate's 24 best credit points and the combined mark of the research project and the dissertation; or
   (ii) the candidate's 36 best credit points and half the combined mark of the research project and dissertation, whichever is the higher.

(d) In special circumstances, Honours may be awarded to a candidate who has failed a unit of study by calculating the final grade by taking the average mark of the candidate's 36 best credit points, the research project and half the dissertation.

How are the grades First Class Honours, Second Class Honours and Pass awarded? 6.8

(a) First Class Honours may be awarded where a coursework candidate's average mark is 85 per cent or above, with a discretion in the Committee to award First Class Honours in special cases where a candidate's average mark is below 85 per cent.

(b) Second Class Honours may be awarded where a coursework candidate's average mark falls within the range 78-84 per cent, with a discretion in the Committee to award Second Class Honours in special cases where a candidate's average mark is below 78 per cent.

(c) A Pass degree may be awarded where a coursework candidate's average mark falls within the range 50-77 per cent.

(d) A coursework candidate's average mark shall be the mark determined in accordance with sections 6.5-6.7.

How are theses examined? 6.9

The Committee, in accordance with the policies determined by the Faculty from time to time, shall appoint such examiners as it thinks fit to examine a thesis candidate.

6.10 The grade at which the degree shall be awarded to a successful thesis candidate shall be determined by the Committee in the light of the reports of the examiners in each case.

7. Single unit enrolment

7.1 A person may be permitted to enrol in any unit or units of study if the Committee or its nominee approves of the application.

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The requirement to complete an Honours dissertation was introduced in 1993.
Units of study offered within the Faculty

Master of Laws, Graduate Diploma of Law
Candidates may choose from the full range of units of study offered by the Faculty excluding Criminal Liability and Labour Law.

Master of Administrative Law and Policy
Compulsory units of study
Administrative Law
Public Sector Policy 1
Public Policy Making: Structure and Processes (or any other unit of study of 6 credit points prescribed by the Department of Government and Public Administration)

Optional units of study
Environmental Impact Assessment Law
Government Regulation, Health Policy and Medical Ethics
Judicial Review: Principles, Policy and Procedure
Law, Ageing and Disability
Public Sector Policy 2
Tax Administration

Master of Asian and Pacific Legal Systems
Compulsory unit of study
Law and Legal Culture in Asia and the Pacific (12 credit points)

Optional units of study
Asian Pacific Tax Systems
Australian International Taxation
Australian Tax Treaties
Chinese Laws and Chinese Legal Systems (12 credit points)
Chinese Legal System and Foreign Investment Law
Comparative Environmental Law
Indonesian Law 1
Indonesian Law 2 (Prereq Indonesian Law 1)

Master of Criminality by coursework, Graduate Diploma in Criminality
Compulsory units of study
Crime, Research and Policy 1
Explaining Crime

Optional units of study
Advanced Criminal Law
Advanced Forensic Psychiatry (Prereq Forensic Psychiatry)
Australian Police Systems
Contemporary Crime Issues
Crime Control

Master of Environmental Law, Graduate Diploma in Environmental Law
Optional units of study
Asian and Pacific Environmental Law
Asia Pacific Environmental Law Journal
Comparative Environmental Law
Environmental Dispute Resolution
Environmental Economic
Environmental Impact Assessment Law
Environmental Law and Policy
Environmental Planning Law
Hazardous Substances and the Law
Heritage Law
International Environmental Law
Local Government Law
Natural Resources Law
Pollution Law
Protection of the Antarctic
Wildlife Law

Master of Health Law
Compulsory units of study
Government Regulation, Health Policy and Ethics
Health Care and Professional Liability
Information Rights in Health Care

Optional units of study
Advanced Forensic Psychiatry
Drugs, Drug Policy and the Law
Forensic Psychiatry
Law, Ageing and Disability
Legal Issues in Health Care and Technology
Reproduction and the Law

5 All units of study have a value of 6 credit points unless otherwise specified.
6 Except in special circumstances, candidates who have completed the postgraduate unit of study Administrative Law previously offered by the Faculty may not enrol in the unit of study Administrative Law. Candidates who have satisfactorily completed the postgraduate unit of study Administrative Law previously offered by the Faculty will be exempted from therequirement to undertake the compulsory unit of study Administrative Law. Units of study totalling 48 credit points must still be completed for the course of study. Candidates who have satisfactorily completed the postgraduate unit of study Administrative Law previously offered by the Faculty and who transfer from the Master of Laws to the Master of Administrative Law and Policy will be awarded 6 credit points towards the MALP.
7 Candidates who have satisfactorily completed this postgraduate unit previously offered by the Faculty and who transfer from the Master of Law to the Master of Asian and Pacific Legal Systems, will be awarded 12 credit points towards the MALPS and exempted from the requirement to undertake the compulsory unit of study.

Crime, Research and Policy 2 (Prereq Crime, Research and Policy 1)
Criminal Liability
Criminal Procedures
Criminalisation
Drugs, Drug Policy and the Law
Forensic Psychiatry
Gender, Race and Legal Relations
Juvenile Justice
Sentencing and Punishment

9 Candidates who do not hold a law degree or LPAB/SAB/BAB qualification may not undertake this unit.
10 Except in special circumstances, candidates who have completed a tertiary unit of study in criminal law or its equivalent.

This unit is only available to candidates who have completed an undergraduate unit of study in criminal law or its equivalent.

8 Candidates who do not hold a law degree or LPAB/SAB/BAB qualification may not undertake this unit.
9 Except in special circumstances, candidates who have not completed a tertiary unit of study in environmental law, or a unit of study judged by the Associate Dean (Postgraduate) to be substantially similar, may not enrol in units of study offered for the course of study unless the candidate has completed or is concurrently enrolled in the unit of study Environmental Law and Policy. Except in special circumstances, candidates who have completed a tertiary unit of study in environmental law, or a unit of study judged by the Associate Dean (Postgraduate) to be substantially similar, may not enrol in the unit of study Environmental Law and Policy.
Master of International Taxation

Compulsory unit of study
Comparative International Taxation

Optional units of study
- Australian Income Tax System
- Australian International Taxation
- Australian Tax Treaties
- Comparative Corporate Taxation
- Controlled Foreign Companies, Foreign Investment Funds and Transferor Trusts
- OECD Model Tax Convention on Income and on Capital
- Tax Administration
- Taxation and Social Policy
- Transfer Pricing in Taxation

Master of Jurisprudence, Graduate Diploma in Jurisprudence

Optional units of study
- Applied Research on the Family in Law and Society
- Constitutional Theory
- Freedom of Speech and Freedom of Religion
- Aspects of Law and Justice (12 credit points)
- Aspects of Law and Legal Culture in Asia and the Pacific
- Aspects of Law and Social Control (12 credit points)
- Legal Reasoning (12 credit points)
- Constitutional Theory
- European Union Law 1
- European Union Law 2
- Freedom of Speech and Freedom of Religion
- Law and Legal Culture in Asia and the Pacific
- Theory of the Family in Law and Society

Master of Labour Law and Relations

Compulsory unit of study
Labour Law

Optional units of study
- Advanced Employment Law
- Comparative Industrial Law
- Discrimination in the Workplace
- Trade Union Law
- Workplace Bargaining
- Work Safety

Master of Taxation, Graduate Diploma in Taxation

Compulsory unit of study
Australian Income Tax System

Optional units of study
- Australian International Taxation
- Australian Tax Treaties
- Comparative International Taxation
- Comparative Corporate Taxation
- Corporate Taxation
- Controlled Foreign Companies, Foreign Investment Funds and Transferor Trusts
- Income Transfer Payments Law
- OECD Model Tax Convention on Income and on Capital
- Tax Administration
- Taxation and Social Policy
- Taxation of Business and Property Income
- Taxation of Financial Institutions and Financial Transactions
- Taxation of Partnerships and Trusts
- Taxation of Remuneration
- Taxation of Superannuation and Insurance
- Transfer Pricing in Taxation

Graduate Diploma in Commercial Law

Optional units of study
- Advanced Financing Techniques
- Chinese Legal System and Foreign Investment Law
- Competition Law and Policy
- Consumer Protection Law - Regulation of the Unfair Marketing Practices
- Consumer Protection Law - Post-Sale Consumer Protection
- Corporate Fundraising
- Corporate Insolvency
- Dept Financing
- Equity Financing
- International Business Law
- International Commercial Arbitration
- International Trade Regulation
- International Transport Law
- Issues in the Law of Copyright
- Maritime Law
- Modern Corporate Governance
- Regulation of Derivatives, Products and Markets
- Restitution for Unjust Enrichment
- Restitution for Ineffective Contracts
- Takeovers and Reconstructions

Graduate Diploma in Corporate, Securities and Finance Law

Optional units of study
- Advanced Financing Techniques
- Corporate Fundraising
- Corporate Taxation
- Dept Financing
- Equity Financing
- International Business Law
- Modern Corporate Governance
- Regulation of Collective Investment
- Takeovers and Reconstructions
- Taxation of Financial Institutions and Financial Transactions

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12 Except in special circumstances and with permission of the Associate Dean (Postgraduate) candidates may not enrol in units of study offered for the course of study unless the candidate has completed or is concurrently enrolled in this unit of study.

13 Unless and until otherwise approved by the Committee, all candidates shall first complete this unit of study before enrolling in any other law unit of study, provided that a full-time candidate may enrol in other law units of study concurrently with this unit of study.

14 Except in special circumstances and with permission of the Associate Dean (Postgraduate) candidates may not enrol in units of study offered for the course of study unless the candidate has completed or is concurrently enrolled in this unit of study.
Admission and enrolment
Candidates and intending candidates should distinguish clearly between admission to candidature, enrolment and re-enrolment.

1. Admission to candidature
Applications for admission to candidature must be lodged with the Faculty Office on the prescribed form by all intending candidates who have not previously been admitted to candidature.

1.1 Enrolment
An applicant for admission to candidature will be informed whether the application has been successful. The successful applicant must then enrol in person on the enrolment day.

1.2 Confirmation of enrolment
All the information provided when you enrol is added to the University’s computerised student record system. This includes your course of study, academic year and the units of study you are taking. It is important that this information is recorded correctly at the beginning of the year, and amended should a change occur in any of the details during the year. To enable you to see what enrolment data have been recorded, you will be given or sent a confirmation of enrolment shortly after completion of enrolment. You should check this carefully. If the information is correct you should keep the form as a record of your current enrolment. Should the form be incorrect in any detail, you should apply at the Faculty Office as soon as possible to have your record amended. A new confirmation will then be prepared and sent to you.

Advice about fees for units of study (or HECS assessments) for each semester will be forwarded separately. If a mistake has been made, you should follow the directions for correcting the error. Policies about when fees are due, the way they may be paid, and what happens to pre-paid fees if you change your mind, will also be set out in the letter. (Fees for 1998 coursework units reflect changes in Government policies which require full-cost recovery for postgraduate coursework programs, without any government contribution.)

If you wish to:
• change a unit of study in which you are enrolled
• discontinue a unit of study
• discontinue enrolment totally
you should apply at the Faculty Office to obtain the appropriate approval. Your record at the University will not be correct unless you do this. It is not sufficient, for instance, to tell the lecturer that you have discontinued a unit of study. Unless an enrolment change is approved formally at the Faculty Office, it will not be accepted and in most cases you will incur a financial liability in accordance with the University’s fee refund policy.

Student misconduct
Chapter 13 of the University by-laws, which is entitled ‘Discipline of students’ covers aspects of student misconduct, which includes:
(a) misconduct on the part of a student which is prejudicial to the good order and government of the University or impairs the reasonable freedom of other persons to pursue their studies or research in the University or to participate in the life of the University; and
(b) refusal by a student to give satisfactory particulars of the student’s identity in response to a direction to do so by a prescribed officer, and any other form of wilful disobedience to a reasonable direction of a prescribed officer.

Misconduct can thus cover a very wide range of misbehaviour, from damaging University property to cheating in examinations, for example. There have been a number of cases of misconduct in the University emerging from the classwork context rather than examinations. These have included students being found guilty of plagiarism in essays and of copying other students’ assignments.

The University recognises that there is a difference between innocent and deliberate plagiarism and the former can usually be dealt with within the department or faculty, without reference to the Registrar. Some cases of plagiarism arise from lack of knowledge as to what constitutes plagiarism and the student may be unaware that the practice is unacceptable. Plagiarism involves a failure to acknowledge (by quotation marks) words copied from another source; a failure to attribute authorship to any words copied in this way; and failure to acknowledge key concepts and ideas which have been rephrased by the student.

In such cases staff have a duty to correct students and direct any required remedial work to be undertaken. Such plagiarism, whilst it is unacceptable, is not misconduct in terms of Chapter 13 of the by-laws, nor is the correction of it a penalty.

Blatant plagiarism, where it appears there is a deliberate intention to deceive or where a student has copied another student’s work, is a serious matter and may attract penalties ranging from a reprimand to failing a unit of study. In extreme cases an offender may be failed in all units of study and suspended from the University. Such penalties can only be legally applied by following the Chapter 13 procedures.

International students
Enrolment
Students from overseas countries are very welcome in the Faculty. If you wish to undertake postgraduate study in the Faculty of Law you should be advised that many of the subjects in the Masters’ and Graduate Diploma programs presuppose a common law background and a knowledge of the Australian constitution. Some of the subjects require detailed study and analysis of highly technical and lengthy statutes. The language of instruction is English and fluency in spoken and written English is essential for all units of study. If you do not have English as your first language you will be required to produce evidence of proficiency in English. The Faculty can also offer helpful advice as to the selection of a suitable program of study.

International graduates in law are advised that it is not possible to qualify for admission to legal practice in New South Wales by undertaking postgraduate law studies at this or any other university in the state. Any international law graduate or overseas legal practitioner hoping to enter local legal practice should ascertain from the Legal Practitioners’ Admission Boards (Supreme Court Building, Queens Square, Sydney 2000, tel. 02 9230 8713) what further examinations must be taken and what other conditions must be fulfilled in order to satisfy the requirements for admission to practice in the state of New South Wales. Generally, a substantial number of additional examinations must be taken since little credit can be accorded, for admission purposes, for law studies completed or partially completed in a number of overseas countries. Foreign nationality is no longer a barrier to admission to practice as a lawyer in New South Wales, provided the educational and other requirements of the Legal Practitioners Admission Board are met.

Assistance
You may be eligible for assistance towards your study. You should enquire through the Ministry of Education of your government about such international cooperation plans and scholarship schemes as the Scheme of Commonwealth Cooperation in Education, the Special African Assistance Program, and the Commonwealth Scholarship and Fellowship Plan. The United Nations and some of its specialised agencies, such as FAO, WHO, UNDP and UNESCO, as well as other international bodies such as the OECD, the World Bank and the Asian Development Bank, also have awards under which financial assistance may be available for postgraduate study at this university. Two Australian Government scholarship schemes which currently provide scholarships to suitably qualified international students are the John...
Crawford Scholarship Scheme and the Overseas Postgraduate Research Scholarship (OPRS). Further information can be obtained from the International Education Office, University of Sydney, tel. (02) 9351 4161.

Fees
All private international students are required to pay full tuition fees. Fees are determined annually by the University, but provided you complete your course of study in the minimum time allowed, you only have to pay an annual fee fixed at the rate payable when you first enrol. Detailed information about fees, payment procedures and refunds are available from the University's International Office, tel. (02) 9351 4161 or the Postgraduate Assistant, Faculty of Law. If you are accepted for postgraduate study in the Faculty you will be required, under Australian Government regulations, to pay half the annual fee in advance, upon receipt of which the University will issue you with a visa document known as an acceptance advice form. This document should be submitted to the nearest Australian diplomatic mission for visa processing.

Students will be admitted twice a year, for March or July semester, depending upon the resources in the Faculty, the availability of units of study and the wishes of the student. The University will provide an orientation program and students will be advised by the University's International Student Services Unit of appropriate dates and times.

Sponsored international students

Australian Development Scholarships
The Australian Agency for International Development (AusAID), which is the overseas aid unit of the Australian Department of Foreign Affairs and Trade, has a responsibility for the welfare of sponsored international students and their families. The first point of contact for Australian Development Scholarship applicants should be the Australian representative in the applicant's own country.

The address of AusAID in Sydney is:

2nd Floor, Sydney Centre
477 Pitt Street
Sydney N.S.W. 2000
tel. (+61) 02 9379 8888
fax (+61) 02 9379 8988

The International Students Centre (ISC)
The University has established the ISC to assist international students. The ISC consists of the International Office (IO) and the International Student Services Unit (ISSU) and is located in the AMA Building, corner of Arundel and Seamer Streets, just across the Parramatta Road footbridge at the University's Broadway Campus.

The IO has been designated as a drop-in centre for all international students and provides assistance in a variety of ways, ranging from providing information on programs of study in the University to sorting out difficulties with fee payments or visa documentation. It is important that international students keep in contact with the IO and notify them of any change in their enrolment or of any personal circumstance which would affect the maintenance of accurate records, for example, change of address. The IO can be contacted on (02) 9351 4161.

The ISSU provides welfare and counselling services, together with pre-departure, orientation and re-entry programs, for all international students enrolled at the University of Sydney and their families. Any student experiencing difficulties is encouraged to contact the ISSU by telephoning to make an appointment on (02) 9351 4749 or calling in personally between 9.00 am and 5.00 pm Monday to Friday.

Academic year
The academic year in Australia runs from late February to early December. It is stressed that international students undertaking coursework courses of study may not, in any circumstances, enrol for an academic year of any unit of study later than the beginning of the March semester. Thesis candidates may commence candidature either in March or August.

Examinations are held in June and November. Students must ensure that they are available during the advertised examination periods.

Interviews with staff members
If you wish to speak with a member of the academic staff, you may make contact with the member of staff directly (tel. (02) 9351 2222 and nominate the person you wish to speak to) or via the Faculty Office on Level 12 of the Law School. Staff may also be contacted by e-mail (e-mail addresses are found on the Faculty home page http://www.law.usyd.edu.au).

Subscriptions
As a postgraduate student you will be required to join, and pay membership charges to, the University of Sydney Union and (unless you are a member of this University's staff) the Sydney University Postgraduate Representative Association (SUPRA).

If you have already paid five years' subscription to the Union you will not have to pay further subscriptions and may be eligible for life membership.

Details of subscription levels will be provided to you with enrolment information.

Sponsorship of postgraduate programs
The postgraduate programs are supported through sponsorship of Chairs in the Faculty and sponsorship of specific units of study. The sponsored Chairs in the Faculty are:

- **Abbot Tout Chair of Litigation and Dispute Resolution** (Professor Hilary Astor)
- **Blake Dawson Waldron Chair of Industrial Law** (Professor Ron McCallum)
- **Dunhill Madden Butler Chair of Women and the Law** (Professor Reg Graycar)

The sponsored units of study are:

**Maritime Law**
The postgraduate unit of study Maritime Law receives support from Ebsworth & Ebsworth.

**Tax Units**
Greenwoods and Freehills provides up to $10,000 per year in sponsorship for tax units.

The Faculty gratefully acknowledges the generosity of our sponsors in support of our postgraduate programs.
Postgraduate Units of Study

A significant number of units of study will be offered in alternate years only. Students should seek confirmation of unit offerings before planning their programs of study.

Candidates for the Master of Laws may not claim credit for:
(a) more than 18 credit points in the field of jurisprudence;
(b) more than 18 credit points in the field of labour law;
(c) more than 18 credit points in the field of environmental law.

Candidates for Graduate Diploma of Law may not claim credit for:
(a) more than 36 credit points in the field of jurisprudence;
(b) more than 36 credit points in the field of labour law;
(c) more than 36 credit points in the field of environmental law.

Not all of the units listed are available to candidates for the:
Master of Administrative Law and Policy
Master of Asian and Pacific Legal Systems
Master of Criminology
Master of Environmental Law
Master of Health Law
Master of International Taxation
Master of Jurisprudence
Master of Labour Law and Relations
Master of Taxation
Graduate Diploma in Commercial Law
Graduate Diploma in Corporate, Securities and Finance Law
Graduate Diploma in Criminology
Graduate Diploma in Environmental Law
Graduate Diploma in Jurisprudence
Graduate Diploma in Taxation.

Intending candidates should refer to the relevant pages of this Handbook for information on the units which may be counted towards the requirements of the above degrees and graduate diplomas.

Variation in Units on Offer

The large scale and international profile of the graduate program means that units on offer, teaching arrangements and assessment regimes may alter at short notice to take advantage of visitors, collaborative teaching opportunities, or the need to staff other units in high demand. Faculty attempts to limit the number of such changes in order to provide maximum program stability. Advance information about such variations may also be obtained by consulting the web page http://www.law.usyd.edu.au

Semester dates

The official University semester dates are shown in the front of this Handbook. The commencing dates of each unit are shown on the lecture timetable obtainable from the Faculty Office from October. Lectures in some postgraduate units are offered in intensive or non-standard semester format.

Student Notes

Faculty issues bound copies of course materials in an increasing proportion of its postgraduate units. These may be obtained free of charge from Student Services on Level 12, or (for a nominal charge) by mail-order. Any supplementary material is normally distributed free of charge in class.

Acts and regulations of the Australian Parliament are obtainable from:
Australian Government Publications and Inquiry Centre
120 Clarence Street
Sydney N.S.W. 2000

Acts and regulations of the N.S.W. State Parliament are obtainable from:
Government Information and Sales Centre
55 Hunter Street
Sydney N.S.W. 2000
(the State Lotteries Building).

Dissertation

Candidates for a Masters degree who wish to attempt to obtain Honours are required to complete a dissertation. Details as to length, time for submission, etc. may be found in the resolutions, which are reproduced in Chapter 10 of this Handbook.

