



The University of Sydney

Faculty of Law Handbook 2002

University semester and vacation dates 2002

Summer School

Lectures begin	Wednesday 2 January
Summer School ends	Friday 1 March

Semester 1

Lectures begin	Monday 4 March
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Easter recess:

Last day of lectures	Thursday 28 March
Lectures resume	Monday 8 April
Study vacation: 1 week beginning	Monday 17 June
Examinations commence	Monday 24 June
Semester 1 ends	Saturday 6 July

Semester 2

Lectures begin	Monday 29 July
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Mid-semester recess:

Last day of lectures	Friday 27 September
Lectures resume	Tuesday 8 October
Study vacation: 1 week beginning	Monday 11 November
Examinations commence	Monday 18 November
Semester 2 ends	Saturday 7 December

Last dates for withdrawal or discontinuation 2002

Semester 1 units of study

Last day to add a unit	Friday 15 March
Last day for withdrawal	Friday 29 March
Last day to discontinue without failure (DNF)	Friday 26 April
Last day to discontinue (Discontinued - Fail)	Friday 14 June

Semester 2 units of study

Last day to add a unit	Friday 9 August
Last day for withdrawal	Friday 30 August
Last day to discontinue without failure (DNF)	Friday 13 September
Last day to discontinue (Discontinued - Fail)	Friday 8 November

Full Year units of study

Last day for withdrawal	Friday 29 March
Last day to discontinue with permission (DNF)	Friday 2 August
Last day to discontinue (Discontinued - Fail)	Friday 8 November

Academic year information (Academic Board policy and dates 1998-2002) is available at:

www.usyd.edu.au/su/planning/policy/acad/3_0aca.html.

The University of Sydney, NSW 2006

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The University of Sydney Faculty of Law Handbook 2002

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The information in this handbook is subject to approval and/or change by the appropriate faculty of the University. Students should always check the accuracy of the information with faculty staff.

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Contents

Welcome from the Dean

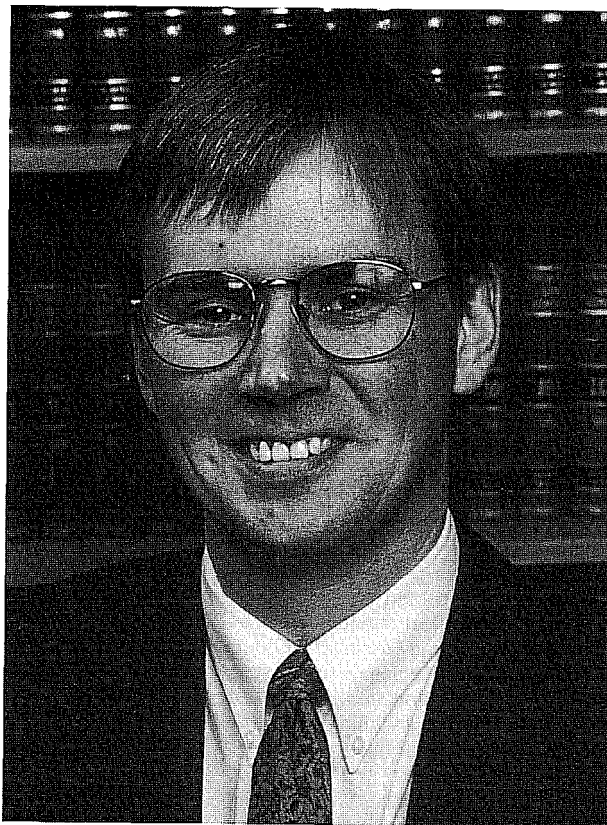
When I first came to law school, as a student, I expected the study of law to be about learning the rules. I thought law would be a technical discipline of knowing what the rulebook says and what the rules require in particular cases.

There was some truth in that. We do expect you to learn the law and legal reasoning does have its own particular and sometimes technical character. But I also found - and you will find - that legal reasoning makes more demands upon your creativity and your imagination than I ever thought possible. This is because law always speaks in relatively general terms, and it is up to lawyers to work out how those general terms apply in the complexities of daily life. In doing that, lawyers have to ask themselves continually what is the best rationale for a rule, what considerations are important to determining its scope and application.

That is why it is so important to have a legal education that allows for in-depth interaction and discussion with your lecturers. That is why a legal education should make sure that you engage in the kind of legal argument and experimentation that the practise of law demands. That is why the theory of law has to be interwoven with the practise. It is precisely in order to give you this kind of legal education that the University of Sydney has decided to move to small group teaching at the very time that other schools are having to expand class size.

I came to the University of Sydney from Canada in February 1998 because this faculty embodies a number of features essential to any great law school. First, it combines a strong commitment to legal theory with high standards of professionalism and indeed close links to the practise of law. Second, it has long had an intensive commitment to the study of international and comparative law. In a world in which legal practice increasingly involves transnational elements, Sydney's extensive engagement with the world is extremely valuable. Third, the University of Sydney has a very large postgraduate program, testifying to its quality and depth. It has the largest postgraduate program in law in Australia.

This is indeed a very fine Law School. We are pleased to welcome you here. The Faculty's accomplishments have always been due to the quality of its students. We look forward to discovering what your distinctive contribution to that tradition will be.



A handwritten signature in dark ink, appearing to read 'J Webber', followed by a long horizontal line.

Professor Jeremy Webber, Dean

1 Guide to the Faculty

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, NSW, 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 JB 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 AH 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 or the top floor of an old building called Wentworth Court, which ran from Phillip to Elizabeth Streets 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 until 1913, when it moved for a year to a 'cramped and noisy' upper floor in Martin Place, while Wigram Chambers (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. On this block, a 13-storey 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 (FC Hutley, later Mr. Justice Hutley of the Supreme Court of NSW), and 14 part-time lecturers.

In the years immediately following World War II, there were some 1100 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 1450 undergraduate students, 800 postgraduate coursework students and 100 postgraduate research students. There are now 14 chairs, including the Challis Chairs of Law (Professor Richard Vann), Jurisprudence (Professor Alice Tay), and International Law

(Professor Ivan Shearer) and externally supported Chairs in Industrial Law (Blake Dawson Waldron - Professor Ron McCallum), Women and the Law (PricewaterhouseCoopers Legal - Professor Reg Graycar), Litigation and Dispute Resolution (Abbot Tout - Professor Hilary Astor). The Dean of the Faculty in 2002 is Professor Jeremy Webber.

The Faculty of Law

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2 Introduction to the undergraduate degree

A wide range of information about the faculty's programs, units of study, admission, enrolment, timetables, progression, examinations, scholarships and prizes and much more can be found by visiting the Faculty web site [at www.law.usyd.edu.au](http://www.law.usyd.edu.au).

Undergraduate study in the Faculty of Law

The Faculty of Law has 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.'

A Foundation Program has 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, mooting, 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 units of study 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 Laws programs are offered, Combined Law and Graduate Law, both of them full-time. The full-time load is three units of study per semester. There are no evening classes in the undergraduate units of study. Students in the Graduate Law Program, and in Law IV and V of the Combined Law program, may elect to complete their degree over a longer time period by enrolling in only two units of study per semester. Students who take this option must nevertheless meet the minimum progress, maximum time and subject prerequisite requirements.

Before deciding to reduce their standard full-time load, students should consider the impact this may have on any scholarships, grants or income-tested pensions, allowances, concessions or benefits to which they are entitled. International students are normally required to enrol on a full-time basis if they have entered the country on the basis of a student visa.

Combined Law degrees

Duration: 5 years **full-time** (3 years of combined programs on the main Camperdown Campus, 2 years at the Faculty of Law, St James Campus, Phillip Street, Sydney) for all courses except Engineering/Law, which is 6 years (3 years of combined programs plus 1 year of Engineering only, on main campus, followed by 2 years at St James).

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

Most applicants to Combined Law courses are secondary school leavers who have just completed a NSW HSC (or its equivalent). Applications to transfer to Combined Law may also be made from students who have completed no more than one full-time year's study in another degree course either within the University of Sydney or elsewhere. Alternative admission schemes are available, such as the Broadway Scheme, the Cadigal Program and the Mature-age Entry Scheme, and details for these are outlined in the Universities Admission Centre (UAC) Guide. For all the Combined Law courses admission is extremely competitive.

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

Graduate Law degree

Duration: 3 years **full-time** (Faculty of Law, St James Campus, Phillip Street, Sydney)

Graduates and graduands of any university in Australia, New Zealand or the United Kingdom or the Republic of Ireland may apply for admission to the Graduate Law program which may be completed in three years of full-time study at the Faculty of Law. Graduates or graduands of other institutions who are granted equivalent status by the Faculty of Law may also apply for admission. The course is not available to those who have just left secondary school or to those who have a tertiary record but are not yet graduates or graduands. Transfer is not available for those who have completed more than one full-time year of a law degree from elsewhere. Competition for places is keen and admission is decided on a weighted basis on 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 (except for Legal Research at 0 credit points) 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 (except for Legal Research at 0 credit points) have been given a value of 8 credit points. (The differential weighting for units in Combined Law programs recognises the need to accommodate the degree 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.

INTRODUCTION TO THE UNDERGRADUATE DEGREE

regimes, Combined Law students should consult the Undergraduate Team Leader in the Faculty of Law or the Information Officer at the Faculty of Law Counter in the Old Teachers' College.

Library facilities on the Camperdown 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 Wolstenholme Library in the Merewether Building. Most law reports and law school journals, however, are available only at the Law School Library.

3 Undergraduate units of study

■ Compulsory units of study

LAWS 2002 Administrative Law

8 credit points. Dr Mary Crock (Convenor). **Semester: 1. Classes:** Two 2 hr seminars per week.

This unit of study involves a study of the relationships of individuals and organisations with government decision makers. It examines the legal principles which apply to those relationships with the aim of developing an understanding of the extent to which decision-makers within the executive branch of the government are accountable to parliament, to the courts and to other administrators, such as ombudsmen and merits 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 1002 Contracts

8 credit points. Mr Saul Fridman. **Semester: 1,2, Summer. Classes:** Two 2 hr seminars per week.

February Semester classes are for students in Combined Law and July Semester classes are for students in Graduate Law.

Contract law provides the legal background for transactions involving the supply of goods and services and is, 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.

The aims of the unit are composite in nature. The central aim is to provide an understanding of the basic principles of the common law, equity and statutes applicable to contracts. A second aim is to provide students an opportunity to critically evaluate and make normative judgments about the operation of the law. As Contracts is basically a case law unit, the final aim of the unit of study is to provide experience in problem solving through application of the principles derived from decided cases. Successful completion of this unit of study is a prerequisite to the option Advanced Contracts.

LAWS 2003 Corporate Law

8 credit points. Professor Jennifer Hill (Convenor). **Semester: 2. Classes:** Two 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 1003 Criminal Law

8 credit points. Professor Mark Findlay (Convenor). **Semester: 1,2. Classes:** Two 2 hr seminars per week.

February Semester classes are for students in Graduate Law and July Semester classes are for students in Combined Law.

The Graduate Law class will commence in Week 2, to accommodate the Legal Institutions intensive. This unit of study is designed to assist students in developing the following understandings:

- (1) A critical appreciation 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 knowledge 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 2004 Equity

8 credit points. Associate Professor Patricia Loughlan. **Semester: 2, Summer. Classes:** Two 2 hr seminars per week.

An appreciation of equitable principles and remedies is fundamental to understanding the Australian legal system. This unit of study explains the origins of the equitable jurisdiction and examines its role today. A substantial part of the unit is dedicated to study of the law of trusts, including remedial constructive trusts. Other topics include dealings with property in equity, fiduciary obligations, the doctrines of undue influence and unconscionable dealing, estoppel and equitable remedies.

LAWS 1004 Federal Constitutional Law

8 credit points. Dr Isabel Karpin (Convenor). **Semester: 2. Classes:** Two 2 hr seminars per week.

As for Combined Law, LAWS 3000.

LAWS 3000 Federal Constitutional Law

10 credit points. Dr Isabel Karpin (Convenor). **Semester: 2. Classes:** Two 2 hr seminars per week.

NB: Unit is part of the Combined Law program.

This unit of study aims to achieve an understanding of the principles of Australian constitutional law. The unit commences with a development of an understanding of Australia's constitutional independence, parliamentary sovereignty, indigenous rights and the concepts of representative and responsible government. Further topics covered include federalism (including the external affairs power and the relationship between Commonwealth and state laws); economic and financial power and relations (including the corporations power, the trade and commerce power, freedom of interstate trade, and excise); the doctrine of separation of powers and judicial power of the Commonwealth; express and implied constitutional rights; and principles of constitutional interpretation. The unit aims to develop a capacity to evaluate the principles critically, with regard to political theory and the social context within which cases have been decided.

LAWS 2005 International Law

8 credit points. Associate Professor Don Rothwell (Convenor). **Semester: 1. Classes:** Two 2 hr 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 and choice of law in tort. 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 the implications for Australia of globalisation, from the perspectives of both private and public international law.

LAWS 1001 Law, Lawyers and Justice

8 credit points. Mr Bernard Dunne (Convenor). **Semester: 2. Classes:** Two 2 hr seminars per week.

Law, Lawyers and Justice has a distinct intellectual focus. Most subjects in the law curriculum are concerned primarily with examining judicial decisions, and the statutes, framework and

functions of state administration. In contrast, Law, Lawyers and Justice concentrates on what lawyers do, do not do, and should do, as well as on strategies to influence them to do better - better in two intertwined domains, namely, legal competence and ethical responsibility.

Law, Lawyers and Justice begins with mapping the different forms of legal practice, examining their work environments, appraising the social worth of legal services, and suggesting alternative ways of being a lawyer. It then examines law as a profession, investigating how it is structured and regulated. Next, the subject proceeds to analyse lawyer-client relations. Here the major aims are to determine how clients are treated by lawyers, what formal rules and principles are used to mould the behaviour of lawyers, and in what ways the relationship should be changed in the interests of both equality and effective communication. Finally, Law, Lawyers and Justice investigates the adversary system and considers its advantages and limitations. The material in this part of the subject, addresses the effects an adversarial legal culture has on the way lawyers interact with clients and opposing parties. It also analyses current regulatory measures designed to curb the actions of lawyers within the adversary system. A central theme, constantly revisited in Law, Lawyers and Justice, is the questioning of how ethics and law should be conceived and practiced, as well as the appropriate interdependencies between the ethical and the legal.

LAWS 1007 Law, Lawyers and Justice

6 credit points. Mr Bernard Dunne (Convenor). Semester: 2. Classes: Two 2 hr seminars per week.

NB: Permission required for enrolment. Unit is part of the Combined Law program.

As for graduate law, LAWS 1001

LAWS 1000 Legal Institutions

8 credit points. Ms Jenni Millbank (Convenor). Semester: 1, Summer. Classes: Legal Institutions is taught to Graduate Law I students on an intensive basis over the first two weeks. Students then attend regular class times of Two 2 hr seminars per week for the following six weeks. The aim of this is to give students a good grounding in the basic legal skills needed for law studies before also studying Torts and Criminal Law. The course commences one week prior to the start of semester in the University calendar. Attendance at the intensive is essential for completion of the course. Classes start on 25 February 2002. No other law classes are taught for the duration of the intensive - Criminal Law and Torts therefore commence in week 2 of semester time. As for Combined Law, LAWS 1006.

LAWS 1006 Legal Institutions

6 credit points. Ms Jenni Millbank (Convenor). Semester: 1, Summer. Classes: One 1 hr lecture & Two 2 hr seminars per week.

NB: Unit is part of the Combined Law program.

This unit of study provides a foundation core for the study of law. We aim to provide a practical overview of the Australian legal system, an introduction to the skills of legal reasoning and analysis which are necessary to complete your law degree, and an opportunity for critical engagement in debate about the role of law in our lives.

The course will introduce students to issues such as:

- the development of judge made and statute law
- the relationship between courts and parliament
- the role and function of courts, tribunals and other forms of dispute resolution
- understanding and interrogating principles of judicial reasoning and statutory interpretation
- the relationship between law, government and politics
- what are rights in Australian law, where do they come from and where are they going

We will have a particular focus on indigenous Australia in exploring many of these issues, for example through the landmark Mabo decision.

LAWS 1008 Legal Research

No credit points. Mr Graeme Coss (Convenor). Semester: 1, 2. Classes: 1 hr per week over eleven weeks for Combined Law; 2hrs per week over seven weeks for Graduate Law.

This unit is a compulsory component of the Bachelor of Laws degree.

- Combined Law students undertake tuition at the Law School in their first year, with classes offered in either first or second semester depending on timetabling. The semester 1 'host' law unit will be Legal Institutions, and in semester 2 the 'host' law unit will be Torts.

- Graduate Law students undertake tuition in first semester of the first year. The 'host' substantive law subject will be Criminal Law.

The subject Legal Research aims:

- to promote the proficient use by all students of a law library;
- to introduce students to major Australian legal research aids, both in hard-copy and electronic format, and to discourage dependency;
- to provide students with practice in finding and analysing relevant primary and secondary materials;
- to promote efficient and effective research methods.

Legal Research is graded on a Pass/Fail basis. Attendance at all classes is mandatory. Classes will be of one hour duration, one per week, for eleven weeks for Combined Law students; of two hours duration, one per week, for seven weeks for Graduate Law students. Numbers will be limited to a maximum of 16 in each class. There will be continuous assessment throughout the semester. Also the 'host' law subject will require students to complete a research assignment, and this will obviously be marked partly with research skills in mind.

LAWS 2006 Litigation

8 credit points. TBA. Semester: 2, Summer. Classes: Two 2 hr 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.

LAWS 2007 Real Property

8 credit points. Associate Professor Peter Butt (Convenor). Semester: 1. Classes: Two 2 hr seminars per week.

The law of real property has always played an important role in the economic, social and political life of England and of those countries, such as Australia, which adopted its legal system. This unit of study aims to provide a study of the modern-day law of real property in the light of its historical development. It considers the nature of interests in land, the rights and obligations which arise from land ownership, and the way in which the law resolves conflicts between competing claims to interests in land.

After a brief historical introduction, the unit of study considers the nature of the various interests in land, the law of coownership (joint tenancies and tenancies in common), future interests, priorities between competing interests in land, and the legislation governing the registration of instruments affecting land. The Mabo and Wik cases, and concepts of native title are also considered.

Because of its significance in Australian land law, emphasis is placed on the Torrens system. Also considered in some detail is the law relating to easements and covenants, and an introduction is provided to the law of mortgages and leases.

LAWS 1005 Torts

8 credit points. Associate Professor Barbara McDonald (Convenor). Semester: 1, Summer. Classes: Two 2 hr seminars per week. As for Combined Law, LAWS 1010.

LAWS 1010 Torts

6 credit points. Associate Professor Barbara McDonald (Convenor). Semester: 2, Summer. Classes: Two 2 hr seminars per week. Prohibition: LAWS 3001 Torts.

NB: Unit is part of the Combined Law program for students commencing in 2002.

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 the 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, detainee and conversion)
- (f) Trespass to land;
- (g) The action on the case for intentional injury;
- (h) Defences to trespass, including consent, intellectual disability, childhood, 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 negligence;
- (m) Breach of statutory duty;
- (n) Nuisance; and
- (o) Liability for animals.

■ Optional units of study

LAWS 3007 Advanced Contracts

8 credit points. Dr Elisabeth Peden. **Semester: 1. Assessment:** Students will complete and deliver a research essay of their choice on contract law and contract theory.

The course of Advanced Contracts aims to build on the level of knowledge students gained in the core contract course. To give the course a focus, particular areas of contract are concentrated on, however, by the end of the course most of the core contract course will be revisited at a higher level of sophistication. In addition, the course will draw upon and develop the knowledge students gained in the core equity and property courses. The focus of the course will be on restitution following discharge of contract and the assignment of contractual rights.

This first unit of study aims to introduce students to restitution for unjust enrichment. It is imperative for students entering commercial practice to have some understanding of the rapid evolution of unjust enrichment in Australian Law. This unit looks at the concept of unjust enrichment and its impact on one area of contract, namely discharge. Students are expected to have a basic understanding of discharge prior to starting this unit.

The second unit of study, the assignment of contractual rights, is one of the most difficult areas of contract and arises at the margins of contract and property. It is one of the most important areas of contract and property law in commercial practice. For example, real securities, receivables financing and securitisation are dependent upon assignment.

LAWS 3008 Advanced Corporate Law

8 credit points. Mr Saul Fridman. **Semester: 1. Classes:** Two 2 hr seminars per week. **Prerequisite:** Corporate Law. **Assessment:** class participation (20%), 4000w essay (40%), open book exam (40%).

NB: Permission required for enrolment.

This unit of study will deal with corporate insolvency as well as a number of contemporary issues concerning debt and equity finance in Australian public and proprietary companies. It will cover receivership, voluntary administration, liquidation, the raising of corporate finance and the positions of shareholders and creditors in the event of the company's insolvency.

LAWS 3009 Advanced Public International Law

8 credit points. Professor Ivan Shearer. **Semester: 2. Classes:** Two 2 hr seminars per week. **Prerequisite:** International Law. **Assessment:** One compulsory non-redeemable 4000w essay (40%), one optional non-redeemable 6000w research paper or moot (60%) or one exam (60%).

NB: Permission required for enrolment.

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. Topics may change from year to year.

The topics selected for 2001 were:

- (1) The Law of the Sea. The impact of the United Nations Convention on the Law of the Sea, 1982, is assessed against the background of customary international law. Special attention is given to those aspects of the law which affect natural resources, freedom of navigation and the protection of the marine environment.
- (2) 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. The basic rules of treaty law and interpretation, the

consequences of breach of treaties, and the application of treaties in Australian law are studied.

- (3) International Dispute Resolution: An in-depth analysis of international dispute resolution as a technique for resolving international law disputes is undertaken, with an emphasis on peaceful means of settlement. Detailed consideration is also given to certain international disputes such as the Iranian Hostages case, Rainbow Warrior case, East Timor, French Nuclear Testing and the Gulf War. Future topics may include International Trade and International Humanitarian Law.

LAWS 3011 Advocacy, Interviewing and Negotiation

8 credit points. Associate Professor Les McCrimmon. **Semester: 1. Classes:** Three weekend sessions and two 2 hr seminars per week commencing April 8. **Corequisite:** Litigation. **Assessment:** Workshop performance (20%), mid semester take-home exam (40%), end semester half-day trial (40%), reflective journal -(Pass/ fail).

NB: Permission required for enrolment.

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.

There is a quota on enrolments in this unit.

LAWS 3012 Anti-Discrimination Law

8 credit points. Ms. Belinda Smith. **Semester: 2. Classes:** Two 2 hr seminars per week. **Assessment:** One exam (50%), 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, 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 3101 Banking & Financial Instruments

8 credit points. Dr Roger Magnusson. **Semester: 1, Summer. Classes:** Two 2 hr seminars per week. **Assessment:** Combination of open book exam and optional essay and/or assignment.

This course aims to provide students with:

- An introduction to the legal regulation and supervision of banks and other Authorised Deposit-taking Institutions (ADIs);
- An understanding of the legal basis of the relationship between banks, ADIs and their customers, and an overview of the more common rights and duties which adhere to the banker/customer relationship;
- An introduction to negotiable instruments;
- An introduction to some of the legal principles regulating debt finance.

The unit covers aspects of banking and finance at both the 'consumer' and 'commercial' level, while minimising overlap with existing courses in corporations law, securities, equity, law and commercial transactions, contracts and real property. The unit does not consider insolvency in any detail. The aims of the course above indicate the broad themes to be covered. Specific topics are as follows:

- Legal regulation and supervision of ADIs (banks and NBFIs) - Legislative Framework Relevant to Banks and other ADIs
- The ADI/customer relationship - Legal Basis of Dealings Between Banks/ADIs and their Customers; Appropriation, Combination and Set-Off; Duties and Liabilities of Bankers & ADIs
- Making payments: negotiable instruments - Cheques; Bills of Exchange

- Emerging Issues - 'Digital money', and electronic payment systems
- Loans & Debt Security - An Introduction to Guarantees; Secured Debt: Fixed and Floating Charges; Recent Developments in the Law of Secured Debt.

LAWS 3013 Business Taxation

8 credit points. Ms Celeste Black. **Semester:** 2. **Classes:** Two 2 hr seminars per week. **Prerequisite:** Personal Taxation. **Assessment:** open book exam and one optional essay.

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 and goods and services tax, being indirect 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) goods and services tax; and
- (e) stamp duties.

LAWS 3014 Chinese Laws and Chinese Legal Systems

8 credit points. Ms Nicola Franklin, Professor Alice Tay. **Semester:** 1. **Assessment:** One 3 hr exam and one 4000w essay for February Semester Shanghai students.

NB: Permission required for enrolment.

This unit of study provides an overall picture of the contemporary Chinese legal system. The unit seeks to develop an understanding of the unique character of Chinese law by tracing its role through major social epochs - its imperial origins, the reforms of the Nationalist regime, the eras of revolutionary and radical transformations, and its role in a socialist market economy. The nature and function of law in contemporary China is explored through examination of the development of various legal regimes, including constitutional and administrative law, the civil and criminal law systems, the legal profession and court system, real property law, foreign investment law and intellectual property law.

This unit of study is available in 2002 in Shanghai only. The Winter School in Shanghai will take place from 2-25 January 2002, on the campus of the East China University of Politics and Law in Shanghai, People's Republic of China. The lectures are given in English by Chinese Professors. Following the lectures, students must sit an examination in Shanghai. The essay component of this unit is undertaken on return to Australia and must be submitted by the end of the February Semester.

Students wishing to undertake the unit in Shanghai must apply to the Centre for Asian and Pacific Law in the University of Sydney (CAPLUS).

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

LAWS 3016 Competition Law

8 credit points. Dr Brett Williams. **Semester:** 1,2. **Classes:** Two 2 hr seminars per week. **Assessment:** 3000w essay (30%), and 2 hr exam (70%), or one 3 hr exam (100%).

This unit of study examines competition law and policy in Australia. The provisions of Part IV of the Trade Practices Act 1974 (Cth) will be examined together with the reforms introduced by the National Competition Policy. The framework for analysis will include a critical examination of the fundamental purposes of competition policy and the legal regulation of economic activity in general. Some references will be made to the restrictive trade practices provisions of comparative jurisdictions. Topics include:

- a) National Competition Policy; the deregulation and corporatisation of essential services;
- b) Vertical and horizontal arrangements which substantially lessen competition;
- c) Mergers and acquisitions;
- d) Misuse of substantial market power;
- e) Access to essential services;
- f) Authorisations and Notifications;
- g) Remedies and Enforcement; and
- h) The role of the Australian Competition and Consumer Commission.

LAWS 3017 Conveyancing

8 credit points. Associate Professor Peter Butt. **Semester:** 2. **Classes:** Two 2 hr seminars per week. **Prerequisite:** Real Property. **Assessment:** One optional non-redeemable 3000w essay (40%) and one 2 hr exam (60%), or 3 hr exam (100%).

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 conveyancing 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 conveyancing 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 3020 Criminology

8 credit points. Associate Professor Chris Cunneen, Associate Professor Julie Stubbs. **Semester:** 1,2. **Classes:** Two 2 hr seminars per week. **Assessment:** one take-home exam (50%), one 5000w (50%), class presentation.

NB: Permission required for enrolment.

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 offences are considered. Other topical issues are covered as they arise in the contemporary crime debate.

Students are expected to take part in visits to a gaol and/or a juvenile detention centre. Completion of this unit fulfils the Jurisprudence/Part 2 requirement for the LLB in the Faculty of Law.

LAWS 3021 Critical Legal Studies

8 credit points. Mr David Fraser. **Semester:** 1. **Classes:** Two 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/Part 2 requirement for the LLB in the Faculty of Law.

LAWS 3022 Dispute Resolution

8 credit points. Professor Hilary Astor. **Semester:** 2. **Classes:** Two 2 hr seminars per week. **Assessment:** One 3500w essay (35%), classwork (15%), one take home exam (50%).

NB: Permission required for enrolment.

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, and expert processes. 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 enrolment in this unit.

LAWS 3023 Employment and Industrial Law

8 credit points. TBA. Semester: 2. Classes: Two 2 hr seminars per week. Prerequisite: Federal Constitutional Law, Contracts. Assessment: combination drawn from class participation, assignments and exam. The general aim of this unit of study is 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.

LAWS 3024 Environmental Law

8 credit points. Professor Ben Boer. Semester: 1. Classes: Two 2 hr seminars per week. Assessment: Exam (50%), one 5000w essay (40%), class participation (10%).

NB: Permission required for enrolment.

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. Mr Graeme Coss. Semester: 1,2. Classes: One 2 hr seminar per fortnight plus up to one day per week at a placement site. Assessment: One research assignment (50%), seminar performance (30%), placement site evaluation (20%).

NB: Permission required for enrolment.

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. Professor Patrick Parkinson. **Semester: 1. Classes:** Two 2 hr seminars per week. **Assessment:** Court attendance, one 4000w essay (40%), one open book exam (60%).

This unit of study will include the following topics:

- (a) What is a family?
- (b) Constitutional and jurisdictional factors;
- (c) The Family Court;
- (d) Counselling and alternative dispute resolution;
- (e) Marriage and nullity;
- (f) Unmarried relationships;
- (g) Divorce;
- (h) Violence against women;
- (i) Division of Property;
- (j) Maintenance and child support;
- (k) Relationships between parents and children.

LAWS 3029 Holocaust, Moral Responsibility & Law

8 credit points. Mr David Fraser. Semester: 1. Classes: Two 2 hr seminars per week. Assessment: One 10,000w essay.

NB: Permission required for enrolment.

The 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 idea 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 prosecution of perpetrators. Throughout, the status of law and legal ideology in the western tradition is questioned.

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

LAWS 3031 Independent Research Project

8 credit points. **Semester: 1,2, Summer. Assessment:** 10,000w research paper.

NB: Permission required for enrolment. Also a 4 credit point Independent Research Project.

The goal of this unit of study is to provide students with an opportunity to pursue independent research in an area of their choosing. The project must involve a new piece of research. Material which has been submitted for assessment in any other unit of study may not form part of the project.

Before enrolling in this unit of study, the student must formulate in writing the topic of the research project and a statement of methodology. The topic of the research project and the methodology must be approved in writing by a member of the teaching staff who agrees to act as supervisor and to be responsible for assessment of the research project. This approval will not be given if the topic of the research project falls within the scope of another unit of study being offered in the same semester.

Students must have a high credit average in order to enrol in this unit.

LAWS 3030 Independent Research Project

4 credit points. Semester: 1,2. Assessment: 5000w research paper.

NB: Permission required for enrolment. Also an 8 credit point Independent Research Project.

As for 8 credit point Independent Research Project. Enrolment in the 4 credit point Independent Research Project is not open to students proceeding under the 1998 Senate Resolutions governing the Bachelor of Laws degree.

LAWS 3033 Intellectual Property

8 credit points. Associate Professor Patricia Loughlan, Ms Shelley Wright, Ms Kim Weatherall. **Semester: 1, 2. Classes:** Two 2 hr seminars per week. **Assessment:** Associate Professor Loughlan: one 2 hr exam (50% or 80%); one optional, redeemable essay (30%); one compulsory class presentation (20%).

NB: Permission required for enrolment.

Associate Professor Loughlan's and Ms Weatherall's classes (Semester 1): The unit of study will provide a comprehensive overview of the disparate legal rights and causes of action which fall within the general rubric of intellectual property law. These rights fall broadly into two categories: The Creative Rights which are based on a policy of encouraging the exercise of inventive, creative and entrepreneurial skill and labour to a commercial end and include the law of copyright, patents, industrial designs, trade secrets and confidential information. The Marketing Rights which concern the marketing of products and are based on a policy of preventing customer confusion and unfair competition in the market place, specifically by way of misrepresentation and include the law of trademarks, passing off and s.52 of the Trade Practices Act 1974. The range of topics and different regulatory regimes to be covered mean that some topics will inevitably be covered in considerably more depth and detail than others.

The general objectives of the unit are to develop a critical understanding of the basic laws and policies governing intellectual property in Australia and to examine and evaluate the operation of those laws and policies. The unit objectives will be attained through classroom discussion and debate and through a study of primary and secondary materials, with emphasis on decided cases and statutory interpretation.

Ms Wright's classes (Semester 2): A survey is provided of copyright, patents, trade marks, trade designations, confidentiality and industrial designs. There is some discussion

of international developments. A critical and historical approach is taken using the example of protection of Indigenous cultural heritage.

LAWS 3072 International Commercial Transactions

8 credit points. Mr. Luke Nottage. **Semester: 2. Classes: Two 2 hr seminars per week. Prerequisite:** Contracts; International Law. **Assessment:** (a) 40% open book examination, (b) 40% mid-semester research essay, and (c) 20% class participation (if the grade for this component is greater than the average grade for (a) and (b); otherwise, the latter average grade).

This course introduces some key legal and practical issues in conducting cross-border business. The first part outlines the main legal vehicles and financing mechanisms now used in international trade and investment. The second focuses on issues in negotiating and drafting contracts, especially those governed by the United Nations Convention on Contracts for the International Sales of Goods (acceded to by Australia in 1988, and almost all other major trading nations) and the UNIDROIT Principles of International Commercial Contracts (increasingly used in the supply of services). The third part introduces basic principles of international commercial arbitration, the most commonly used dispute resolution mechanism.

in cross-border supply contracts. The fourth part compares key concepts and issues in influential product liability regimes, namely those found in Europe (and increasingly in the Asia-Pacific region) and the United States. The course concludes with an overview of major corporate governance regimes world-wide, as corporate governance can be central to effective management of cross-border contractual relationships, as well as in investments. The course links these four main areas - contracting, civil dispute resolution through arbitration, product liability, and corporate governance - by using a hypothetical case involving an Australian exporter and Japanese trading partners. It covers legal rules and commercial practices, including empirical studies. However, the course is pitched at a general and introductory level, preparing students for advanced or postgraduate courses in more specific fields.

LAWS 3034 International Human Rights Law

8 credit points. Ms Shelley Wright. **Semester: 2. Classes: Two 2 hr seminars per week. Prerequisite:** International Law. **Assessment:** one 9000w essay (90%), one 1000w abstract (10%).

NB: Permission required for enrolment.

This unit of study will explore various issues in the area of international human rights, including civil and political rights, social and economic rights and rights of peoples.

Students should have completed International Law.

LAWS 3073 Seminar: Internet Law

8 credit points. Ms. Kim Weatherall. **Semester: 1. Classes: Two 2 hr seminars per week. Prerequisite:** Contracts.

NB: Students are at an advantage if they have studied or are studying Intellectual Property.

This seminar will explore legal issues, and the difficulties faced by legal institutions, as a result of the development of the Internet. Broadly, the seminar will aim to explore the challenges of 'Internet governance': how do we choose appropriate means of regulating conduct involving use of the Internet? What institutions are most effective (or least imperfect)? Can we extend existing legal frameworks in the digital network context through 'patchwork' updates to law? These themes will be developed through the study of a number of specific areas of law affected by the Internet. Legal issues considered may include: history and theories of cyberspace regulation; jurisdiction; content regulation and censorship; privacy and collection of personal data online; specific applications of and adjustments to intellectual property laws, including copyright, trademarks and passing off, and patents as they affect digital networks; electronic transactions and e-commerce; ICANN and domain name systems; and tortious liability for conduct over digital networks. In addition to a final exam, students will be expected to write a research paper or law reform proposal; all students will be required to do a short presentation in class, which will form part of the assessment.

LAWS 3067 Introduction to Vietnamese Law

8 credit points. Associate Professor Alex Ziegert. **Semester: 1. Assessment:** 6,000 w essay (60%), exam (40%).

NB: Permission required for enrolment. Coursework component held in Hanoi only.

The unit will introduce to Australian students an overall picture of the modern Vietnamese legal system. It will examine the unique character and role of law in Vietnam beginning from its

feudal origins, through the era of French colonisation and the regimes in place during the Vietnam War and onto the new role for law in a socialist market economy. Along the way issues such as the Vietnamese feudal codes of law and administration following Chinese domination of Vietnam from 111 BC, French colonisation and Soviet influence will be delved into. The course will examine the concept of law as a political function and the implementation of law, not so much through courts as through administrative fiat and authority, making law essentially a function of politics and administration, but with little accountability and democratic control.

The unit will go on to illustrate these perceptions through the study of various legal regimes. Lecture topics include Vietnamese Legal History, Legal Culture, Constitutional Law, Administrative Law, Criminal law & Procedure, Civil Law & Procedure, Economic Contract Law, Foreign Joint Venture Law, Foreign Investment Law, Commercial Law, Company Law, Intellectual Property Law, Tax Law, Property Law, Foreign Trade Law, Mediation, Arbitration and the Lawyer System. Visits will also be scheduled for institutions such as the National Assembly, Courts, the Procuracy and Lawyers Associations.

The course will also raise questions about the character of Vietnamese post-socialist laws and how they fit into the world system of harmonised and internationalised legal regulation.

This unit is available in 2002 in Hanoi only. The Winter School in Hanoi will take place in Hanoi from 2-25 January 2002 on the International Students campus of the National University in Hanoi. The course will include at least 52 hours of lectures on the above areas of Vietnamese law. Approximately 2/3 of the course will be presented directly in English, the remaining hours will be presented by legal experts in Vietnamese with subsequent interpretation.

Students wishing to undertake the unit in Hanoi must apply to the Centre for Asian and Pacific Law in the University of Sydney (CAPLUS).

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

LAWS 3035 Jessup International Law Moot

8 credit points. Professor Ivan Shearer. **Semester: 1. Classes: Two 2 hr seminars per week. Prerequisite:** LAWS 2005 International Law.

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 emphasizing basic principles of public international law.

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

LAWS 3064 Law and Commercial Transactions

8 credit points. Ms Joellen Riley. **Semester: 2. Classes: Two 2 hr seminars per week. Prerequisite:** Contracts; Equity; Real Property. **Assessment:** problem exercise (20%), issues paper (oral or written) (30%), 2 hour open book exam (50%) (May vary depending on size of enrolment).

This unit of study offers students an opportunity to examine the contract structures and other legal concepts employed in the commercial environment. The unit takes both a policy-oriented, and pragmatic approach to commercial problem-solving. Students will acquire an understanding of key legal and equitable doctrines, how they are used to structure transactions and meet commercial objectives, and the role law plays in an emerging commercial morality. This is a survey unit, offering a broad overview of commercial law in context, with some opportunity to engage in detailed study of particular topics including property transfer, commercial relationships (partnership; principal and agency), risk management through taking security and commercial remedies. The unit concludes with an examination of some challenges to commercial law and practice in the new millennium, in particular, E-commerce and globalisation.

LAWS 3039 Law Communications Culture & Global Econ

8 credit points. Dr Isabel Karpin. **Semester:** 1. **Classes:** 2 x 2hr seminars per week. **Assessment:** Class participation/presentation (35%), 6500w essay (65%).

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 public sphere and the nation state. The regulatory framework, such as the ownership and control of licences, the cross-media and Australian content rules and competition law will be examined in the context of global trends towards deregulation and the massive technological transformation of our media environment. For instance, we consider whether communications law has or can respond to the introduction of new communication technologies and the move towards the globalised marketplace? We consider in what way cyberspace may challenge our traditional understanding of regulatory boundaries and cultural identity and new developments in Internet law. This unit will also examine the development of a cyberculture, which, while resisting government attempts to regulate content, has introduced new and different forms of informal justice.

Completion of this unit satisfies the Jurisprudence/Part 2 requirement for the LLB in the Faculty of Law.

LAWS 3103 Law and Discourse

8 credit points. Associate Professor Desmond Manderson. **Semester:** 2. **Classes:** Two 2 hr seminars per week. **Assessment:** Reading quiz (30%), class participation including presentation (20%), major essay (50%).

This unit of study introduces students to a wide range of materials addressing: law and literature; law, language and power; meaning and interpretation; and the relationship of justice to law. Through a study of prominent contemporary theorists, works of literature, and philosophers, and drawing on a long Western tradition of using both philosophy and literature to enrich our understanding of law, this unit moves from the world of ideas to specific case studies in legal discourse, including apartheid and native title, ultimately inviting students to apply some of the rich range of ideas and approaches which will be discussed to their own case study.

A discourse is a ground or framework of a language and the rules that govern its use, and according to which certain ideas and relations are explained. Law is a discourse governed by principles which make some ideas easy to communicate, and some difficult or incomprehensible.

However any framework or discourse must be blind to that which lies outside its universe or orbit in order to produce the insights to be found within it. Like concentric circles, each of the four themes of this course encompass and question the understanding of legal discourse contained in the previous ones. Students are asked throughout this unit not only to strive to understand the relationship of law and language, but to continually challenge the assumptions behind their understanding.

Completion of this unit satisfies the Jurisprudence/Part 2 requirements for the LLB in the Faculty of Law.

LAWS 3036 Law and Economics

8 credit points. Professor Patricia Apps. **Semester:** 1. **Classes:** Two 2 hr seminars per week. **Assessment:** Two 1500 w essays and class participation (40%), 2 hour exam (60%).

NB: Permission required for enrolment.

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 behavioral 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

Completion of this unit satisfies the Jurisprudence/Part 2 requirements for the LLB in the Faculty of Law.

LAWS 3037 Law and Gender

8 credit points. Professor Reg Graycar. **Semester:** 2. **Classes:** Two 2 hr seminars per week.

This unit of study interrogates the way that law, lawyers and legal institutions are permeated by the discourses of gender. We will ask how does the conceptual framework of law depend on conventional gendered assumptions? The unit critically examines feminist legal theories of equality, subordination and power and the intersection of oppressions. Specifically, we will consider the intersection between law and gender and race (including ethnicity), sexuality, class and disability. The unit will be grounded in an examination of several key areas where the interplay of law and gender is significant.

Topics to be addressed may include:

- The regulation of motherhood and reproduction,
- laws dealing with equality in the workplace,
- legal responses to gendered violence,
- the regulation of sexuality,
- the regulation of pornography and sexually explicit material,
- the impact of new information and bio-technologies.

This unit challenges law's disciplinary boundaries and is informed by critical crossdisciplinary and transdisciplinary approaches.

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

LAWS 3041 Law International Exchange Elective

8 credit points. **Semester:** 1, 2.

NB: Permission required for enrolment. Available to Sydney exchange students only.

LAWS 3040 Law International Exchange Elective

4 credit points. **Semester:** 1,2.

NB: Permission required for enrolment. Available to Sydney exchange students only.

LAWS 3044 Law International Exchange Electives

24 credit points. **Semester:** 1,2.

NB: Permission required for enrolment. Available to Sydney exchange students only.

LAWS 3043 Law International Exchange Electives

20 credit points. **Semester:** 1,2.

NB: Permission required for enrolment. Available to Sydney exchange students only.

LAWS 3042 Law International Exchange Electives

16 credit points. **Semester:** 1,2.

NB: Permission required for enrolment. Available to Sydney exchange students only.

LAWS 3065 Legal Theories of State and Membership

8 credit points. Dr Catherine Dauvergne. **Semester:** 1. **Classes:** Two 2 hr seminars per week. **Prerequisite:** Administrative Law or Federal Constitution Law or International Law. **Assessment:** 2000w class diary (40%), 6000w research essay (60%).

The seminar aims to address two questions: What is the State and why does it matter to law and lawyers? We will examine how the state and the individuals who live in it are represented in legal theory and consider the consequences of these representations for the law. Topics to be covered will include: liberal theories of the state, neo-Marxist theories of the state, feminist theories of the state, the welfare state, privatisation, globalisation and the disappearance of the state, varying ways of expressing attachment to the state as subject, citizen, client or resident. We will explore varying conceptions of the state are reflected in legal doctrines and legal argument.

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

LAWS 3059 Media Law

8 credit points. Dr Roger Magnusson, Ms Barbara McDonald. **Semester:** 1. **Classes:** Two 2 hr seminars. **Assessment:** Open book exam and an optional essay.

NB: Permission required for enrolment.

In this unit of study, students will examine and analyse a number of important legal and policy issues affecting the freedom of the media and others to collect and publish factual and fictional material in all forms of media. This unit will concentrate on common law and statutory privileges and restrictions on the conduct of the media and other parties engaged in the arts, publication or performance. Civil and criminal sanctions will be examined as will the role of the courts, parliament and other organisations in the regulation of the media. This unit will also include an introduction to the licensing and regulation of ownership and control of media organisations. Particular attention is given throughout the course to topical and current legal issues relating to the media. 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 speech, protection of reputation, privacy, freedom from harassment, protection of confidential information, the right to a fair trial, public interest in the due and open administration of government and justice.

Topics covered are drawn from the following:

1. Freedom of expression and the role of the media in society.
2. An introduction to the licensing and regulation of media ownership and control of media organisations.
3. Defamation and the media.
4. Privacy and the media.
5. The media and court proceedings: contempt, suppression orders; access to the courts.
6. Offensive and prohibited communications.
7. Classification schemes and codes of practice.
8. Special issues relating to the Internet.

LAWS 3046 Medical Law

8 credit points. Dr Belinda Bennett, Dr Roger Magnusson. **Semester:** 2. **Classes:** Two 2 hr seminars per week. **Assessment:** One optional essay, one take home exam.

NB: Permission required for enrolment.