Those candidates intending to take up the invitation to do an honours dissertation will need to submit a brief synopsis of their proposed research which will need to be approved by the Postgraduate Studies Committee for appointment of an appropriate supervisor. They will then be advised of the relevant starting/enrolment date.

Seminars

Seminar units are marked (Seminar). Postgraduate seminar units are units which are usually taught by Visiting Professors or experts in the area. They are usually 'one-off' units taught for one semester only.

Seminars are approved Faculty units and are assessed like other postgraduate units offered within the Faculty. Candidates may enrol in these seminars and have them credited toward their LLM degree. In the case of specialist Masters' degrees the seminar will be available for credit only if it relates to the area of specialisation of the degree. Students should check with the Postgraduate Adviser for clarification.

Cross-institutional enrolment

Candidates may undertake units in postgraduate programs at other universities subject to approval by the Associate Dean (Postgraduate), prior to enrolment in that unit. Applications to take units at overseas universities will also be considered.

A formal application, detailing the academic content, attendance and assessment requirements of the unit's proposed to be completed, should be made to the Associate Dean (Postgraduate) before enrolling with the other institution.

Administrative Law

Assoc. Prof. Allars
Assessment one 7,500w essay ; or two 3,750w essays

The aim of the unit is to develop a critical perspective upon the accountability of government decision-makers. The unit examines theoretical frameworks for analysis of a range of issues concerning accountability, with reference to relevant principles of administrative law. Part 1 of the unit examines the concept of administrative discretion, alternative theories of the rule of law and the nature of the interpretive task performed by judges and administrators. Part 2 of the unit is a detailed analysis of the relationship between the judicial and the executive branches of government, with particular reference to the rise of tribunals. Part 3 of the unit examines theories of participatory democracy and theories of open government, with reference to relevant legal principles. Part 4 examines the proper scope of administrative law, with reference to international human rights norms and in the light of corporatisation and privatisation of government business enterprises.

Advanced Criminal Law

Assoc. Prof. Findlay
Assessment 6 credit points

This unit explores selected issues in criminal law of current theoretical and practical significance. The principles of criminal law are critically analysed, their application reviewed against current practice, and the place of criminal law within criminal justice is explored. The topics may include corporate crime, fraud, environmental offences, drug offences, ancillary crime, general and specific defences, confiscation of proceeds of crime, and federal-state framework of Australian criminal laws. The contemporary issues of the unit will be set to reflect current reform and critical comment.
In spite of far-reaching changes in social life the family has remained one of the most important societal phenomenon. Special attention will be given to the fact that the relations between family, law, state and surrounding society are not stable and fixed but a result of constant change. Accordingly the unit will deal with family dynamics and legal change, starting from very abstract concepts progressing to the concrete social and legal forms found in our societies today.

This unit consists of lectures on research in family studies and comparative family law, and allows students to conduct their own supervised research in these fields and present it for discussion.

**Asian and Pacific Environmental Law**

Coordinator Prof. Boer, Assoc. Prof. Rothwell, Ms Lyster

Pre-req Previous study of Environmental Law and Policy is desirable

Assessment the assessment regime will vary according to tasks set

In this unit, the environmental legal systems and environmental management regimes of selected countries and groups of countries in the Asia Pacific will be studied against the background of relevant international and regional environmental law and administration. Unit topics will be divided into 4 sub-regions -

- Pacific Island Developing Countries
- South East Asia Region (ASEAN and Mekong countries)
- North Asian Region (Japan, People's Republic of China)
- West Asian Region (South Asian Association for Regional Cooperation [SAARC] countries)

In relation to each region, the implications of the international and regional environmental law framework will be explored followed by case studies involving issues such as -

- biodiversity, natural resources and environmental planning
- industrial pollution
- environmental impact assessment
- nuclear power
- legal and institutional arrangements for environmental management

**Asian Pacific Journal of Environmental Law**

Coordinator Assoc. Prof. Rothwell, Prof. Boer

Assessment the assessment regime will vary according to tasks set

This unit will be offered each semester under the supervision of the Editor-in-Chief and the Book Review Editor of the Asia Pacific Journal of Environmental Law. The unit will initially be limited to 6 students per semester, who will be selected on the basis of their academic performance. Preference will be given to students enrolled in the Master of Environmental Law or the Graduate Diploma in Environmental Law, but students enrolled in the Master of Laws will also be eligible to enrol. It will be highly desirable for applicants to have completed or to enrol simultaneously in Asian and Pacific Environmental Law (according to availability).

The unit will commence each semester with a number of seminars assessing the development of environmental law in the Asia Pacific region. Specific consideration will be given to the development of international, regional, subregional and domestic environmental law throughout the region. The seminars will be held over the first 4 weeks of the unit.

Following completion of the seminars, students will move into the journal phase of the unit in which they will be engaged in editorial tasks and the research and writing of a Country Report, Case Note or Book Review.
Each student will be expected to complete a range of tasks with respect to the Journal, including the following:

- an initial reading of one or more allocated articles etc. submitted to the Journal, and the preparation of a written recommendation to the Editor as to whether the article should be accepted for publication;
- checking articles which have been accepted for accuracy and completeness;
- assisting in the editing or proof-reading of accepted articles in the production process;
- writing for submission to the Journal one item (usually a Country Report, Case Note, or Book Review) on a subject approved by the unit coordinators.

Asian Pacific Taxation 6 credit points

Mr Burns

Assessment exam (70%), classwork (30%)

The goal of this unit is to provide a detailed understanding of the tax system of several different countries from the Asia and Pacific regions. Countries for examination will be selected each year from the following list: Singapore, Malaysia, Indonesia, China including Hong Kong, New Zealand, Papua New Guinea, Thailand and Fiji. The unit will provide a basic introduction to the tax system of the countries chosen, including their international tax rules. The unit will assist students to assess the likely outcomes of proposed dealings both within the countries and between Australia and the countries. The comparative framework also provides an opportunity for identifying a broader range of options for taxing income and assessing the appropriateness of the options chosen by Australia.

Upon successful completion of this unit the student should have:

- a thorough grasp of the basic foundations upon which the tax systems of the countries are built;
- an understanding of the tax treatment of key types of income likely to be earned by foreign investors, and how this treatment compares with their treatment in Australia;
- an advanced understanding of the broader tax policy options available to Australian lawmakers, evident from examining these systems.

Principal topics examined in the unit include:

- Legal considerations influencing Australian overseas investments
- Principal features of the domestic tax systems, including tax rules for foreign investors and investment incentives
- Australian treatment of international investment, including double tax treaties
- Tax administration in Asia
- Issues in indirect taxation such as GATT, the most-favoured nation clause; anti-dumping law; ASEAN Free Trade Area; the VAT experience in Asia

Aspects of Law and Justice (Jurisprudence) 12 credit points

Dr Christopher Birch

This unit will deal with the theory of justice in contemporary social and legal philosophy. Students will consider some of the major contemporary theories of justice and the conflict between them, including the relationships between formal and substantive justice, between justice and equality and between social and individual claims.

Some of these issues will be illustrated by the recent remarkable revival of human rights theory. There will also be discussion of the attitudes to justice revealed in judicial decisions in the Common Law and the impact of social change on accepted theories of justice.

Aspects of Legal Reasoning (Jurisprudence) 12 credit points

Assoc. Prof. Ziegert

This unit will commence by examining general theories of reasoning and rationality relevant to law. The theories of practical reasoning, inductive reasoning and bayesian probability theory will be examined.

The unit will proceed to consider the central theories of legal reasoning, the declaratory theory, various objectivist theories of legal reasoning such as Dworkin’s, and Legal Scepticism.

The unit will conclude with a critical examination of modern judicial practice, the use of precedent and policy reasons. The unit will look not just at reasoning within the appeal process but also within the trial process.

Australian Income Tax System 6 credit points

Prof. Vann, Mr Allerdice

Assessment exam or research essay (60%), class work (30%), research exercise (10%)

This unit is designed to explore in detail the fundamental principles of income tax, fringe benefits tax and capital gains tax. Upon successful completion of this unit a student should have an advanced understanding of the policies underlying the choice of income as a tax base, as well as a detailed knowledge of the foundational principles of law applicable to income taxation. A second object is to equip students with the necessary research skills to master the volume of printed and electronic material available on taxation in Australia and internationally. Because of the far-reaching changes to the tax system in recent years, recent legislation and cases will be given prominence. In particular, the unit will focus on the tax legislation and drafts produced by the Tax Law Improvement Project. Topics to be covered are:

I. Research into the Australian tax system
   1. Introduction to modern legal research.
   2. Tax research.
II. Economists’ definitions of income and the Australian tax system
   3. Criteria for judging tax systems and the current Australian tax system.
   4. Haig Simons definition of income.
   5. Optimal tax theory and the expenditure tax.
III. Interpretation of tax legislation and tax avoidance
   6. Interpretation of tax legislation internationally and recent Australian developments.
   7. Tax avoidance and anti-avoidance legislation.
IV. The structure of the Australian income tax system
   8. Structure of the legislation, interaction mechanisms, derivation.
   10. Deferred payments; expense characterisation, calculation of cost base.
   11. Valuation; conditions of employment; reimbursements, otherwise deductible rule; apportionment of deductions.
   12. FBT.
13. CGT: dissecting receipts, part disposals; deemed disposals; cost base write down; creation of liabilities.

Australian International Taxation
6 credit points
Prof. Vann, Mr Blaikie
Assessment exam or research essay (70%), class work (30%)
This unit is designed to explore in detail the fundamental principles of Australia's international taxation regime. The unit will examine both the issues of tax design and policy, and the relevant provision in the legislation, cases and rulings. Upon successful completion of the unit, students will have an advanced understanding of the policies underlying Australia's rules for taxing international transactions, as well as a detailed knowledge of the foundation principles of the treaties applicable to the taxation of inbound and outbound transactions.

The unit includes a study of:
- principles of international taxation
- rules for determining residence and source
- domestic rules for the taxation of residents' foreign income (foreign tax credits, accruals taxation of foreign income and exemption of foreign income)
- domestic rules for the taxation of non-residents' Australian source of income (finance transactions, business income, royalties)
- international taxation of entities and the classification of entities

Australian Police Systems
6 credit points
Assoc. Prof. Findlay
This unit traces the development of civil policing in Australia. Policy is viewed both within and beyond the state. Certain unique features of contemporary police practice are highlighted and critical consideration is given to the community framework within which the police now operate. Current issues in policy are discussed and debated in a context of justice.

Australian Tax Treaties
6 credit points
Prof. Vann, Mr Norman, Mr Momsen
Assessment exam or research essay (70%), class work (30%)
This unit is designed to provide an advanced study of Australia's international tax treaties, both as regards inbound and outbound investment, and to examine in depth several practical issues of international taxation arising from tax treaties. Upon successful completion of this unit a student should have an advanced understanding of the policies underlying the Australian tax treaty position in relation to the taxation of various kinds of income, as well as a detailed knowledge of the law applicable to interpretation of Australia's treaties.

The unit includes a study of:
- principles of double tax treaties
- interpretation of tax treaties
- impact of tax treaties on investing into Australia
- impact of tax treaties on investing overseas, including a study of selected overseas countries' international tax systems
- entities and tax treaties

Business Tax Planning (Seminar)
6 credit points
Mr Hart, Mr Sekhan
Assessment (60%), classwork (40%)
This unit examines ways in which investment and trading decisions are driven by taxation considerations and constrained by the legal environment. Topics include trading structures, methods of raising finance, the taxation consequences of decisions in these areas and the impact of government regulation on the commercial environment. The theory underlying commercial relationships and the practice which governs their operations are experienced. There will be a synthesis of purely commercial elements with the underlying principles of property law and trusts. Areas covered include taxation, equity and trusts, property law, banking law, stockmarket law, and derivatives including options and hedging contracts. This unit integrates these topics and examines them in a commercial setting. Case studies are used to analyse commercial contracts and instruments.

Child Protection Law (Seminar)
6 credit points
Assoc. Prof. Parkinson
Classes Sem 2
This seminar will examine the relevant criminal and civil law which concerns the protection of children from abuse and neglect. It is intended to cover the following topics:
- kinds of abuse and neglect
- child homicide
- paedophilia
- children's evidence in criminal proceedings
- state child welfare law
- child protection in the Family Court
- the Children's Commission
- substitute care of children

Chinese Laws And Chinese Legal Systems
12 credit points
Prof. Tay, Ms Leung
Classes Sem 1
This is a four-week intensive unit conducted in Shanghai in January
Assessment: 3hr exam at the end of lectures in Shanghai, 5000-7500w essay due at the end of Sem 1
This unit provides an overall picture of the modern Chinese legal system. It seeks to develop a perception of China's unique character and role through its imperial origins to the reforms of the Nationalist Government to the eras of revolutionary and radical transformations, and rejection of law, under the Communists to the new role for law in the era of Dengist market economy. The unit examines the special economic and political structures as means of understanding the role, function and nature of law in the contemporary Chinese society and polity. The unit goes on to illustrate these perceptions through the establishment and development of various law regimes, including the civil law system, the legal profession, the court system, criminal law and procedures, foreign investment law system, intellectual property law, dispute resolutions, etc.

The unit usually takes place in January in the East China University of Politics and Law (ECUPL), Shanghai, the People's Republic of China. Lectures are given in English by Chinese professors from ECUPL. An introductory lecture is provided by Professor Tay either in Sydney or in Shanghai prior to the commencement of the unit.

Students must register with CAPLUS by 29 August 1998.
The Chinese Legal System and Foreign Investment Law 6 credit points
Ms Leung
Assessment one 5000w essay, one 2hr exam; or two 5000w essays

This unit attempts to provide students with: (1) an understanding of the modern Chinese legal system, its political, cultural and social characteristics as a necessary background for the study of the Chinese foreign investment law regime; (2) knowledge of the Chinese foreign investment law, including foreign related contract law, joint venture law, tax law, intellectual property law, dispute resolution, etc. This unit is designed for students who are interested not only in practising law in this area, but also in doing business in China and wishing to familiarise themselves with the investment climate, legal structure and business practice in China.

Comparative Corporate Taxation 6 credit points
Dr Harris
Assessment classwork (30%), examination or essay (70%)

The goal of the unit is to provide a comparison of the corporate tax systems of a number of countries of economic and cultural significance to Australia. The goal has both practical and policy aspects. The unit will provide a basic introduction to the corporate tax systems of Australia's major trading partners which will assist students in assessing the likely outcomes of proposed corporate dealings both within the countries selected for comparison and between them. A comparative framework provides an opportunity for identifying the available options for taxing corporate income and assessing the appropriateness of those options or a combination thereof. This enables an assessment of the options selected by various countries, including incompatibility of options, and may identify areas of corporate taxation which may be the subject of appropriate reform.

The unit will examine:
• theoretical framework and defining entities subject to corporation tax
• taxation of corporate income where derived
• taxation of corporate income where distributed
• treatment of gains/losses on the disposal of shares
• corporate formation, reorganisation and liquidation
• international taxation of corporate income

Comparative Environmental Law 6 credit points
[ Not offered in 1998]
Ms Lyster, Prof. Boer
Assessment essay (80%), class participation (20%)

This unit involves an examination and evaluation on a comparative basis of the environmental laws of a small number of other countries in the Asian and Pacific region. Comparisons will also be made between Australian, Canadian, South African and United States environmental law.

The unit aims to examine the differences in approach that are needed when working on the development of environmental legislation in various cultural, economic and political contexts, particularly in terms of the drafting of legislation and the setting up of relevant administrative arrangements. The difficulties of introducing legally enforceable environmental management regimes in lower income countries are a particular focus. The unit is usually offered in an intensive format.

Comparative Industrial Law 6 credit points
Prof. McCallum
Assessment one 4,000w essay, class participation, take home examination

This unit is aimed at enabling students to compare and contrast Australian labour law with the labour laws of other comparable countries like the United Kingdom, New Zealand, the United States, Canada, Japan, Germany and Sweden. At the beginning of this unit, there is an examination of comparative law methodology, as well as an examination of international labour law, including the International Labour Organisation and other international labour law matters. The unit will focus on how other nations are handling labour law deregulation and whether any of the approaches are beneficial or burdensome.

Comparative International Taxation 6 credit points
Mr Burns
Assessment Classwork (30%); examination or research paper (70%)

Comparative International Taxation consists of a detailed study of the basic principles of international taxation. The unit is taught from a global perspective with the emphasis being on comparative analysis. It is not intended to examine any one country's international tax rules in detail, but rather to identify the core issues in developing international tax rules and study some of the different approaches countries have taken in dealing with these issues. As part of this study, recent trends in international tax rule development will be identified and critiqued. It is intended that students come away from the course with an understanding of the different approaches that countries have taken in the development of their international tax rules.

The main goal of this unit is to provide a detailed understanding of international tax in order to allow a comparative assessment of the Australian income tax system to be made. The comparative framework also provides an opportunity for identifying a broader range of options for taxing income and assessing the appropriateness of the options chosen by a country.

Topics examined will include:
1. Background and Jurisdiction to Tax
   • policy framework and structure of international taxation
   • jurisdiction to tax; entity classification
2. Taxation of Residents
   • residence rules
   • relief from international double taxation; exemption method
   • designing the foreign tax credit
   • controlled foreign companies
   • passive investment funds and foreign trusts
3. Taxation of Non-residents
   • source rules
   • methods of taxing non-residents: gross versus net taxation
   • protecting the source country tax base
4. Double Tax Treaties ("DTAs")
   • introduction to DTAs
   • review of the basic provisions of OECD and UN Model DTAs
5. International Issues in Tax Administration
   • information collection; dispute resolution; and collection of tax
6. Future Developments
   • future developments in international tax
Competition Law and Policy

6 credit points

(Not available to students who have completed Restrictive Trade Practices B)

Dr McMahon

Assessment optional essay 2,500w (40%); Exam (60% or 100%)

This unit analyses Part IV of the Trade Practices Act 1974 (Cth) from an economic and comparative perspective. The following topics are normally studied:

1. Introduction and background to the Trade Practices Act;
2. The Hilmer Report and the national competition policy;
3. The concept of competition and market definition;
4. Contracts, arrangements and understandings between competitors;
5. Misuse of market power;
6. Exclusive dealing;
7. Resale price maintenance;
8. Mergers;
9. Authorisations and notifications;
10. Remedies.

Constitutional Theory (Jurisprudence)

6 credit points

Prof. Sadurski

Assessment one class presentation (20%), one 3,500w essay (60%), class participation (20%)

The topic of the unit is at the intersection of legal theory, political philosophy and constitutional law. It will address the role that constitutionalism is expected to play in a democratic state, and will explore various constitutional theories. The main focus will be on theoretical attempts at reconciling commitments to constitutionalism with emphasis on democratic participation: is it paradoxical that a state governed by majority rule withdraws certain areas from collective decision-making? Various theories of the essence of constitutionalism, of constitutional interpretation, and of constitutional judicial review will be explored, such as a 'dualist' theory, a process-based theory, the 'original intent' theory. The unit will also discuss the question of constitutional charter of rights, different models of judicial review in contemporary constitutionalism, and the functions of constitutions in transitions to democratic systems.

Consumer Protection Law — Regulation of Unfair Marketing Practices

6 credit points

Prof. Harland

Assessment one 2hr examination (60%), one 2500w essay (40%)

This unit analyses Part IV of the Trade Practices Act 1974 (Cth) from an economic and comparative perspective. The following topics are normally studied:

1. Introduction and background to the Trade Practices Act;
2. The Hilmer Report and the national competition policy;
3. The concept of competition and market definition;
4. Contracts, arrangements and understandings between competitors;
5. Misuse of market power;
6. Exclusive dealing;
7. Resale price maintenance;
8. Mergers;
9. Authorisations and notifications;
10. Remedies.

Consumer Protection Law — Post-Sale Consumer Protection

6 credit points

Prof. Harland

Assessment one 2hr exam (60%), one 2500w essay (40%)

This unit involves a critical examination of aspects of recent developments granting special legal protection to consumers. The unit is concerned with aspects of the liability of suppliers of goods and services to consumers, sometimes called 'post-sale' consumer protection. (This unit is complementary to Consumer Protection Law—Regulation of Unfair Marketing Practices, but each unit can be taken independently.) An assessment will be made of the effectiveness of recent legislation in this field, and there will be some emphasis on a comparative approach with particular reference to a number of relevant European Community Directives.

This unit may not be taken by any student who has been credited with the previously offered unit, Consumer Protection Law

The topics to be covered are:

1. Introduction (the 'consumer' concept and some policy factors leading to consumer protection developments);
2. Misleading and deceptive conduct—the general prohibition (Trade Practices Act 1974 (Cth) s 52, Fair Trading Act 1987 (NSW) s 42);
3. False and misleading representations (Trade Practices Act s 53, Fair Trading Act s 43);
4. Other prohibited types of false representation and misleading conduct (Trade Practices Act ss 53A, 53B, 55, 55A, 59, Fair Trading Act ss 45, 46, 49, 50, 54);
5. Bait advertising;
6. 'Free' gifts and promotional competitions;
7. Door-to-door selling and debt collection practices;
8. The role of codes of conduct and self-regulation in setting standards for business conduct;
9. The control of advertising — a comparative study;
10. The enforcement of marketing practices law:
   (a) criminal liability;
   (b) injunctions (including corrective advertising orders);
   (c) damages and other orders;
   (d) accessorial liability;
11. Administrative bodies (the role of the Australian Competition and Consumer Commission and parallel state/territory agencies);
12. The impact of the marketing practices legislation on the general law of contract and tort.