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 end-of-life decision-making, 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

8 credit points. Dr Mary Crock. **Semester:** 2. **Classes:** Two 2hr seminars per week. **Prerequisite:** Administrative Law. **Assessment:** One exam, one 3500w essay or moot exercise 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 uninvited migrants in particular both 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

8 credit points. Professor Patricia Apps, Ms Celeste Black. **Semester:** 1. **Classes:** Two 2 hr seminars per week. **Assessment:** open book exam and one essay.

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.

The unit consists of a study of the federal income tax system (including the capital gains tax and fringe benefits tax) mainly as it affects individuals. The course will also cover important issues of tax policy thereby allowing students to make a critical examination of the Australian tax system.

This unit is a prerequisite for Business Taxation.

LAWS 3071 Practising in the Public Interest

8 credit points. Mr Graeme Coss. **Semester:** 1. **Classes:** A five-day intensive prior to the commencement of semester, three 2hr seminars held during the semester, and weekly attendance at a placement site.

NB: Permission required for enrolment.

The unit consists of the following components:

- A five-day intensive offered prior to the commencement of semester;
- A volunteer placement over the course of the semester at a public interest site selected by the student and approved by the unit coordinator;
- three seminars held periodically during the semester;
- Completion of a project, approved by the unit coordinator, designed to be of benefit to the volunteer placement site.

1. The five-day intensive consists of:

- (a) three days instruction, primarily through a workshop format, and two days at a placement site. The topics covered in the workshops include:

- introduction to public interest law;
- defining systems advocacy in the public interest;
- government structure, roles and powers, and points of access for advocates, campaigners and lobbyists;
- motivating politicians;
- parliamentary process and points of access for advocates;
- participating in and challenging formal decision making through processes;
- public policy development and analysis;
- public interest legal strategies: test cases, class actions and amicus curiae;
- human rights: an introduction to political and economic covenants and principles;
- public interest law internationally;
- accessing justice: legal aid, pro bono, community legal centres

- (b) two days of placement, wherein each student will be placed with either a law firm which undertakes public interest litigation or has an established pro bono practice, or with the pro bono section of the Law Society or Bar Association.
2. The three seminars held periodically throughout the semester will focus on group discussion and reflection on issues pertaining to practicing in the public interest

The overall mark in the unit is assessed on a pass/fail basis.

The five-day intensive component will incorporate a nationally accredited course, Work the System: An Introduction to Advocacy, on which students will be assessed through a short-answer and multiple choice questionnaire. Further, students will be required to demonstrate satisfactory attendance at the volunteer placement. Finally, students will be required to

complete a project that will be of use to the volunteer placement site. The nature of the project will depend on the specific needs of the placement.

There is a quota on enrolments in this unit.

LAWS 3015 Private International Law

8 credit points. Mr Ross Anderson. **Semester: 2. Classes:** Two 2 hr seminars per week. **Prerequisite:** International Law. **Prohibition:** Conflict of Laws. **Assessment:** class test (40%), 2 hour examination (60%).

NB: Permission required for enrolment.

Private international law (or conflict of laws) 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 or the validity of a mortgage of shares in an Indonesian corporation executed in Hong Kong as security for a loan made by an Australian bank.

This unit is a study of selected theoretical and applied aspects of private international law which 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.

The principal areas on which the unit of study will focus are (1) the concept of domicile and its role as the main personal connecting factor in common law systems; (2) the problem of renvoi which may arise where a forum choice of law rule includes reference to a foreign choice of law rule; (3) property transactions involving immovable property (eg, land, patents) and movable property (eg, shares, contractual rights); (4) the devolution of property on death; (5) marriage validity; (6) dissolution and annulment of marriage including recognition in Australia of foreign dissolutions and annulment of marriage; (7) the historical development of private international law and the theories and methods which seek to explain and give effect to its rationale and purpose; and (8) the enforcement in Australia of foreign judgments.

As International Law is a prerequisite for this unit of study, it is assumed you have an understanding of basic concepts of private international law including personal jurisdiction, choice of law and the application of foreign law, exclusionary doctrines (eg, public policy) and the distinction between substance and procedure.

LAWS 3052 Roman Law

8 credit points. The Hon. Justice Arthur Emmett. **Semester: 1. Classes:** Two 2 hr 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.

JURS 3001 Sociological Jurisprudence

8 credit points. Associate Professor Alex Ziegert. **Semester: 1. Classes:** Two 2 hr seminars per week. **Assessment:** one oral exam (40%), 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/Part 2 requirement for the LLB in the Faculty of Law.

LAWS 3057 Sydney Law Review

8 credit points. Professor Ron McCallum (Editor). **Semester: 1, 2.** **Assessment:** 2500w essay plus 5000w case note, plus drafting, editing and reviewing articles.

NB: Permission required for enrolment.

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 two 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 essay plus one case note.

Students selected for this unit must be prepared to serve for six months so that duties may extend beyond the end of formal teaching and assessment, or commence before formal teaching.

A class on editing, research and writing will be provided, and students will be in regular contact with the unit coordinator.

The Student Editors main areas of responsibility are:

- (1) Students write comments on articles submitted to the Review, in order to assist the academic Editorial Board in their assessment of the submissions. Students are expected to write two reports in the semester. The author of the submission remains anonymous, as does the student editor if the report is sent to the author. Reports are approximately 1000 words long, and assess the content, style and overall publishability of the submission;
- (2) Students perform a major editorial role in the production of the Review. All accepted submissions are edited by the students in consultation with an academic supervisor. Students then proofread the articles after they have been typeset. Students are expected to check all quotations and citations for accuracy, to impose the Sydney Law Review house style, and to consult with the academic supervisor if any substantive or stylistic changes are required.
- (3) students are required to complete two pieces of written work: a 2500 word essay analysing a recent piece of law reform and a 5000 word case note. For both the law reform essay and the case note students work with an academic supervisor, selected by the student. A limited number of case notes are selected for publication, according to their merit.

4 Table of undergraduate units of study

Unit of study	CP	A: Assumed knowledge P: Prerequisite Q: Qualifying C: Corequisite N: Prohibition	Semester
LAWS 2002 Administrative Law	8		1
LAWS 3008 Advanced Corporate Law	8	p Corporate Law. <i>NB: Permission required for enrolment.</i>	1
LAWS 3009 Advanced Public International Law	8	p International Law. <i>NB: Permission required for enrolment.</i>	2
LAWS 3011 Advocacy, Interviewing and Negotiation	8	C Litigation. <i>NB: Permission required for enrolment.</i>	1
LAWS 3012 Anti-Discrimination Law	8		2
LAWS 3101 Banking & Financial Instruments	8		1, Summer
LAWS 3013 Business Taxation	8	p Personal Taxation.	2
LAWS 3016 Competition Law	8		1,2
LAWS 1002 Contracts	8		1,2, Summer
LAWS 3017 Conveyancing	8	p Real Property.	2
LAWS 2003 Corporate Law	8		2
LAWS 1003 Criminal Law	8		1,2
LAWS 3020 Criminology	8	<i>NB: Permission required for enrolment.</i>	1,2
LAWS 3021 Critical Legal Studies	8		1
LAWS 3022 Dispute Resolution	8	<i>NB: Permission required for enrolment.</i>	2
LAWS 3023 Employment and Industrial Law	8	P Federal Constitutional Law, Contracts.	2
LAWS 3024 Environmental Law	8	<i>NB: Permission required for enrolment.</i>	1
LAWS 2004 Equity	8		2, Summer
LAWS 3025 External Placement Program	8	<i>NB: Permission required for enrolment.</i>	1,2
LAWS 3026 Family Law	8		1
LAWS 1004 Federal Constitutional Law	8		2
LAWS 3029 Holocaust, Moral Responsibility & Law	8	<i>NB: Permission required for enrolment.</i>	1
LAWS 3031 Independent Research Project	8	<i>NB: Permission required for enrolment. Also a 4 credit point Independent Research Project.</i>	1,2, Summer
LAWS 3033 Intellectual Property	8	<i>NB: Permission required for enrolment.</i>	1,2
LAWS 2005 International Law	8		1
LAWS 3072 International Commercial Transactions	8	P Contracts; International Law.	2
LAWS 3034 International Human Rights Law	8	p International Law. <i>NB: Permission required for enrolment.</i>	2
LAWS 3073 Seminar: Internet Law	8	P Contracts. <i>NB: Students are at an advantage if they have studied or are studying Intellectual Property.</i>	1
LAWS 3035 Jessup International Law Moot	8	p LAWS 2005 International Law.	1
LAWS 3064 Law and Commercial Transactions	8	p Contracts; Equity; Real Property.	2
LAWS 3103 Law and Discourse	8		2
LAWS 3036 Law and Economics	8	<i>NB: Permission required for enrolment.</i>	1
LAWS 3037 Law and Gender	8		2
LAWS 3039 Law Communications Culture & Global Econ	8		1

TABLE OF UNDERGRADUATE UNITS OF STUDY

Unit of study	CP	A: Assumed knowledge	P: Prerequisite	Q: Qualifying	C: Corequisite	N: Prohibition	Semester
LAWS 3044 Law International Exchange Electives	24	<i>NB: Permission required for enrolment. Available to Sydney exchange students only.</i>					1,2
LAWS 1001 Law, Lawyers and Justice	8						2
LAWS 1000 Legal Institutions	8						1, Summer
LAWS 3065 Legal Theories of State and Membership	8	P	Administrative Law or Federal Constitution Law or International Law.				1
LAWS 1008 Legal Research	0						1,2
LAWS 2006 Litigation	8						2, Summer
LAWS 3059 Media Law	8		<i>NB: Permission required for enrolment.</i>				1
LAWS 3046 Medical Law	8		<i>NB: Permission required for enrolment.</i>				2
LAWS 3045 Migration Law	8	P	Administrative Law.				2
LAWS 3047 Personal Taxation	8						1
LAWS 3071 Practising in the Public Interest	8		<i>NB: Permission required for enrolment.</i>				1
LAWS 3015 Private International Law	8	P	International Law. N Conflict of Laws. <i>NB: Permission required for enrolment.</i>				2
LAWS 2007 Real Property	8						1
LAWS 3052 Roman Law	8						1
JURS 3001 Sociological Jurisprudence	8						1
LAWS 3057 Sydney Law Review	8		<i>NB: Permission required for enrolment.</i>				1,2
LAWS 1005 Torts	8						1, Summer

5 Resolutions covering the undergraduate degree

Resolutions of the Senate

At present there are two sets of Resolutions of the Senate and Faculty of Law governing the Bachelor of Laws degree.

The 2001 rules of the Senate governing Undergraduate Courses together with the 2001 Revised Resolutions of the Faculty of Law apply to a candidate who first enrolled in the Combined Law program or the Graduate Law program after 1 January 1998, or had completed no more than the unit/s of study Legal Institutions or Legal Institutions I and Legal Institutions II before that date.

The 1988 Resolutions of the Senate apply to a candidate who first enrolled in the Combined Law program or the Graduate Law program before 1 January 1998, and had completed more units of study than Legal Institutions or Legal Institutions I and Legal Institutions II before that date.

■ 2001 Rules of the Senate and 2001 revised Resolutions of the Faculty

Resolutions of the Senate relating to the Bachelor of Laws

Including the Combined Law programs:

- Bachelor of Arts/Bachelor of Laws
- Bachelor of Economics/Bachelor of Laws
- Bachelor of Economics (Social Sciences)/Bachelor of Laws
- Bachelor of Commerce/Bachelor of Laws.
- Bachelor of Science/Bachelor of Laws
- Bachelor of Engineering/Bachelor of Laws

These Resolutions must be read in conjunction with the Rules of the Senate governing Undergraduate Courses in the University, which set out the requirements for all undergraduate courses, and the relevant Faculty Resolutions.

Requirements for the Pass Degree

To qualify for the award of the pass degree students must complete successfully units of study giving credit for a total of 144 credit points; and satisfy the requirements of all other relevant By-Laws, Rules and Resolutions of the University.

Requirements for the Honours Degree

To qualify for the award of the honours degree students must complete the honours requirements published in the faculty resolutions relating to the course.

Faculty Resolutions relating to the Bachelor of Laws

Including the Combined Law programs:

- Bachelor of Arts/Bachelor of Laws
- Bachelor of Economics/Bachelor of Laws
- Bachelor of Economics (Social Sciences)/Bachelor of Laws
- Bachelor of Commerce/Bachelor of Laws
- Bachelor of Science/Bachelor of Laws
- Bachelor of Engineering/Bachelor of Laws

These resolutions must be read in conjunction with the Rules of the Senate governing Undergraduate Courses in the University.

Section 1

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 prerequisite unit of study means a unit of study which must have been completed with a result of Pass or better prior to a candidate enrolling in another unit of study for which it is a prerequisite.

3. A corequisite unit of study means a unit of study which must be taken concurrently with the unit of study for which it is a corequisite.
4. The Dean or an Associate 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.
6. No unit of study may be credited more than once for the degree.
7. All optional units of study are eight credit points. The compulsory units of study total 96 credit points. The credit points for each compulsory unit of study are as indicated in the Requirements for the Pass Degree.
8. The units of study which may be taken for the degree are as set out in the table of undergraduate units of study including:
 - Corequisites and prerequisites;
 - Designation as Part 1 or Part 2 units of study.
9. A unit of study includes a unit of study set out in the Table of Undergraduate Units of Study completed in a summer school or like program at The University of Sydney.

Table of undergraduate units of study

10. The following units of study are compulsory for the degree (total 96 credit points):

Administrative Law
Contracts
Corporate Law
Criminal Law
Equity
Federal Constitutional Law
International Law
Law, Lawyers and Justice
Legal Institutions
Legal Research
Litigation
Real Property
Torts.

Please note that not all optional units of study are offered every year. The optional units of study are as follows:

Unit of study	Pre/corequisites
Part 1	
Advanced Administrative Law	P: Administrative Law
Advanced Constitutional Law	P: Federal Constitutional Law
Advanced Contracts	P: Contracts
Advanced Corporate Law	P: Corporate Law
Advanced Public International Law	P: International Law
Advanced Real Property	P: Real Property
Advanced Torts	P: Torts
Advocacy, Interviewing and Negotiation	C: Litigation
Anti-Discrimination Law	
Banking and Financial Instruments	
Business Taxation	C: Personal Taxation
Clinical Environmental Law	P: Environmental Law
Comparative Law	
Competition Law	
Conveyancing	P: Real Property
Dispute Resolution	
Employment and Industrial Law	P: Federal Constitutional Law; Contracts
Environmental Law	
External Placement Program	
Family Law	
Independent Research Project	
Indigenous People and the Law	
Intellectual Property	

Unit of study	Pre/corequisites
International Human Rights Law	P: International Law
Jessup International Law Moot	P: International Law
Law and Commercial Transactions	P: Contracts; Equity; Real Property
Media Law	
Medical Law	
Migration Law	P: Administrative Law
Personal Taxation	
Policing Crime and Society	P: Criminology
Practising in the Public Interest	
Private International Law	P: International Law
Product Liability Law	P: Contracts; Torts
Regulation of Financial Markets	P: Corporate Law; Equity; Administrative Law
Remedies	P: Contracts; Torts; Equity
Roman Law	
Social Security Law	
Succession	
Sydney Law Review	
Seminar*	
Part 2	
Chinese Laws and Chinese Legal Systems	
Comparative Constitutionalism	
Contemporary Analytical Jurisprudence	
Cricket and the Law	
Criminology	
Critical Legal Studies	
Democracy and the Constitution	P: Federal Constitutional Law
International/Comparative Jurisprudence	
Law and Discourse	
Law and Economics	
Law and Gender	
Law and Social Justice	
Law, Communications, Culture and Global Economies	
Legal Theories of State and Membership	P: Administrative Law or Federal Constitutional Law or International Law
Philosophy of Human Rights	
Post Communist Law and Legal Theory	
Seminar	
Sociological Jurisprudence	
The Holocaust, Moral Responsibility and the Rule of Law	
Thinking Through the Body of the Law	

* Seminar units of study may be offered with the approval of the Pro-Dean (Teaching and Curriculum) to bring together research interests of staff and students, or to permit a visiting staff member to teach in their area of expertise.

Requirements for the Pass degree

11. 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 compulsory units of study listed in the Table of undergraduate units of study;
 - (ii) 48 credit points of the optional units of study listed in the Table of undergraduate units of study:
 - a) a maximum of 40 credit points from the units of study listed in Part 1 of the Table of undergraduate units of study, and
 - b) a minimum of 8 credit points from the units of study listed in Part 2 of the Table of undergraduate units of study.

Combined Law program

12. A student may proceed concurrently to the degree of Bachelor of Laws and Bachelor of Arts, Bachelor of Economics, Bachelor of Economics (Social Sciences), Bachelor of Commerce, Bachelor of Science or Bachelor of Engineering. This is a Combined Law program.
13. Candidates in a Combined Law program may credit Legal Institutions, Law, Lawyers and Justice, Contracts, Criminal Law, Legal Research, Legal Writing, Federal Constitutional Law and Torts both to the Bachelor of Laws and the non-law component of the Combined Law program.
14. Candidates in a Combined Law program must complete the law units of study in the following annual sequence:

Year	Unit of study	Credit points
Combined Law 1	Legal Institutions	6
	Torts	6
	Legal Research	0
Combined Law 2	Contracts	8
	Criminal Law	8
Combined Law 3	Federal Constitutional Law	10
	Law, Lawyers and Justice	10

On completion of the requirements for the degree of Bachelor of Arts, or Bachelor of Economics, or Bachelor of Economics (Social Sciences), or Bachelor of Commerce, or Bachelor of Science, or Bachelor of Engineering, then (except as provided in Resolution 19):

Year	Unit of study	Credit points
Combined Law 4	Administrative Law	8
	Corporate Law	8
	Equity	8
	International Law	8
	Litigation	8
Combined Law 5	Real Property	8
	optional units of study selected from Part 1 and Part 2 as required in Resolution 11.	

15. Except with the permission of the Dean or an Associate Dean, candidates in a Combined Law program must successfully complete Legal Institutions before enrolling in any other Bachelor of Law units of study.
16. Candidates enrolled in the Bachelor of Engineering/Bachelor of Laws must take the Combined Law 4 program in the fifth year of the combined degree and the Combined Law 5 program in the sixth year of the combined degree.
17. Candidates in a Combined Law program are under the general supervision of the other Faculty in which they are enrolled until the end of the semester in which they complete the requirements of the other degree. After that, they will be under the general supervision of the Faculty of Law.

Graduate Law program

18. Candidates for the Bachelor of Laws who have been admitted on the basis of having completed the requirements of a degree of The University of Sydney, or other such institution as approved by the Faculty, must complete the Bachelor of Laws degree in the following sequence:

Year	Unit of study	Credit points
Graduate Law 1	Legal Institutions	8
	Law, Lawyers and Justice	8
	Contracts	8
	Criminal Law	8
	Federal Constitutional Law	8
	Torts	8
	Legal Research	0
Graduate Law 2	Administrative Law	8
	Corporate Law	8
	Equity	8
	International Law	8

Year	Unit of study	Credit points
	Litigation	8
	Real Property	8
Graduate Law	optional units of study selected from Part 1 and Part 2 as required in Resolution 11.	

Variation of order of progression

19. Candidates are normally enrolled in three compulsory units of study in semester 1 of Combined Law 4/Graduate Law 2, and in three compulsory units of study in semester 2 of that same year. If candidates so elect, they may replace one compulsory unit with one optional unit in each semester. Where such a replacement has occurred, candidates must enrol in the postponed compulsory unit (s) in the final year of their candidature.
20. The honours degree is awarded in two classes: first class honours and second class honours.
21. First class honours are awarded to candidates who obtain an average mark of 75% (weighted in accordance with the credit points for each unit of study).
22. Second class honours are awarded to candidates who obtain an average mark of 70% (weighted in accordance with the credit points for each unit of study).
23. Candidates who qualify 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.

Maximum load

24. Except with the permission of the Dean or an Associate Dean, candidates may not enrol in more than 24 credit points in a semester.

Additional units of study

25. Except with the permission of the Dean or an Associate Dean, candidates may not enrol in a unit of study after the degree requirements of 144 credit points have been completed.

Cross-institutional enrolment and credit transfer policy

26. A minimum of 96 credit points must have been studied at the University of Sydney in order to qualify for the degree.
27. The Dean or an Associate Dean may permit candidates to enrol in an equivalent unit of study at another institution and have that equivalent unit of study credited to the requirements of the Bachelor of Laws degree. 48 credit points is the maximum number of credit points which may be completed through cross-institutional enrolment.
28. Candidates may be granted credit for up to 48 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 approved by the Faculty.
29. Non-specific credit may be granted for up to 24 of these 48 credit points for units of study not sufficiently related to units of study in Part 1 or Part 2 of the Table of Undergraduate Units of Study which form part of a Bachelor of Laws degree, or its equivalent in another jurisdiction, or which otherwise relate to the study of Law.
30. 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.
31. Candidates will not be granted credit toward the degree for any units of study which have been relied upon to qualify for another degree or academic qualification except for units of study which were taken as part of a combined law degree program and credited to the non-law degree component of that program, or which were taken outside Australia as part of a law degree or an equivalent professional legal qualification.

Satisfactory progress

32. The Faculty will require candidates to show good cause why they should be permitted to re-enrol in the Faculty of Law if they have not made satisfactory progress towards fulfilling the requirements of the degree.
33. Candidates who do not pass at least 24 credit points in any year of enrolment shall not have made satisfactory progress except when fewer than 24 credit points are required to complete the degree.

34. Candidates who fail a unit of study more than once shall not have made satisfactory progress.
35. Where the Faculty permits the re-enrolment of candidates whose progress has been unsatisfactory, the Faculty may require the completion of specified units of study or a specified number of credit points in a specified time. Candidates who fail to comply with these conditions shall not have made satisfactory progress.
36. Candidates must complete the requirements for the degree within ten calendar years of admission to candidature.

Suspension of study

37. Candidates must re-enrol each calendar year unless the Dean or an Associate Dean has permitted suspension of candidature. Candidature lapses if candidates have not obtained approval for suspension and do not re-enrol. Candidates whose candidature has lapsed must be selected for admission again before they can re-enrol.
38. Suspensions will not be permitted for more than two years, unless the Dean or an Associate Dean is satisfied that there are exceptional circumstances.

Attendance policy

39. Candidates are required to attend at least 70% of the scheduled classes in each Unit of Study for which they are enrolled. Candidates whose attendance record falls below this level without reasonable excuse may be precluded by the Dean or Pro-Dean (Teaching Programs) from taking the final assessment in that Unit of Study.

Assessment policy

40. Candidates may be assessed by written and oral examinations, exercises, essays, class participation, mooting, a supervised research project, or practical work, or any combination of these as the Faculty may determine.
41. The Dean or an Associate Dean may permit further assessment in a unit of study in cases of special consideration, in accordance with Academic Board policy governing illness and misadventure, provided that such assessment can be completed before the end of the semester in which the candidates have been enrolled in that unit of study.

Variation of requirements for the Degree

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

Transitional provisions

43. AU 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 1st January, 1998; and
 - ii) must comply with all other 1988 resolutions for the Bachelor of Laws degree.
44. From 1 January 2001, all students who first enrolled after 1 January 1998, or who had completed only Legal Institutions or Legal Institutions I and Legal Institutions II prior to this date, will be transferred to these degree resolutions. In the event of any inconsistency between the 1998 resolutions for the Bachelor of Laws degree and these resolutions, these resolutions shall apply.
45. In the case of students who first commenced a Combined Law program before 1 January 2001, the credit point value of Law, Lawyers and Justice shall be 6 points and Torts, 10 points.

1988 Resolutions of the Senate: Bachelor of Laws

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 Bean of the Faculty;*
 - (ii) *any direction of the Faculty; and*
 - (iii) *the availability of the appropriate units of study.*
- (2) *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.*
2. (1) *The 1980 resolutions governing candidature for the degree of Bachelor of Laws shall cease to operate after 31 December 1994.*

(2) Subject to section 9(2), a candidate who does not elect to complete the requirements for the degree in accordance with section 1(1)(b) and who does not complete the requirements for the degree by 31 December 1994, shall complete the requirements for the degree under these resolutions and such additional conditions 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:

Year	Unit of study
Combined Law I	Legal Institutions*
	Legal Research and Writing
Combined Law II	Constitutional Law
	Torts
Combined Law III	Criminal Law†
	Contracts
	Administrative Law
	Criminal Law†

* For Combined Law students Legal Institutions is a prerequisite for all other law units of study, except with the permission of the Dean.
† Criminal Law may be taken in either year but should be completed before the student proceeds to Combined Law IV.

(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:

Year	Unit of study
Combined Law TV	International Law
	Equity
	Personal Property
	Real Property
	Corporate Law
	12 to 20 optional credit points
Combined Law V	Litigation
	Jurisprudence
	28 to 36 optional credit points

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.

5. This section on the Four Year Law Course has been omitted as it is of no relevance to current students.

Three-year Graduate Law course

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

Year	Unit of study
Graduate Law I	Legal Institutions I and II
	Legal Research and Writing
	Constitutional Law
	Torts
	Criminal Law
	Administrative Law
Graduate Law II	Contracts
	Real Property
	Equity
	Personal Property
	International Law
	Corporate Law
Graduate Law III	12 to 20 optional credit points
	Litigation
	Jurisprudence
	28 to 36 optional credit points

The optional units of study and their credit point values are those prescribed by the Faculty in Table 1 and Table 2 of the 1998 Resolutions of the Senate. Candidates must complete 48 credit points in optional units of study to qualify for the degree.

Compulsory units of study

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

Unit of study	Credit points
Legal Institutions I and II	6 each
Legal Research and Writing	0
Constitutional Law	8
Torts	8
Criminal Law	8
Administrative Law	8
Contracts	8
Real Property	8
Personal Property	4
Equity	8
Corporate Law	8
International Law	8
Jurisprudence	8
Litigation	8

- (2) The following prerequisites and corequisites apply:

Units of study	Pre/corequisite
Equity	P: Contracts
	P or C: Real Property
Corporate Law	P: Contracts
	P or C: Equity
Litigation	P: Contracts, Torts, and Criminal Law

Optional units of study

8. (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.*
9. (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.*
10. (1) *The Dean may, subject to such conditions as the Faculty may prescribe, allow a candidate credit towards the requirements for the degree:*
- (aj)(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.*
11. (1) *First class or second class honours may be awarded at graduation.*
- (2) *First class honours candidates whose work is, in the opinion of the Board of Examiners, of sufficient merit shall receive a bronze medal.*

Resolutions of the Faculty

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

Optional units of study

Please refer to Part 1 and Part 2 in the 2001 Revised Resolutions for optional units of study. Students will satisfy the Jurisprudence requirement under the 1988 Resolutions by completing any unit of study shown in Part 2.

Standardisation of grades

Faculty has resolved that minimum requirements for Distinction and High Distinction grades apply to all units of study and all groups within a unit of study, and that the objectives be as follows:

Grade	Objective
High Distinction	minimum 5%
Distinction	minimum 15%

Reassessment

That there be no supplementary examinations. A candidate may be reassessed where, in the opinion of the Associate Dean (Undergraduate), the candidate was unable to complete assessment due to illness or misadventure. In such circumstances, the Associate Dean may authorise reassessment provided that such reassessment can be completed before the meeting of the Committee of Examiners at the end of the semester in which the unit/s of study to be reassessed was undertaken. In exceptional circumstances, the Dean may

authorise reassessment at such later time as the Dean may determine.

Honours

Honours are awarded on the basis of weighted average marks (WAMs) in all law units, including failures. In calculating the weighted average marks for Combined Law, years 1-3, all units of study will be weighted equally, at 8 credit points. Two levels of Honours are awarded: First Class Honours (75% and above); Second Class Honours (70%-74.99%). Please note that in calculating WAMs of students completing under the 1988 Resolutions, all units of study are weighted according to their credit point values. Where students are selected to participate in exchange programs or undertake law units on a cross-institutional basis, credit may be given towards the completion of the degree program at The University of Sydney. However, the marks received at the other institution will not be converted for the purpose of the calculation of weighted average marks.

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.

Jurisprudence requirement for the LLB degree

You may fulfil the Jurisprudence requirement for the LLB degree under the 1988 Resolutions by successfully completing any 8 credit point unit of study approved by the Faculty for that purpose. In the 2001 Resolutions of the Senate, such units of study are set out in Part 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 Camperdown 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 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 a record of current enrolment. Should the enrolment be incorrect in any detail, an application in writing should be made to the Faculty's Student Administration as soon as possible to have the record amended. A new confirmation will be issued each time a student changes their enrolment details.

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 administration, St James campus, to obtain the appropriate approval. However, in years one to three of Combined Law students must apply at the Arts, Economics, Science or Engineering faculty offices, as appropriate. Your enrolment record at the University will not be correct unless the correct procedures are followed. *It is not sufficient to tell the lecturer or tutor that you have discontinued a unit.*

Unless an enrolment change is approved formally it will not be accepted by the Faculty or University. This means that you may incur additional financial liability under HECS and may either have a failure recorded in units in which you are recorded as being enrolled, or not be permitted to sit for examinations in units in which you are not recorded as being enrolled.

Enrolment in any law unit is not permitted after the end of the second week of each semester without the written consent of the lecturer concerned.

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 per cent 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.

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 (Social Sciences)/Law, Commerce/Law, Science/Law or Engineering/Law units you should note that there is also a time limit of ten years for completion of all the requirements of the Arts, Economics, Economics (Social Sciences), Commerce, Science and Engineering degrees.

Change of address or name forms

These forms are available from the Faculty's Student Administration as well as from the Student Centre on main campus.

Withdrawal, discontinuation with permission and discontinuation

You must be aware of the important differences between a withdrawal, a discontinuation with permission and a discontinuation.

When you withdraw from a unit of study, the unit does not appear on your academic transcript and you are not charged with HECS. If you discontinue with permission or discontinue a unit, the unit will appear on your transcript with the date when the change was made. However, an Associate Dean (Undergraduate) may determine that a discontinuation of enrolment after the due date should be recorded as 'Discontinued - Not to count as failure' 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, 'Discontinued - Fail' 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 2002.

	Semester 1 unit of study	Semester 2 unit of study
Withdraw, by:	30 March	30 August
Discontinued - Not to count as failure, by:	12 April	13 September
Discontinued - Fail, by:	7 June	8 November

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 or 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 - Not to count as failure' 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 - Fail' 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 - Not to count as failure' 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 for old resolutions students and for up to two years for new resolutions students, 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 for old resolutions students. If you wish to do so you are advised to arrange an interview with an Associate Dean (Undergraduate) before making your application.

Applications for re-enrolment after any suspension of candidature must be lodged with the Faculty's Student Administration 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 can not 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. Applications are to be submitted at the Law School or the main campus Law Office, Level 3, Old Teachers' College.

Supporting documentation required with applications for special consideration

Medical certificates

Medical certificates must:

- be submitted and signed by your own medical practitioner and indicate the dates on which you sought attention;
- certify unambiguously a specified illness or medical disability for a definite period; and
- 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.

Certificates in connection with examinations should be submitted prior to the examination. If the illness or misadventure takes place during the examinations, the evidence must reach the Faculty within three working days of the affected examination. If an application is being made for reassessment, do not use a special consideration form but make separate application by letter within three working days of the examination in question.

Consideration on grounds of misadventure

For consideration on grounds of misadventure, your application must include a full statement of the circumstances and any available supporting evidence. Should you find it embarrassing to state your difficulties in writing you should make an appointment to discuss them with the Associate Dean (Undergraduate), the Academic Adviser or the Undergraduate Team Leader.

The need to seek early advice

Many students in need of advice fail to make full use of the assistance available to them. If you believe that your performance during a unit of study or your preparation for your examinations has been adversely affected by medical, psychological or family circumstances, you should seek advice as early as possible. The Associate Dean (Undergraduate), the Academic Adviser, the Undergraduate Team Leader and members of the teaching staff, the University Counselling Service and the University Health Service are all available for consultation and can give advice on appropriate action to take.

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 time during which your performance was affected. Some examples of the way in which such applications may be dealt with are given below.

- 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.
- 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.
- Where continuing illness or misadventure has had a serious effect on your performance, consideration should be given to approaching the Academic Adviser (Exams) 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.

- 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.

Taking of examinations early

Students are required to be available during the whole of the scheduled examination period at the end of each semester to take their examinations on the dates specified in the examination timetable or, in the case of examinations arranged 'in department' or as take-home examinations, on the dates specified by the examiners. The dates of the scheduled examination periods are set out in pre-enrolment information sent to each student and on Faculty notice boards.

In exceptional circumstances, an Associate Dean, after consultation with the examiner, may give permission for a student to take an examination earlier than the date specified for that examination. Although it is not possible to define exhaustively in advance the exceptional circumstances which may justify permission being given to take an examination early, such circumstances will invariably be confined to cases of illness (eg, the need for a surgical operation on the date specified for the examination) or other compelling external necessity (e.g., the need to accompany a university representative sporting or debating team on an overseas tour or to commence a University of Sydney sponsored exchange program at an overseas university). Private travel arrangements, including visiting family overseas, employment related reasons and attending courses other than as part of a University of Sydney sponsored exchange program do not constitute exceptional circumstances.

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 Academic Adviser (Examinations), your performance at the examination has been impaired by illness or misadventure. In such circumstances, the Academic Adviser 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 by letter must be received by an Academic Adviser (Examinations) 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, phone contact must be made with the Faculty of Law on the day of the affected examination with either an Academic Adviser (Examinations) or the Undergraduate Team Leader. 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 Team Leader. 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 - Not to Count as Failure'. Extensions or other special arrangements with regard to assessment prior to the final examination - e.g., essays - 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.
- (2) 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.
- (3) 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 February and May 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.

Further to this, the Academic Board resolved on 10 June, 1998:

That examination scripts and other forms of summative assessment (other than secure databanks) are held for up to six months for review by students.

Exclusion

If you fail to gain credit for at least half of a standard full-time enrolment in any year (24 credit points) or you fail a unit of study more than once, you render yourself liable for exclusion from the Faculty.

In such cases, you are asked to *show good cause* why you should be permitted to enrol in the degree and your case is considered by a Faculty Committee. There are mechanisms for appeal.

In cases where the Faculty permits the re-enrolment of a student whose progress has been deemed unsatisfactory, the Faculty may require the completion of specified units of study in a specified time or impose other conditions.

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 willful 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-Deans, Associate Deans, Academic Advisers and members of 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 the Information Desk, St James campus, Level 12, or for Combined Law students, the counter on Level 3 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 Academic Adviser or Associate Dean (Undergraduate).

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 Information Desks 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 Team Leader.

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 his secretary, having first tried to resolve the issue with those having specific responsibility for the matter. Appointments may also be made to see the Academic Adviser or the Associate Dean (Undergraduate). The hours during which students may contact the Faculty's Student Administration and Liaison Group will be published on Level 12 at the St James campus and the counter, Level 3 in the Old Teachers' College building.

Single unit undergraduate enrolments (non-cross institution)

Individuals with foreign legal qualifications may be admitted to the practice of law in an Australian jurisdiction by studying the relevant compulsory units of study of law required by the Legal Practitioners Admission Board on a single unit basis in the Graduate Law program. These students must enrol on a full fee paying basis.

6 Postgraduate study

Please access the Faculty of Law website for complete and current information about courses, units, staff, timetables, exam schedules, etc. The address is www.law.usyd.edu.au.

Background to the postgraduate courses of study

Note: All references to the *Master of Asian and Pacific Legal Systems* should be discounted. This course will not be on offer in 2002.

The Faculty of Law at the University of Sydney offers more postgraduate 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 Master of Laws (LLM) which allow for more scope and diversity in subject (ie, unit of study) choice.

The Faculty of Law at the University of Sydney has offered 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, the 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 the Faculty added the PhD (normally 3-4 years full time). Then, in 1991 we pioneered in Australia the 'Structured, Supported 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. The Faculty of Law is also able to provide flexible study options. Coursework programs are now sequenced, allowing suitable candidates to take single unit enrolments, and build them into Graduate Diplomas (4 units of study) or full Master's degrees (8 units of study). Increasing numbers of units of study in these courses may be taken as 'intensives' over a period of four to five days. The depth and diversity of the current program reflects our long tradition as a provider of postgraduate education.

The Faculty of Law at the University of Sydney 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* (1991), 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 locally-focused units open to lawyers and those from other disciplines, (and supported by the Australian Centre for Environmental Law [Sydney]).
- *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 Faculty's postgraduate program and economic globalisation;
- *Master of International Law* (1999), providing for specialisation in international law, both public and private, and building on the Faculty of Law's global reputation in international law;
- *Master of International Business and Law* (2002)¹;
- *Master of Environmental Science and Law* (2002)¹.

Graduate Diploma courses are an integral component of the Faculty's postgraduate program also. The first graduate diplomas in *Jurisprudence* and *Criminology* were set up in 1964. Other well established programs include such courses as the *Graduate Diploma of Law*. Since 1998, these programs were joined by the:

- Graduate Diploma in Commercial Law
- Graduate Diploma in Corporate, Securities and Finance Law
- Graduate Diploma in Environmental Law
- Graduate Diploma in Health Law
- Graduate Diploma in International Business Law
- Graduate Diploma in International 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.

■ 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 2001, 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:

1. Subject to approval.

- (a) completed one of the following degrees in Law of the University of Sydney:
 - (i) Master of Laws², or
 - (ii) Bachelor of Laws² with First or Second Class Honours; or
- (b) qualifications which the University's Committee for Graduate Studies considers equivalent.

(2) Proposed program of study. The proposal must be (a) suitable in scope and standard for the PhD, (b) one which the applicant is competent to undertake, and (c) one for which supervision and facilities can be properly provided.

How do I apply for admission ?

1.2 Applications should be made on the appropriate form to the Faculty. Applicants who have not qualified for a degree from this University must enclose with the application form an original transcript of the complete academic record. Applicants who have qualified for a degree but have not yet graduated, will have to supply evidence in due course of the conferral of the degree.

Before lodging an application, applicants should discuss the proposed research topic with the Associate Dean (Research), in person or by correspondence as appropriate.

A successful applicant is informed in writing by the Faculty of the terms of admission to candidature. (In the case of applicants who are not graduates of the University of Sydney, the Academic Board approves the terms of admission.)

When will I be admitted on a probationary basis?

1.3 Applicants may be admitted to PhD candidature on a probationary basis. Probationary candidates are required to submit appropriate written work (eg, in the form of an empirical or literature review or a draft chapter) within nine months of commencement. The Postgraduate Studies Committee of the Faculty of Law may confirm or terminate the candidature on the basis of this work. Probationary candidature must not exceed a period of twelve months.

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 with an upper limit of 100,000 words of text, to be exceeded only with permission from the Associate Dean (Postgraduate Research), 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 candidature 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 candidature 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 Dean, the maximum period is five years, except for candidates commencing from the beginning of 2001 who have a four year maximum full-time completion period.

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.

2. Subject to faculty approval, your degree need not be in Law.

The maximum part-time candidature is seven years, except for candidates commencing from the beginning of 2001 who have an eight year maximum part-time completion period. 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 over the 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 theses

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 2001.

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 much simplified.

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.

Admission

1. An applicant may be admitted to candidature for the degree if the applicant holds such qualifications and 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.

Course requirements

2. A candidate admitted to the degree shall pursue a program of advanced study and research comprising

- (a) units of study as the Faculty may prescribe from time to time; and
- (b) a thesis which, in the opinion of the examiners, is a substantially original contribution to the field in which it is written.

Credit for other study

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

Course progress

4. 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 1999. 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 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;
 - (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; and

Can I study on a 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 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 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 I*; 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 with an upper limit of 75,000 words of text, to be exceeded only with permission from the Associate Dean (Postgraduate Research), 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;³
 - (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.

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;

3. 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.

(if) 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 fourth 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 eighth 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,⁴ and
 - (b) after consideration of the reports of the examiners on the thesis.

How should the thesis be presented?

- 5.3(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.

4. 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 of attainment is an average mark in the best 36 credit points.

H Masters' Degrees and Graduate Diplomas

Note: All references to the Master of Asian and Pacific Legal Systems should be discounted. This course will not be on offer in 2002.

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 in Law (GradDipLaw)

The Master of Laws may be undertaken by thesis or by coursework. The Master of Laws by thesis, 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)

Not offered in 2002

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 Environmental Science and Law (MESL)

Subject to approval. Please refer to the Faculty of Science handbook or web site for further information (www.scifac.usyd.edu.au).

Master of Health Law (MHL)/ Graduate Diploma in Health Law (GradDipHL)

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. The Graduate Diploma in Health Law provides a shorter specialist postgraduate qualification in health law.

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 in the area 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 Faculty of Law and the Department of Industrial Relations, Faculty of Economics and Business.

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.

Master of International Law (MIL)/Graduate Diploma in International Law (GradDipIL)/Graduate Diploma in International Business Law (GradDipIntBusL)

The Master of International Law provides a specialist postgraduate qualification through comprehensive coverage of contemporary issues in international law, policy and international relations. The Graduate Diploma in International Law provides a shorter specialist postgraduate qualification in international law. The Graduate Diploma in International Business Law provides an opportunity to specialise in international business law units within a short program.

Master of International Business and Law (MIBL)

The Master of International Business and Law is an interdisciplinary program taught jointly by the University's Faculty of Law and Faculty of Economics and Business (subject to approval). Please refer to the Faculty of Economics and Business handbook or web site for further information (www.econ.usyd.edu.au).

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 including international business law, financial regulation and corporate governance.

Resolutions of the Senate for Masters' degrees and Graduate Diplomas

In these resolutions:

- **'Committee'** means the Postgraduate Studies Committee of the Faculty or its delegate;
- **'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 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 Health Law, Graduate Diploma in International Law, Graduate Diploma in International Business Law, 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;
- **'Faculty'** means the Faculty of Law;
- **'program coordinator'** means the person in charge of the relevant course of study;
- **'pre-1999 candidate'** means a candidate first enrolled in the relevant course of study before January 1999; and
- **'prescribed foundational unit'** means a unit of study designated by the program coordinator as unsuitable to be assessed entirely by research paper.

1. Graduate programs

What is the range of programs available?

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

- (a) Masters' Degrees by coursework:
 - Master of Administrative Law and Policy (MALP)
 - Master of Asian and Pacific Legal Systems (MAPLS) (*not on offer in 2002*)
 - Master of Criminology (MCrim)
 - Master of Environmental Law (MEL)
 - Master of Health Law (MHL)
 - Master of International Taxation (MIntTax)
 - Master of International Law (MIL)
 - Master of Jurisprudence (MJur)
 - Master of Labour Law and Relations (MLLR)
 - Master of Laws (LLM)
 - Master of Taxation (MTax)
- (b) Masters Degrees by thesis:
 - Master of Laws (LLM)
 - Master of Criminology (MCrim)
- (c) Graduate Diplomas:
 - Graduate Diploma in Commercial Law (GradDipCommLaw)
 - Graduate Diploma in Corporate, Securities and Finance Law (GradDipCorpLaw)
 - Graduate Diploma in Criminology (GradDipCrim)
 - Graduate Diploma in Health Law (GradDipHL)
 - Graduate Diploma in Environmental Law (GradDipEnvLaw)
 - Graduate Diploma in International Law (GradDipIL)
 - Graduate Diploma in International Business Law (GradDipIntBusL)
 - Graduate Diploma in Jurisprudence (GradDipJur)
 - Graduate Diploma in Taxation (GradDipTax)
 - Graduate Diploma in Law (GradDipLaw)

2. Admission

General

What are the requirements for admission?

- 2.1 An applicant may be admitted to candidature for the particular degree or diploma if the applicant holds such qualifications at such levels of achievement on such terms and conditions as may be determined from time to time by the Faculty.
- 2.2 In the Master of Laws an applicant may be admitted to candidature as a candidate either 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.
- 2.3 In the Master of Criminology an applicant may be admitted to candidature as a candidate for either 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.

How do I apply for admission ?

- 2.4 Applications for admission to candidature must be made in writing to the Faculty by the time and in the manner determined by the Faculty from time to time. The Faculty refers such applications to the Committee or its nominee.

What is the language of study and assessment?

- 2.5 The language of study and assessment is English. Before accepting an application the Faculty may require the applicant to demonstrate proficiency in English (including undertaking a specified program of study in English).

Can I study on a part-time basis?

- 2.6 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?

- 2.7 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 equivalent at a level of merit sufficient for the program of study; or
 - (b) the applicant has completed with sufficient merit for the program of study all the examinations of the Joint Examinations Committee of the Supreme Court of New South Wales.

What if I do not have a legal qualification?

- 2.8 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 holds a degree or completed qualification which, in the Committee's opinion, is equivalent to an undergraduate degree; and
 - (b) that degree or completed qualification has been obtained at a level of merit which the Committee considers to enable the candidate to undertake the course of study; and
 - (c) that degree or completed qualification is obtained within fields stipulated by faculty as required for non-law candidates for a specialist degree.
- 2.9 (1) Candidates for the following degrees and diplomas, who do not hold a legal qualification, are required to complete the unit of study, Legal Reasoning and the Common Law System offered by the Faculty of Law:
- Master of Administrative Law and Policy
 - Master of Environmental Law
 - Master of Environmental Science and Law
 - Master of Health Law
 - Master of International Business and Law
 - Master of Labour Law and Relations
 - Graduate Diploma in Environmental Law
 - Graduate Diploma in Health Law
 - Graduate Diploma in International Business Law
- (2) Candidates may complete the unit of study Legal Reasoning and the Common Law System either:
- (a) for credit in satisfaction of the requirements for the degree or diploma in which the candidate is enrolled; or
 - (b) on a not-for-credit basis as a unit to be completed in addition to the units of study required for the degree or diploma in which the candidate is enrolled.
- (3) The Faculty of Law may waive the requirement to complete Legal Reasoning and the Common Law System if applicants have completed those law subjects which are necessary for a qualification in accountancy or their equivalent in another common law jurisdiction.