Consumer Protection Law — Post-Sale Consumer Protection

6 credit points

Prof. Harland

Assessment one 2hr exam (60%), one 2500w essay (40%)

This unit involves a critical examination of aspects of recent developments granting special legal protection to consumers. The unit is concerned with aspects of the liability of suppliers of goods and services to consumers, sometimes called 'post-sale' consumer protection. (This unit is complementary to Consumer Protection Law—Regulation of Unfair Marketing Practices, but each unit can be taken independently.) An assessment will be made of the effectiveness of recent legislation in this field, and there will be some emphasis on a comparative approach with particular reference to a number of relevant European Community Directives.

This unit may not be taken by any student who has been credited with the previously offered unit, Consumer Protection Law

The topics to be covered are:

1. Introduction (the 'consumer' concept and some policy factors leading to consumer protection developments);
2. Outline of terms implied in contracts for the supply of goods and services to consumers;
3. Judicial and legislative control of exclusion clauses;
4. The control of advertising — a comparative study;
5. Door-to-door selling and debt collection practices;
6. The role of codes of conduct and self-regulation in setting standards for business conduct;
7. Remedies.

Consumer Protection Law — Post-Sale Consumer Protection

6 credit points

Prof. McMahon

Assessment one 2hr exam (60%), one 2500w essay (40%)

This unit involves a critical examination of aspects of recent developments granting special legal protection to consumers. The unit is concerned with aspects of the liability of suppliers of goods and services to consumers, sometimes called 'post-sale' consumer protection. (This unit is complementary to Consumer Protection Law—Regulation of Unfair Marketing Practices, but each unit can be taken independently.) An assessment will be made of the effectiveness of recent legislation in this field, and there will be some emphasis on a comparative approach with particular reference to a number of relevant European Community Directives.

This unit may not be taken by any student who has been credited with the previously offered unit, Consumer Protection Law

The topics to be covered are:

1. Introduction (the 'consumer' concept and some policy factors leading to consumer protection developments);
2. Outline of terms implied in contracts for the supply of goods and services to consumers;
3. Judicial and legislative control of exclusion clauses;
4. Unconscionable and unfair contracts (control under the general law and by statute);
5. The control of unfair contracts — a comparative viewpoint;
6. The liability of manufacturers:
   • the general law;
   • statutory liability of manufacturers to consumers (particularly under Trade Practices Act 1974 (Cth), Part V, Division 2A);
   • strict products liability (Trade Practices Act Part VA, with special reference to the EC Directive on products liability);
7. Product safety regulation (especially Trade Practices Act, Part V, Division 1A, with reference to the EC Directive on general product safety);
8. Consumer access to redress.
Contemporary Crime Issues  6 credit points

(Lecturer to be advised)

The unit will focus on the application of theory and policy analysis to a range of crime related issues of topical concern. The unit will pay particular attention to the differential distribution of crime across social groups (gender, race, ethnicity, class etc), both for victims and offenders, and the consequences of such a distribution for theory and policy. The unit will also examine media constructions of crime and criminal justice policy.

Controlled Foreign Companies, Foreign Investment Funds and Transferor Trusts  6 credit points

[Not offered in Sydney in 1998] Mr Burns and part-time lecturers
Assessment exam (70%), classwork (30%)

The unit provides an up-to-date account of the taxation of Australian residents in respect of their interest in foreign entities under the controlled foreign company, foreign investment fund and transferor trust regimes. This area of Australia's international tax arrangements has undergone dramatic reform over the last five years. The unit will critically examine the policy underlying the reforms and undertake a comprehensive review of the detail of the rules, including comparative analysis with similar rules in other jurisdictions. The unit will evaluate whether the rules effectively achieve their policy objectives, whether they are susceptible to tax planning and what their effects are on compliance, including compliance costs.

Topics examined will include:
1. Introduction and Background
   - history and policy of Australia's taxation of residents in respect of their interests in foreign entities
2. Controlled Foreign Companies
   - control/substantial shareholder rules; designated jurisdictions
   - active income test
   - calculation of attributable income
   - taxation of dividends
   - attribution accounts and other records
3. Foreign Trusts
   - overview/general principles
   - foreign discretionary trusts
   - collective investment vehicles
4. Foreign Investment Funds
   - overview/exemptions
   - calculation of FTF income
   - distributions; attribution accounts and other records
5. Interaction among the Offshore Regimes
   - interactions

Corporate Fundraising (Seminar)  6 credit points

Coordinator Dr Austin, Mr Phillips and others
Assessment open book exam

This unit will involve detailed study of the prospectus provisions and other requirements of Pt 7.12 of the Corporations Law, with emphasis on their application to the offer of company shares for subscription or sale. Attention will be paid to additional relevant legal requirements, for initial public offerings and other raisings, such as those under the Corporations Law and the ASX Listings Rules.

Corporate Taxation  6 credit points

Prof. Vann, Dr Harris, Mr Ferrier
Assessment exam or research essay (70%), class work (30%)

The unit consists of a detailed examination of the tax rules applied to companies and shareholders in a domestic setting in Australia. The goals of the unit are to develop an understanding of the policies, detailed rules and current practical problems involved in the taxation of companies and shareholders and to explore why different solutions are used for these entities as compared to partnerships and trusts. Upon successful completion of this unit a student should have an advanced understanding of the policies underlying Australia's corporate tax system, as well as a detailed knowledge of technical detail of the rules for the taxation of companies and their shareholders in Australia. (Note that international issues and taxation of other entities are covered in other units.)

Topics to be covered are:
1. The policy and problems of taxing companies and shareholders;
2. Incorporation, reorganisation, continuation and growing companies;
3. Taxation of company distributions and dealings with interests in companies, including liquidations and share repurchases;
4. Imputation, including dividends passing through partnerships and trusts;
5. Intercorporate dividends and debt equity classification, divided stripping, redeemable preference shares, asset revaluation dividends, scrip lending, equity swaps and convertible notes;
6. Value shifting.

Crime Control  6 credit points

Dr Wilczynski
Classes Sem 2

This unit investigates various social control perspectives which are particularly directed against crime. Authority structures, control mechanisms and processes of decision making will be critically examined with reference to the development of crime control strategies. Crime control will be analysed and located within wider visions of social control and criminal justice. Crime control prevention and the role of the media in crime control will also be addressed.

Crime Research and Policy I  6 credit points

Assoc. Prof. Stubbs
Assessment one 3hr exam (40%), one 3000w essay (40%), one seminar paper (20%)

This unit provides an introductory yet detailed examination of research methods in the context of criminology. The relationship between theory and methodology is explored. Sources and forms of crime data are discussed and their significance is assessed. Research design, research applications and elementary statistics are also studied.

Crime Research and Policy II  6 credit points

Assoc. Prof. Stubbs
Pre-req Crime, Research and Policy I
Assessment one take-home exam (50%), one 5000w essay (50%)

This unit has as its focus a critical analysis of the production of knowledge within the social sciences, and in criminal justice. It examines how 'problems' come to be constituted as subject to criminal justice intervention. Students are required to apply research skills to policy problems in order to appreciate the limitations and potential of any methodology. The relationship (or lack thereof) between crime control policy and research will be explored against the wider background of social policy.
Criminal Liability

Mr McKillop

Assessment 2hr exam (60%), 3000w essay (40%)

This unit canvasses the ways in which criminal liability is established, and the central factors governing liability. General principles of criminal law, constituent elements of particular offences and the definition of a range of defences are analysed from theoretical and practical perspectives.

Criminal Procedures

Mr McKillop

Assessment 2.5hr exam (60%), 3,000w essay (40%)

This unit examines the main pre-trial and trial procedures in our criminal justice system. It looks at the roles of the principal participants in the system: the police, the prosecutor, the accused, the victim, the judiciary and the jury. The focus of the unit will be the system in New South Wales, but comparisons will be made from the beginning with Continental European criminal justice systems. A persistent concern of the unit will be how the balance between law enforcement and human rights is being struck and how it ought to be struck.

Criminalisation

(Lecturer to be advised)

Assessment one exam, one 3000w essay

This unit introduces the relationship between crime and the institutional process, paying special attention to the definition of crime and its applications. The position of criminal law within Australian society will be examined. Issues such as form versus content of the law, legal language and the symbolic dimensions of the criminal law are canvassed in the context of various crime topics.

Customs Law

[Not offered in 1998]

The unit covers the major aspects of Australian customs law and regulation. The first part of the unit provides an overview of the role of customs law as a means of international trade for the regulation of trade at nation's borders. The discussion focuses on the major international organisations that are involved in the formulation of international standards in the customs area and on the basic international principles that have evolved.

The unit examines the principal Australian laws regulating imports and exports, and provides an overview of the legal basis in Australian law of customs regulation and the principal government bodies with regulatory authority in this area.

This unit also examines in some detail the major issues arising under the addresses in Australian Customs Law. These include issues in the regulation and assessment of duties on imports into Australia as well as issues in the regulation of exports from Australia. Issues to be examined with respect to regulation of imports include the system of tariffs, tariff concessions, rules of origin, customs valuation and antidumping and countervailing duties.

Export related issues include the system of export licensing, controls over exports generally and the use of special controls for national security and other purposes.

The final section of the unit examines the administrative and enforcement powers of the Australian Customs Service, the litigation and appeal processes and the use of customs penalties to counter violations of the customs law.

Debt Financing

Coordinator Ms Haskew

This unit will be taught by a number of practitioners expert in their fields

Assessment one 2hr exam or 4500w essay, classwork

This unit concentrates on the debt side of corporate finance, with a particular emphasis on security and enforcement rights. Topics include:

- introduction to finance documentation;
- company charges;
- financial covenants;
- the lender/trustee relationship;
- negative pledges;
- guarantees and third party securities;
- subordinated debt;
- set-off;
- aspects of liquidation, receivership, voluntary administration, schemes and debt/equity swaps.

Discrimination in the Workplace

Ms MacDermott

Classes Sem 1 Intensive

Assessment choice of one 4000w essay and an exam or a research paper

This unit will examine discrimination issues that are relevant to the workplace. It is intended to give an overview of theoretical perspectives on equality and discrimination, the substance of employment discrimination issues and the institutional processes of antidiscrimination enforcement. Specific topics to be discussed include: disability discrimination, HIV-Aids discrimination, sexual harassment and occupational health and safety and reproductive hazards in the workplace.

Dispute Resolution in Australia

Prof. Astor

Assessment research essay 3,000w (50%), take-home exam (50%)

Dispute Resolution in Australia will provide students with solid foundation of doctrine, practice, policy and theory about 'alternative' dispute resolution (ADR). The range of ADR procedures and their current use in a broad range of areas of law in Australia will be examined. The reasons for the present resurgence of interest in dispute resolution will be considered, as well as the question "Who benefits from these developments?" The unit will have a strong theoretical and critical component. The use of ADR will be considered particularly in relation to areas of doctrine in which there are specialist postgraduate programs at Sydney Law School. The unit will therefore be of relevance to a broad range of postgraduate students, and should appeal to those who wish to gain an overview of theory and practice in relation to dispute resolution. This is not a 'skills' unit and students will not be 'trained' as negotiators or mediators. However it will assist practitioners to evaluate and advise clients about the utility (or otherwise) or various dispute resolution techniques, to brief clients who participate, and to be effective participants themselves in ADR procedures.

Drugs, Drug Policy and the Law

Prof. Carney

Assessment one research paper (65%), one take home examination (25%), class participation 10% (Separate weightings for diplomas)

This unit deals with the law relating to drug control policies in Australia, both at State and Federal levels (including international treaties).
Background material on the nature and incidence of drug use, pharmacological and medical issues, as well as philosophic, economic, criminological and public policy literature will be considered where relevant.

The unit covers substantive topics from criminal law, civil treatment and welfare law. Topics to be covered will include:

1. The context:
   - History of drug policy;
   - State/Federal division of responsibility;
   - Nature and incidence of use of substances;
   - International and domestic policy constraints and debates.

2. The law enforcement elements:
   - Detection of drug offences, special powers;
   - Investigation, prosecution;
   - Elements of drug offences—
     - possession/use;
     - trading;
     - cultivation, manufacture,
   - importation;
   - Sentencing options/directives;
   - Sentencing characterisation of levels;
   - Confiscation of assets.

3. Civil treatment:
   - The history of civil commitment;
   - The civil commitment model;
   - A public health (detoxification) model;
   - Non-legislative options.

4. Generic welfare measures:
   - Income support;
   - Accommodation;
   - Health services.

5. Overview/summary:
   - Options and directions for change.

Environmental Dispute Resolution

Mr Preston, Ms Lyster

Quota 26

Assessment Class participation (20%); Research Essay (80%); or Research Essay (100%)

This unit aims to explore the nature of environmental disputes and the means of resolving those disputes. The means examined include adjudicative processes such as judicial review, administrative appeals and public inquiries and non-adjudicative or consensual means such as mediation. Critical evaluation of the forms and limits of dispute resolution strategies, including appropriateness of each means in resolving different types of environmental disputes, will be pursued. The unit will involve the use of innovative teaching techniques. Lectures will be alternated with small group workshops, mediation simulations and a mock court-hearing. In addition to the unit lecturers, there will be guest lecturers including (subject to availability) a Land and Environment Court judge, Commissioner of Inquiry, Senior Counsel and a trained mediator from the Land and Environment Court. Participation in the practical exercises is a compulsory condition of the unit. The unit is normally offered in an intensive format.
Equity Financing  
**6 credit points**

**Coordinator**: Ms Haskew

This unit will be taught by a number of practitioners expert in their fields. 

**Assessment**: one 2hr exam or 4500w essay, classwork

This unit focuses on equity fund-raising, and in particular on the company law aspects of corporate finance. Please note that equity fund-raising by prospectus is covered in Securities Regulation. Topics include:

- the role of auditors in corporate finance;
- accounts, dividends and the share premium account;
- preference shares;
- repurchase and redemption of shares, and reduction of capital;
- financial assistance;
- regulated financial transactions;
- corporate reconstruction;
- incorporated and unincorporated joint ventures; and
- aspects of international corporate finance.

European Union Law I (Jurisprudence)  
**6 credit points**

**Prof. Doecker - Mach**

This unit offers graduates who are, for academic, business or professional reasons, interested in the law of the European Communities an opportunity to gain familiarity with the business, constitutional and administrative law of the European Communities. The unit will try to formulate the basic philosophical interpretation Europeans employ when analysing community law, seeing law as a social instrument to foster certain freedoms which have been to a great extent suppressed by nation States even as members of the European community.

European Union Law II (Jurisprudence)  
**6 credit points**

**Assessment**: one take-home exam, one 3000w essay, classwork

This unit is designed to introduce students to the operation of the legal system of the European Community under the umbrella of the European Union. The Union is the largest component of the European Community. The Union is one of the world's largest trading blocs and one of Australia's most important trading partners. With the unification of Europe and the increasing globalisation of law, developments in European Community law already have a real impact on law in Australia and in the international arena generally. As we move into the twenty-first century, this impact will increase. It is important that lawyers in Australia, both practising and non-practising, have a basic understanding of the legal structure of the European Union and of Community law.

Students will be expected to read decisions of the European Court of Justice both in order to understand the Court's policy and to gain familiarity with civil legal methods.

Explaining Crime  
**6 credit points**

(Lecturer to be advised)

**Assessment**: one 2hr exam, one 2000w essay, classwork

This unit examines the relevance of theory to the process of explaining crime as a social phenomenon. It will selectively analyse the history of criminological thought. Special attention will be given to the cross-disciplinary nature of efforts to understand crime, criminality, and their causes. A significant section of the unit will deal with contemporary approaches to criminological explanation including the influence of feminism and postmodernism. Contemporary theorists such as Foucault, Garland and Braithwaite will also be considered. The unit will endeavour to make explicit the links between criminological theory and the development of public policy.

Family Law  
**6 credit points**

**Assoc Prof. Parkinsson**

The focus of the unit will be upon aspects of the law of family property and the law concerning children. The topics usually include the following:

1. **Property Law**
   - The economic consequences of marriage breakdown;
   - The Family Law Act and bankruptcy;
   - Judicial discretion under the De Facto Relationships Act;
   - Setting aside property orders;
   - The Child Support scheme: Departure and substitution orders;
   - Family law and discretionary trusts.

2. **Children and Family Law**
   - Parental responsibility and children's rights;
   - Alternatives to the best interests of the child test;
   - Domestic violence and children;
   - Child abuse allegations in family law proceedings;
   - Mediation in disputes about children.

Feminist Legal Theory and Practice  
**6 credit points**

**Prof. Graycar**

**Assessment**: research paper (70%), class participation (15%), abstract and bibliography prior to approval of research paper topic (15%)

This unit aims to familiarise students with some of the central debates in recent feminist legal theory. More specifically, it is aimed at assisting students to relate feminist legal theory to current issues in Australian law and, in particular, to issues in practice. Issues to be covered include central theoretical concerns such as the meaning of ‘equality’, the role of distinctions such as the public/private in perpetuating the subordination of women through law; intersectionality of oppressions (the connections between issues of gender, race, class, sexuality etc.); and epistemological and methodological concerns. The unit will also introduce students to cross doctrinal approaches to the resolution of legal problems (ie, eschewing the traditional boundaries of tort, crime, contract etc.). Topics to be addressed in detail might include the role of law in regulating women’s sexuality and reproduction; legal responses to women's work; and injuries to women as gendered harms. A particular emphasis will be placed on the possibilities of feminist engagement with law: these will include examination of law reform strategies; litigation strategies; and questions about the value of increased participation of women as judges and other decisionmakers.

Forensic Psychiatry  
**6 credit points**

**Dr Shea**

**Assessment**: one 2hr exam, one 2000w essay

This unit explores the relevance of psychiatry for criminology. Specific consideration is given to the language of psychiatry, the psychiatric assessment and the way it is used in court, and the relationship between psychiatric illness and criminal behaviour.

Freedom of Speech and Freedom of Religion  
**6 credit points**

**Prof. Sadurski**

**Assessment**: oral presentation of the main issues related to a class topic (20%), participation in class discussion (20%); 5000w essay (60%)

The purpose of this unit is to examine the principal philosophical issues in the constitutional protection of freedom of speech and freedom of religion — two freedoms traditionally considered as the paramount individual liberties in a liberal-democratic state. The emphasis will be on theoretical assumptions, arguments and justifications; the
The following issues will be discussed in the segment of the unit related to freedom of speech: the meaning of ‘speech’ (as compared to other forms of expressive conduct) for the purposes of constitutional protection; various rationales for special protection of freedom of speech; the conceptual structure of the free speech principle (in particular: the idea of viewpoint neutralist of legal restrictions); examination of theoretical arguments in suppressing defamatory speech, pornography, racial vilification, incitement to violence, harmful or false advertising etc; freedom of speech in Cyberspace; freedom of the press; contempt of court; copyright and freedom of speech.

The part of the unit concerning freedom of religion will examine the meaning of ‘religion’ for the purposes of constitutional protection, and the relationship between the principle of non-establishment of religion by the state and the principle of free religious expression.

The unit will follow a seminar format with the emphasis on presentation of student papers and class discussion of unit materials.

Health Care and Professional Liability  
6 credit points

Dr Bennett

This unit examines the legal issues relating to professional liability in Health Care. Areas to be addressed include: principles of negligence and their application to the liability of health professionals; other forms of liability including contractual liability and breach of fiduciary duties; liability of hospitals (both direct liability and vicarious liability for the acts of employees); procedures for complaints against health professionals; and disciplinary proceedings. Proposals for reform of professional liability, including no-fault compensation, will also be evaluated.

Heritage Law  
6 credit points

Prof. Boer

Assessment one research paper (50%), one problem assignment (50%)

[Not offered in 1998]

This unit focuses on the conservation of natural and cultural heritage, including intangible heritage and underwater heritage, with a special emphasis on Australian Aboriginal heritage. The World Heritage Convention and its implications for Australia are examined and various case studies are used. National, state and local legislative regimes for heritage conservation are looked at and put into the context of broader environmental decision making.

The unit aims to bring together a range of interdisciplinary strands, in archaeology, anthropology, cultural and natural history, art, architecture and urban planning, and to weave them into a framework for the legal protection of world, national, state and local heritage. It includes a Sydney-based field trip component. Small group teaching techniques are used throughout the semester.

Income Tax Law of the EC (Seminar)  
6 credit points

Prof. Vanistendael

Assessment one take home exam or research essay (80%), classwork (20%)

[Not offered in 1998]

This seminar deals with the political, institutional and technical problems that arise from European tax harmonisation. It also deals with the problem of how national trends in tax reform interfere with European tax harmonisation. Particular attention is paid to institutional problems and the choice between political and economic harmonisation. Important tax cases of the European Court of Justice are discussed. The unit will conduct this examination through a close attention to the corporate income tax (mechanisms for the avoidance of double taxation, cross border mergers and acquisitions, harmonisation of taxbase), and taxes on investment income (withholding tax, harmonisation of reporting requirements). Comparisons with the Closer Economic Relations with New Zealand and APEC will also be made.

Topics covered will include:
1. The Basic Legal Structure of the European Community
   • The Treaty of Rome
   • the institutions of the European Community
   • the instruments of communitarian decision making
   • the basic rights of the Community and the internal market
2. The Economic and Legal Framework
   • legal and economic convergence
   • treaty requirements
3. The Cases of the Court of Justice
   • unequal treatment or protection of national market by various forms of taxation
   • discriminatory treatment
4. The Limits of the Court of Justice
5. Problems of Tax Harmonisation in the Community

- basic policy issues on harmonisation
- harmonisation of corporate income tax, withholding tax and taxation of cross border flows of income in the income tax

**Income Transfer Payments Law** 6 credit points

Prof. Camey

Assessment: one research paper (65%), one take home examination (25%), class participation (10%)

This unit will review the principles and concepts of the law of income security payments in Australia. It covers all the major transfer schemes which provide for pensions, benefits, allowances or fringe benefits. The relationship between income transfer and income taxation, and the intersection with schemes of common law or statutory compensation will be examined. The course will also cover the principles of the law relating to the operation of income and assets test (including 'expenditure tests'), and their relationship with superannuation and retirement income policies. Payments under bilateral international agreement, the portability of Australian payments overseas, the effect of foreign income, and special rules for calculating rates whereperson has not been a resident for a sufficient period will be studied, together with rules about debt recovery and administrative review disputes.