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?

- 2.10 Applications for admission to candidature for the Master of Laws by thesis or for the Master of Criminology by thesis are assessed on the basis of:
- (a) suitability and sufficiency of merit of prior qualifications (an LLB or equivalent, in the case of the LLM);
 - (b) suitability of proposed topic; and
 - (c) availability of appropriate supervision.
- 2.11 (a) A thesis candidate must apply in writing for the Committee's approval of the subject of the proposed thesis.
- (b) The Committee appoints a member of the University's academic staff, or in exceptional cases and in accordance with University policies, 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 Masters degree by coursework must
- (i) 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
 - (ii) pass the assessments in those units of study, and,

(iii) for pre-1999 candidates only, if eligible and permitted to enrol for an honours dissertation, successfully complete that dissertation at the stipulated standard in addition to the 48 credit points.

- (b) Subject to the requirements for particular courses of study referred to in sections 3.2-3.25, a candidate for a diploma must

- (i) 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
- (ii) 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) (i) 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
- (ii) pass the assessments in those units of study; or
- (b) (i) complete a research project worth 12 credit points on a topic approved by the program coordinator and,
- (ii) 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
- (iii) 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
- (ii) pass the assessment in those units of study; and
- (iii) complete a research project worth 12 credit points within the subject matter of the course of study as approved by the program coordinator.

(b) With the permission of the program coordinator, 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.

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 International Relations or by the Department of Social Work, Social Policy and Sociology 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) Normally half of the credit points for a candidate enrolled in the Master of Labour Law and Relations must 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 coordinator may, after consulting the Head of the Department of Work and Organisational Studies, approve a candidate's written application to take 30 credit points of labour law units of study and 18 credit points of labour relations units of study.
- (b) Unless varied by the Committee, candidates must select all labour relations units of study from units of study for the courses of study for Certificate or Graduate Diploma in Industrial Relations and Human Resource Management or the Master of Industrial Relations and Human Resource Management in the Faculty of Economics and Business (hereafter 'Faculty of Economics and Business units of study') subject to the following conditions:

- (i) Faculty of Economics and Business units of study are counted as 6 credit points;
- (ii) candidates must comply with all regulations, charges, attendance and assessment requirements of the Faculty of Economics units of study (including restrictions on honours units, which restrictions override these resolutions where inconsistent); and
- (iii) candidates must 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 the Head of the Department of Work and Organisational Studies (or of the Coordinator of

Postgraduate Courses in that department) has given written permission to substitute another unit of study on the basis that the candidate has already completed an equivalent undergraduate unit of study.

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

- 3.6A candidate for the Master of International Taxation, Master of Taxation or Graduate Diploma in 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 the Faculty or by another 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 in 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 the Faculty or by other institutions which are members of the Australian Centre for Environmental Law (ACEL).

What are the particular requirements for the International Law programs?

- 3.8A candidate for the Master of International Law must:
- (a) attend all classes in units of study totalling 36 credit points chosen from units of study prescribed by the Faculty as units of study leading to the degree and pass the assessment in those units, including Public International Law (candidates who have previously completed a unit of study in International Law may be exempted from this unit), International Law and Australian Institutions, and one unit of study totalling 6 credit points from units offered by the Department of Government and International Relations in the Master of International Studies Program
 - (b) complete International Law Research Project worth 12 credit points within the subject matter of the course of study as approved by the Program Coordinator
 - (c) candidates granted exemptions on the basis of prior studies are required to complete 36 credit points from units of study prescribed by the Faculty.
- 3.9A candidate for the Graduate Diploma in International Law and Graduate Diploma in International Business Law must attend classes in units of study totalling 24 credit points.
- (i) from units of study prescribed by the Faculty as units of study towards the award of the degree, and
 - (ii) pass the assessments in those units of study.

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

- 3.10 The units of study prescribed by the Faculty as leading to the degree or diploma are set out in the Appendix to these resolutions.
- 3.11 Not all units of study offered within the Faculty may be available at a particular time.
- 3.12 Any special graduate seminar unit offered within the Faculty may be approved as a unit of study by the Pro-Dean (Teaching Programs), subject to the unit meeting any time limits and conditions of approval laid down in Faculty policies.
- 3.13 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 in Law) with the approval of the relevant program coordinator.
- 3.14 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?

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

What do the credit points mean?

- 3.16 All units of study offered are assigned a credit point value. A unit of study of 6 credit points requires attendance of approximately 26 hours of classes. A unit of study of 12 credit points requires attendance of approximately 52 hours of classes.

*What are the rules concerning research papers?*⁵

- 3.17 (a) Candidates for a Masters degree by coursework (excluding the Master of Jurisprudence) must write a research paper in full satisfaction of the assessment requirements, at least one unit of study (other than a prescribed foundational unit) 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.
- (b) Candidates for a Graduate Diploma may write a research paper in satisfaction of assessment requirements in a unit of study, subject to obtaining the permission of the unit coordinator.
- 3.18 Where a coursework candidate elects to write a research paper for a unit of study, the research paper (a) must be worth at least 60% of the assessment for the unit, but may be worth up to 100% at the discretion of the lecturer in charge of the unit of study concerned (as stipulated in policies notified to the class within 3 weeks of commencement), and (b) must be worth 100% in the case of the mandatory research paper unit of study.

- 3.19 (a) The topic of any research paper to be submitted must be nominated by the candidate and approved as a relevant topic by the lecturer in the unit of study concerned. When nominating a topic, the candidate must 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 6000-10,000 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. The lecturer in charge of the unit of study determines the length within these ranges.

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

- 3.20 (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 candidate must nominate the topic of the research project, after consultation with and approval by the lecturer in charge of the unit of study concerned.

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

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

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

What are the rules concerning Honours dissertations?

- 3.22 (a) Candidates enrolling in a Masters degree after 1 January, 1999, are not eligible for Honours. However, a candidate for a Masters degree by coursework (excluding the Master of Criminology by coursework and the Master of Jurisprudence) who first enrolled before 1 January, 1999, is eligible 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 or its delegate may allow a pre-1999 candidate to enrol for an Honours dissertation before all required units of study have been completed.

(c) The dissertation topic for a pre-1999 candidate must 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 must outline briefly the matter to be dealt with in the dissertation.

(d) The Committee must appoint a full-time member of the University's academic staff to act as supervisor of each pre-1999 candidate enrolled for an Honours dissertation.

(e) The required dissertation length is approximately 20,000 words.

5. Candidates for a Masters degree by coursework (except the Master of Criminology by coursework and the Master of Jurisprudence) who first enrolled prior to 1991 are not required to write a research paper.

(f) For the purposes of calculating the final grade for Honours of a pre-1999 candidate, the dissertation has a value of 24 credit points, producing a 72 notional credit point denominator for the purpose of this calculation.

(g) The dissertation for a pre-1999 candidate shall be at a standard determined by the Committee.

What are the rules concerning Honours dissertations in the Master of Criminology by coursework?

3.23 (a) A candidate who enrolls for the Master of Criminology by coursework after 1 January, 1999, is not eligible for Honours. A candidate who first enrolled in or after 1993 but before 1 January, 1999, is eligible 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 or its delegate may allow a pre-1999 candidate to enrol for the Honours dissertation before all required units of study have been completed.

(c) The dissertation topic for a pre-1999 candidate must 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 must outline briefly the matter to be dealt with in the dissertation.

(d) The Committee must appoint a full-time member of the University's academic staff to act as supervisor of each pre-1999 candidate enrolled for an Honours dissertation.

(e) For those candidates not choosing to complete a research project, the Honours dissertation required length for a pre-1999 candidate is approximately 20,000 words.

(f) For those pre-1999 candidates choosing to complete a research project, the Honours dissertation and the research project must be submitted in the form of a single thesis of approximately 30,000 words.

(g) For the purposes of calculating the final grade for Honours, the dissertation has a value of 24 credit points.

(h) The dissertation shall be at a standard Masters level determined by the Committee.

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

3.24 (a) Candidates enrolling in a Masters degree after 1 January, 1999, are not eligible for Honours. However, a candidate first enrolled before 1 January, 1999, is eligible 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 pre-1999 candidate to enrol for the Honours dissertation before all required units of study have been completed.

(c) The dissertation topic for a pre-1999 candidate must 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 must outline briefly the matter to be dealt with in the dissertation.

(d) The Committee must appoint a full-time member of the University's academic staff to act as supervisor of each pre-1999 candidate enrolled for an Honours dissertation.

(e) The required dissertation length is approximately 20,000 words.

(f) For the purposes of calculating the final grade for Honours, the dissertation has a value of 24 credit points.

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

What are the rules about enrolling in a Postgraduate Research Project?

3.25 (a) Subject to paragraph (d) candidates in any Masters degree may enrol in a 'Postgraduate Research Project' unit or units of study comprising 6 but not more than 12 credit points, subject to the approval of the Associate Dean and satisfaction of any policies issued by the program coordinator.

(b) A single unit research project worth 6 credit points will be one semester in length; a 12 credit point research project will cover two semesters.

(c) A single unit research project requires submission of a substantial research paper of approximately 10,000 words; a 12 credit point unit requires a substantial research paper of approximately 20,000 words.

(d) The 'Postgraduate Research Project' is not available to diploma candidates or to candidates for the Master of International Law or the Master of Criminology by coursework.

Thesis candidates

What are the rules concerning theses?

3.26 A thesis candidate must present to the Faculty a thesis with an upper limit of 50,000 words of text, to be exceeded only with permission from the Associate Dean (Postgraduate Research), in the subject approved by the Committee. To obtain award of the degree the thesis must, in the opinion of the examiners, be a substantial contribution to the subject concerned.⁶

3.27 A thesis candidate may be required by the Associate Dean (Postgraduate Research) (or delegate) to attend lectures or seminar units subject to the approval of any other relevant head of department.

3.28 A thesis candidate must personally consult with such supervisor or supervisors appointed by the Committee, 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.

3.29 Before each re-enrolment a thesis candidate must submit to the Associate Dean (Postgraduate Research) a short statement of the work done by the candidate in the preceding 12 months.

3.30 (a) A full-time thesis candidate must 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 must present the thesis not less than two years and not more than four years after the date of admission to candidature.

How are theses examined?

3.31 (a) A thesis may be submitted for examination in a temporary binding provided that it is strong enough to withstand ordinary handling and postage. However, the degree will not be awarded until the candidate has lodged with the University at least two copies of the thesis, containing any amendments or corrections that may be required. These copies must be bound in permanent form.

(b) The Committee, in accordance with the policies determined by the Faculty and University from time to time, must appoint two examiners with qualifications it thinks fit to examine the thesis of the candidate, of whom at least one must be external to the University of Sydney.

(c) A thesis must be accompanied by a certificate from the supervisor stating whether, in the supervisor's opinion, the thesis is presented in a satisfactory form and prima facie examinable.

(d) The candidate must state in the thesis, generally in a preface, the sources from which the information was derived, the extent to which the work of others has been used, and the portions of the thesis claimed as original.

(e) The candidate must not lodge as the thesis any work previously submitted for a degree of this or any other University. However, work of that kind may be incorporated in the thesis, provided that the thesis indicates the work so incorporated.

3.32 (a) The Committee must determine the grade at which the degree is to be awarded to a successful thesis candidate in the light of the reports of the examiners.

(b) The Committee must ensure that the result is in accordance with University policy and procedures as stipulated in the University's publication *Postgraduate Studies Handbook*.

4. Credit for other study

Coursework candidates

4.1 (a) Applications for credit for other study are to be made to the Committee or its nominee.

(b) The other study may include

- (i) study prior to enrolment; and
- (ii) study elsewhere during enrolment.

6. The thesis shall have an upper limit of 50,000 words of text that may be exceeded only with permission from the Associate Dean (Postgraduate Research).

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

- 4.2 The Committee or its delegate may in its discretion grant a candidate for a Masters degree by coursework or a Graduate diploma 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 not 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(s) of the unit(s) 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 towards the MLLR and MALP?

- 4.3 A candidate for the Master of Labour Law and Relations and the Master of Administrative Law and Policy may take and obtain credit for non-law units as prescribed 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. However, credit may not be given for 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 include any undergraduate units of study?

- 4.5 A candidate for a Masters degree by coursework or a Graduate Diploma may include in the degree or diploma units of study totalling at most 12 credit points in the case of a Masters degree and 6 credit points in the case of a Graduate Diploma selected from designated undergraduate law units of study as approved and offered by the Faculty. However, the candidate must have complied with any special unit of study assessment requirements for candidates for the course of study. Postgraduate students undertaking an undergraduate unit of study for credit will normally be required to submit a research paper constituting not less than 60% of the assessment requirements for the unit of study, and be assessed at postgraduate standard. The Committee may award the credit on the recommendation of the Associate Dean (Postgraduate Coursework).

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 that unit towards a degree or diploma on terms 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 must complete all the requirements for the degree 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 must complete all the requirements for the degree 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 must complete all the requirements for the degree 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 must complete all the requirements for the degree 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 must complete all the requirements for the degree 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 must complete all the requirements for the degree 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 are not to be counted in the time for completing a degree or diploma.

- (e) In special circumstances and with the approval of the Committee, a candidate may complete a degree or diploma outside the periods specified in (a) and (b).

What are the rules concerning suspension, deferment and termination of candidature?

- 5.2 The Committee or its nominee may -

- (a) on written application by a candidate suspend the candidature on such grounds and on such conditions as the Committee or its nominee thinks fit. Any period of suspension of candidature does not count towards any period 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;

- 5.3 (a) the Committee may require a candidate to show cause why the candidature should not be terminated for unsatisfactory progress, in any of the following circumstances:

- (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 Masters 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.

- (b) If the Committee considers that the candidate has not shown good cause why the candidature should not be terminated, the Committee may terminate the candidature.

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 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 is an unsatisfactory attendance record.

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 for an examination of a unit of study for any Masters degree or Graduate Diploma.

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 is as follows:
- High Distinction: 85-100%
 - Distinction: 75-84%
 - Credit: 65-74%
 - Pass: 50-64%
- (b) An Order of Merit is published in each unit of study.

How much is a research paper worth?

- 6.3 (a) Where a coursework candidate is required to write a research paper in at least one unit of study, that paper is worth 100% of the assessment in that unit,
 (b) Where a coursework candidate is permitted to elect to write a research paper for additional unit(s) of study, the research paper must 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 (as stipulated in policies notified to the class within 3 weeks of commencement).

In what grades is a Masters degree by coursework awarded?

- 6.4(a) Grades for a Masters degree by coursework are awarded as follows:

- (i) Pass is awarded where a candidate has completed all units of study prescribed by the Faculty.
- (ii) Candidates first enrolled in a Masters degree after 1 January, 1999, are not eligible for Honours; Honours may be awarded to candidates first enrolled before that date 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 Honours standard at Masters level as determined by the Faculty.
- (b) A pre-1999 candidate who has failed one unit of study twice or who has failed two units of study is not eligible for Honours.
- (c) A pre-1999 candidate who wishes to offer the Committee an explanation for a failure which the candidate claims to be relevant in deciding eligibility for the award of Honours must do so as soon as possible after the failure.

How are pre-1999 Honours awarded in Masters degrees by coursework (excluding the Master of Criminology by coursework and the Master of Jurisprudence)?

- 6.5(a) Candidates first enrolled in a Masters degree after 1 January, 1999, are not eligible for Honours. Honours may be awarded to a pre-1999 candidate for a Masters 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 are calculated: (i) using the marks from the best 36 credit points and the dissertation or (ii) the marks from the best 48 credit points and half the dissertation, whichever is the higher.
 (b) Honours may be awarded to a pre-1999 candidate who has failed a unit of study by calculating the final grade by taking the average of the marks from the candidate's 48 credit points and half from the dissertation.

How are pre-1999 Honours awarded in the Master of Criminology by coursework?

- 6.6(a) Candidates first enrolled in a Masters degree after 1 January, 1999, are not eligible for Honours. Honours may be awarded to a pre-1999 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 pre-1999 candidate for Honours has not chosen to complete a research project, the average mark for the calculation of Honours is determined using the marks from:
 (i) the candidate's 36 best credit points and the dissertation; or
 (ii) the candidate's 48 best credit points and half the total marks from the dissertation, whichever is the higher.
 (c) Where a pre-1999 candidate has chosen to complete a research project, the average mark for the calculation of Honours shall be determined using the marks from:
 (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) 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
 (i) 48 credit points and half the dissertation mark if the candidate has not chosen to complete a research project; or

- (ii) 36 best credit points and half the combined mark for the research project and dissertation if the candidate has chosen to complete a research project.

How are Honours awarded in the Master of Jurisprudence?

- 6.7(a) Candidates first enrolled in a Masters degree after 1 January 1999, are not eligible for Honours. Honours may be awarded to a pre-1999 candidate for the Master of Jurisprudence who has completed all units of study required for the course of study, the research project referred to in section 3.3 and the Honours dissertation, and are calculated using the marks of the candidate's 24 best credit points, the research project and the dissertation.
 (b) Honours may be awarded to a pre-1999 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 marks from the dissertation.

How are the pre-1999 grades First Class Honours, Second Class Honours and Pass awarded?

- 6.8(a) First Class Honours may be awarded to a pre-1999 candidate 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 to a pre-1999 candidate 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 to a pre-1999 candidate where a coursework candidate's average mark falls within the range 50-77 per cent.
 (c) A pre-1999 candidate's average mark for coursework is determined in accordance with Sections 6.5-6.7.

Are Diplomas awarded in different grades?

- 6.9 Diplomas are awarded only on a Pass basis.

7. Single unit enrolment

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

■ Units of study offered within the Faculty

All units of study have a value of 6 credit points unless otherwise specified. Not all units of study are offered in a given year. Please refer to the 2002 Law lecture timetable for confirmation of unit offerings, available from the Web at www.law.usyd.edu.au.

Master of Laws, Graduate Diploma in Law

Candidates may choose from the full range of units of study offered by the Faculty in 2002.

Master of Administrative Law and Policy**Compulsory units of study**

Administrative Law¹⁴

Public Policy¹⁴

Policy Analysis¹⁴ (previously known as Public Policy Making: Structure and Processes) (or any other unit of study of 6 credit points prescribed by the Department of Government and International Relations)

Legal Reasoning and the Common Law System¹⁴

Optional units of study

Competition Law in the Global Context

Environmental Impact Assessment Law

Government Regulation, Health Policy and Ethics

Immigration and Nationality Law

Judicial Review: Principles, Policy and Procedure

Law, Ageing and Disability

Local Government Law

Privacy, Surveillance and Fair Information Practices

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)⁸

Optional units of study

Asia Pacific Environmental Law

Asia Pacific Environmental Law Journal

7. The requirement to complete an Honours dissertation was introduced in 1993.

Australian International Taxation
 Tax Treaties
 Chinese Laws and Chinese Legal Systems (12 credit points)
 Chinese Legal System and Foreign Investment Law
 Comparative Environmental Law
 Japanese Law, Society and Public Policy
 Korean Law
 Law and Business in Indonesia
 Law and Society in Indonesia
 Sustainable Development Law in China
 Tax Law in Asia and the Pacific
 Vietnamese Laws and Legal Systems
Master of Criminology by coursework, Graduate Diploma in Criminology
Compulsory units of study
 Crime, Research and Policy 1
 Explaining Crime
 Criminal Liability⁹
Optional units of study
 Advanced Criminal Law¹⁰
 Advanced Forensic Psychiatry (*Prerequisite:* Forensic Psychiatry)
 Contemporary Crime Issues
 Crime, Research and Policy 2 (*Prerequisite:* Crime, Research and Policy 1)
 Criminal Justice: Developments in Prevention and Control
 Criminal Procedures
 Explaining Punishment
 Forensic Psychiatry
 Gender, Race and Legal Relations
 International Criminal Law
 Policing Australian Society
 Policing Bodies: Crime, Sexuality and Reproduction
 Young People, Crime and the Law

Master of Environmental Law, Graduate Diploma in Environmental Law
Compulsory units of study
 Environmental Law and Policy¹¹
 Legal Reasoning and the Common Law System¹⁴
Optional units of study
 Asia Pacific Environmental Law
 Asia Pacific Environmental Law Journal
 Biodiversity Law
 Comparative Environmental Law
 Dispute Resolution in Australia
 Energy Law
 Environmental Dispute Resolution
 Environmental Economics/Public Sector Policy 1
 Environmental Impact Assessment Law
 Environmental Planning Law
 Heritage Law
 International Environmental Law
 Local Government Law
 Native Title - Perspectives on Co-existence
 Natural Resources Law
 Pollution Law
 Protection of the Antarctic Environment

8. 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.

9. Candidates for the MCrim only who do not hold a law degree or equivalent qualification will be required to undertake this unit. Candidates for the MCrim only who hold a law degree or equivalent qualification will not be permitted to undertake this unit. Criminal Liability is an optional unit for candidates in the Grad Dip Crim.

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

11. Except in special circumstances, on the advice of the Associate Dean (Postgraduate Coursework), candidates who have not completed a tertiary unit of study in environmental law, or a substantially similar unit of study, may not enrol in units offered for the course Environmental Law unless the candidate has completed or is concurrently enrolled in the unit Environmental Law and Policy. Except in special circumstances, on the advice of the Associate Dean (Postgraduate Coursework), candidates who have completed a tertiary unit of study in environmental law, or a unit of study judged to be substantially similar, may not enrol in the unit Environmental Law and Policy.

Sustainable Development Law in China and Australia
 Trade and Environment
 Water Law

Master of Environmental Science and Law

Please consult the Faculty of Science handbook or web site (www.scifac.usyd.edu.au) for units of study (subject to approval).

Master of Health Law, Graduate Diploma in Health Law

Compulsory units of study

Government Regulation, Health Policy and Ethics¹²
 Health Care and Professional Liability
 Information Rights in Health Care¹³
 Legal Reasoning and the Common Law System¹⁴

Optional units of study

Advanced Forensic Psychiatry
 Child Protection Law
 Dispute Resolution in Australia
 Drugs, Drug Policy and the Law
 Expert Evidence
 Forensic Psychiatry
 Law, Ageing and Disability
 Legal Issues in Health Care and Technology
 Legal Issues in Sports Medicine
 Policing Bodies: Crime, Sexuality and Reproduction
 Privacy, Surveillance and Fair Information Practices
 Reproduction and the Law

Master of International Law, Graduate Diploma in International Law

Core units of study

Law Program

International Business Law
 International Commercial Arbitration
 International Criminal Law
 International Dispute Resolution (Seminar)
 International Environmental Law
 International Human Rights
 International Humanitarian Law
 International Law and Use of Armed Force
 International Trade Regulation
 Law of the Sea
 Protection of the Antarctic Environment
 Refugee Law
 Theories of International Law

International Studies Program

Forces of Change in International Politics
 Asian Pacific Politics
 International Criminal Law
 International Organisations
 International Politics of Human Rights
 International Relations: Europe
 International Security
 Politics of International Economic Relations

Compulsory units of study

International Law and Australian Institutions
 International Law Research Project¹⁵
 Public International Law¹⁶

Optional units of study

Advanced International Trade Regulation
 Asia Pacific Environmental Law
 Asia Pacific Taxation
 Competition Law in the Global Context
 Chinese Laws and Chinese Legal Systems
 Chinese Legal Systems & Foreign Investment
 Government Regulation, Health Policy and Ethics is not a compulsory unit for the GradDipHL, but may be taken as an optional unit of study.

13. Candidates who have satisfactorily completed the postgraduate unit of study Law and Medicine previously offered by the Faculty or an equivalent unit of study elsewhere may apply for exemption with respect to this unit. Units of study totalling 48 credit points must still be completed for the course of study.

14. For students who do not hold a legal qualification (subject to approval). Applicable to students commencing after January 2002.

15. Available to MIL candidates only.

16. Available only to those candidates who have not completed any previous studies in International Law.

Comparative International Taxation
 Immigration and Labour Law
 Immigration and Nationality Law
 International Mergers and Acquisitions
 International Protection of Intellectual Property Rights
 Japanese Law, Society and Public Policy
 Korean Law
 Law & Business in Indonesia
 Law & Society in Indonesia
 Maritime Law
 Sustainable Development Law in China
 Tax Law in Asia and the Pacific
 Tax Treaties
 Trade and Commerce in European Law
 The Legal System of the European Union
 UK International Taxation
 Vietnamese Laws and Legal Systems

Master of International Business and Law

Please consult the Faculty of Economics and Business handbook or web site (www.econ.usyd.edu.au) for units of study. Subject to approval.

Master of International Taxation

Compulsory unit of study

Comparative International Taxation¹⁷

Optional units of study

Australian International Taxation
 Comparative Corporate Taxation
 Comparative Income Tax
 Corporate Taxation
 Controlled Foreign Companies, Foreign Investment Funds and Transferor Trusts
 Goods and Services Tax Principles
 Goods and Services Tax Special Issues
 New Income Tax System
 Public Policy
 Tax Administration
 Tax Law in Asia and the Pacific
 Tax Treaties
 Taxation of E-Commerce
 Taxation of Remuneration
 UK International Taxation

Master of Jurisprudence, Graduate Diploma in Jurisprudence

Optional units of study

Applied Research on the Family in Law and Society
 Aspects of Law and Justice 1
 Aspects of Law and Justice 2
 Aspects of Law and Social Control
 Aspects of Legal Reasoning 1
 Aspects of Legal Reasoning 2
 Constitutional Theory
 Freedom of Speech and Freedom of Religion
 Japanese Law, Society and Public Policy
 Korean Law
 Law and Legal Culture in Asia and the Pacific (12 credit points)
 Law, Lawyers and the Holocaust
 The Legal System of the European Union
 Theory of the Family in Law and Society
 Trade and Commerce in European Law

Master of Labour Law and Relations

Compulsory unit of study

Labour Law¹⁸
 Legal Reasoning and the Common Law System¹⁴

Optional units of study

Advanced Employment Law
 Comparative Industrial Law
 Discrimination in the Workplace
 Dispute Resolution in Australia

Immigration and Labour Law
 Trade Union Law
 Workplace Bargaining
 Work Safety

Master of Taxation, Graduate Diploma in Taxation

Compulsory unit of study

New Income Tax System¹⁹

Optional units of study

Australian International Taxation
 Comparative Income Tax
 Comparative International Taxation
 Corporate Taxation
 Goods and Services Tax Principles
 Goods and Services Tax Special Issues
 Public Policy
 Stamp Duties
 Tax Administration
 Tax Treaties
 Taxation of Business and Investment Income
 Taxation of E-Commerce
 Taxation of Financial Institutions and Financial Transactions
 Taxation of Controlled Foreign Companies, Foreign Investment Funds and Transferor Trusts
 Taxation of Partnerships and Trusts
 Taxation of Remuneration
 Taxation of Superannuation
 Transfer Pricing in Taxation
 UK International Taxation

Graduate Diploma in Commercial Law

Optional units of study

Advanced Financing Techniques
 Australian Financial Services Regulation
 Chinese Legal System and Foreign Investment Law
 Commercial Equity
 Comparative Competition Law
 Comparative Corporate Governance
 Competition Law in the Global Context
 Consumer Protection Law - Regulation of Unfair Marketing Practices
 Consumer Protection Law - Liability of Suppliers to Consumers
 Controlling Liability by Contract
 Corporate Fundraising
 Corporate Takeovers and Reconstructions
 Current Issues in Director's Duties
 Debt Financing
 Entrepreneurial Businesses and Venture Capital
 Equity Financing
 Insolvency Law
 International Banking Regulation
 International Business Law
 International Commercial Arbitration
 International Mergers and Acquisitions (Seminar)
 International Protection of Intellectual Property Rights
 International Trade Regulation
 International Transport Law
 Issues in Electronic Commerce
 Issues in the Law of Copyright
 The Legal System of the European Union
 Maritime Law
 Modern Corporate Governance
 Privacy, Surveillance and Fair Information Practices
 Regulation of Collective Investments
 Regulation of Derivatives, Products and Markets
 Regulation of Financial Markets in Australia
 Restitution for Ineffective Contracts
 Restitution for Unjust Enrichment
 Securities Regulation (Seminar)
 Telecommunications Law
 Trade and Commerce in European Law

Graduate Diploma in Corporate, Securities and Finance Law

*Optional units of study*²⁰

Advanced Financing Techniques

17. Except in special circumstances and with permission of the Associate Dean (Postgraduate Coursework) 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.

18. 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.

19. Except in special circumstances and with permission of the Associate Dean (Postgraduate Coursework) 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.

Australian Financial Services Regulation
 Comparative Corporate Governance
 Comparative International Taxation
 Corporate Fundraising
 Corporate Taxation
 Current Issues in Director's Duties
 Debt Financing
 Entrepreneurial Businesses and Venture Capital
 Equity Financing
 Insolvency Law
 International Banking Regulation
 International Business Law
 International Mergers and Acquisitions
 Issues in Electronic Commerce
 Modern Corporate Governance
 Regulation of Derivative Products and Markets
 Stamp Duties
 Takeovers and Reconstructions
 Taxation of Financial Institutions and Financial Transactions
Graduate Diploma in International Business Law
Compulsory units of study
 Legal Reasoning and the Common Law System¹²
Core units of study
 Comparative International Taxation
 International Business Law
 International Commercial Arbitration
 International Mergers and Acquisitions
 International Trade Regulation
Optional units of study
 Advanced International Trade Regulation
 Chinese Legal Systems & Foreign Investment
 Comparative Competition Law
 Comparative Product Liability
 International Protection of Intellectual Property Rights
 Law & Business in Indonesia
 Law & Society in Indonesia
 Maritime Law
 Public International Law
 Tax Law in Asia and the Pacific
 The Legal System of the European Union
 Trade and Commerce in European Law

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 and pay tuition fees.

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 notify 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.

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.

1.3 Fee refund policy

The University imposes the following policies with respect to the refund of fees paid for local fee paying postgraduate award courses, units of study, and local postgraduate or undergraduate fee paying non-award programs.

1. Students who withdraw* from a fee-paying postgraduate award course or from a postgraduate or undergraduate fee-paying non award program before the start of a semester but subsequent to enrolment will be reimbursed 100% of the tuition fee and 100% of all compulsory subscriptions paid.
2. Students who withdraw* from a fee paying postgraduate award course or from a postgraduate or undergraduate fee-paying non award program after the commencement of teaching but before 31 March or 31 August in Semester 1 or 2 (the DETYA census date) will be reimbursed 100% of the tuition fee and 100% of all compulsory subscriptions paid.
3. No refunds are payable in respect of a particular semester to students who discontinue† from a fee-paying postgraduate degree, graduate diploma or graduate certificate or from a postgraduate or undergraduate fee-paying non degree program.
4. Students who withdraw* from Semester 1 or 2 units of study prior to the relevant census date will be refunded 100% of the tuition fee for those units. Students who withdraw* from 'intensive mode' postgraduate units of study will be refunded 100% of the tuition fee for those units. No refunds are payable to students who discontinue† from intensive mode postgraduate units of study. See the separate Sydney Summer School refund policy contained within this manual for the refund penalties that apply to units of study taken within the Summer School.
5. No refunds are payable in respect of the discontinuation† of a semester long unit of study.

**Withdraw* To cease studies in a unit or units of study and/or award course at any time subsequent to enrolment and prior to the close of business on the census date in either Semester 1 or 2 (31 March or 31 August). In respect of units of study offered in non-standard semesters (intensive mode units), to cease studies at any time subsequent to enrolment up until:

1. Close of business on the first day of teaching of the unit of study where the duration of the non-standard semester in which the unit is offered is less than six weeks; or
2. Close of business on the 14th day after teaching has commenced for the unit of study where the duration of the non-standard semester in which the unit is offered is greater than six weeks but less than a standard semester.

†Discontinue To cease studies in a unit or units of study and/or award course at any time during the semester subsequent to the relevant census date (31 March or 31 August). In respect of units of study offered in non-standard semesters (intensive mode units), to cease studies at any time during the non-standard semester subsequent to the census dates set for that non-standard semester, see withdraw above.

As a result of the introduction of the PELS scheme from 1 January 2002, withdrawals and discontinuations from a local fee-paying postgraduate award course or selected categories of units of study within such an award course henceforth will be governed by the policy set out below.

Please note that this change may necessitate the introduction of a fee for late enrolments or changes of enrolment. That policy is now under discussion, for implementation for semester 2, 2002. Notice of any such fee, if adopted, will be posted on the Faculty Web site at www.law.usyd.edu.au and on Law School

20. Candidates may also take one unit of study not on the prescribed list, including from among those units listed for the Master of Taxation program.

noticeboards located on levels 1, 2, 4 and 12, prior to the end of semester 1.

Fee policy - course transfers

Where approval is granted for a candidate to transfer from a Master's degree or Graduate Diploma (other than the Master of Laws) to the Master of Laws degree, a candidate is liable to pay the difference (if any) that exists at the time of their application between the fee for the program in which they are enrolled and the fee for the Master of Laws degree, for each unit of study for which credit is given towards the Master of Laws.

HECS exempt research students who transfer to coursework programs (Graduate Diploma or Master's programs) are liable to pay fees for each unit they wish to credit towards the degree or Graduate Diploma. (Subject to Faculty approval.)

Student misconduct

Chapter 8 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 willful 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 English is not your first language, you will have to satisfy the requirements of the University of Sydney with respect to English language proficiency and provide evidence of having met the standard in accepted tests (TOEFL score at minimum 600 on paper test or 250 on computer test, plus a TWE [Test of Written English] score at 4.5; or, an IELTS at 7.0 overall, with no band less than 6.0). 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 Board, Level 4, 99 Elizabeth Street, Sydney, 2000, phone (02) 9392 0300, 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 Office, University of Sydney, phone (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, phone (02) 9351 4161 or the Postgraduate Team, 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.

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 Services Building G12, University of Sydney.

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 or (02) 9351 4079.

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 am and 5 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 (phone (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 email (email addresses are found on the Faculty web page at 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)
- PricewaterhouseCoopers Legal Chair of Women and the Law (Professor Reg Graycar)

The sponsored units of study are:

Tax units

Greenwoods and Freehills provide 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.

Information regarding units of study

Many 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 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.

Candidates for Graduate Diploma of Law 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.

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 (*not on offer in 2002*)
Master of Criminology
Master of Environmental Law
Master of Environmental Science and Law
Master of Health Law
Master of International Law
Master of International Business and 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 Health Law
Graduate Diploma in International Law
Graduate Diploma in International Business 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 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 of the preceding year. 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 Administration 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 NSW 2000

Acts and regulations of the NSW State Parliament are obtainable from:

Government Information and Sales Centre
55 Hunter Street
Sydney NSW 2000
(the State Lotteries Building).

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.

■ Postgraduate units of study

LAWS 6011 Administrative Law

6 credit points. Professor Margaret Allars. Semester: April.

Assessment: one 7500w essay OR two 3750w 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, human rights, ethics and managerialism. Part 2 of the unit is

concerned with the accountability of the executive branch of government. It includes analysis of separation of powers and the doctrine of ministerial responsibility, merits review tribunals, investigative tribunals and tribunal procedure. Part 3 of the unit examines theories of participatory democracy, with reference to relevant legal principles drawn from procedural fairness, rules of standing and consultation requirements in rule making. Part 4 examines theories of open government, with reference to statutory duties to give reasons for decisions and freedom of information legislation. Part 5 examines the proper scope of administrative law by discussion of the issue of its extension to government business enterprises which are corporatised, privatised or contracted out.

LAWS 6012 Advanced Criminal Law

6 credit points. Professor Mark Findlay. **Semester: 2. Assessment:** The assessment regime involves a class presentation, a research essay and a take-home exam.

This is a course of study which critically examines crime and its structures and institutions of control. It looks at criminal law within specific, modern social contexts. It builds on a basic understanding of the principles around which criminal laws are constructed and said to operate, as well as a preliminary knowledge of the processes employed for establishing criminal liability, and the factors which effect such determinations. From this the student is invited to contextualise their appreciation of the position, practise and potential of the criminal law within changing economic, political and cultural contexts, including globalisation.

The course is intended as more than a detailed or detached examination of criminal laws. Rather, the manner in which the topics for discussion are presented and dealt with will allow participants to challenge some commonly assumed notions about the criminal law, as well as appreciate the interests and influences behind recent developments in the criminal law and process.

LAWS 6013 Advanced Employment Law

6 credit points. Vice President Iain Ross. **Semester: June. Prerequisite:** Labour Law (other than for LLM candidates). **Corequisite:** Labour Law (other than for LLM candidates). **Assessment:** Class participation (20%), research paper (80%).

This advanced unit of study examines what may be regarded as the individual aspects of labour law. There is a discussion of contract law, of implied terms and of employer and employee duties. There is an analysis of federal and New South Wales legislation and case law on unfair contracts. A major study concerns termination of employment, at common law, pursuant to federal and New South Wales termination law, with regard to anti-discrimination statutes. The course concludes with an examination of employee privacy.

LAWS 6014 Advanced Financing Techniques

6 credit points. Professor Jennifer Hill (Convenor). **Semester: 2. Assessment:** two class presentations, plus one exam or a 6000 w research essay.

This unit deals with commonly used commercial structures and techniques for large financings. The unit also examines the use of these structures and techniques in a range of commercial settings, such as takeovers and public/private infrastructure. It is an advanced unit, which assumes a good general knowledge of Australian corporate law and corporate finance. The unit is taught by a team of legal experts with extensive experience in financing techniques.

Particular topics covered include:

- lending to a trust;
- loan syndication;
- domestic and off-shore capital markets;
- takeover finance;
- derivatives;
- securitisation;
- public/private infrastructure finance;
- project finance;
- e-commerce.

Please note: International students wishing to study this unit, who do not have a background in Australian corporate law, are encouraged to study an undergraduate corporate law course (either 'Corporate Law' or 'Advanced Corporate Law') and, possibly a postgraduate course such as 'Debt Financing' or 'Equity Financing' before taking this unit.

LAWS 6015 Advanced Forensic Psychiatry

6 credit points. Adjunct Associate Professor Peter Shea. **Semester: 2. Assessment:** One 6000 word essay (70%), classwork (30%).

This unit builds on the areas covered in Forensic Psychiatry. Topics covered include: the mental health and cognate legislation, the mental illness defence, diminished responsibility, automatism, pathological gambling, stalking, repressed memories, crime and amnesia, post-traumatic stress disorder, multiple personality disorder, the use and abuse of psychiatric evidence, multiple victim homicide, psychopathy and dangerousness.

LAWS 6249 Advanced International Trade Regulation

6 credit points. Dr. Brett Williams. **Semester: 2. Prerequisite:** LAWS 6063 - International Trade Regulation. **Assessment:** Open Book Exam (35%), 2000 w Case Not (25%), 3500-4000W essay chosen from a list of topics (40%).

NB: Required Treaties & Statutes: Certain treaties and statutes will also be needed. Although these are available from various sources, students may find it convenient to have a copy of: Raj Bhala, 'International Trade Law Handbook'(Lexis, 2001, 2nd ed) (Paperback ISBN#0-8205-4885-5).

This course follows on from LAWS 6063 - International Trade Regulation, with an examination of selected topics on the law of the World Trade Organisation, and in respect of some topics by analysing the way that WTO law is reflected in domestic law (considering USA law and Australian law). Topics considered may include anti-dumping duties, countervailing duties, safeguard remedies, intellectual property protection under TRIPS, unilateral 'self-help' trade sanctions, developing countries in world trade, the Article XX environmental exceptions, the SPS Agreement and quarantine, and trade and labour. Time permitting, the course may extend the consideration of trade in services begun in LAWS 6063.

Textbooks

Raj Bhala, 'International Trade Law: Theory and Practice' (Lexis, 2001, 2nd ed) (ISBN #0-8205-4883-9)

LAWS 6255 Aspects of Advocacy

6 credit points. Associate Professor Les McCrimmon. **Semester: 2. Assessment:** Reflective Journal (20%), Class Participation (30%), 3500 w Research Paper (50%).

NB: Permission required for enrolment. There is a quota on enrolments in this unit.

The primary focus of this unit is on trial advocacy, however advocacy aspects of interlocutory and appellate submissions will also be addressed. Emphasis is placed on case analysis, preparation for courtroom performance, examination of lay and expert witnesses, addresses, communication in the courtroom and strategies to deal with evidentiary problems that may arise in a trial. In addition to a strong theoretical and critical component, students will have an opportunity to improve their advocacy skills through in-class participation in case simulations.

JURS 6028 Aspects of Legal Reasoning 1

6 credit points. Dr Chris Birch SC. **Semester: 1. Assessment:** class presentation (30%) and 5000w essay (70%), or 7500w research essay (100%).

The unit will examine the doctrine of precedent from the viewpoint of formal logic and modern theories of rationality. Dworkin's theories of legal reasoning as rational justification will be examined in detail. The unit will also examine issues relating to language and law including statutory and constitutional interpretation in the light of contemporary philosophy of language. The implications of computing and information theory for legal knowledge will also be considered.

JURS 6029 Aspects of Legal Reasoning 2

6 credit points. Dr Chris Birch SC. **Semester: 2. Assessment:** class presentation (30%) and 5000w essay (70%), or 7500w research essay (100%).

This unit will commence with an examination of issues generated by contemporary work in the philosophy of mind and their implications for theories of legal responsibility. In particular, there will be a detailed examination of the nature of consciousness, intention and belief. The debate regarding the existence and nature of freewill will be examined in relation to legal doctrines reliant on notions of intention in both civil and criminal law.

The second part of the unit will examine legal reasoning about facts, including issues relating to causation and the debates surrounding the application of probability theory to legal reasoning, including Bayesian probability.

Legal Reasoning I and II are designed to constitute a full year's program but either part may be taken alone.

LAWS 6247 Australian Financial Services Regulation
6 credit points. Mr. Ashley Black, Mallesons Stephen Jaques. Semester: April. Assessment: One 7000 w research essay.

This unit examines the structure and regulation of markets for financial products, with particular emphasis on corporate securities, following the introduction of the Financial Services Reform Bill. The study is primarily a legal analysis, but also explores some financial theory relevant to legal response to market operation. Particular topics covered include:

Structures, institutions and participants in Australian financial products markets and current developments in such markets;

Co-regulation of financial products markets, including the role and powers of the Australian Securities and Investments Commission and Australian Stock Exchange;

The licensing of financial services professionals;

The conduct of securities business including the legal structure of stock exchange transactions and the incidents of the broker-client relationship;

Abusive trading on financial products markets, including market manipulation and insider trading.

The course will be taught, on an intensive basis, by Mr. Ashley Black, who is joint author of the leading Australian text in the area, and practises in the field.

LAWS 6209 Australian International Taxation
6 credit points. Mr Lee Burns. Semester: 1, April. Assessment: exam or research essay (70%), classwork (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 law 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 income (finance transactions, business income, royalties); foreign exchange and transfer pricing; international taxation of entities.

LAWS 6165 Biodiversity Law
6 credit points. Mr Brian Preston. Semester: April. Assessment: 10,000w research paper (100%).

Human society is and has been dependent on biodiversity. 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 a loss of biological diversity. Increasingly, society is looking to law to provide a framework to regulate the sustainable use of the natural environment.

The aim of this unit is to provide a thorough grounding in the moral and legal issues in relation to biological diversity. The unit will examine dominant Western moral and legal attitudes 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 both on moral and legal grounds. The alternative arguments are analysed.

The unit is taught as an intensive and includes a field trip.

LAWS 6001 Chinese Laws and Chinese Legal Systems

12 credit points. Ms Nicola Franklin, Professor Alice Tay and Chinese professors. Semester: April. Assessment: One 3 hr exam and one 4000w essay for February Semester Shanghai students.

NB: Permission required for enrolment.

This unit of study provides an overall picture of the contemporary Chinese legal system. The unit seeks to develop an understanding of the unique character of Chinese law by tracing its role through major social epochs - its imperial origins, the reforms of the Nationalist regime, the eras of revolutionary and radical transformations, and its role in a socialist market economy. The nature and function of law in contemporary China is explored through examination of the development of various legal regimes, including constitutional and administrative law, the civil and criminal law systems, the legal profession and court system, real property law, foreign investment law and intellectual

property law. Students enrolled in the Shanghai Winter School will observe a mediation and will visit a Chinese court to observe a trial.

The Winter School in Shanghai will take place from 2-25 January, 2002, on the campus of the East China University of Politics and Law in Shanghai, People's Republic of China. The lectures are given in English by Chinese Professors. Following the lectures, students must sit an examination in Shanghai. The essay component of this unit is undertaken on return to Australia and must be submitted by the end of the February Semester.

Students wishing to undertake the unit in Shanghai must apply to the Centre for Asian and Pacific Law in the University of Sydney (CAPLUS).

LAWS 6019 Chinese Legal Sys & Foreign Invest Law
6 credit points. Professor Alice Tay. Semester: 2. Assessment: one 5000w essay, one exam; or two 5000w essays.

This unit attempts to provide students with:

- 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;
- 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.

LAWS 6222 Comparative Corporate Governance
6 credit points. Associate Professor Jennifer Hill. Semester: April. Assessment: Short assignment; class participation; 5000 w research essay.