**Information Rights in Health Care** 6 credit points

Dr Bennett

This unit deals with the rights to information in the modern health care system. The unit will focus on consent to treatment and will include discussion of: capacity, the duty of health professionals to disclose the risks of treatment, refusal of treatment, and emergency health care. The unit will also examine duties of confidentiality in health care, as well as ownership of and access to medical records.

**International Business Law** 6 credit points

The unit is designed to introduce students to the private law aspects of international business. The unit covers issues relating to international sale of goods, risk allocation, sales financing and payment systems, conflict of laws, and the resolution of disputes through international commercial arbitration.

Students shall be required to read and research literature on international business; and active student participation in classes is mandatory.

**International Commercial Arbitration** 6 credit points

Dr Chukwunwumerje

The purpose of the unit is to introduce students to international commercial arbitration which is increasingly becoming one of the preferred methods of resolving international commercial disputes. The unit will examine the methodology of international arbitration, the conduct of arbitration proceedings, the challenge of arbitration awards, and the procedure for the recognition and enforcement of arbitral awards. The unit will also consider how arbitrators deal with the tension between fidelity to party autonomy and the need to respect vital juridical interests.

**International Environmental Law** 6 credit points

Assoc. Prof. Rothwell

Assessment: essay (80%), class participation (20%)

This unit aims to provide students with an overview of the development of international environmental law throughout the twentieth century. Attention will primarily be devoted to the international law and policy responses to global and regional environmental and resource management issues. Students will be assumed to have some understanding of global environmental issues such as climate change and depletion of biodiversity. Basic principles of international environmental law are assessed prior to undertaking a sectoral analysis of discrete areas such as marine pollution and species protection. The unit does not have a particular Australian focus, though relevant Australian laws will be referred to. The focus is rather be the international situation, assessing the law and policy which has been applied to deal with environmental problems in an international and transboundary context. The unit is normally offered in an intensive format.

**International Law and the Use of Armed Force** 6 credit points

The purpose of the unit is to survey and analyse the principles of customary international law, and the rules of conventional law, which apply in the case of armed conflict between states. Attention too will be given to internal armed conflict. The role of the United Nations in preventive diplomacy, peace-keeping, peace enforcement, and in the authorisation of the use of collective armed force will be included. Special emphasis will be laid on those principles and rules which limit the methods and means of combat, international humanitarian law, and the conduct of armed conflict at sea. Case studies of the situations in the former Yugoslavia, the Gulf War 1990-91, Cambodia, and Somalia, will be used by way of contemporary illustration.

**International Trade Regulation** 6 credit points

The unit is intended to introduce students to the contemporary policy and legal issues in international trade. The unit begins with an examination of the concept of free trade and the international structures that have been created to foster the liberalisation of international trade. It then focuses on the law and practice of the World Trade Organisation (WTO). Topics to be covered include the principles of non-discrimination in the WTO, regulation of unfair trade, safeguard measures, regional trading blocs, trade in services, trade-related investment measures, trade and the environment, and dispute resolution under the WTO.

**International Transport Law** 6 credit points

The unit will deal with the Australian law governing rights and duties between passengers and shippers of cargo, on the one hand, and carriers transporting persons and goods internationally by air or by sea, on the other.

The unit will survey the growth of international conventions and organisations that have helped shape the law relating to maritime and air transport (including multimodal transport) and their present implementation in Australian law.

The section of the unit on transport by sea will include jurisdiction with respect to ships, crimes in relation to ships, bills of lading and the contract of carriage, the Hague-Visby Rules, the Hamburg Rules, and the Carriage of Goods by Sea Act, 1991 (Cth).

The unit will conclude with a brief survey of dispute settlement options in relation to international transport.

**Issues in the Law of Copyright** 6 credit points

When students enrol in this unit they should have either completed an introductory unit in intellectual property covering copyright and related fields at the undergraduate level; or they should read selected books and articles as an introduction to the subject.

The unit will explore a series of issues of interest within the field of copyright including: underlying justifications for the type of protection provided in Australian law; ‘droits morals’; and related authors’ rights; cultural analysis of copyright as the legal protection of particular forms
of expression; peculiar problems with artists' rights; folklore, particularly with reference to Aboriginal culture; future developments in the law of copyright. The emphasis will be on theoretical rather than black letter law issues.

The unit will attempt to discuss a series of controversial or complex issues within the law of copyright at a reasonably high level of analysis. Students will be expected to read materials on a weekly basis. The focus will be on exploring the implications within this area of law and will assume a reasonably well-informed level of student participation.

Some economic, practice-oriented or black letter areas will be looked at, but always in the broader context of the development of the law within Australia and the international community.

**Assessment**
- One 4,000w essay, class participation, 2 hr exam

**Purpose**
- Introduce Master of Labour Law and Relations degree

**Future of labour law**

Labour law is a specific emphasis on NSW in terms of understanding the operation and class. The broader political determinants surrounding the operation of a particular system, however reference is frequently made to the wider Australian and international context. The course analyses the historical development of a separate system of juvenile justice and the system of ideas about juvenile delinquency as distinct entities separable from broader notions of criminality and criminal justice. The course also analyses the contemporary nature of juvenile crime and specific issues in relation to policing, community-based corrections and detention centres.

Social relations which mediate between the juvenile justice system and young people will be investigated through a focus on gender, 'race' and class. The broader political determinants surrounding the operation of the juvenile justice system and moral panics in relation to juvenile offending will also be examined. The course aims to develop a critical understanding of the link between theory and juvenile justice policy, and to develop an appreciation of the multi-disciplinary nature of criminological explanation.

**Assessment**
- Assessment one 7,500w essay (100%); or two 3,750w essays (100%)

This unit provides a specialised and thematic account of judicial review as one means for making the executive branch of government accountable. It aims to develop an understanding of trends reflected in prior Australian regulating, standing to seek review, excess of power and abuse of power, and procedural fairness. A critical evaluation of the policy choices which account for development of common law principles is encouraged. The procedures and remedial powers available under statutes which reform the procedure for gaining judicial review are examined and judicial and administrative procedure are compared.

A consistent theme is the development of a critical appreciation of the proper relationship between the judicial and executive branches of government.

This unit is recommended for candidates in the Master of Administrative Law and Policy.

**Juvenile Justice**

Mr Cunneen

**Assessment**
- One 4,500w essay, one take-home exam, one class presentation

The course aims to provide a broad overview of the functioning of the juvenile justice system and its relationship to juvenile offending. There is a specific emphasis on NSW in terms of understanding the operation of a particular system, however reference is frequently made to the wider Australian and international context. The course analyses the historical development of a separate system of juvenile justice and the system of ideas about juvenile delinquency as distinct entities separable from broader notions of criminality and criminal justice. The course also analyses the contemporary nature of juvenile crime and specific issues in relation to policing, community-based corrections and detention centres.

Social relations which mediate between the juvenile justice system and young people will be investigated through a focus on gender, 'race' and class. The broader political determinants surrounding the operation of the juvenile justice system and moral panics in relation to juvenile offending will also be examined. The course aims to develop a critical understanding of the link between theory and juvenile justice policy, and to develop an appreciation of the multi-disciplinary nature of criminological explanation.

**Labour Law**

Ms MacDermott

**Classes Sent 1**

**Assessment**
- One 4,000w essay, class participation, 2 hr exam

This unit of study is not available for Master of Laws students. Its purpose is to introduce Master of Labour Law and Relations degree candidates to the principles of labour law. It is a 'perspectives' unit of study, in the sense that it seeks to introduce students to the principles which underpin labour law. There is an examination of the rule and the future of labour law in this country. The sources of labour law are examined, and these include the common law, statutes, awards and agreements and international conventions. There is an overview of the employment contract and employment termination. Australian labour deregulation is examined, along with the history and present functions of constitutional issues and of federal and State enterprise bargaining and agreement-making. The unit concludes with a brief examination of the laws on industrial conflict.

**Assessment**
- One 7,500w essay (100%); or two 3,750w essays (100%)

This unit deals with the law which is of special concern to aged and disabled people (such as younger people who are victims of brain trauma, intellectual disadvantage or premature ageing). Aged and disabled people are arising proportion of the population, and will soon comprise one in four Australians. They have special (but distinctive) needs: for income, health care, substitute decision-making and investment/retirement planning, or assistance to participate fully in society. The law in these areas has close connections with other disciplines (social work, disability services and gerontology, investment advisers, etc.). Society is making increasing demands on lawyers to provide advice on the range of legal issues confronting aged and disabled people. This unit caters to that need.

**Topics to be covered will include:**

1. **Context for the law:**
   - Demography and trends;
   - Socio-medical characteristics of ageing/impairment;
   - Ethical context of ageing and disadvantage;
   - The pattern of laws and services.

2. **Income security:**
   - Age pensions: the basic framework;
   - Assets testing;
   - Investment income.

3. **Private planning of property/income:**
   - Powers of attorney, enduring powers, warranty provisions;
   - Wills/succession;
   - Superannuation treatment/retirement incomes policies.

4. **Private planning of services:**
   - Special accommodation houses;
   - Retirement villages;
   - Hostels and nursing homes;
   - Disability services (State);
   - Disability services (Commonwealth).

5. **Public accountability:**
   - Community visitors/advocacy;
   - Statutory watch-dog agencies (e.g. Office of Public Advocate);
   - Guardianship and Administration Boards;
   - Securing legal rights to services (e.g. Disability Review tribunals in California and Victoria).

**Law and Legal Culture in Asia and the Pacific**

**Jurisprudence**

Prof. Tay

**Assessment**
- One research paper (65%), one take-home examination (25%) class participation (10%)

This unit focuses on tensions between traditional societies and their social and legal or formal institutions on the one hand and modernising societies and the new social institutions created and developed to meet contemporary needs and values. The class will be asked to examine the characteristics of traditional societies and the institutions, both formal and informal, that are used to help maintain social order and resolve disputes, the conditions under which both society and institutions change and their circumstances leading to the creation of new institutions and the rise of different sets of values. They will then look at how the new institutions and ways of doing things work, question their efficacy and analyse the tensions between the old and new. The class will ask under what conditions would new institutions be successful? What circumstances or conditions mitigate against the success of new institutions and ways of doing things? How are the old adapted to the new and how does the old govern the new? etc.

The societies that the class will consider are, in the first instance, China, Vietnam, Burma, Singapore and Malaysia, the Philippines, Sri Lanka.
If time permits and the knowledge required prevails students may indicate any special society they would like to consider; they may also offer to present papers on those societies.

Law and Society in Indonesia

Dr JBall

Assessment exam or research essay (70%), classwork (30%)

The unit aims to provide students with:
1. an introduction to the legal system of Indonesia, a country with which Australia has maintained a close relationship and with which increasing economic and cultural links may be expected in the future;
2. an opportunity, through the assessment regime, of acquiring a more detailed understanding of an area of Indonesian law of the student's own choosing; and
3. some general insights into the nature of Islamic law, as Indonesia has the world's largest population of Muslims.

Topics to be covered include Indonesian legal history to 1945; political, social and economic developments since independence; the 'struggle for national law' with particular reference to land law, family law, inheritance law and the law of contract; the roles of 'adat' law (customary law) and Islamic law in Indonesia; and constitutional and legal institutions, with particular reference to courts, lawyers and the administration of justice.

The unit requires no prior knowledge of Indonesian or of any foreign language. Students will find a wealth of material in English on the Indonesian legal system in John Ball, Indonesian Law at the Crossroads: Commentary and Materials, 1996 and John Ball, Bibliography of Material on Indonesian Law in the English Language, 5th edition, 1996.

Law and Business in Indonesia

Dr JBall

Assessment exam or research essay (70%), classwork (30%)

The unit aims to provide students with an introduction to areas of Indonesian law which are of special interest to Australian or foreign companies investing in or trading with or in Indonesia. These include investment law; corporate law; taxation law; intellectual property law; labour law; credit and security law; banking law; conflict of laws; commercial dispute resolution; the Timor Gap treaty; telecommunication law; mining law; and environmental law.

The unit requires no prior knowledge of Indonesia or of any foreign language. Students will find a wealth of material in English on the Indonesian legal system in John Ball, Indonesian Law at the Crossroads: Commentary and Materials, 1996 and John Ball, Bibliography of Material on Indonesian Law in the English Language, 5th edition, 1996.

Law and Popular Culture

Ms Karpin

Assessment research essay and class participation

This unit begins by interrogating the apparently self-evident distinction between law and popular culture. The aim of the unit will be to explore how legal ideas, law, lawyers and legal institutions are circulated through popular cultural images and vice versa. In this unit the focus will be on particular popular cultural sites such as television, cinema, and the print media. This unit will be approached from three perspectives.

The first will consider the way popular cultural representations of the law play a part in developing and disseminating an understanding of the law. The second will look at how certain legal institutions are permeated by the grammar of popular culture. Here we will look at the classic instance of the star on trial but also at the capacity of the trial to generate celebrity status. The third perspective will explore the role of media technologies in the emergence of what might be called 'pop justice'.

Law of the Sea

Prof. Shearer, Assoc. Prof. Rothwell

Assessment essay (60%), take-home exam (40%)

This unit reviews the major areas of the law of the sea in the 1982 UN Convention on the Law of the Sea, additional international conventions and agreements, and current state practice. Each of the major maritime zones are assessed in addition to a specific review of sectoral issues such as navigation rights, and the marine environment. Appropriate reference will be made to Australian law and practice.

Students who previously completed Maritime Law are not permitted to enrol in the unit.

Legal Education

6 credit points

The unit covers the following topics:
1. Conceiving and reconceiving legal education;
2. Teaching techniques in Law School: from Socrates to Communalism;
3. Theories of learning and techniques of teaching;
4. Observation and analysis;
5. New directions in legal education I: law and economics;
6. New directions in legal education II: critical legal studies;
7. New directions in legal education III: feminist legal theory;
8. The human, non-adversarial/non-litigiousion dimensions of law;
9. Institutional constraints on good teaching;
10. What is legal scholarship; and
11. Law for non-lawyers.

One weekly (two hour) session is devoted to each of the above topics and one additional session is reserved for a topic (or topics) selected by the class during the unit.

Legal Issues in Health Care and Technology

6 credit points

Ms Isabel Karpin

Assessment essay (80%), class paper (20%)

This unit deals with topical issues in the area of health law and ethics. The unit content will change as new issues arise in this rapidly developing area. Initially the unit will focus on the following: law and genetics including an examination of the legal implications of mapping the human genome, genetic discrimination and the legal uses of genetic information; euthanasia including recent debates surrounding its legalisation in some states; newborns with disabilities, organ donation and living wills. The unit will consider the impact of new technologies and the adequacy of existing legal and ethical responses. In particular we will explore whether existing legal paradigms such as property, tort and contract law provide a framework for addressing the new concerns that arise.

Legal Research I

6 credit points

Prof. Carney

Assessment one essay 4,000-6,000w (60%), one critical analysis of another student's research strategy essay (30%), class participation 10%

The primary goal of this unit is to develop skills in undertaking a significant piece of legal research at levels of sophistication suitable for examination (in case of thesis candidates), and/or publication. At the conclusion of the unit it is anticipated that members of the class will be able to conceptualise the issues to be researched; will be able to locate relevant legal and other materials (using both hard copy and electronic bibliographic aids); will be able to place and sustain an argument (a 'thesis'); and will be able to assess both the quality of that work and to judge the merits of other approaches to planning such research.
It is expected that students will become familiar with using comparative materials (both within the federation and international), and will gain a working familiarity with relevant research techniques of other disciplines in the social sciences. The unit aims to encourage debate about the respective merits of different approaches, ethical issues, and the hallmarks of 'quality' research.

Legal Research II

Prof. Carney, Prof. Vann
Assessment preparation of an approved ‘foundation chapter’ (70%), class participation (30%)
The unit will cover the following topics:
- higher degree research: students, supervisors and the faculty
- refining your thesis: lessons from the strategy
- developing/locating your thesis: lessons from the strategy
- comparative law techniques
- using international law materials
- using historical materials/methods
- conceptualising and researching the law in action
- narratives, interviews, case-studies and other ‘selective’ forms of analysis
- quantitative research methods: common pitfalls
- quantitative research methods: forms of presentation and analysis
- current problems in research and presentation
- current problems
- overview and review

Legal Research III

Prof. Graycar, Prof. Carney, Prof. Vann
This unit will be taken under the supervision of one or more of the staff. While it will be tailored to the needs of the particular students, in consultation with their supervisors, it will usually be satisfied by the presentation of a seminar as part of the postgraduate student's work in progress Seminars. The seminar presentation is designed to focus on and informal exposition of the central argument or ideas in a thesis that is nearing completion.

The student's presentation should take the form of an oral delivery or approximately 40 minutes with the remainder of the time being devoted to discussion, comment and feedback. The seminar will be chaired by the Associate Dean (Research) or nominee, and attended by the student's supervisor and other postgraduate students.

At the completion of the seminar, the student must submit a report to the unit convenor on the process, detailing what the student learned from the formal process of presentation and discussion of their work. There will also be an attendance requirement.

Local Government Law

Ms. Franklin, Mr Dunne
Assessment two 5000w essays or one 10,000w essay
The objectives of this unit are:
- to develop an appreciation of the potential role of local government as a political institution and the potential role of local communities in developing Ecologically Sustainable Development strategies;
- to develop an understanding of the social, economic and managerial trends that have shaped Australian local government and its recent restructuring;
- to develop, with particular reference to N.S.W., a working knowledge of the existing powers and responsibilities of Australian local government — its constitution, organisation and decision-making processes and the avenues of accountability and local government finance.
and Development (OECD) as updated in 1997 (the OECD Model).
The focus will be on current international tax issues and debates (other
than transfer pricing methodologies). In particular the unit examines
the current and recent work of Working Party No 1 on Double taxation
of the OECD Committee on Fiscal Affairs (CPA - the international
committee which makes and interprets the rules of international taxation)
and of Working party No 8 on Tax Avoidance and evasion,
and the tax implications of the global economy.

**Pollution Law**

**6 credit points**

Ms N. Franklin

**Assessment:** two 5,000w essays or one 10,000w essay

This unit examines approaches to pollution prevention and control,
with particular emphasis on regulation and enforcement. Compliance,
deterrence and incentive strategies are evaluated, as is corporate
environmental responsibility and accountability. The unit includes a
study of standards, permitting and land-use controls, administrative
and civil enforcement, prosecution discretion, and criminal and civil
liability. Overarching themes are precaution and prevention, integrated
pollution control, and community-right-to-know and to participate.
The legislative and administrative framework that is studied is that of
New South Wales, although comparisons will be made with other
jurisdictions. The federal dimension, including implementation of the
Intergovernmental Agreement on the Environment, in particular Sch
4, is discussed.

**Protection of the Antarctic Environment**

**6 credit points**

Assoc. Prof. Rothwell

**Assessment:** one essay (80%), class participation (20%)

This unit examines the various international instruments developed
under the 1959 Antarctic Treaty to protect the Antarctic environment
and the surrounding southern oceans. Particular emphasis is given to
the Convention for Conservation of Antarctic Marine Living Resources
1980 and the Madrid Protocol on Antarctic Environmental Protection
1991. Attention is also given to the application of municipal law by
claimant and non-claimant states to their Antarctic personnel concerning
scientific activities which have an environmental impact.
This unit is a specialised unit which will flow on from the unit
International Environmental Law. In aiming to provide a detailed
examination of the regime of legal protection of Antarctica and the
Southern Ocean, the unit will be of particular interest to those working
on the ecological and political issues connected with the exploitation
and conservation of both living and non-living resources.

**Public Sector Policy I**

**6 credit points**

Prof. Apps

**Assessment:** Problem based assignments (20%), 4000w research paper
or two hour exam (60%), and class presentation on selected topic (20%)

The unit outlines the role of government in a market economy and
examines the effects of a range of public sector policies within the
framework of modern welfare economies. The first part of the unit
introduces microeconomics theory and its application in welfare
analysis and policy evaluation. Topics covered include the concept of
competitive markets, the fundamental theorems of welfare economics,
consumer theory, labour supply and intertemporal choice, theory of
the firm, general equilibrium, efficiency and social welfare, economics
of information and uncertainty, market failure and the role of
government, and the theory of second best. The unit also provides an
overview of empirical methodologies used in assessing policy reforms.
Topics in public policy which are examined include the taxation of
income and consumption, selected government expenditure programs,
social security, cost-benefit analysis of public projects, environmental
externalities, user charges and public utility pricing.
The aim of the unit is to provide an understanding of the objectives of
government intervention in the economy and of analytical modelling
approaches and empirical methodologies used in the analysis of the social
and economic effects of policy.

**Public Sector Policy II**

**6 credit points**

Prof. Apps

**Assessment:** problem based assignments (10%), class presentation of
a selected topic (10%) and 5000w research paper (80%)

The unit examines selected public issues within the analytical
framework of modern welfare economics and with reference to the
results of empirical research. Particular attention is given to empirical
evidence on the performance of private markets, the social and
economic effects of market failure, and the need for government
intervention in response to market failure in a wide range of areas.
Topics covered include:
- empirical analysis of reforms to the tax-benefit system;
- economics of uncertainty and information; adverse selection and
  moral hazard;
- social security and social insurance;
- case studies of insurance programs: health and retirement incomes;
- labour market reforms and market failure;
- capital market failure: child care, education and housing as
  case students;
- economics of regulation; and
- agency theory: applications in the economics of corporate
governance and control.

The aim of the unit is to provide an understanding of the objectives of
policy as defined in welfare economics and to encourage the acquisition
of analytical and technical skills in the evaluation of policy reforms.

**Regulation of Collective Investment**

**6 credit points**

This unit studies the regulation of the market for collective investments
in Australia and the main institutions which offer investments in
Australia, namely superannuation schemes, unit trusts and life insurance
linked investment funds.
The unit will introduce the student to the institutions and practices of
the market for collective investments. The unit will then consider some
of the literature from economics and finance which explains the
functions of the market in collective investments, its operation and
why it may require regulation. The rest of the course will be spent
considering the nature of the regulation of collective investment and
its creation, and the most important regulatory techniques adopted e.g.
prudential controls, disclosure, control of business form, and the
regulation of intermediaries.
The unit will give special attention to areas of developing regulatory
policy such as, the convergence of institutions and products offered as
collective investments, the regulation of investment policy, the single
"responsibility entity" debate, and the influence of the federal
government's retirement incomes policy on collective investments.
Although the effects of taxation on the regulation of these institutions
will be mentioned occasionally during the course, there will be no
systematic consideration of tax issues in this course. For this candidates
should consult the course descriptions for Taxation of Superannuation
and Insurance, which is offered by this faculty.

**Reproduction and the Law**

**6 credit points**

Dr Bennett

This unit considers legal issues relating to reproduction. Topics to be
covered in the unit include: wrongful birth, prenatal injury, wrongful
life, abortion, the rights of the foetus, reproductive technology
(including legal regulation, eligibility for treatment, access to
information, research using embryos, surrogacy), sterilisation and
intellectual disability. The unit will aim to situate the legal issues within
their broader social context and reading materials will be
interdisciplinary and comparative in nature. Student participation in
class discussion will be expected.
Restitution for Unjust Enrichment
6 credit points
Ms McDonald

Assessment one compulsory essay worth 25%, one exam

This unit aims to provide students with an opportunity to learn about an important and expanding area of the law of obligations, developed by the courts over the last ten years. The unit analyses the concept of unjust enrichment and the relationship between restitution, equity, contract and tort. The concept of unjust enrichment is now accepted as the unifying basis for the law of restitution. A person is unjustly enriched whenever a benefit is received at the plaintiff's expense in circumstances where the receipt or retention of that benefit is unjust. Relevant circumstances include mistake, duress and other improper pressure, failure of consideration, or the receipt of benefits flowing wrongs such as tort, breach of contract and breaches of fiduciary duties. Both personal and proprietary claims will be considered. The expansion of the law of unjust enrichment has required a principled development of appropriate defences and the operation and availability of defences such as good consideration and change of position will be analysed. Restitution in the particular context of ineffective contracts is the subject of a separate unit following this unit.

Restitution for Ineffective Contracts
6 credit points
Prof. Carter

Prereq Restitution for Unjust Enrichment

Assessment one essay worth 25%, one exam

This unit aims to provide a detailed examination of the concept of unjust enrichment in the context of one of the most important topics in the law of restitution, the receipt of benefits under an ineffective contract. The unit also provides an opportunity for students to develop their understanding of the law of contract and its relationship with the law of restitution: the unit will build on both undergraduate units in contract law and the postgraduate unit in Restitution for Unjust Enrichment. Topics include:
1. Unjust Enrichment;
2. Relevant claims and bases such as quantum meruit, total failure of consideration, acceptance of benefit;
3. Inherently ineffective contracts;
4. Contracts discharged for breach or repudiation;
5. Contracts discharged without breach;
6. Contracts rescinded or set aside;
7. Valuation and adjustment;
8. Defences.

Sentencing and Punishment
6 credit points
Mr Cunneen/Assoc. Prof. Findlay

Classes Sem 2

Assessment one 4,500w essay, one take home exam, classwork

The objective of this unit is to explore punishment and penalty in modern society, particularly through an understanding of the relationship between punishment and social structure and the significance of punishment within the social and political order. The unit will adopt an interdisciplinary approach which draws on history, law, literature, sociology and criminology. Topics which will be covered include women in prison, juvenile imprisonment, inequality and punishment, privatisation, and the impact of law and order politics on punishment.

Social Security Law
12 credit points
Prof. Carney

Assessment one research paper (65%), one take home examination (25%), class participation 10%

[ Not offered in 1998]

This unit assesses the development and operation of the law and policy of the social security system as an instrument of social policy (the redistribution of income and wealth, poverty alleviation, fostering of social integration). It combines policy and legal analysis, built around the Social Security Act 1991 (Cth). The unit of study canvasses material on the nature of poverty and the current and alternative responses to poverty; the operation of social security as it affects particular groups (the unemployed, the ill or disabled, the sole or 'intact' family), and will consider various ways of judging consistency of outcomes, including by reference to 'citizenship theory', 'lifecycle' approaches, and the implications of 'contractualism'. The administration and social impact of the system is an important theme (including the operation of review and appeal systems).

Stamp Duties (Seminar)
6 credit points
Justice D G Hill

Assessment exam (60%), class assignment (40%)

The object of this unit is to consider in detail the application of the stamp duties legislation to various commercial transactions. Particular attention will be paid to the provisions of the current redrafting of the Stamp Duties laws of the Australian States. Upon successful completion of this unit a student should have an advanced understanding of the foundational principles underlying the operation of the State stamp duties laws and detailed knowledge of the application of stamp duties to a variety of common commercial transactions.

The unit will examine the Stamp Duties legislation and the application of the provisions of those acts to various property, contractual and trust situations commonly encountered in practice.

Takeovers and Reconstructions (Seminar)
6 credit points

Coordinator Di Austin, Mr Bednall, Mr Golding, A.G. Hartnell (AM), Mr Jolley

Assessment open book exam

This unit will involve detailed study of the requirements of Chapter 6 of the Corporations Law with respect to the acquisition of company shares, and also selected aspects of the law concerning corporate reconstructions where a change of control is involved (including schemes of arrangement, selective reductions of capital and other forms of compulsory acquisition of minority holdings).

Taxation
The units in taxation for 1998 are:

- Asian Pacific Taxation (Seminar)
- Australian Income Tax System
- Australian International Taxation
- Australian Tax Treaties
- Business Tax Planning (Seminar)
- Comparative International Taxation
- Comparative Corporate Taxation
- Corporate Taxation
- Income Tax Law of the EC (Seminar)
- Income Transfer Payments Law
- Netherlands International Taxation (Seminar)
- Stamp Duties (Seminar)
- Tax Administration
- Taxation and Social Policy
- Taxation of Business and Investment Income
- Taxation of Financial Transactions and Institutions
- Taxation of Partnerships and Trusts
- Taxation of Remuneration
- Transfer Pricing in Taxation

Units are also available through the Consortium of Australian Tax Schools.

Unit descriptions are listed alphabetically.

These units are available in the Master of Laws, Master of Taxation, Doctor of Juridical Studies and Graduate Diploma of Law.
There follows a table of equivalences across subjects since 1990. Where students have undertaken one of the units in a previous form, they cannot take the current equivalent unit again for credit. The numbers in brackets indicate the credit point values of the subjects.

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<td>Taxation Law 1 (2)</td>
<td>Taxation of Advanced Commercial System (2)</td>
<td>Australian Income Tax System (1)</td>
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<td>Taxation Law 2A (1)</td>
<td>taxation of Non-corporate Intermediaries (1)</td>
<td>Taxation of Business and Investment Income (1)</td>
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<td>Taxation Law 2B (1)</td>
<td>Corporate Taxation (1)</td>
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<td>Taxation Law 2C (1)</td>
<td>Taxation of Australian Industry (1)</td>
<td>Taxation of Partnerships &amp; Trusts (1)</td>
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<td>Taxation Law 3 (2)</td>
<td>Taxation of International Transactions (2)</td>
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<td>Sales Tax and State Taxes (2)</td>
<td>Australian Tax Treaties (1)</td>
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<td>Tax Administration</td>
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<td>Mr Burns, Prof. Woellner</td>
<td>6 credit points</td>
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<td>Assessment: exam (70%), classwork (30%)</td>
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<td>The object of this unit is to examine both the theoretical and practical issues which arise in the administration of the Australian tax system, concentrating primarily on the income tax. Wherever relevant, the interaction of these issues of administration with the substantive provisions of the income tax law will be considered. Upon successful completion of this unit a student should have an advanced understanding of the foundational rules underlying the administration of the income tax laws and a detailed knowledge of the application of those laws to a variety of common dealings between taxpayers and the tax administration.</td>
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<td>The following topics will be covered:</td>
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<td>• Examination of the models for administration of the taxation system</td>
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<td>• Determining liability: audit, self assessment, collection of information</td>
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<td>• Dispute resolution: objections, appeals and challenging discretions</td>
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<td>• Collection and recovery, including powers of investigation</td>
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<td>• International tax enforcement</td>
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<td>Taxation and Social Policy</td>
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<td>Prof. Apps</td>
<td>6 credit points</td>
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<td>Assessment: research essay (100%)</td>
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<td>The object of this unit is to examine alternative tax-transfer policies within the analytical framework of modern welfare economics. The aim is to provide an overview of the social objective of taxation and of the tax problem when the design and implementation of policy options are subject to recognised constraints.</td>
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<td>Topics covered include:</td>
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<td>• economic efficiency and incentive effects</td>
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<td>• distributional criteria for tax policy</td>
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<td>• taxation of labour supply, consumption taxes and the taxation of savings</td>
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<td>• the tax rate structure, negative taxation and welfare programs</td>
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<td>• social security and insurance</td>
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<td>• retirement incomes policy</td>
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<td>• optimal taxation and tax reform</td>
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<tr>
<td>Differences between legal concepts of income, the Haig-Simons definition of income and the approach to tax problems in public economics are highlighted.</td>
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Taxation of Financial Institutions and Financial Transactions 6 credit points
Mr Allerdice, Mr O'Donnell, guest lecturers
Assessment exam (70%), classwork (30%)

This unit will analyse the current law on taxation of financial transactions and institutions in Australia. Common forms of innovative financial instruments will be examined including forward and futures contracts, derivatives instruments, various forms of corporate financing including preference share financing, convertible notes and leasing. Domestic and selected withholding tax issues will be examined. The unit will explore in detail impending proposals for the reform of the taxation of financial transactions. The taxation of banks and other financial institutions will also be examined including branches of foreign banks. Upon successful completion of this unit a student should have an advanced understanding of the technical rules underlying the taxation of financial institutions and certain specified financial transactions.

The unit covers:
- characterisation (capital/revenue)
- derivation and incidence
- general principles applicable to financial institutions
- funding and debt related derivatives
- foreign exchange and forex derivatives
- preference share financing
- leasing
- selected withholding tax issues
- branches of foreign banks
- overseas comparisons

Taxation of Partnerships and Trusts 6 credit points
Mr Allerdice
Assessment one 2hr exam (70%), classwork(30%)

The object of this unit is to examine the policy and practical issues that arise in Australia by virtue of the rules for the taxation of income derived through unincorporated entities. The focus is on those entities (and their owners) taxed on a look-through and/or proxy basis, including partnerships, corporate limited partnerships, trusts, unit trusts, deceased estates, corporate unit trusts and public trading trusts. The goals of the unit are to develop a detailed understanding of the policies, technical rules and practical problems involved in the taxation of these arrangements and to explore why different solutions are used for these entities as compared with companies and shareholders. Upon successful completion of this unit a student should have an advanced understanding of the technical rules underlying the taxation of partnerships and trusts in a variety of forms and in a variety of commercial situations.

(Note that international issues raised by partnerships and trusts are considered in Australian International Taxation and in greater detail in the unit Controlled Foreign Companies, Foreign Investment Funds and Transfer Trusts.)

The unit covers:
- the problems of taxing entities
- problems of taxing entities partnerships and trusts contrasted with companies;
- classification of entities for tax purposes;
- taxation of partners;
- taxation of trusts other than unit trusts and their beneficiaries;
- taxation of unit trusts and their beneficiaries
- taxation of limited partnerships.

Taxation of Remuneration 6 credit points
[Not offered in Sydney in 1998]
Mr Allerdice
Assessment one 2 hr exam (70%), classwork (30%)

The object of this unit is to provide an advanced and specialised study of the taxation of employee remuneration and the remuneration of individuals in analagous independent contracting situations. One focus will be on the practices in packaging salaries that result from the different timing and valuation rules, and the differences of tax treatment applied to elements of a package under the income tax and fringe benefits tax. Upon successful completion of this unit a student should have an advanced understanding of the technical rules underlying the taxation remuneration derived in a variety of forms.

The unit covers:
- income tax issues of remuneration
- employee deductions
- substantiation
- fringe benefits tax
- employee share schemes
- retirement planning
- taxation of expatriate employees

Taxation of Superannuation and Insurance 6 credit points
Mr Allerdice, Mr Carter, Mr Miller, Prof Vanistendael
Assessment classwork (30%); examination or research paper (70%)

The unit consists of a detailed examination of the effects of income taxation on the superannuation and insurance industries. Students who complete the unit will possess a detailed understanding of the policies, technical rules and current practical problems involved in the taxation of superannuation and insurance, through the analysis of specific problems discussed in each of the seminars.

Topics covered include:
- the Superannuation Industry (Supervision) Act: introduction to the policy and regulatory framework
- taxation of superannuation: overview of policy and legislative framework
- superannuation contributions: SGC, award, employment, contracting, deductions, rebates
- taxation of superannuation funds: part IX of the ITAA
- reasonable benefit limits
- taxation of eligible termination payments
- taxation of pensions and annuities
- taxation of general insurers
- taxation of life insurance: overview of policy and practice, general principles
- taxation of life insurance: specific issues
- taxation of life company stakeholders: shareholders, policy holders

Theories of International Law 6 credit points
Mr Opeskin

This unit aims to introduce students to the principal schools of thought relating to the theory of international law; to encourage a critical evaluation of those theories; and to investigate the ways in which the various theories inform contemporary issues and debates in international law.

The unit is divided into three parts. Part 1 examines the major jurisprudential schools in international law from the modern origins of international law in the 16th century to the present day. The topics examined in this part may include some or all of the following: natural law, positivism, sociological approaches, the policy-science approach of McDougal and Lasswell, critical legal theory, feminism and non-Western approaches to international law. Part 2 examines the relationship between international law and other disciplines, in particular international relations and international ethics. In these topics we examine whether law affects the behaviour of states, and whether there exists a system of international morality. Finally, Part 3 examines the modern state from several perspectives, each designed to focus on the moral and legal relevance of state boundaries. In particular, the unit examines the modern state as a territorial entity, exercising control over a defined population, and regulating the flow of resources across state boundaries.
Students are encouraged to examine the manner in which the various theoretical issues inform current debates in international law. To this end, a familiarity with international law and an interest in international affairs is desirable.

Theory of the Family in Law and Society
(Jurisprudence) 6 credit points

[Not offered in 1998]

Trade Union Law
6 credit points

Prof. McCallum
Coreq/Prereq Labour Law (other than for LLM candidates)
Classes Sem 2
Assessment one 4,000w essay, class participation, one take home examination

This unit of study examines the law relating to industrial organisation which includes trade unions and employers' associations. As there is much more law on trade unions, these latter bodies will be the primary focus of this study. There will be an examination of trade union theory; the history of trade union regulation; registration under arbitration statutes; dual legal personality issues; trade union rules; trade union expulsions; trade union elections and amalgamations; and trade union accounts. There will be an analysis of freedom of association, and of the regimes of voluntary trade unionism law which now cover this continent. The ultimate question which will be posed is what role should the law play in the regulation of these bodies.

Transfer Pricing in International Taxation
6 credit points

Prof. Vann, Mr Anderson
Assessment classwork (30%); examination or research essay (70%)

The goal of the unit is to provide an up to date account of transfer pricing law and practice in Australia in the area of international taxation. The release of the OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations in 1995 and its update in 1996, and the substantial transfer pricing rulings program of the Australian Taxation Office currently underway, have together significantly increased the international and Australian materials available on the law and practice in transfer pricing cases. These materials will provide the focus of the seminars.

Topics examined will include:
- history and policy of international transfer pricing rules
- Australia’s tax legislation on transfer pricing
- Australia’s tax treaties and transfer pricing
- transfer pricing methodologies - comparable uncontrolled prices, cost plus and retail price; profit methods; services and intangibles; financial transactions
- branches and transfer pricing
- thin capitalisation and transfer pricing
- documentation
- advance pricing arrangements
- penalties
- international developments and transfer pricing

Wildlife Law
6 credit points

Mr Preston

Human society is and has been dependent on wildlife and wildlife products. Biological resources feed and clothe us and provide houses, medicines and spiritual nourishment. However, increased and unsustainable utilisation of wildlife and wildlife products, as well as loss of habitat and other pressures, have led to the extinction of species and the loss of biological diversity. Increasingly, society is looking to the law to provide a framework to regulate the sustainable use of wildlife and wildlife products.

The aim of this unit is to provide a thorough grounding in the moral and legal issues in relation to wildlife and, more generally, biological diversity. The unit examines the dominant Western moral and legal attitudes to wildlife. These traditional attitudes can be seen to underlie and mould the international and municipal legal responses to the loss of wildlife species and of biological diversity. These traditional attitudes have been challenged on both moral and legal grounds. These alternative arguments are analysed.

Each of the important international conventions, including the Convention on the International Trade in Endangered Species of Wild Flora and Fauna (CITES) and the recent Convention on Biological Diversity, is outlined and their effectiveness evaluated. International action alone will be ineffective without harmonious and effective municipal action. Accordingly, the legal responses of the Australian and New South Wales governments are evaluated. This involves discussion of the major Federal and State legislative enactments in relation to wildlife. Comparison will be drawn between the Australian and the United States’ legal responses to the protection of endangered species. The unit is normally offered partly in a short course format and includes a major field trip.

Workplace Bargaining
6 credit points

Assoc. Prof. McCarry
Coreq/Prereq Labour Law (other than for LLM candidates)
Classes Sem 2
Assessment one essay (70%), exam(30%)

This advanced unit examines what may be best described as the collective aspects of labour law. This unit of study covers unregistered agreements; the use of the federal labour power; other heads of constitutional power including the corporations power; enterprise bargaining under federal and New South Wales law; Australian workplace agreements; and the laws concerning industrial disputes which include common law torts, industrial statutory provisions and Trade Practices Act remedies.

Work Safety
6 credit points

Prof. McCallum
Coreq/Prereq Labour Law (other than for LLM candidates)
Classes Sem 2
Assessment one 4,000w essay, class participation, take-home exam

This unit of study is on occupational health and safety law. Its main focus is upon the Occupational Health and Safety Act 1983 (NSW), its federal and state counterparts and the relevant case law. An examination is also made of the history of safety regulation; the failure of the common law to reduce accidents; the Robens reforms; the employee and employer duties; and safety management systems.
8. Other Information

(a) Faculty Specific Information

The Law School Building, St James Campus

The floors in the building are numbered from the lowest floor, which is below ground and is Level 1. The street level is Level 4. All lifts serve Levels 4, 6, 8, 11, 12 and 13. Only two of them stop at the other levels. It is usually quicker to reach Levels 1, 2, 3 and 5 by the stairs. Access to Levels 7, 9 and 10 is restricted. The functions on various levels are as follows:

<table>
<thead>
<tr>
<th>Level</th>
<th>Function</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 &amp; 2</td>
<td>Lecture theatres</td>
</tr>
<tr>
<td>3</td>
<td>Sydney University Law Society (SULS) office; lockers; toilets; carpark</td>
</tr>
<tr>
<td>4</td>
<td>Assembly Hall</td>
</tr>
<tr>
<td>5</td>
<td>Sydney University Union (refreshments)</td>
</tr>
<tr>
<td>6</td>
<td>Law Society of N.S.W. Moot Court Room; Australian Centre for Environmental Law; computer laboratory; staff offices</td>
</tr>
<tr>
<td>7</td>
<td>Law School Library</td>
</tr>
<tr>
<td>8</td>
<td>School Library</td>
</tr>
<tr>
<td>9</td>
<td>Staff offices; Institute of Criminology; Sydney Law Review; Continuing Legal Education</td>
</tr>
<tr>
<td>10</td>
<td>Dean’s office; Head, Department of Law; Student Services; staff offices</td>
</tr>
<tr>
<td>11</td>
<td>Staff Common Room; Department of Jurisprudence; staff offices</td>
</tr>
<tr>
<td>12</td>
<td>Staff Common Room; Department of Jurisprudence; staff offices</td>
</tr>
<tr>
<td>13</td>
<td>Staff Common Room; Department of Jurisprudence; staff offices</td>
</tr>
<tr>
<td>14</td>
<td>Squash courts.</td>
</tr>
</tbody>
</table>

Smoking is not permitted in the building.

Law Library

The Law School Library is a branch of the University of Sydney Library whose aim is to provide quality services and resources to support and enhance the teaching, research, creative work and scholarship of the University.

The Library occupies levels 7-10 of the building, with die entrance on level 8. It is a major research library and its collections include both print and electronic resources. It also has a large undergraduate collection consisting of multiple copies of major texts required for unit of study work. Some material in demand is placed on Closed Reserve, which is a short loan collection. Card operated photocopiers are available to patrons. The library provides a wide range of services including circulation, reference assistance and formal classes in legal research. Additional services are available to postgraduate students.