A major issue in contemporary corporate governance debate is whether national governance systems can be expected to converge into a new international governance system, comprising best practices from diverse systems. While many commentators support this position, others take the view that major underlying legal and cultural differences between jurisdictions will ultimately prevent such convergence. This unit will examine recent trends in comparative corporate governance and discuss the interplay of governance techniques in a number of different jurisdictions, such as the US, Germany, Japan and Eastern Europe. It will also explore different approaches to fundamental governance issues such as directors' duties and disclosure.

LAWS 6153 Comparative Corporate Tax
6 credit points. Dr Peter Harris. Semester: April. 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.

LAWS 6128 Comparative International Taxation
6 credit points. Mr Lee Burns. Semester: June. Assessment: classwork (30%), exam 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 (thin capitalisation and transfer pricing).
4. Double Tax Treaties (DTAs): introduction to DTAs; review of the basic provisions of OECD and UN Model DTAs
5. Future developments: future developments in international tax (eg, electronic commerce; cross-border tax arbitrage and tax competition law).

LAWS 6258 Competition Law in the Global Context
6 credit points. Visiting Professor Peter Kunzlik. Semester: June.
Assessment: In-class test (20%), Research paper, maximum of 5,000 words (80%).

This intensive postgraduate course will investigate the key questions facing competition law during the current era of globalisation. It will do so by:

1. Considering the key characteristics of the two most influential competition law regimes in the world today, the US model and the EU model, and by considering the key characteristics of the Australian system by comparison to them; then
2. Considering the impact of trade liberalization and the IT/communications revolution on commerce and its consequences for competition regulation. This will focus specifically upon four critical issues.
 - (a) It will consider whether competition law can be harnessed within the WTO context to serve as an instrument of market liberalization to overcome purely private market-blocking arrangements not currently covered by GATT.
 - (b) It will consider the impact of international hard core cartels and the question whether it is necessary/desirable for national regulators to go beyond current bilateral enforcement cooperation in order to combat such cartels.
 - (c) It will consider the question of pre-notification and approval of mergers and the question whether there is a need to move towards a more harmonized approach in order (i) to avoid excessive transaction costs implied by the need to comply with the differing filing requirements of a multiplicity of national regulators; (ii) to avoid conflicting national decisions relating to global mergers.
 - (d) It will consider the question of competition regulation of e-networks and the question whether national regulation can suffice in that regard;
3. Considering the responses to these issues proposed in various international fora (WTO, OECD, UNCTAD) by various national regulators (The US ICPAC Report, the EU Commission's proposals) and by private sector groups (The IB A and others); before considering the likely impact of such responses particularly in terms of substantive competition policy; commercial efficiency, legitimization (or de-legitimation of competition regulation), impact on developing countries, institutional balance and democratic accountability.

LAWS 6226 Consumer Protection Law Unfair Market Prac

6 credit points. Emeritus Professor David Harland. Semester: June.
Prohibition: This unit may not be taken by any student who has been credited with the previously offered unit, Consumer Protection Law.
Assessment: One exam (60%), one 4,000 word essay (40%).

This unit involves an examination of aspects of recent developments granting special legal protection to consumers.

It is concerned with the regulation of unfair and deceptive marketing practices (This unit is complementary to Consumer Protection Law-Liability of Suppliers to Consumers, but each unit can be taken independently). An assessment will be made of the effectiveness of these provisions and their impact on the general 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) accessory 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.

LAWS 6227 Consumer Protection Law Supplier Liability
6 credit points. Emeritus Professor David Harland. Semester: June.
Prohibition: This unit may not be taken by any student who has been credited with the previously offered units, Consumer Protection Law or Consumer Protection Law - Post-sale Consumer Protection.
Assessment: one exam (60%), one 4500 word 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.

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 1 A, with reference to the EC directive on general product safety);
8. Consumer access to redress.

LAWS 6023 Contemporary Crime Issues

6 credit points. Associate Professor Julie Stubbs. Semester: 1.

Assessment: 5000 word essay, one take home exam.

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.

LAWS 6250 Controlling Liability by Contract

6 credit points. Professor John Carter. Semester: 2. Assessment: Essay (25%), Exam (75%).

This course brings together the doctrinal, theoretical and practical issues raised by contract risk management, especially the control of liability for breach of contract and negligence. The course will consider:

- categories of risk
- drafting options
- protection of third parties
- statutory control of risk management devices, including the Trade Practices Act 1974 (Cth)
- contract drafting and management issues such as penalties and relief against forfeiture

The drafting options which are considered include the use of exclusion clauses, indemnity provisions and force majeure clauses. The operation of these types of clauses, and the relevant common law and statutory rules, will be considered in the context of various types of contracts, but with particular emphasis on contracts for the provision of services and sale of goods.

One particular feature of the course is a consideration of the operation of the privity rule in the context of risk management. Thus, issues such as the protection of related bodies corporate and the liability of agents and sub-contractors are dealt with in some detail.

LAWS 6100 Corporate Fundraising

6 credit points. The Hon. Justice R.P. Austin, Supreme Court of NSW (Convenor), Mr Alan Cameron-Andersen Legal, Mr James Phillips - Minter Ellison, Mr Russell Stewart- Minter Ellison. Semester: 2. Assessment: two class assignments; open book exam.

The unit will involve a detailed study of the disclosure provisions and other requirements of chapter 6D of the Corporations Law, with particular focus on their application to the offer of company shares for issue or sale. However, some attention will also be given to listed managed investment schemes regulated under the Financial Services Reform Act. Attention will be paid to additional relevant legal requirements, including the ASX Listing Rules, for initial public offerings and other fundraisings. The unit is taught by lawyers with extensive experience in the field of corporate fundraising. It assumes a good general knowledge of Australian corporate law.

International students wishing to study this unit, who do not have a background in Australian corporate law, are encouraged to study an undergraduate corporate law course (either 'Corporate Law' or 'Advanced Corporations Law').

LAWS 6030 Corporate Taxation

6 credit points. Professor Richard Vann. Semester: 2, April. 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 when 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 the technical detail involved in the rules for the taxation of companies and their shareholders in Australia. Particular attention will be given to tax reform arising from the Report of the Review of Business Taxation.

Topics to be covered are:

- the policy and problems of taxing companies and shareholders;
- incorporation, reorganisation, continuation and growing companies;
- taxation of company distributions and dealings with interests in companies, including liquidations and share repurchases;
- imputation, including dividends passing through partnerships and trusts;
- intercorporate dividends and debt equity classification, dividend stripping, redeemable preference shares, asset revaluation dividends, scrip lending, equity swaps and convertible notes;
- value shifting.

LAWS 6032 Crime Research and Policy 1

6 credit points. Associate Professor Julie Stubbs. **Semester: 1.** **Assessment:** one exam (40%), one 3000w research proposal (40%), one paper (20%).

This unit provides an examination of research methods in the context of criminology. The relationship between theory and methodology is explored. The production of knowledge about crime is critically assessed. Sources and forms of crime data are discussed and their significance is assessed. Research design, research applications and elementary statistics are also studied.

LAWS 6034 Criminal Liability

6 credit points. Mr Graeme Coss. **Semester: 2.** **Assessment:** one 4500w essay (50%), one exam (50%).

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. At most stages of the unit, the focus will be on male violence.

Because this unit is an introduction to aspects of criminal law for non-lawyers, this unit is not open to students who have completed a law degree or passed criminal law at a tertiary level.

LAWS 6035 Criminal Procedures

6 credit points. Mr Bron McKillop. Semester: April.

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. However, comparisons will be made 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.

LAWS 6233 Criminology Research Project A

6 credit points. **Semester: 1,2.**

LAWS 6234 Criminology Research Project B

6 credit points. **Semester: 1,2.**

LAWS 6254 Current Issues in Directors Duties

6 credit points. Ms Joanna Bird, ASIC. Professor Jennifer Hill. Semester: June. Assessment: Class participation; 5000-7000 w research essay. Directors' duties are perhaps the most fundamental aspect of corporate governance. This unit will explore a wide range of issues concerning directors and their duties, with particular emphasis placed on the changes introduced by the Corporate Law Economic Reform Program (CLERP) reforms in 2000. The unit will also examine directors' duties in certain commercial scenarios, such as company meetings and takeovers.

Particular topics covered include:

- directors' duty of care and diligence under s 180(1) of the Corporations Law;
- the duties of nominee directors;
- the extent of permissible delegation by directors;
- the scope of the business judgement rule under s 180(2) of the Corporations Law;
- the right of directors and ex-directors to inspect company books as an adjunct to fulfilment of their duties;
- enforcement of directors' duties via the statutory derivative action under Pt 2F. 1A of the Corporations Law;
- indemnification of directors against liability or for legal expenses;
- the scope of the 'no conflicts' duty for directors;
- the duty of directors to act for proper purposes;
- the duties of directors when convening company meetings;
- the duties of directors in the context of takeovers.

LAWS 6038 Debt Financing

6 credit points. Professor Jennifer Hill (Convenor). **Semester: 1.** **Assessment:** two class presentations, plus one exam or a 6000 w research essay.

This unit focuses on legal aspects of debt financing in an increasingly global market environment. Much of the unit deals with enforcement issues in the insolvency context, which can highlight the types of protection for which creditors should have bargained to safeguard their positions. The unit assumes a good general knowledge of Australian corporate law. The unit is taught by a number of legal practitioners, with special expertise in issues relating to debt financing.

Particular topics covered include:

- the nature and priority of charges;

- the lender/trustee/manager relationship;
- financial covenants;
- negative pledges;
- guarantees and third party securities;
- issues involving secured creditors;
- set-off;
- aspects of enforcement by creditors;
- voluntary administration;
- subordinated debt;
- receivership.

Please note: International students wishing to study this unit, who do not have a background in Australian corporate law, are encouraged to study an undergraduate corporate law course (either 'Corporate Law' or 'Advanced Corporate Law').

LAWS 6039 Discrimination in the Work Place

6 credit points. Dr Belinda Smith. **Semester:** 2, June. **Assessment:** class participation (10%), and essay (40%) plus exam (50%) or research paper (90%).

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 anti-discrimination enforcement. Specific topics to be discussed include: disability discrimination, HIV-AIDS discrimination, race discrimination, sex discrimination, sexual harassment and dispute resolution.

LAWS 6130 Dispute Resolution in Australia

6 credit points. Professor Hilary Astor. **Semester:** 2. **Assessment:** 3000 word research essay (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 graduate programs at Sydney Law School. The unit will therefore be of relevance to a broad range of graduate 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) of various dispute resolution techniques, to brief clients who participate, and to be effective participants themselves in ADR procedures.

LAWS 6040 Drugs, Drug Policy and the Law

6 credit points. Professor Terry Carney. **Semester:** 2. **Assessment:** one research paper (65%), one take-home exam (25%), class participation 10%.

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: the context, including: history of drug policy; State/Federal division of responsibility; nature and incidence of use of substances; international and domestic policy constraints and debates; the law enforcement elements, including: 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; civil treatment, including: the history of civil commitment; the civil commitment model; a public health (detoxification) model; non-legislative options; generic welfare measures, including: income support; accommodation; health services;

overview/summary, including: options and directions for change.

LAWS 6041 Environmental Dispute Resolution

6 credit points. Mr Brian Preston and visiting lecturers. **Semester:** June. **Assessment:** research essay (80%), class participation (20%); or research essay (100%).

This unit aims to explore the nature of environmental disputes and the means of resolving them. The means examined include 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 explored. The unit involves the use of innovative teaching techniques: lectures will be alternated with small group workshops, mediation simulations, a public inquiry and a mock court-hearing.

In addition to the lecturers, there are 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.

LAWS 6043 Environmental Impact Assessment Law

6 credit points. Mr Bernard Dunne. **Semester:** June. **Assessment:** one essay (50%), take-home examination (50%).

This unit has three fundamental aims. The first is to provide a sound analysis of Environmental Impact Assessment (EIA) procedures in NSW and at the Commonwealth level. The second aim is to develop a critical understanding of EIA as a distinctive regulatory device by examining its historical, ethical and political dimensions as well as relevant aspects of legal theory. The third and ultimate aim is to combine these doctrinal and theoretical forms of knowledge so we can suggest possible improvements to the current practice of EIA in Australia.

LAWS 6044 Environmental Law and Policy

6 credit points. Dr Gerry Bates. **Semester:** April. **Assessment:** one essay (50%), take-home examination (50%).

The aim of the unit is to introduce students to overarching themes in environmental law and policy as a foundation to their more detailed studies for the degree of Master of Environmental Law or Graduate Diploma in Environmental Law.

This is an overview unit addressing a number of environmental issues at various levels of analysis; such as policy making, implementation of policy and dispute resolution. The unit covers the law and policy relating to environmental planning, environmental impact assessment, pollution and heritage. The concept of ecologically sustainable development and its implications for environmental law and policy is a continuing theme.

The unit is designed to develop multi-dimensional thinking about environmental issues and the strategies needed to address them. The unit provides a broad background of the political and economic issues in so far as they are related to the legal issues involved.

LAWS 6045 Environmental Planning Law

6 credit points. Ms Nicola Franklin. **Semester:** April. **Assessment:** 7,000w essay (70%), problem-based assignment (30%).

This unit examines the legal and institutional structures in New South Wales for land-use regulation and the resolution of land-use conflicts. The focus is on environmental planning, development control and environmental impact assessment under the Environmental Planning and Assessment Act 1979 (NSW) and cognate legislation. The unit provides an opportunity to explore contemporary urban issues, such as urban consolidation and infrastructure funding. Federal interest in the cities is also examined.

While an important aim of the unit is to provide students with an understanding of the New South Wales environmental planning system, the unit also aims to develop the capacity to evaluate environmental policies and programs through exploring theoretical perspectives on the function of environmental planning. The unit will critically evaluate the function and design of environmental planning systems and the legal ambit of planning discretion. Significant influences, such as escalating environmental and social concerns about our cities, will be discussed, together with an evaluation of processes and forums for public involvement in land-use policy and decision making.

A good grounding in this area will be of assistance to students undertaking other units in the degree of Master of Environmental Law or the Graduate Diploma of Environmental Law.

LAWS 6046 Equity Financing

6 credit points. Professor Jennifer Hill (Convenor). **Semester:** 1. **Assessment:** Two class presentations, plus one exam or a 6000 word research essay.

This unit focuses on the corporate law aspects of equity fundraising. At a theoretical level, this unit is underpinned by the

privileged position of equity within corporate law. However, the unit also has a strongly commercial approach, and is taught by a range of expert practitioners in the area. Particular topics covered in the unit include:

- accounting standards, profits and auditors' duties;
- maintenance of capital and payment of dividends;
- incorporated joint ventures and strategic alliances;
- unincorporated joint ventures and strategic alliances;
- capital restructuring: a comparative analysis of transactions affecting share capital;
- regulated financial transactions under chapter 2E of the Corporations Law;
- corporate reconstructions and schemes of arrangement;
- issues in comparative equity finance;
- release of capital through securitisation;
- international and electronic issues in corporate fundraising.

Please note that the application of the disclosure provisions to corporate fundraising is covered in the 'Corporate Fundraising' course.

Please note: International students wishing to study this unit, who do not have a background in Australian corporate law are encouraged to study an undergraduate corporate law course (either 'Corporate Law' or 'Advanced Corporate Law') before taking this unit.

LAWS 6048 Explaining Crime

6 credit points. Associate Professor Chris Cunneen. **Semester: 1.**
Assessment: one take-home exam, one 4500w 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.

LAWS 6194 Explaining Punishment

6 credit points. Associate Professor Chris Cunneen. **Semester: 2.**
Assessment: one 4500w essay, one take home exam, classwork.

The objective of this unit is to explore punishment, sentencing 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 new sentencing regimes (such as mandatory sentencing), women in prison, juvenile imprisonment, inequality and punishment, privatisation, and the impact of law and order politics on punishment.

LAWS 6132 Feminist Legal Theory and Practice

6 credit points. Professor Reg Graycar. **Semester: 2. 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 decision makers.

LAWS 6050 Forensic Psychiatry

6 credit points. Adjunct Associate Professor Peter Shea. **Semester: 1.**
Assessment: open book exam (50%) plus 3000w essay (50%) or, 6000w essay (100%).

This unit explores the relevance of psychiatry for criminology. Particular emphasis is placed on the problems associated with the use of psychiatric evidence in court and the relationship between psychiatric illness and criminal behaviour. Topics covered include the language of psychiatry, the classification of psychiatric disorders, dissociative amnesia, obsessive-compulsive disorder and kleptomania, personality disorders (especially the paranoid personality, the antisocial personality and the borderline personality), schizophrenia, depression and mania, the paraphilias, alcohol and drug related disorders, delirium, dementia and developmental disability of the mind, fire-setting, psychological profiling, premenstrual dysphoric disorder, dangerousness, treatment methods, and an introduction to the psychiatric defences and the mental health and cognate legislation.

LAWS 6214 Goods and Services Tax Principles

6 credit points. Mr Lee Burns. Semester: 2, April. Assessment: exam or research essay (70%), class work (30%).

The object of this unit is to examine the design, operation, compliance and administration of the kind of consumption tax occasionally referred to as a goods and services tax (GST, in Australia, Canada and New Zealand) but more commonly known as a value-added tax (VAT, in Europe).

The unit will examine the major foundational principles of the GST and its operation in practice. In assessing the Australian legislation comparisons will be drawn between the major models of GST - the NZ model and the 6th Directive of the EC. The goals of the unit are to develop an understanding of the policies, detailed rules and current practical problems involved in a GST and to explore how it differs from other types of consumption tax. Upon successful completion of this unit a student should have an advanced understanding of the policies underlying a GST, as well as a detailed knowledge of technical detail of the rules for the operation and compliance with a GST.

Topics examined will include:

- introduction to GST - different forms of VAT/GST and the relation to the income tax base;
- obligation to register for GST;
- basic concepts for operating the GST - supply, liability and value for tax; status of the taxable person; definitions of supplies; goods and services; value of the consideration; treatment of imports;
- GST free and input taxed supplies;
- compliance - invoices, assessment and collection of tax.

LAWS 6216 Goods and Services Tax Special Issues

6 credit points. Professor Richard Vann. Semester: 2. Assessment: exam or research essay (70%), class work (30%).

The object of the unit is to examine special issues in the design, operation, compliance and administration of the goods and services tax (GST) which commenced in Australia on 1 July 2000. The unit will examine those areas where the operation of the GST is particularly complex or affected by special policy considerations. The goal of the unit is to develop an understanding of the policies, detailed rules and current practical problems involved in the Australian GST in relation to these special issues.

The unit includes the study of: real property; financial transaction including financial supplies, reduced input tax credits and insurance; international transactions including imports, exports and reverse charges; entities including joint ventures, branches, groups, trusts, partnerships, non-profits; and the administration of the GST.

LAWS 6052 Govt Regulation, Health Policy & Ethics

6 credit points. Professor Margaret Allars, Dr Isabel Karpin. **Semester: June. Assessment:** one 7500w essay (100%) OR two 3750w essays (100%).

This unit examines government regulation of health care, drugs, resource allocation, medical research and professional practice. With regard to each area of government decision-making, issues are analysed by reference to the interplay between social goals, human rights, legal rights and ethical considerations.

Topics covered include the constitutional and statutory sources of government power with respect to health care: regulatory

models and reform of public health legislation; therapeutic goods administration; health insurance; pharmaceutical benefits

and the pharmacy industry; immunisation, notifiable diseases and public health emergencies; human tissue legislation; discipline of health professionals; health care complaints tribunals; a right to health care; ethical theories in law and medicine; the ethics of human experimentation; and ethics committees.

LAWS 6054 Health Care and Professional Liability
6 credit points. Dr Kristin Savell. Semester: April. Assessment: Class Participation (20%) & 8000 word essay (80%).
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.

LAWS 6055 Heritage Law
6 credit points. Professor Ben Boer. Semester: April. Assessment: one essay (50%), one problem-based assignment (50%).
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.

LAWS 6178 Honours Dissertation A
3 credit points. **Semester:** 1, 2.

LAWS 6179 Honours Dissertation B
3 credit points. **Semester:** 1, 2.

LAWS 6223 Immigration and Nationality Law
6 credit points. Dr Mary Crock. **Semester:** 1. **Corequisite:** Administrative Law. **Assessment:** class participation (10%), 3500w research essay (40%), take-home exam (50%).
This is a survey unit designed to introduce students to one of the most fast moving and engaging areas of public law. Immigration law is all about government regulation of the entry of persons into Australia. As such, it is a branch of applied administrative law that concerns the very make-up of our society, affecting both who we live with and how we live our lives. Statistics show that nearly one in four Australians were either born overseas or had an overseas-born parent. In spite of this, controversy persists over whether Australia should have an immigration program and the extent to which the government is doing enough to control both unlawful entry and the quality of the (lawful) migrants. With Sydney receiving the lion's share of the migrants who come to Australia each year, migration law has become a growth area for both lawyers and migration agents. By placing the current mechanisms for controlling migration in their legal, social, historical and economic contexts, this unit provides an opportunity to explore the 'big' issues raised by immigration and to look at why the subject has assumed such a central role in the development of Australia's identity as a nation.

The unit of study is designed to foster the following skills:
(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 and evaluation, gained through the examination and synthesis of relevant legislation; of court decisions and of rulings by the Migration Review Tribunal; the Refugee Review Tribunal; and the Administrative Appeals Tribunal in its migration division; and
(c) oral and written skills, through class participation, simulation exercises and the preparation of a major research paper.

The survey unit does not consider the area of refugee law, which is the subject of a separate postgraduate offering. It is designed as a foundational unit for students who have no background in migration law and who wish to move into the area.

The unit complements the more specialised units Refugee Law and Migration and Labour Law. Completion of the unit will earn students 10 CPD points.

LAWS 6147 Independent Research Project
6 credit points. Semester: 1,2. Assessment: 10,000w research paper (6 credit points) or 20,000w research paper (12 credit points).
The goal of this unit of study is to provide students with an opportunity to pursue advanced research in an area of their choosing, under the supervision of a Faculty staff member. The unit is only available in special circumstances and with the approval of the Associate Dean (Coursework) or his or her delegate, in consultation with the relevant program coordinator where applicable.

The unit will be available as a one semester unit of study worth 6 or 12 credit points or as a full-year unit of study worth 12 credit points. 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 that has been previously submitted for assessment in any other unit of study may not form part of this project. No more than 12 credit points of this unit may be credited towards the requirements for a Master's or SID program in respect of any student. The unit is not available to Diploma candidates or to candidates for the Master of International Law or the Master of Criminology by coursework. In the case of students enrolled over a single semester, the project must be submitted for assessment by the last day of classes in the semester in which the student is enrolled in this unit of study. In the case of students enrolled over a full year, the project must be submitted for assessment by the last day of classes in the second semester in which the student is enrolled in this unit of study. The project will normally be assessed by the faculty member who acts as supervisor. However, the Associate Dean or delegate may designate an independent assessor, who may or may not be a member of the faculty.