During semester the Law Library is open at the following times:

- Monday–Thursday: 9.00 am-9.30 pm
- Friday: 9.00 am-8.00 pm
- Saturday: 9.00 am-4.45 pm

The loan periods are:

- **Law Research (level 9)**
  - Undergraduates: two weeks
  - Postgraduates/Academics: four weeks
  - Renewals are available and holds may be placed on books on loan to others.

- **Law Undergraduate (level 7)**
  - One week loan for all borrowers. Renewals and holds are not available.

Law reports, periodicals, loose-leaf services and reference books are not available for loan.

Further information is available on the Law Library homepage at http://www.law.usyd.edu.au--library or by telephoning 9351 0216. E-mail messages may be sent to library@law.usyd.edu.au

Sydney Law Review

The Faculty of Law has its own legal journal, the *Sydney Law Review*, which was established in 1953. All the pre-press work on the Review is performed by the Faculty through its External Relations Unit. It is then published by the Law Book Company Ltd on behalf of the Faculty. For the first twenty years the general editorship of the *Review* was the responsibility of senior members of the full-time academic staff. From 1974 until 1990, the Editorial Committee consisted entirely of students. It was then resolved that the *Review* would be published quarterly, beginning in 1991. A Faculty Editorial Board was established. This is assisted by a Board of Student Editors comprising students enrolled in the Law Review option. One issue per year is devoted to discussion on a particular theme, with solicited contributions.

The *Review* is a refereed journal. Submissions from staff and visiting academics are always welcomed and can be given to the Review's Coordinator. A Sydney Law Review Style Guide can be obtained from the Coordinator by telephoning 9351 0284.

The Allen Allen and Hemsley Visiting Fellowship

The Allen Allen and Hemsley Visiting Fellowship was established in 1984 by an offer from Messrs Allen Allen and Hemsley, Solicitors, to provide funds for the appointment on an annual basis of a distinguished lawyer to the Department of Law.

Holders of the Fellowship have been:

- 1985 Professor D.G.T. Williams, Rouse Ball, Professor of English, Cambridge University
- 1986 Professor R.M. Buxbaum, University of California at Berkeley
- 1987 Dr J.W. Harris, Keble College, Oxford University
- 1988 Professor Denis Galligan, University of Southampton
- 1989 Professor Misao Tatsuta, Kyoto University
- 1990 Professor Ewoud Hondius, University of Utrecht
- 1991 Professor Norbert Reich, University of Bremen
- 1992 Professor George Hay, Cornell University
- 1993 Professor Friedrich Juenger, University of California
- 1994 Professor Rose Bird, former Chief Justice of California
- 1995 Professor Ian Dennis, University College London
- 1996 Professor F. Monroe Price, Benjamin N. Cardozo School of Law, Yeshiva University

The fellowship is presently under review.

Centre for Asian and Pacific Law

The Centre for Asian and Pacific Law (CAPLUS) is a centre within the University of Sydney. Established in November 1993, it draws on the expertise and experience of the Faculty of Law and other faculties and institutions within the University with related interests. It also collaborates with government departments and bodies, legal and other professional organisations and institutions with shared objectives.

The functions of the Centre are:

- to promote knowledge in and understanding of the laws, legal systems, constitutions, legal culture and business laws of the countries of Asia and the Pacific;  
- to provide a source of information on legal developments in the Asian and Pacific region and in Australia; 
- to make reciprocal contacts with scholars and lawyers; 
- to arrange exchange programs for students, scholars and lawyers from both regions; 
- to provide specialised courses for students, scholars and lawyers from the Asian and Pacific region to study different aspects of law; and  
- to publish and circulate work on the laws, legal systems, legal and constitutional developments, updates of business and commercial laws of these countries.

Since its inception, the Centre has been very active in providing intensive general introductory and specialised courses in law to various co-entrants in the East Asian regions, especially Vietnam and the People's
Republic of China, seminars and conferences, in Australia and outside. It has received and is receiving senior academics, scholars and officials as well as younger scholars and judicial personnel, for short and long term research projects and study/fieldwork tours.

It has undertaken to prepare for publication in Australia and Europe monographs and collection series on the laws, legal systems and legislation of the East Asian countries.

Its "Shanghai Winter School" for Australian students and lawyers in the East China Politics and Law University in Shanghai during January has become a regular feature providing an opportunity to learn about a complex and foreign legal system in situ.

Institute of Criminology

The Institute of Criminology is a centre established by the Senate of the University within the Department of Law. The aims of the Institute include research, teaching and public education in criminology and criminal justice policy. Its principal areas of activity involve: teaching criminology at the undergraduate and postgraduate level; publishing the journal Current Issues in Criminal Justice, a monograph series, occasional papers, seminar and conference proceedings and other relevant information; organising public and in-house seminars on topics of contemporary concern in criminal justice; providing service and information to its many corporate, individual and student members; coordinating and representing a wide range of applied and theoretical research initiatives; and disseminating current information through the newsletter the Other voice and CRIMNET, an electronic noticeboard.

Staff associated with the Institute have a wide range of research interests and expertise, including Aboriginal people and the criminal justice system, juvenile justice, policing, violence against women, jury system, feminist and critical criminology, child abuse, hate crime, drug policy and comparative criminology. They have worked as consultants for government departments, statutory authorities and royal commissions.

The Institute has an Advisory Committee chaired by the Chief Justice of NSW and a Management Committee chaired by the Dean of the Faculty of Law.

Australian Centre for Environmental Law

The Australian Centre for Environmental Law (ACEL) was established in 1992 as a collaborative arrangement between the law faculties of the University of Sydney, the University of Adelaide and the Australian National University.

ACEL fosters an undergraduate and postgraduate program in Environmental Law offered through the Faculty of Law. The Master of Environmental Law comprises eight units of coursework. A limited number of relevant subjects can be taken from other Faculties and, of Environmental Law includes workshops on: written communication skills necessary for the acquisition and communication of knowledge and ideas in a university setting. A wide range of programs includes workshops on: written communication skills needed by undergraduate and postgraduate students, oral communication skills, learning styles and approaches to study. Special workshops are held for international students with learning disabilities.

Disability Services

Level 7, Education Building, A35, telephone 9351 4554

Disability Services is the principal point of contact and support for students with disabilities. The staff in the unit work closely with staff in the administration and academic departments to ensure that the requirements of students, including arrangements relating to teaching and assessment are met.

Accommodation Service

Level 7, Education Building, A35, telephone 9351 3312

The Accommodation Service assists students to find off-campus accommodation, primarily by maintaining an extensive database of suitable accommodation in suburbs close to the University.
Financial Assistance Office
Level 7, Education Building, A35, telephone 9351 2416

The University has a number of loan funds to assist students who experience financial difficulties. These funds are not intended to provide the principal means of support to students, rather they are for use in supplementing other income and in cases of emergency. Loans are available for essential living and study expenses.

Casual Employment Service
Level 4, Holme Building, A09, telephone 9552 2589

The Casual Employment Service helps students find casual and part-time work during their studies and in University vacations.

International Student Services Unit
Level 2, Margaret Telfer Building, K07, telephone 9351 4749
ISSU provides counselling, pre-departure, orientation and returning home programs for international students. Trips and activities programs are also available. The Unit is responsible for publishing the International Student News on a quarterly basis.

Commonwealth Government Assistance
AUSTUDY: Tertiary Allowances
Information booklets and application forms are available from local Commonwealth Employment Services (CES) offices or:

State Director
Commonwealth Department of Employment, Education and Training
477 Pitt Street, Sydney
Tf. 9379 8000
(Postal address: GPO Box K7100, Haymarket, N.S.W. 2001)

Employment
The Bachelor of Laws degree prepares graduates for a wide range of careers. While many graduates will enter into professional practice as a solicitor or barrister, others will obtain employment in the public sector, government departments, social justice, welfare, legal aid offices, legal services; commercial and financial enterprises such as banks, merchant banks, insurance and superannuation bodies, large corporations; trade unions; and the media.

The legal profession:

Obtaining law qualifications
There are two principal ways of fulfilling the academic requirements to practise as a barrister or solicitor in New South Wales. One is by completing an approved law degree at a university. The other is by completing the professional law examinations conducted by the Legal Qualifications Committee on behalf of the Legal Practitioners Admission Board. Tuition for these examinations is provided by the Law Extension Committee of the University of Sydney, by way of evening lectures and weekend schools. Students usually prepare themselves for these examinations on a part-time basis. All enquiries about admission to this course should be made to the Legal Practitioners Admission Board, ADC Building, Level 14, 99 Elizabeth Street, Sydney, N.S.W. 2000, telephone 9392 0320.

Additional requirements to practise as a lawyer
Additional requirements must be met before a Law graduate can practise as a lawyer in New South Wales, such as the completion of a practical legal training course. Information on these requirements may be obtained from the Legal Practitioners Admission Board.

While the University’s degrees have wide recognition overseas, international students should make their own enquiries as to whether the LLB degree will permit them to be admitted as lawyers in their own countries after further examination and/or practical training.

Overseas graduates in law
It is not possible for overseas graduates in law to qualify for admission to legal practice in New South Wales by undertaking postgraduate law studies at the University of Sydney. Requalification would be required by one of the methods referred to above, although it is likely that some credit would be given for earlier legal studies. Overseas graduates interested in undertaking postgraduate law studies for some purpose other than admission to practice should seek an appointment with the Associate Dean (Postgraduate) or the Faculty’s Student Services for information about entry to postgraduate courses.

Careers Centre
The Careers Centre provides career information and advice and graduate employment services. Careers advisers are available to discuss any aspect of career choice with students, prospective students and graduates. Employer interview programs and graduate vacancy services are of particular interest to final year students. The Careers Service is in the Mackie Building, Arundel Street, Forest Lodge, (telephone 9351 3481).

Overseas student exchanges
Opportunities for Sydney Law School students to study abroad are rapidly expanding. University of Sydney Student Exchange Agreements allow students to study abroad and receive full credit towards their LLB degree.

There are two types of student exchange programs available. The first is the University-wide programs which are open to students from all faculties. Students who have completed at least one year of full-time study at the University of Sydney, have at least a Credit average in their studies at the time of application, have at least another year of full-time studies to complete and have the funds to support a year on exchange, are eligible to apply to participate in these programs. At present, there are exchange programs with universities in the United States, Japan and Korea. Information about these programs may be obtained from the International Office, AMA Building, 71 Arundel Street (just over the footbridge across Parramatta Road), telephone 9351 4161. It should be noted that while credit is given for study undertaken, the actual marks received are not converted in Sydney University equivalent marks for the purpose of calculation of WAMs.

The second is the Faculty-specific programs which are limited to final year Law students. Sydney Law School has entered into Student Exchange Agreements with Queen’s University in Kingston, Canada; the University of Utrecht, Netherlands; Humbolt University in Berlin, Germany; and in the United States, Duke University in North Carolina, University of Texas, Austin and Cornell University in New York. Under these agreements Sydney Law students may enrol as full-time non-degree students. Units completed at these universities will be credited to the students’ Sydney LLB degrees. Applicants must have completed at least 52 credit points of compulsory law units of study and selection is made generally on the basis of academic merit. The overseas universities will not make any charge for tuition, application or administrative purposes although some incidental fees will be payable. Sydney students will continue to pay tuition (at present their HECS liability) and other charges (such as student union fees) to the University of Sydney. Sydney students will be responsible for payment of their travel costs and living expenses. Information regarding application dates will be posted on Levels 4 & 12 of the Law School. Students selected for these exchanges will receive credit for work undertaken and marks received will be converted to the University of Sydney equivalent for the purpose of calculation of WAMs.
(b) List of Staff by Departments

FACULTY

Dean (from 20th Feb 1998)
Jeremy Webber, B.A. UBC, LLB, BCL, McGill, LLM York
Acting Dean (to 20th Feb 1998)
Rosalind F. Atherton, AMusAA.ME.B. PhD UNSW BA LLB

Department of Law
Mark Findlay, BA, LLB ANU, DipDrim MSC Edin, LL.M

Head of the Department of Jurisprudence
K. Alex Ziegert, dpPhil Mun.

Associate Deans
(Undergraduate)
Ross Anderson, LL.M Lond. LLB

DipCrim LMA MA Calg. PhD (Postgraduate)
Brian Oesperkin, BCom LLB UNSWBCL Oxf (coursework)
Richard John Vann, BA LLB QldBCL Oxf. (research)

DEPARTMENTS

Full-time and fractional academic staff

Jurisprudence
Wojciech Sadurski, DrJrul Warsaw, Professor of Legal Philosophy (Personal Chair)

Alice Erh-Soon Tay, AM, PhD AN. U. HonLLD Edin., Challis Professor of Jurisprudence

K. Alex Ziegert, dpPhil Mun., Associate Professor

Law
Margaret Allars, dpPhil Oxf. BALLB, Associate Professor

Ross Anderson, LLM Lond. LLB, Senior Lecturer

Robert Allerdtice, BA LLM, Senior Lecturer

Patricia Apps, BArch V'NsW. Med Yale PhD Camb. ARAIA, Professor in Public Economics in Law (Personal Chair)

Craig Arnot, BA, LLB Qld, BCL., DPhil Oxon, Lecturer

Hilary Astor, B.Tech(2Law) PhD Brunel, Abbott Tont Professor of Litigation and Dispute Resolution

Rosalind F. Atherton, A.Mus.A.M.E.B. PhD U.N.S.W. BALLB., Associate Professor

John Ball, DipLaw Oxf. DipComparLegstud Camb. (Fractional)

BALLB PhD, Senior Lecturer

Lynette Barnes, B SocSc, LLB UNSW, Lecturer (fractional)

Belinda Bennett, BSc LLB Macq. LLM SJD Wls., Senior Lecturer

Joanna Bird, BCL Oxf. BALLB, Lecturer

Bernhard W. Boer, BALLMmelb, Professor in Environmental Law (PC)

Lee Burns, BCom LLB U.N.S.W. LLB, Senior Lecturer

(on leave Semester 1, 1998)

Peter Butt, BA LLM, Associate Professor

Terry R. Carney, LLB DipCrim Melb. PhD Monash, Professor

John W. Carter, PhD Camb. BA LLB, Professor in Commercial Law (Personal Chair)

Okezie Chukwumerije, LLB Benin LLM Br. Col. Djur York, Lecturer

Greame Coss, GradDiplInL&LStud Curtin LLB LLM, Lecturer

Mary Crock, BA LLB PhD Melb., Lecturer

Margaret Cronin, BA Qld LLB UNSW G Dip Leg St UTSMAVAUT MA, Research Academic

Christopher Cunneen, BA DipEd U.N.S.W. MA, Senior Lecturer

Bernard Dunne, BA BALLB Macq., Lecturer

Gordon B. Eucington, MSc PhD Warn. BSc LLM, Senior Lecturer, (indefinite secondment to the Law Extension Committee)

Mark J. Findlay, BA BALLB AN. U. DipCrim MSc Edin. LL.M, Associate Professor

Nicola E. Franklin, BA Natal LLM Natal & Camb. DipCompar Legalstud Camb., Senior Lecturer

David Fraser, LLB Laval LLB Dal. LLM Yale, Senior Lecturer

Saul Fridman, LLB W Ontario, BCL Oxon

Robyn Gilbert, BA, LLB UNSW, Lecturer

Regina Graycar, LLB Adel LLM Harv, Dunhill Madden Butler Professor of Women and the Law

David John Harland, BCL Oxf. BALLB, Challis Professor

Peter Harris, LLB QldUM PhD Camb., Lecturer

Jennifer G. Hill, BCL Oxf. BA LLB, Associate Professor

Isabel Karpin, LLM Harv. BA LLB, Lecturer

Miranda Magner, BA Otr. EEd SJT Ord. LLM AN. U. LLM U.N.S.W., Senior Lecturer (on leave in 1998)

Roger Magnusson, BA LLB ANU PhD Melb, Lecturer

Ronald McCallum, BJur LLB Monash LLM Qu., Blake Dawson

Waldron Professor of Industrial Law (fractional)

Gregory J. McCary, BA LLM, Associate Professor, Hyman Lecturer in Industrial Law

Barbara McDonald, LLM Lond. BA LLB, Senior Lecturer

Therese MacDermott, BA LLB Qld BCL Oxf. Senior Lecturer (fractional)

Les McElrmon, BA LLB Alta LLM Qld, Senior Lecturer

Bron A. McKillop, LLM Harv. BA LLB BSc, Senior Lecturer

KathrynE. McMahon, BLL U.N.S.W. BSc LLB PhD, Senior Lecturer

Jenni Millbank, LLMBr.Col. BALLB, Lecturer

Brian Oesperkin, BCom LLB U.N.S.W. BCL Oxf. Senior Lecturer

Patrick N. Parkinson, MA Oxf LLM El., Associate Professor

Penelope Pether, MLitt N.E. BA LLB, PhD, Senior Lecturer

Helen Rhoades, LLB melb, Research Academic

Donald Rot Hall, BA LLB QldLMLMA AL Calg. PhD, Associate Professor

Pearl Rozenberg, BSc LLB Monash LLM York, Lecturer (fractional)

Paul Shearer, AM, LLM Adel, SJID Northwestern, Challis Professor of International Law

Diane Skapinker, BComm LLB Witn. LLM, Associate Professor (fractional)

Jeffrey Smith BA, LLB Macq. Lecturer (from July)

Julie Stubbs, BA W'ngong MA Tor., Associate Professor

Jane Swanton, LLM Lond. BA LLB, Associate Professor

Lyndal Taylor, BA, LLB Qld, GradCerfHed UNSW, LLM Bond, Lecturer (fractional)

Julia Tolmie, BLLlAuck. LLM Harv., Lecturer

Richard John Vann, BALLB QldBCL Oxf., Professor

Robert Wilson, BSc, LLB UNSW, Lecturer (fractional)

Shelley Wright, BA LLB Alta LLM Lond., Senior Lecturer

David Weissbrot, BA C.U.N.Y. JD Calif, Professor

Ania Wilczynski, BALLB U.N.S.W. MPhil PhD Camb., Lecturer

Visiting Professors

Challis Lecturers

Arthur R. Emmett, QC, BA LLB (Challis Lecturer in Roman Law)

The Honourable Mr Justice D. Graham Hill, QC, LLM Harv. BALLB (Sales Tax and State Taxes, Challis Lecturer in Taxation)

The Honourable Mr Justice Roderick P. Meagher, QC, BA LLB (Challis Lecturer in Equity)

Peter B. Shea, BHA GradDip(HealthAdmin) UNSW. DipEnvi vandal Macq. MB BS MPH DPM DipCrim, FRANZCP FRACMA LHA

AFAIM (Forensic Psychiatry, Advanced Forensic Psychiatry)

Lecturers (part-time)

Christopher Birch, BA PhD

Allan Blaikie, BCom LLB Qld (Australian International Taxation)

Mark Ferrier, BBus Nepean MTax (Corporate Taxation)

Roger Hamilton, BA A.N. U. LLM York (Taxation Litigation)

Rosalind Haskey, BSc LLB AN. U. (Corporate Finance)

The Honourable Mr Justice John R.F. Lheane, BA LLM (Equity)

Robert C. Nicholls, LLM (Wildlife Law)

David Preston, BA LLB Macq. (Wildlife Law)

Diane Ross, BSc LLB AN. U. LLM (Taxation Law)

Anthony H. Slater, BA LLM (Corporate Finance)

Robin H. Woellner, BA LLM (Tax Administration)

Gerry Bates, LLB, PhD (Brim), (Environmental Law)
FACULTY ADMINISTRATION

Faculty Manager
Florence Ma, BA HKU, DipEd Chinese UHK

Secretary to the Dean and the Faculty Manager
Sally Spence

Student Services
Christopher Peek, BA Grad Dip (Health Admin) UNSW, (Manager)
Undergraduate
Natasha De Zilva, BA
Postgraduate
Anne Lai-Hung Kwan, BA, DipEd Chinese UHK
Sue Ng, BA U.N.S.W.

Counter Officer
Andrew Duffield

Finance and Administrative Services
Mark Molloy, BA Melb G Dip JNI CPA, (Manager)
Ana Arambulo, BA (Welfare) UWS
Katrina Thomas
Christine Tsang, M Com UNSW

External Relations
Pauline Moore, (Alumni and Promotions Co-ordinator)
Joanna Howse

Personnel and Academic Support Services
Patricia Manley (Manager)
Joel Butler, BA LLB Bond (fractional)
Gail Bruton (fractional)
Maria-Luisa Byrne
Madeleine Cullen
Nancy Dolan-Brown
Nahdi Dunn, BANE, DipCrim

Computer Support
Matthew Geter (Manager)
Gregory Rudd, BAppSc (Computing) USC

CLE Coordinator
Jennifer Littman, BANE, DipCrim

Law Library Staff
Margaret McAleese (Law Librarian)

Reader Services
Jeannine Goasdoue (Deputy Law Librarian)
Grant Wheeler (Circulation)
James Ward (Inter-Library Loans)
Michele Daly (Closed Reserve)

Technical Services
Sue Cohen (Cataloguing)
Frances Stark (Orders and Government Publications)
Caroline Kearney (Serials)
Kaye James (Serials)
Walid Dadoun (Binding)
Sue Olsen

Shelving
Carina Tran (Acting Supervisor)

CENTRES

Institute of Criminology

Director
Associate Professor Julie Stubbs
Deputy Director
Associate Professor Mark Findlay

Australian Centre for Environmental Law

Director
Ben Boer, BA LLM Melb.
Deputy Directors
Donald Rothwell, BA LLB Qld LLM Alta MA Calg. PhD
Bernard Dunne, BA LLB Macq.

Librarian
Jillian Murphy, BAppSc (Information) UTS

Administrative Assistant
Rohine Jannu, BSc Newcastle

Centre for Asian and Pacific Law in the University of Sydney

Director
Alice Ehr-Soon Tay, AM, PhD AN. U. HonLLD Edin.

National Children’s and Youth Law Centre

Law School Liaison
Terry Carney, LLB DipCrim Melb. PhD Monash

MEMBERSHIP OF THE FACULTY

Details of the membership of the Faculty of Law may be found in the University's Calendar 1996, Vol. 1: Statutes and Regulations.
The following table is a summary only. For full details of scholarships and prizes available, contact the Scholarships Office.

### Undergraduate scholarships and prizes

<table>
<thead>
<tr>
<th>Prize or scholarship</th>
<th>Value $</th>
<th>Awarded for</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Wigram Allen Scholarships</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IA</td>
<td>50</td>
<td>Proficiency in 1st year of course for candidates not taking combined course</td>
</tr>
<tr>
<td>IB</td>
<td>50</td>
<td>Proficiency in Legal Institutions, Constitutional Law, Administrative Law, Ibrts, Contracts and Criminal Law</td>
</tr>
<tr>
<td>II</td>
<td>100</td>
<td>Best Arts graduate entering Law</td>
</tr>
<tr>
<td><strong>Baker and McKenzie Prize</strong></td>
<td>500</td>
<td>Proficiency in Advanced Constitutional Law</td>
</tr>
<tr>
<td><strong>Sir Alexander Beattie Prize in Industrial Law</strong></td>
<td>100</td>
<td>Proficiency in Employment and Industrial Law</td>
</tr>
<tr>
<td><strong>Butterworths Book Prizes (12)</strong></td>
<td>(each)</td>
<td>(a) Three book prizes to students in Arts/Law, and Commerce/Law and Economics/Law, Economics (Social Sciences)/Law or Science/Law based on the order of merit for all law subjects completed to the end of third year; (b) Three book prizes to students in Law I based on order of merit; (c) Three book prizes to students in Law II based on order of merit; (d) Three book prizes to students in Law III based on order of merit</td>
</tr>
<tr>
<td><strong>Minter Ellison Scholarship</strong></td>
<td>500</td>
<td>Most distinguished graduate or graduand enrolling in Law II</td>
</tr>
<tr>
<td>Minter Ellison Prize</td>
<td>250</td>
<td>Proficiency in Intellectual Property</td>
</tr>
<tr>
<td>Andrew M. Clayton</td>
<td>500</td>
<td>Proficiency in Real Property, Personal Property and Equity</td>
</tr>
<tr>
<td><strong>Pitt Cobbett Prizes</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pitt Cobbett Scholarship</td>
<td>up to 1000</td>
<td>Financial assistance</td>
</tr>
<tr>
<td><strong>Australian Securities Commission Prize</strong></td>
<td>100</td>
<td>Proficiency in Company Law</td>
</tr>
<tr>
<td><strong>Corrs Chambers Westgarth Prizes</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corrs Chambers Westgarth Prizes</td>
<td>500</td>
<td>Proficiency in Business Finance Law</td>
</tr>
<tr>
<td>500</td>
<td>Proficiency in Securities Market Law</td>
<td></td>
</tr>
<tr>
<td><strong>Edward John Culey Prize</strong></td>
<td>100</td>
<td>Awarded for proficiency in Real Property and Equity</td>
</tr>
<tr>
<td><strong>John George Dalley Prizes</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IA</td>
<td>400</td>
<td>Proficiency in final year of combined program</td>
</tr>
<tr>
<td>IB</td>
<td>400</td>
<td>Proficiency in final year of graduate program</td>
</tr>
<tr>
<td><strong>Kevin Duffy Memorial Prize</strong></td>
<td>325</td>
<td>Proficiency in the subjects Real Property and Conveyancing</td>
</tr>
<tr>
<td><strong>Thomas P. Flattery Prize</strong></td>
<td>40</td>
<td>Proficiency in Roman Law</td>
</tr>
<tr>
<td><strong>Phillips Fox John F. Mant Memorial Scholarship</strong></td>
<td>1000</td>
<td>Academic merit and financial need</td>
</tr>
<tr>
<td>Phillips Fox John L. Smithers Memorial Scholarship</td>
<td>500</td>
<td>Academic merit and extracurricular achievements</td>
</tr>
<tr>
<td>John Geddes Prize</td>
<td>40</td>
<td>Proficiency in Equity</td>
</tr>
<tr>
<td><strong>Caroline Munro Gibbs Prize</strong></td>
<td>350</td>
<td>Proficiency in Tort</td>
</tr>
<tr>
<td><strong>George and Matilda Harris Scholarships</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>2500</td>
<td>Proficiency in Law U</td>
</tr>
<tr>
<td>HIA</td>
<td>1250</td>
<td>Proficiency in 2nd year of 3-year course</td>
</tr>
<tr>
<td>IIIB</td>
<td>1250</td>
<td>Proficiency in 3rd year of 5-year course</td>
</tr>
<tr>
<td><strong>Margaret Dalrymple Hay Prize</strong></td>
<td>50</td>
<td>Proficiency in Legal History</td>
</tr>
<tr>
<td><strong>Zoe Hall Scholarship</strong></td>
<td>2000</td>
<td>Academic merit, financial need and extracurricular achievements</td>
</tr>
<tr>
<td><strong>R.G. Henderson Memorial Prize</strong></td>
<td>250</td>
<td>Awarded to student gaining University Medal</td>
</tr>
<tr>
<td><strong>Sir Peter Heydon Prize</strong></td>
<td>100</td>
<td>Best undergraduate contribution to Sydney Law Review in Constitutional, Administrative or International Law</td>
</tr>
<tr>
<td><strong>Aaron Levine Prize</strong></td>
<td>350</td>
<td>Proficiency in Criminal Law</td>
</tr>
<tr>
<td><strong>J.H. McClemens Memorial Prize No. I</strong></td>
<td>200</td>
<td>Proficiency in Criminology</td>
</tr>
<tr>
<td><strong>Bruce Panton Macfarlan Prize</strong></td>
<td>250</td>
<td>Proficiency in Sale of Goods</td>
</tr>
<tr>
<td><strong>E.M. Mitchell Prize</strong></td>
<td>60</td>
<td>Proficiency in Contracts</td>
</tr>
<tr>
<td><strong>Monahan Prize</strong></td>
<td>100</td>
<td>Proficiency in Litigation</td>
</tr>
<tr>
<td><strong>Sybil Morrison Prize</strong></td>
<td>325</td>
<td>Proficiency in Jurisprudence</td>
</tr>
</tbody>
</table>
Undergraduate scholarships and prizes

<table>
<thead>
<tr>
<th>Prize or scholarship</th>
<th>Value</th>
<th>Awarded for</th>
</tr>
</thead>
<tbody>
<tr>
<td>New South Wales Women Justices' Association Prize</td>
<td>$50</td>
<td>Proficiency in Family Law</td>
</tr>
<tr>
<td>Barbara Nye Prize</td>
<td>$100</td>
<td>Proficiency in Comparative Law</td>
</tr>
<tr>
<td>Earle Page Constitutional Prize</td>
<td>$175</td>
<td>Essay on approved topic of constitutional, political or administrative interest</td>
</tr>
<tr>
<td>Peter Paterson Prize</td>
<td>$50</td>
<td>Best student contribution in the Sydney Law Review</td>
</tr>
<tr>
<td>Sir John Peden Memorial Prize</td>
<td>$650</td>
<td>Proficiency throughout course in Legal Institutions, Constitutional Law, International Law and Real Property</td>
</tr>
<tr>
<td>Margaret Ethel Peden Prize</td>
<td>$100</td>
<td>Proficiency in Real Property</td>
</tr>
<tr>
<td>Permanent Trustee Company of N.S.W. Ltd Prizes</td>
<td>$500</td>
<td>Proficiency in Conveyancing</td>
</tr>
<tr>
<td></td>
<td>$500</td>
<td>Proficiency in Succession</td>
</tr>
<tr>
<td>Walter Reid Memorial Fund</td>
<td>up to $500</td>
<td>Book grant for proficiency in any year except final year</td>
</tr>
<tr>
<td>E.D. Roper Memorial Prizes (2)</td>
<td>$220 (each)</td>
<td>Two students showing greatest proficiency in Equity and Corporate Law</td>
</tr>
<tr>
<td>Walter Ernest Savage Prize</td>
<td>$200</td>
<td>Proficiency in Legal Institutions</td>
</tr>
<tr>
<td>Nancy Gordon Smith Prizes</td>
<td>$100</td>
<td>To first 5 candidates for LLB who obtain honours for honours at graduation</td>
</tr>
<tr>
<td>Julius Stone Prize</td>
<td>$90</td>
<td>Proficiency in Sociological Jurisprudence within course Jurisprudence</td>
</tr>
<tr>
<td>Julius and Reca Stone Award in Sociological Jurisprudence</td>
<td>$90</td>
<td>Essay in Jurisprudence which deals with sociological jurisprudence</td>
</tr>
<tr>
<td>Julius and Reca Stone Award in</td>
<td>$100</td>
<td>For creative achievement displayed in International Law and Jurisprudence essays in the two subjects</td>
</tr>
<tr>
<td>Judge Stanley Vere Toose Memorial Prize</td>
<td>$70</td>
<td>Proficiency in Family Law</td>
</tr>
<tr>
<td>Tress Cocks and Maddox Centenary Scholarship</td>
<td>$2000</td>
<td>Academic merit and financial need</td>
</tr>
<tr>
<td>Blake Dawson Waldron Prizes</td>
<td>$200</td>
<td>Proficiency in Personal Taxation</td>
</tr>
<tr>
<td></td>
<td>$200</td>
<td>Proficiency in Business Taxation</td>
</tr>
<tr>
<td></td>
<td>$250</td>
<td>Proficiency in Commercial Equity</td>
</tr>
<tr>
<td></td>
<td>$200</td>
<td>Proficiency in Banking and Insurance Law</td>
</tr>
<tr>
<td></td>
<td>$200</td>
<td>Proficiency in Environmental Planning and Assessment</td>
</tr>
<tr>
<td></td>
<td>$200</td>
<td>Proficiency in Environmental Policy</td>
</tr>
<tr>
<td>Corrs Chambers Westgarth Scholarships</td>
<td>up to $2000</td>
<td>Academic merit and financial need</td>
</tr>
<tr>
<td>Dudley Williams Prize</td>
<td>$110</td>
<td>Honours graduand placed 2nd in order of merit</td>
</tr>
</tbody>
</table>

Postgraduate scholarships and prizes

<table>
<thead>
<tr>
<th>Prize or scholarship</th>
<th>Value</th>
<th>Awarded for</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gustav and Emma Bondy Postgraduate Prize in Jurisprudence</td>
<td>$100</td>
<td>Best student at the annual postgraduate examinations in the subject Jurisprudence</td>
</tr>
<tr>
<td>*Freehill, Hollingdale and Page Prize</td>
<td>$200</td>
<td>Master of Laws by coursework candidate who is most proficient in the unit of study Public Company Finance</td>
</tr>
<tr>
<td>Law Graduates’ Association Medal</td>
<td>Medal</td>
<td>Most distinguished student graduating Master of Laws in the Faculty of Law</td>
</tr>
<tr>
<td>Maritime Law Prize</td>
<td>$500</td>
<td>Most proficient in the unit of study Maritime Law</td>
</tr>
<tr>
<td>J.H. McClemens Memorial Prize in Criminology No 2</td>
<td>$150</td>
<td>Master of Laws or Master of Criminology candidate who has achieved the highest aggregate mark in four 6-credit-point units of study in the area of Criminology</td>
</tr>
<tr>
<td>J.H. McClemens Memorial Prize in Criminology No 3</td>
<td>$150</td>
<td>Most proficient candidate who completes the Diploma in Criminology</td>
</tr>
<tr>
<td>Judge Samuel Redshaw Prize</td>
<td>$150</td>
<td>Proficiency in Administrative Law</td>
</tr>
<tr>
<td>Restrictive Trade Practices Law</td>
<td>$250</td>
<td>Proficiency in Restrictive Trade Practices B</td>
</tr>
<tr>
<td>*Nancy Gordon Smith Memorial Prize</td>
<td>$400</td>
<td>Most proficient candidate for the degree of Master of Laws (coursework)</td>
</tr>
</tbody>
</table>

*Under Review
For details of postgraduate scholarships, you should contact the Student Services Manager or the Scholarships Office for further information.
(d) Student Societies

Sydney Law School Foundation

The Sydney Law School Foundation was launched in 1990, the centennial year of the Law School. The President of the Foundation is Sir Laurence Street. The Foundation's primary goals have been:

- to improve the facilities of the Law School; and
- to acquire funding for research and academic positions.

The Foundation has been generously supported by members of the legal profession and by donations from graduates and other supporters. Membership of the Foundation is open to supporters in a wide range of categories, including student membership. For further information about the Foundation, contact the Faculty Manager on 9351 0259.

Sydney University Law Graduates' Association

The Sydney University Law Graduates' Association was formed in 1902 with the aim of coordinating, fostering and encouraging liaison between graduates, students and members of the Faculty of Law of the University of Sydney.

In recent years the main activity of the association has been to support the Master of Laws program by funding a University Medal to students of outstanding merit. It has also made donations to the Faculty, the latest being a portrait of Sir Anthony Mason.

Earlier members of the association have fond memories of the Association's luncheons and other functions and we hope to continue this tradition by providing opportunities for graduates to keep in touch and to maintain links with fellow alumni, current students and academic staff of the Law School.

Members of the Association receive information regarding Association activities, discounts, assistance with reunions and the bi-annual alumni magazine, The Sydney Law School Reports.

Life membership of Sydney University Law Graduates Association costs $100 or an annual membership fee is $10. All enquiries should be directed to Pauline Moore, Alumni and Promotions Coordinator, External Relations Division, University of Sydney Law School, 173-175 Phillip Street, N.S.W. 2000 or DX 83 Sydney, tel +61 2 9351 0287 or fax +61 2 9351 0200.

Sydney University Law Society

The Sydney University Law Society (SULS) was formed in 1902. All law students, including Arts/Law, Economics/Law, Economics (Social Science)/Law, Commerce/Law and Science/Law students, are immediately members.

The Executive

The affairs of the Society are controlled by the Executive, elected in July semester of the preceding year. Positions on the Executive are as follows: President, two Vice-Presidents, Honorary Treasurer, Honorary Secretary, Social Activities Director and Sports Director.

Rep presentative functions

As the Law School is separate geographically from the Broadway (Main) Campus, the Society has assumed an important role in representing the interests and needs of students to the University, the Faculty of Law, the Union and the SRC. It is, as a result, one of the most important and stronger societies in the University because of its profession, particularly in Sydney.

Activities

The Society's activities include Orientation activities for new students coupled with an information handbook, the organisation of social events such as the Law Ball, the Law Dinner, free lunches, cocktail parties and semester parties.

SULS is ultimately responsible for the production of the Law Revue although its organisation and direction are controlled by applicants appointed by the SULS executive to those positions. The Revue is the most public arm of the Law Society and continues to be an enormous success for all those involved.

SULS is also responsible for organising guest speakers to attend lunchtime seminars on interesting and controversial topics, which provide lunch hour food for thought.

The Society runs the mooting programs for both senior and junior mooters. In addition to the internal competition, the H.V. Evatt Moot is held annually between the University of New South Wales and the University of Sydney.

There is also an Australian wide Family Law Mooting Competition and the world wide Jessup International Law Mooting Competition. A team of students from Sydney University won the competition in 1996.

ALSA

The Society is a member of ALSA (the Australasian Law Students' Association). This holds its annual conferences in the half-yearly break, with an intervarsity mooting competition, witness examination competition, student papers and legal seminars as its primary focus.

Sydney University has always performed admirably in these competitions.

Publications

The Society publishes its own annual journal Blackacre which contains a variety of articles, ranging from the humorous to the historical. SULS also publishes a fortnightly newsletter called Hearsay which provides students with regular information about upcoming social events, lectures and interesting legal snippets. Polemic is a sociolegal journal also published by SULS which has a vast range of contributors from all facets of the legal profession.

Second-hand bookshop

SULS organises a bookswap in each semester which provides students with a forum in which to sell and buy second hand text books.

Location

The Society represents all law students. Members of the Executive may be contacted on Level 3 of the Law School or by telephoning 9351 0204.

Sydney Campus Undergraduate Law Society

The Sydney Campus Undergraduate Law Society (SCULS) is a Faculty society similar to, but separate from, SULS. Its role is to represent the interests and enhance the university life of all combined law students attending classes on the Broadway (Main) Campus. Students in their first, second or third year of combined law are members. The large majority of SCULS funding is provided by Union and SRC grants.

The day to day functioning of SCULS is the responsibility of student representatives. Any member is eligible to stand for election. Three representatives from each of first, second and third year are elected at the beginning of each year. These representatives subsequently elect the Executive which is comprised of a President, two Vice Presidents, Honorary Treasurer and Honorary Secretary.

Activities

SCULS' primary focus is the social well-being of its members. Typically it provides an outlet for academic pressures by providing regular social functions like beer and pizza lunches, trivia nights, champagne breakfasts and harbour cruises. However, the exact role and choice of activity depends largely on student ideas and the choice of direction taken by the Executive.

SCULS works with SULS to promote law student's interests. This may involve discussion and debate with university administration, the Faculty of Law, the Union and the SRC. In recent years much energy has been expended in a successful attempt to more tightly bind the relationship between SCULS, SULS and the Faculty of Law.

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Location
The most accessible point of contact with SCULS is through the elected representatives from each year. In 1996 the Faculty of Law provided office space for SCULS in Room 313 of the Old Teachers' College. This space is shared with the Faculty of Law Student Services Division. SCULS can be contacted by telephoning 9351 7809.

Elected student representatives
There are five student representatives on the Faculty elected by students each October (the President of the Sydney University Law Society, three undergraduates and one postgraduate). Their role is to assist students in any way possible, whether that be the alteration of Faculty policy on exams, assessment, etc. or making enquiries for any one student on an individual matter.

They are available for such things as advice on University by-laws and resolutions and representing any student before members of the Law School staff and administration.

Two of the representatives are also members of the Academic Board. They can take any matter to this body or to the wider University administration or even to the Senate.

They may be contacted by leaving a message, indicating a contact phone number, at the counter on Level 12 at the Law School, or through the Law Society.
9. General University Information

Admissions Office
Student Centre
Ground Floor
F07 - Carslaw
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 4117
+61 2 9351 4118
+61 2 9351 3615 (Special Admissions (including Mature Age))
Fax +61 2 9351 4869
E-mail admissions@records.usyd.edu.au
This office services prospective local undergraduate students. Applicants without Australian citizenship or permanent residency should contact the International Office. Postgraduate students should contact the appropriate faculty.

Assessment
For matters regarding assessment, refer to the relevant Department.

Co-op Bookshop
Transient Building
F12-Transient
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 3705
+61 2 9351 2807
Fax +61 2 9660 5256
E-mail sydu@mail.coop-bookshop.com.au
Sells textbooks and general books. Special order services available.

Enrolment and pre-enrolment
Students entering first year
Details of the enrolment procedures will be sent with the UAC Offer of Enrolment. Enrolment takes place at a specific time and date, depending on your surname and the Faculty in which you are enrolling, but is usually within the last two weeks of January. You must attend the University in person or else nominate, in writing, somebody to act on your behalf. On the enrolment day, you pay the compulsory fees for joining the student Union, the Students' Representative Council and sporting bodies. You also choose your first-year units of study, so it's important to consult the Handbook before enrolling.

All other students
The Student Information Bulletin is sent to all enrolled students in early to mid-October, and contains instructions on the procedure for pre-enrolment.

Examinations
Examinations and Exclusions Office
Student Centre
Level 1
F07 - Carslaw
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 4005
+61 2 9351 4006
Fax +61 2 9351 7330
E-mail Exams.Office@exams.usyd.edu.au
The Examinations and Exclusions Office looks after exam papers, timetables and exclusions.

Graduations
Ground Floor, Student Centre
F07 - Carslaw
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 4009
Fax +61 2 9351 5072
E-mail Naomi@records.usyd.edu.au

(Grievances) Appeals
Many decisions about academic and non-academic matters are made each year and you may consider that a particular decision affecting your candidature for a degree or other activities at the University may not have taken into account all the relevant matters. In some cases the by-laws or resolutions of the Senate (see Calendar Volume 1) specifically provide for a right of appeal against particular decisions; for example, there is provision for appeal against academic decisions, disciplinary decisions and exclusion after failure.

Normally a matter should be resolved by discussing it with the academic staff member concerned, or with a senior member of staff within the department. However, a situation could arise where you might wish to have a decision reviewed or to draw attention to additional relevant information. In this case you should put your case in writing to the head of department and if you're still not satisfied with the result you should contact your Dean. Only after following these steps can you appeal to the Senate. In the case of examination results the appeal may be made to the department. Parking appeals should be addressed to the Manager, Campus Services. You may wish to seek assistance or advice from the SRC regarding an appeal; if so, contact the Education/Research Officer
Level 1
Wentworth Building
Phone +61 2 9660 5222

HECS, fees, other charges
Phone +61 2 9351 5659, 9351 2086, 9351 5499
and 93515062
Fax +61 2 93515081
+61 2 9351 5350

Library (Fisher)
F03-Fisher Library
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 2993 — Enquiries - Information Desk
+61 2 9351 3711 — Library Hours
+61 2 9351 7273 — Borrowers' Cards
+61 2 9351 6692 — Holds Enquiries
+61 2 9351 7277 — Inter-library Loans
+61 2 9351 2265 — Loans, overdues enquiries
Fax +61 2 9351 2890 — Administration
+61 2 9351 7278 — Renewals
E-mail loanenq@library.usyd.edu.au (Loan and Library enquiries)
reqill@library.usyd.edu.au (Inter-library Loans)
Website http://www.library.usyd.edu.au (Fisher Library Home Page)

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Part-time, full-time

A student is normally considered as full-time if they have a HECS weighting of at least .375 per semester. Anything under this amount is considered a part-time study load. Note that some faculties have minimum study load requirements for satisfactory progress.

Privacy and Freedom of Information

The NSW Freedom of Information (FOI) Act 1989 provides the public with a legally enforceable right of access to University documents, subject to particular exemptions. In addition, the Act enables individuals to ensure that information held about them is accurate, up-to-date and complete. The University has a number of policies permitting access by individuals to information about themselves without recourse to the Freedom of Information Act.

The University necessarily accumulates a great deal of information on individuals; within the Uni, access to this is restricted to staff who need the information to carry out their duties. As regards external requests for personal information, it is policy that the University will disclose information to a third party if the subject of the information has consented in writing to the disclosure, or if the University has a legal obligation to respond to a request, including a subpoena, and the request is in the appropriate written form. Enquiries should be directed to the:

Freedom of Information Coordinator and Privacy Officer
c/-Archives A14
Phone +61 2 93514263
Fax +61 2 93517034
E-mail trobinso@mail.usyd.edu.au

Student Services

Room 711, Level 7
A35 - Education Building
The University of Sydney
NSW 2006 Australia
Website http://www.usyd.edu.au/su/stuserv/ Student Services

Accommodation Service

Phone +61 2 93513312
Fax +61 2 93517055
E-mail larthur@mail.usyd.edu.au
Website http://www.usyd.edu.au/su/accom/ Student Accommodation

Casual Employment

Phone +61 2 9552 2589
Fax +61 2 9552 2589
E-mail mross@mail.usyd.edu.au
Website http://www.usyd.edu.au/su/cas_emp/ Casual Employment

Counselling Service

Phone +61 2 9351 2228
Fax +61 2 93517055
E-mail myoung@mail.usyd.edu.au

Disability and Welfare Services

Phone +61 2 9351 4554
Fax +61 2 9351 7055
E-mail estuckin@mail.usyd.edu.au
Website http://www.usyd.edu.au/su/disability/ Disability Services

Financial Assistance

Phone +61 2 9351 2416
Fax +61 2 9351 7055
Refer to the University of Sydney Calendar 1996, Volume 2, for a listing of all undergraduate and postgraduate sources, conditions and benefits or financial support funded by the University.
E-mail psweet@mail.usyd.edu.au

Learning Assistance Centre

Phone +61 2 9351 3853
Fax +61 2 9351 4865
E-mail lewalker@mail.usyd.edu.au
Website http://www.usyd.edu.au/su/lac/

Career Centre

Room 147, Ground Level
KOI - Mackie Building (Arundel St, Forest Lodge)
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 3481
Fax +61 2 9351 5134
E-mail srawling@careers.usyd.edu.au — General Enquiries
asharp@careers.usyd.edu.au — Library
Provides careers advice and information, Graduate Employment Services and graduate Labour market information to students and staff.

Centre for Continuing Education (bridging courses)
KOI-Mackie
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 2907
Fax +61 2 9351 5022
E-mail info@cce.usyd.edu.au
Website http://www.usyd.edu.au/homepage/exterel/cont_edu/cont_edu.htm

Health service

Level 3, G01 - Wentworth
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 3484 — Wentworth
+61 2 93514095 — Holme
+61 2 93510636 — Mallett
Fax +61 2 9351 4110 — Wentworth
+61 2 93514338 — Holme
+61 2 93510580 — Mallett
E-mail P.Brown@unihealth.usyd.edu.au
Provides full general practitioner services and emergency medical care to the University community.
Koori Centre
Room U201
A22 - Old Teachers’ College
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 2046 — General Enquiries
+61 2 9351 7001 — Liaison Officer
+61 2 9351 7073 — Student Counsellor
Fax +61 93516923
E-mail adminoff@koori.usyd.edu.au
Website http://www.koori.usyd.edu.au/centre/

The Koori Centre runs the AEA training program, supports Aboriginal and Torres Strait Islander students on campus and during enrolment. There is also an educational unit which supports Aboriginal studies in the University.

Language Centre
Room 312, A19 - Griffith Taylor
A1 8 - Christopher Brennan
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 12683
Fax +61 2 9351 4724
E-mail Langcent.Enquiries@language.usyd.edu.au

Provides self-access course materials in over 100 languages; beginners and intermediate courses in Spanish language and Culture; beginners and advanced courses in Celtic languages and cultures.

Mathematics Learning Centre
Room 441
F07 - Carslaw
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 4061
Fax +61 2 9351 5797
E-mail MLC@mail.usyd.edu.au

International students

International Office
Level 2
K07 - Margaret Telfer
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 1461
+61 2 9351 4079
Fax +61 2 9351 4013
E-mail info@io.usyd.edu.au

International Student Services Unit
Level 2
K07 - Margaret Telfer Building
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 4749
Fax +61 2 9351 4013
E-mail info@issu.usyd.edu.au
Website http://www.usyd.edu.au/su/issu/International Student Services Unit

Provides an advisory and counselling service to international students at The University of Sydney.

Student organisations

Students' Representative Council
Level 1, Wentworth G01
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 2871 — President, Honi Soit
+61 2 9660 4756 — Bookshop
+61 2 9660 5222 — Legal Aid
Fax +61 2 9660 4260

University of Sydney Union
Box 500 Holme Building
A09-Holme
The University of Sydney
NSW 2006 Australia
Phone +61 2 9563 6000 — Switchboard/Enquiries
+61 2 9563 6082 — Academic Dress
+61 2 9563 6103 — ACCESS Centre, Manning
+61 2 9563 6209 — Campus Store, Holme
+61 2 9563 6016 — Campus Store, Wentworth
+61 2 9563 6160 — Clubs and Societies Office
+61 2 9563 6010 — School Tutoring Co-ordinator
+61 2 9563 6032 — Union Broadcasting Studio
+61 2 9563 6115 — Welfare and Information*
Fax +61 2 9563 6239
E-mail enquiries@union.usyd.edu.au
Website http://www.usyd.edu.au/union/
Provides welfare, social and recreational services to the University community.

Sydney University Sports Union
G09 - Sports and Aquatic Centre
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 4960
Fax +61 2 9351 4962

Provides services, facilities and clubs for sport, recreation and fitness.

Women's Sports Association
Level 2
K07 - Margaret Telfer
The University of Sydney
NSW 2006 Australia
Phone +61 2 9351 1461
Fax +61 2 9351 4079
E-mail jlawler@mail.usyd.edu.au
Provides for students, predominantly women, to participate in sport and recreation through the provision of facilities, courses and personnel.
10. Glossary of Terms

Applying for a course

Admissions
The Admissions Office is responsible for overseeing the distribution of offers of enrolment and can advise prospective students regarding admission requirements.

Application
Prospective (intending) students must lodge an application form with the Universities Admissions Centre (UAC) by the last working day of September of the year before enrolment. Note that some faculties, such as Dentistry and Sydney College of the Arts, have additional application procedures.

Mature age
A category of Special Admission applicants who are 21 years or older on 1 March of the year in which they want to study and who do not have the high school qualifications normally required for entry into a course.

Special Admission
Certain categories of applicants, such as mature-age applicants, students who have experienced educational disadvantage or Aboriginal or Torres Strait Islander applicants, may apply for admission to the University under one of several Special Admission schemes. Contact the Special Admissions office for further information.

TER
The Tertiary Entrance Rank (TER) is the numerical expression of a student's performance in the NSW Higher School Certificate (HSC), which takes into account both assessment and examination results.

TER cut-off
The TER of the last student admitted to a course. Some courses have a minimum TER.

Universities Admissions Centre (UAC)
The organisation that processes applications for most NSW undergraduate university and TAFE courses.

Enrolment and general terms

Academic year
The period during which teaching takes place, from February to November. The academic year is divided into two semesters.

Advanced standing
(See also: Credit) Recognition of previous experience or studies, meaning that the candidate has satisfied the entry requirements for a unit. Advanced standing does not reduce the number of credit points required to complete the degree course.

Associate Diploma
The undergraduate award granted following successful completion of Associate Diploma course requirements. An Associate Diploma course usually requires less study than a Diploma course.

Assumed knowledge
The level of knowledge expected for entry to a Unit of Study. Unlike prerequisites, levels of assumed knowledge are not compulsory for entry to a Unit. Students who do not have the assumed knowledge may, however, be at a considerable disadvantage and may consider completing a bridging course prior to enrolment. Contact the Learning Assistance Centre, Mathematics Learning Centre, Language Centre or Centre for Continuing Education for further information.

Bachelor's degree
The highest undergraduate award offered at the University of Sydney (other undergraduate awards are Associate Diploma and Diploma). A Bachelor's degree course normally requires three or four years of full-time study (or the part-time equivalent).

Campus
The grounds on which the University is situated. There are eleven campuses of the University of Sydney: Burren Street (Graduate School of Business), Camperdown and Darlington ("Main campus"), Camden (Agriculture and Veterinary Science), Conservatorium (Conservatorium of Music), Cumberland (Health Sciences and Nursing), Mallett Street (Nursing), Orange Agricultural College, Rozelle (Sydney College of the Arts), St James (Law) and Surry Hills (Dentistry).

Chancellor
(See also: Vice-Chancellor) The non-resident head of the University.

Combined degree course
A program consisting of two degree courses taken together, which usually requires less time than if the courses were taken separately.

Core
(See also: Elective/Option) A Unit of Study that is compulsory for the course or subject area.

Corequisite
A Unit of Study that must be taken with a given Unit. If a corequisite is not successfully completed, it becomes a prerequisite for further study in that subject area.

Course
A complete degree or diploma program.

Credit
(See also: Advanced standing) Recognition of previous studies or studies completed at another institution. If credit is granted then the number of credit points required for completion of the degree course is reduced.

Credit point
A measure of value indicating the contribution each Unit of Study provides towards meeting course completion requirements stated as total credit point value.

Dean
The head of a faculty.

Deferral of enrolment
Persons who have not previously attended a recognised tertiary institution are normally able to defer commencement of their candidature for one year. Applications are handled by the Admissions Office of the University. Application for deferral must be made during the UAC enrolment week at the "Deferral" desk in MacLaurin Hall and be accompanied by the "offer of enrolment" card.

Degree
The award conferred following successful completion of a degree course (for example Bachelor's degree or Master's degree).

Department/School
The academic unit responsible for teaching in a given subject area.

Diploma
The award granted following successful completion of Diploma course requirements. A Diploma course usually requires less study than a degree course. Graduate Diploma courses are for graduates only.
**Doctorate** (See also: PhD) The Doctorate awards and the PhD are the highest awards available at the University of Sydney. A Doctorate course normally involves research and coursework; the candidate submits a thesis that is an original contribution to the field of study. Entry to a Doctorate course often requires completion of a Master's degree course. Note that the Doctorate course is not available in all Departments of the University of Sydney.

**Elective/Option** (See also: Core) A Unit of Study that may be taken towards, but is not compulsory for, a course or subject area.

**Enrolment** The process whereby an applicant officially accepts the offer of a place in a particular course. If UAC application is successful, an "offer of enrolment" card is mailed to the applicant, along with instructions for enrolment. In most cases, the applicant must attend the University on a particular enrolment day or, if unable to attend, must appoint somebody to enrol on their behalf. Units of Study must be nominated on enrolment day. Academic records and HECS liability calculations are based on the enrolment details, so students must ensure that the Faculty holds correct enrolment information (see also: Variation of enrolment).

**Entry requirement** The level of knowledge and/or experience required for entry to a particular Unit of Study.

**Faculty** The administrative unit responsible for overseeing satisfactory progress during a degree or diploma course.

**Full-time** A study load usually defined in terms of HECS weighting of at least .375 per semester.

**Intermediate** Faculty of Science: Second-year level.

**Junior** First-year level.

**Laboratory practical** See: Practical.

**Lecture** (See also: Tutorial) A class given to a large group of students, during which the lecturer speaks or presents audiovisual material and students take notes.

**Major** The subject area(s) in which a student specialises at Senior level. Students usually specialise in one (single major) or two (double major) subject areas. The major is usually recorded on the testamur.

**Master's degree** A postgraduate award. Master's degree courses may be offered by coursework, research only or a combination of coursework and research. Entry to the course often requires completion of an Honours year at undergraduate level.

**Minor** Subject areas in which a student studies, but does not specialise at Senior level.

**Orientation period** "O' Week" takes place during the week prior to lectures in February semester. During O' Week, students can join various clubs, societies and organisations, register for courses with Departments and take part in activities provided by the University of Sydney Union.

**Part-time** A study load usually defined in terms of HECS weighting of less than .375 per semester.

**PhD** (See also: Doctorate) The Doctor of Philosophy (PhD) and other Doctorate awards are the highest awards available at the University of Sydney. A PhD course is normally purely research-based; the candidate submits a thesis that is an original contribution to the field of study. Entry to a PhD course often requires completion of a Master's degree course. Note that the PhD course is available in most Departments of the University of Sydney.

**Postgraduate** The term used to describe a course leading to an award such as Graduate Diploma, Master's degree or PhD, which usually requires prior completion of a relevant undergraduate degree (or diploma) course. A "postgraduate" is a student enrolled in such a course.

**Practical** Similar to a tutorial, during which experiments or other relevant applied activities are carried out.

**Prerequisite** A Unit of Study that must be taken prior to entry to a given Unit.

**Recommended reading** Reading material that is suggested but not compulsory for a Unit of Study.

**Registrar** The head of the administrative divisions of the University.

**Registration** In addition to enrolling (with the Faculty) in Units of Study, students must register with the Department responsible for teaching each Unit. This is normally done during the Orientation period (O' Week). Note that unlike enrolment, registration is not a formal record of Units attempted by the student.

**Resolutions of Senate** Regulations determined by the Senate of the University of Sydney that pertain to degree and diploma course requirements and other academic matters.

**School** Similar to a large Department, otherwise a grouping of Departments.

**Semester** A period of fourteen weeks during which teaching takes place. There are two semesters per year for most faculties.

**Senior** Second-year level or higher. Faculty of Science: third-year level.

**Subject area** One or more Units of Study that comprise a particular field of study (eg Japanese or Chemistry).

**Textbook** Reading material that the student is expected to own.

**Tutorial** (See also: Lecture) A small class consisting of a tutor and up to about 25 students, during which concepts raised in lectures are discussed in detail and may be supplemented with readings, demonstrations and presentations.

**Undergraduate** The term used to describe a course leading to a diploma or Bachelor's degree. An "undergraduate" is a student enrolled in such a course.

**Unit of Study** A stand-alone component of a degree or diploma course that is recordable on the academic transcript.
Variation of enrolment
The process whereby students officially notify the Faculty of changes regarding the Units of Study they are attending. This must be done by a certain deadline in each semester, to avoid penalties such as "discontinued" results on the academic transcript (see: Results) or unnecessary HECS charges.

Vice-Chancellor
(See also: Chancellor) The administrative head of the whole University, including academic and administrative divisions.

Costs

Bursary
A sum given to a student who has limited resources or is experiencing financial hardship, ranging from $100 to $1,000.

Fees (full-fee undergraduate/postgraduate)
Tuition, examination or other fees payable to the University by an enrolled or enrolling student in connection with a course of study or attendance at the University and includes fees payable in respect of the granting of a degree, diploma, associate diploma or other award. It does not include annual subscription to organisations such as the Union or SRC or fees payable in respect of residential accommodation.

HECS
All Australian undergraduate students are currently required to contribute to the cost of tertiary education through the Higher Education Contribution Scheme (HECS) which is administered under the Higher Education Funding Act 1988. Under HECS students pay for part of the cost of their higher education and the Commonwealth pays the rest. The amount payable is determined by the units of study a student chooses to undertake in the case of coursework awards, or the attendance (full-time or part-time) in the case of research students.

Prize
Matriculation, undergraduate and postgraduate funding automatically awarded on academic results in courses, yearly examinations or on the recommendation of the Head of Department. There are also prizes for essay writing and composition by anonymous application. Prize values range from $100 to $6,250.

Scholarship
Matriculation and undergraduate funding by application awarded on TER results for students enrolling in the first year of a degree course. Postgraduate funding for full-time candidates enrolled in a research degree course with scholarship conditions and benefits varying according to specific awards. The intention is to encourage and support scholarship at the University in general or in targeted areas.

Assessment, Examination, Satisfactory Progress and Graduation

Academic transcript/record
The official record of results for each student (see: Results).

Appeals
The process whereby a student may raise objections regarding results, Faculty decisions or other academic matters.

Assessment
(See also: Examination) The appraisal of a student's ability throughout the semester, by various means such as essays, practical reports or presentations, which counts towards the final mark or grade.

Candidate
Someone studying for a degree or diploma. The term may also be used to describe someone sitting for an examination.

Examination
(See also: Assessment) The appraisal of a student's ability, usually at the end of semester. Most examinations take place on campus under strictly supervised conditions but some Units make use of take-home or open-book examinations.

Exclusion
A ruling by the Faculty, which declares the student ineligible for further enrolment for reasons such as lack of satisfactory progress. Students who wish to re-enrol must show good cause why they should be allowed to re-enrol (see: Show cause and Satisfactory progress).

Grievances
see appeals

Grade
A category into which a student's final mark falls (see: Results).

Graduand
A person who has fulfilled the requirements of a degree but is yet to graduate.

Graduate
(See also: Postgraduate) A person who has graduated. Also a term used to describe a course leading to an award such as Master's degree or PhD or a student enrolled in such a course.

Graduation
The ceremony during which degrees are conferred and diplomas awarded.

Honours degree
A Bachelor's degree for which extra work (course work and/or thesis) has been completed, usually requiring an extra year of study.

Mark
(See also: Grade) The numerical result of assessments and/or examinations for a Unit of Study, which may be converted to a grade.

Pass degree
A Bachelor's degree.

Re-enrolment
The process by which continuing students enrol in Units of Study.

Results
The official statement of the student's performance in each Unit of Study attempted, as recorded on the academic transcript, usually expressed as a grade:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Distinction</td>
<td>a mark of 85% and above</td>
</tr>
<tr>
<td>Distinction</td>
<td>a mark of 75-84%</td>
</tr>
<tr>
<td>Credit</td>
<td>a mark of 65-74%</td>
</tr>
<tr>
<td>Pass</td>
<td>a mark of 50-64%</td>
</tr>
<tr>
<td>Terminating Pass</td>
<td>whereby the student is deemed to have completed Unit requirements, but is not permitted to re-enrol in order to attempt to achieve a higher grade.</td>
</tr>
<tr>
<td>Fail</td>
<td>a mark of less than 50%</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>This is the same as if the candidate had not enrolled in the course concerned. Although the University has a record of the withdrawal, the course and result will not appear on the official academic transcript. There is no HECS liability either. In order to have a course recorded as &quot;withdrawn&quot;, notice must be given by the candidate to the Faculty office on or before the deadline. Refer to the section on degree regulations.</td>
</tr>
</tbody>
</table>

Discontinued with Permission
This does not count as an attempt at the particular course, but does appear on the candidate's academic record. A candidate may have enrolment recorded as "discontinued with permission" where: 1. notice is given to the faculty office on or before the deadline or; 2. after the deadline, evidence is produced of serious illness or misadventure. Refer to the section on degree regulations for deadlines. Discontinuation with...
permission does not mean that the student's progress is considered to be satisfactory.

**Discontinued**
This counts as an unsuccessful attempt at the course concerned and appears on the candidate's academic record. Where notice is given after the deadline for "discontinued with permission" but before the last day of lectures for the course, the result is "Disc". Refer to the section on degree regulations for deadlines.

**Absent Fail**
If the candidate misses the deadline for "discontinued" and does not sit the final exam, the result is "absent fail".

**Satisfactory progress**
A minimum standard of performance required for continuation of enrolment. Senate resolutions rule that if a student fails or discontinues a year of candidature or a Unit of Study more than once then he or she is ineligible for re-enrolment (see: Exclusion and Show cause). Note that some faculties may have alternative or additional requirements for satisfactory progress.

**Show cause**
The Faculty may require a student to show good cause why he or she may be allowed to continue in the degree or diploma course, where requirements for satisfactory progress have not been met (see: Exclusion and Satisfactory progress).

**Special consideration**
The process whereby enrolled students who have experienced significant educational disadvantage may have their assessment deadlines or grades revised.

**Study Vacation (Stuvac)**
The week prior to the examination period in each semester, during which no classes are held.

**Supplementary examination**
An extra or alternative examination taken by a student who has experienced significant educational disadvantage during semester or the examination period. Note that some faculties do not offer supplementary examinations (see also: Special consideration).

**Suspension of candidature**
A complete break in the studies of an enrolled student, usually for a period of one year. Applications are handled by the Faculty office. (Those wishing to postpone commencement of a course need to apply for deferment, see: Deferment of enrolment).

**Testamur**
The document given to the graduand at graduation.

**Thesis**
A piece of written work (sometimes called a dissertation) by a student, normally a candidate for an Honours degree or a higher award (such as Master's degree or PhD).

**Weighted Average Mark (WAM)**
A numerical expression of a student's performance throughout their degree program, usually assigning more "weight" to Senior or Honours years. Note that the WAM calculation may differ for purposes such as eligibility to various scholarships and will vary from faculty to faculty.
11. Location of the Law School