Enrolment is contingent upon:

1. the student formulating, in advance of enrolment, a well-defined research project, including a statement of methodology to be used and availability of necessary research materials;
2. the student providing a written statement outlining the special circumstances justifying enrolment in this unit;
3. approval in writing from a member of the Faculty who agrees to serve as supervisor and assessor for the project;
4. approval in writing from the relevant Program Coordinator, where applicable; and
5. approval in writing from the Associate Dean or delegate.

Approval will only be given where the Associate Dean or delegate is satisfied that the above conditions are met and no other unit of study is being offered in the year of enrolment which would permit the student to undertake study in the proposed area.

LAWS 6182 Independent Research Project A
6 credit points. **Semester:** 1,2.

LAWS 6183 Independent Research Project B
6 credit points. Appropriate supervisor. **Semester:** 1,2. **Assessment:** 10,000w research paper (6 credit points) or 20,000w research paper (12 credit points).
The goal of this unit of study is to provide students with an opportunity to pursue advanced research in an area of their choosing, under the supervision of a Faculty staff member. The unit is only available in special circumstances and with the approval of the Associate Dean (Coursework) or his or her delegate, in consultation with the relevant program coordinator where applicable.

The unit will be available as a one semester unit of study worth 6 or 12 credit points or as a full-year unit of study worth 12 credit points. 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 that has been previously submitted for assessment in any other unit of study may not form part of this project.

No more than 12 credit points of this unit may be credited towards the requirements for a Master's or SJD program in respect of any student. The unit is not available to Diploma candidates or to candidates for the Master of International Law or the Master of Criminology by coursework. In the case of students enrolled over a single semester, the project must be submitted for assessment by the last day of classes in the semester in which the student is enrolled in this unit of study. In the case of students enrolled over a full year, the project must be submitted for assessment by the last day of classes in the second semester in which the student is enrolled in this unit of study. The project will

normally be assessed by the faculty member who acts as supervisor. However, the Associate Dean or delegate may designate an independent assessor, who may or may not be a member of the faculty. Enrolment is contingent upon:

1. the student formulating, in advance of enrolment, a well-defined research project, including a statement of methodology to be used and availability of necessary research materials;

2. the student providing a written statement outlining the special circumstances justifying enrolment in this unit;

3. approval in writing from a member of the Faculty who agrees to serve as supervisor and assessor for the project;

4. approval in writing from the relevant Program Coordinator, where applicable; and

5. approval in writing from the Associate Dean or delegate. Approval will only be given where the

Associate Dean or delegate is satisfied that: the above conditions are met; and no other unit of study is being offered in the year of enrolment which would permit the student to undertake study in the proposed area.

LAWS 6159 Insolvency Law

6 credit points. Ms Patricia Lane. **Semester: 1. Assessment:** one 5-7000w essay.

The unit will examine a number of discrete topics in the law of insolvency, the focus being on corporate insolvency with cross-references to personal bankruptcy where relevant.

Topics which will be treated in detail are:

- personal and corporate insolvency - basic issues - bankruptcy of individuals/winding up of companies;
- the principles of insolvency law - debt subordination and postponement of priorities;
- the position of the receiver and manager; security by way of company charge; out-of-court receivers;
- equitable intervention and principles of insolvency;
- preferences and settlements in bankruptcy and the corporate regime under Part 5.7B of the Corporations Law;
- the duties owed to unsecured creditors;
- the liability of directors and company controllers;
- winding up under the Corporations Law; the duties of the liquidator; proofs in the winding up;
- the interaction of insolvency and quasi-security;
- the administration provisions for corporate insolvency under Part 5.3A of the Corporations Law;
- insolvency and matrimonial property;
- set-off in insolvency;
- part X of the Bankruptcy Act compositions and assignments;
- United States theory on 'common pool' obligations and economic value of security;
- cross-border insolvency; the regimes in the UK and chapter 11 in the United States.

LAWS 6058 Information Rights in Health Care

6 credit points. Dr Belinda Bennett. **Semester: April. Assessment:** one essay (40%) plus take-home exam (60%), or research essay (100%).

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.

LAWS 6246 International Banking Regulation

6 credit points. Professor Geoffrey Miller, New York University. **Semester: June.**

This unit will introduce students to significant contemporary developments in international banking regulation, with particular emphasis on US banking regulation. Professor Geoffrey Miller, who is Director of the Centre for the Study of Central Banks at New York University Law School, will teach the unit. Professor Miller is internationally known for his scholarship in a wide range of areas, including banking regulation, corporate governance and securities regulation.

LAWS 6059 International Business Law

6 credit points. Mr Angus Mackenzie. **Semester: 1. Assessment:** one 7500w research paper (100%).

The objective of this unit is to provide students with a sound understanding of a number of areas of international business law with a focus on those areas which have undergone significant

transformation in recent years or which hold the potential for change in coming years.

LAWS 6060 International Commercial Arbitration

6 credit points. Mr Luke Nottage. **Semester: 2. Assessment:** Class Participation (30%), Essay 6,000 to 10,000 words (70%).

This unit will introduce students to international commercial arbitration, 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.

A particular focus will be the tension between globalisation and local diversity, and the development of international arbitration and mediation in the Asia-Pacific region.

LAWS 6202 International Dispute Resolution

6 credit points. Associate Professor Don Rothwell/ Dr Shirley Scott. **Semester: June. Assessment:** class participation - 20% research essay - 80%.

This unit of study aims to provide an in-depth analysis of international dispute resolution as a technique for resolving public international law disputes. The United Nations Charter provisions for the peaceful settlement of international disputes will be taken as creating the basic framework for the review of dispute resolution techniques. These include negotiation, good offices, mediation, conciliation, arbitration, and adjudication. Particular attention will be given to in-depth analysis of certain disputes and the legal and political techniques used in their resolution. These disputes will include the Iranian Hostages case, the Rainbow Warrior case, French Nuclear Testing, and East Timor. This unit will not deal with the resolution of international commercial disputes of a private law character.

LAWS 6061 International Environmental Law

6 credit points. Professor Ben Boer, visiting lecturers. **Semester: June. Assessment:** research paper (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. Basic principles will be discussed prior to taking a sectoral approach in looking at the application of international environmental law in specific issue areas. The unit includes material on implementation of international environmental law in the Asia Pacific region. Relevant Australian laws and initiatives will be referred to from time to time. The focus is on law and policy that has been applied to deal with environmental problems in an international and trans-boundary context.

LAWS 6161 International Human Rights

6 credit points. Ms Shelley Wright. **Semester: 1. Assessment:** major essay, or minor essay plus take-home exam.

The unit is intended to provide an analysis of the principal international human rights instruments, the operation of the institutions which operate them and the impact such instruments have on domestic law. To this end, the unit will follow three broad themes: the philosophical foundations of the concept of human rights; the leading international human rights instruments and institutions (global and regional); the various avenues by which international human rights laws are incorporated, or otherwise have effect, in Australian law.

LAWS 6167 International Law and Aust Institutions

6 credit points. Associate Professor Don Rothwell, Mr Ward. **Semester: April. Assessment:** research essay (60%), case note (30%), class participation (10%).

This unit assesses the impact of international law upon Australian institutions. It provides a critical review of that impact across all levels of Australian society. Specific consideration is given to: the Executive; the Legislature: Commonwealth, State and Territories; the Judiciary: High Court, Federal Court, Family Court, State Supreme Courts and other state and territorial courts; the Bureaucracy: Federal, State and Territorial Government Departments; Government Institutions: HREOC, IRC, ALRC.

The unit of study commences with an historical overview of how international law was received in Australia, and then assesses its impact upon a range of Australian institutions. The principal focus throughout the unit of study will be on the effects produced through domestic law.

LAWS 6062 International Law-the Use of Armed Force

6 credit points. Associate Professor Rothwell. Semester: June.

Assessment: Class participation 20%, Research Essay 80%.

This unit will 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. The role of the United Nations in preventative diplomacy, peace-keeping, peace enforcement, and the authorisation of the collective use of force will be included. Consideration will also be given to police enforcement action by States and self defence. Case studies dealing with the Gulf War, NATO action in Kosovo, and the INTERFET operation in East Timor will be considered. This unit will not give detailed consideration to International Humanitarian Law and is designed to complement the unit in that area.

LAWS 6184 International Law Research Project A

6 credit points. Semester: 1,2.

LAWS 6185 International Law Research Project B

6 credit points. Semester: 1,2.

LAWS 6206 International Mergers and Acquisitions

6 credit points. Professor Robert B. Thompson, Vanderbilt University Law School. Semester: April.

NB: * This is a one off seminar offered as part of the International Faculty in Corporate, Securities and Finance Law, and will be available in 2002 only.

There has been a dramatic resurgence in the area of mergers and acquisitions in recent times. This unit will introduce students to international mergers and acquisitions, focusing on recent trends in the US. Further details of the course will be available to students on the Faculty of Law website - www.law.usyd.edu.au. The unit will be taught by Professor Robert B. Thompson, has recently taken up an appointment at Vanderbilt University School of Law. Prior to this, Professor Thompson was the George Alexander Madill Professor of Law, and Director of the Center for Interdisciplinary Studies at Washington University School of Law, St Louis. Professor Thompson is one of the leading US academics in the corporate and securities field. He is currently an adviser on the American Law Institute's Restatement of the Law of Agency and is a member of the American Law & Economics Association. He is the author of two major treatises in the US, O'Neal's Close Corporations: Law and Practice and Oppression of Minority Shareholders. Professor Thompson is also co-author (with O'Kelly) of Corporations

and Other Business Associations: Cases and Materials. His recent research has focused on the role and powers of shareholders in the context of mergers and acquisitions.

LAWS 6261 Int Protection of Intellectual Property

6 credit points. Prof Lanye Zhu, East China University of Politics & Law. Semester: April. Assessment: exam or research essay (70%), classwork (30%).

This unit is designed to explore the intellectual property protection system in China, with a comparison of the system in Australia, and the international protection system.

The unit includes a study of: Basics of intellectual property rights; China's patent law, trademark law and copyright law; the intellectual property protection system in China; the international conventions, agreements and treaties. treaties on intellectual property protection.

LAWS 6063 International Trade Regulation

6 credit points. Dr Brett Williams. Semester: 1, June. Assessment: open book exam 33.3% 2500-3000 word essay on a compulsory topic - 33.3% 2500-3000 word essay chosen from a list of topics - 33.3%.

This course is an introduction to the law of the World Trade Organisation and to the context of economics and politics within which the law operates. The course begins with a trade negotiation game, then considers the arguments for free trade and arguments for protection (including some very basic economics of trade and economics of public choice) and an overview of the history of the GATT-WTO system. The course analyses some of the fundamental rules of the WTO system beginning with the dispute settlement rules, then the rules on non-discrimination, on tariffs bindings and customs duties, national treatment, non-tariff barriers and some exceptions to those rules. Further topics may include the rules on regional arrangements (using NAFTA as a case study), trade and agriculture, trade and services, trade-related investment measures and government procurement.

Textbooks

Required text: Raj Bhala, International Trade Law: Theory and Practice (Lexis, 2001, 2nd ed)

LAWS 6251 Issues in Electronic Commerce

6 credit points. Professor John Carter. Semester: 1. Assessment:

Assessment: Essay (25%), Exam (75%).

Each day many thousands of people communicate with each other, and do business, through the Internet and via email. The extent of such business increases delay. The parties to these transactions may have little understanding of the differences in the domestic law by which they are bound, or for that matter of what law actually governs their contracts. Access to computer software is available through the modem, access to massive data bases is obtained at the click of a mouse. The facilities which computers provide challenge traditional values, and practices, including those of contract law. The law has been slow in responding to Electronic Commerce, and it is only recently that statutory provisions dealing specifically with electronic transactions have been enacted.

The aim of this course is to consider some of the issues which Electronic Commerce requires practitioners to confront. This is done mainly, although not exclusively, from a transaction perspective. The focus will be both domestic and international. The first topic is an overview of the transaction processes and the governing law (including the Electronic Transactions Act). Although the choice of topics will vary from year to year, the remaining topics will include several of the following:

- International sale of goods
- Financial services
- Banking issues
- Web sites
- Privacy issues
- Intellectual property issues

LAWS 6068 Judicial Review- P'Ciple, Pol & P'Cedure

6 credit points. Professor Margaret Allars. Semester: April.

Assessment: one 7500w essay (100%), or two 3750w 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 principles relating to justiciability, 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, with judicial and administrative procedure 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.

LAWS 6248 Legal issues in Sports Medicine

6 credit points. Mr. Hayden Opie, University of Melbourne. Semester: June. Assessment: 10,000 w Research Paper.

NB: This course is to be taught on an intensive basis. Classes are 25th/26th July and 3rd/4th October inclusively.

This unit will explore the rapidly deepening and widening interface between law and medicine in the arena of sport. The initial focus of the course will be upon analysing the legal relationship between the sports medicine doctor and the athlete-patient. This will include standards of care, responsibility for injury and the obligation of confidentiality. The impact on the structure and nature of the relationship caused by the circumstances of elite competition and the doctor's dual responsibilities to athlete and team will be featured. Related issues such as working with other health professionals in the 'sports medicine team', travelling with teams, insurance and vicarious liability will be considered.

The second part of the course will examine the legal aspects of a number of specific issues in sports medicine such as infectious diseases, performance-enhancing drugs, the pregnant athlete and the sex status of participants. It will do so against the backdrop of the impact of changing medical knowledge and practices. Particular attention will be paid to anti-discrimination law. Each of these issues has a counterpart outside of sport and the making of comparisons will invite consideration of whether the sport setting requires special approaches or even offers valuable insights into wider debates.

LAWS 6071 Labour Law

6 credit points. Professor Ron McCallum. Semester: 1. Assessment: 4000w essay, class participation, one exam.

This unit of study is now 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 role 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.

LAWS 6072 Law, Ageing and Disability

6 credit points. Professor Terry Carney. **Semester: 1. Assessment:** one research paper (65%), one take-home examination (25%) class participation (10%).

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 represent a rising 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 advice, 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:
context for the law, including: demography and trends; socio-medical characteristics of ageing/impairment; ethical context of ageing and disadvantage; the pattern of laws and services;

income security, including: age pensions; the basic framework; assets testing; investment income;

private planning of property/income, including: powers of attorney, enduring powers, warranty provisions; wills / succession; superannuation treatment/ retirement incomes policies;

private planning of services, including: special accommodation houses; retirement villages; hostels and nursing homes; disability services (State); disability services (Commonwealth);

public accountability, including: community visitors/ advocacy; statutory watch-dog agencies (eg, Office of Public Advocate); guardianship and administration boards; securing legal rights to services (eg, disability review tribunals in California and Victoria).

LAWS 6075 Legal Issues in Health Care & Technology

6 credit points. Dr Isabel Karpin. **Semester:** April. **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.

LAWS 6252 Legal Reasoning and the Common Law System

6 credit points. Mr Bernard Dunne. **Semester:** June, April. **Assessment:** Two practical assignments, each worth 30%, one dealing with analysis of a case, the other, analysis of a statute. The remaining 40% will be attached to an assignment, comprised of short-answer questions, covering issues raised by the material on constitutional law, administrative law, contracts and torts.

This is a compulsory unit for all postgraduate students without a legal qualification entering the:

- Masters of Administrative Law and Policy
- Masters of Environmental Law
- Masters of Health Law
- Masters of Asian and Pacific Legal Systems

- Masters of Environmental Science and Law
 - Masters of International Business and Law
 - Masters of Labour Law and Relations
- as well as Graduate Diplomas offered in these programs.

The unit has been designed to equip students with the necessary legal skills and legal knowledge to competently apply themselves in their chosen area of law. Instruction will cover the legislative process; the judiciary and specialist tribunals; precedent; court hierarchies; legal reasoning; constitutional law; administrative law; contracts; and torts. Some elements of the unit will be tailored in accordance with the requirements of the particular specialist programs.

LAWS 6077 Legal Research 1

6 credit points. Professor Terry Carney. **Semester: 1. Assessment:** one essay 4-6000 w (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.

LAWS 7001 Legal Research 2

6 credit points. Professor Terry Carney. **Semester: 2. 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 & presentation;
- current problems II;
- overview and review.

LAWS 7002 Legal Research 3

6 credit points. Professor Hilary Astor. **Semester: 2. Assessment:** Assessment will be on a pass/fail basis. 1. Seminar presentation on an aspect of the student's thesis. 2. A written outline of goals for the course and written reflection on achievements during the course. 3. Reading, commenting on and providing written feedback on a chapter of the thesis of another class member.

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 an 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 of 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.

LAWS 6207 The Legal System of the European Union
6 credit points. Ms Anne McNaughton. Semester: April. Assessment: class presentation (30%), research paper (70%).

This unit offers graduates who are, for academic, business or professional reasons, interested in the European Union an opportunity to learn about its business, constitutional and administrative law. Students will examine the process of European integration that has taken place since the European communities' inception. Particular emphasis will be placed on the Single European Act, 1986, the Treaty on European Union of 1992 (more familiarly referred to as the Treaty of Maastricht) and the most recent Treaty of Amsterdam of 1997. The distinction between the European Union and the European Communities will be dealt with in the course of these considerations. Topics which will be covered in the course of this unit include the institutional framework of the European Union, policy development in the European Union, the Community legal system, general principles of Community law and administrative law of the Community.

LAWS 6137 Maritime Law

6 credit points. Mr Stan Palassis. Semester: June. Assessment: 4000w essay (40%), open book exam (60%).

This unit of study aims to provide students with an understanding of both domestic and international law as they apply to shipping from the initial stage of ship registration to salvage and wreck. The unit will cover public law issues in ship operation within Australia, such as ownership, registration and admiralty jurisdiction. The course also covers charter parties, bills of lading and marine insurance.

In conclusion the unit looks at both Australian and international law dealing with salvage and wreck.

LAWS 6080 Modern Corporate Governance

6 credit points. Professor Jennifer Hill. Semester: April. Assessment: Short assignment; Class participation; 5000 word research essay. This unit will explore a range of issues concerning the corporation and its participants raised in contemporary governance debate.

Particular issues covered in this unit include:

- what is corporate governance and why is it all the rage;
- the nexus between corporate governance and corporate theory;
- employees and corporate governance;
- debtholders and corporate governance;
- institutional investors as 'players in the game of corporate governance';
- fairness between shareholders - Gambotto and the legislative reaction to Gambotto;
- the role of independent directors;
- directors' duty of oversight;
- developments in director and executive remuneration;
- corporate groups;
- competing corporate cultures - a case study of the DaimlerChrysler merger;
- recent developments in corporate crime - a case study of the new legal framework for criminalising foreign bribery.

LAWS 6186 Native Title - Co-Existence Perspectives
6 credit points. Ms Patricia Lane. Semester: 2. Assessment: either a 6000 word original research essay (60%) AND 40% final exam OR a 10 000 word original research essay (100%).

The recognition of native title by the High Court in the Mabo decision introduced a profound challenge to earlier conceptions of Australian land law, land use management and resource development. State land regimes have had to grapple with the implications of domestic recognition of international themes of self determination and land rights for Indigenous peoples. The Commonwealth Government has also set standards for the recognition and protection of native title rights in enacting the Native Title Act 1993 and its subsequent amendment.

LAWS 6190 New Income Tax System

6 credit points. Professor Richard Vann. Semester: 1, 2, June. **Assessment:** exam or research essay (60%), class work (30%), research exercise (10%).

This unit is designed to explore in detail the fundamental principles of the 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. Emphasis is given to tax reform.

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 arising from tax reform the unit will focus on the emerging legislation and the Report of the Review of Business Taxation.

1. Research into the Australian tax system - basic tools of legal research; tax research.
2. Economists' definitions of income and the Australian tax system - criteria for judging tax systems and the current reform of the Australian tax system; Haig Simons definition of income and tax expenditures; optimal tax theory and the expenditure tax.
3. Interpretation of tax legislation and tax avoidance - interpretation of tax legislation focusing on recent Australian cases; tax avoidance and anti-avoidance legislation; redrafting the tax legislation: the Tax Law Improvement Project (TLIP) and tax reform.
4. The Structure of the Australian income tax system - structure of the legislation, interaction mechanisms, derivation; multi-step transactions; deferred payments, expense characterisation, calculation of cost; valuation, conditions of employment, reimbursements, apportionment of deductions; CGT-dissecting receipts; CGT-part disposals, deemed disposals, cost base write down, creation of liabilities; reimbursement/recovery of expenses and claim of right.

LAWS 6245 Policing Bodies: Crime, Sexuality & Repr

6 credit points. Dr Kristin Savell. Semester: 2. Prerequisite: Criminal Law (or if not already completed undertake Criminal Liability as a corequisite). Assessment: Research Essay 60%, maximum 6000 words Course Participation 40%, (comprising class participation 10% and reflective journal 30%, maximum 2000 words).

This unit will draw upon feminist and critical theories to analyse selected sexual and reproductive practices that the criminal law has considered, or may in the future consider, problematic. These studies will be unified by the general course objective of theorising the relationship between criminalisation and medical technologies concerning the body. Students will have the opportunity to examine specific applications of the criminal law in relation to sexual desire, body alteration and reproduction. In particular, the unit will consider homosexual sexual practices; sado-masochistic sexual practices and female genital alterations; abortion, sex selection and infanticide; drug use and HIV transmission during pregnancy; and enforced sterilisation and abortion. Each case study will provide a concrete context in which to consider the role of criminal law in the construction of subjects which require supervision (eg, gay, lesbian, transgendered, fetal, maternal) and the construction of risks that may be palliated by criminalisation. The intersections between race, sex, gender, class and sexuality in these constructions will also be considered. Throughout the course, students will reflect on the extent to which 'medical' and 'criminal' responses to the practices considered are collaborative. This unit will equip students to think critically about the interplay between technologies of the body and crime, and to map possible future directions for criminal law and public policy.

LAWS 6082 Pollution Law

6 credit points. Dr Gerry Bates, Ms Nicola Franklin. Semester: April. Assessment: essay (50%), problem-based assignments (50%).

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 community right to participate.

The legislative and administrative framework that is studied is that of New South Wales, although comparisons are made with other jurisdictions. The federal dimension, including implementation of the Inter-governmental Agreement on the Environment, in particular Schedule 4, is discussed.

LAWS 6162 Privacy, Surveillance and Fair Info Prac

6 credit points. Dr Roger Magnusson. Semester: 1. Assessment: One research essay 5000 words (75%), one take home exam (25%).

This unit of study focuses upon the growing body of law dealing with data protection or 'information privacy' (the law regulating the collection, accessing use and disclosure of personal information). The unit will explore international standards in this

area and consider the impact of international developments upon domestic law. The unit will also consider public interests which compete with individual privacy interests and, in particular, Commonwealth and state legislation authorising surveillance, profiling and data-matching. The unit aims to consider current 'privacy' politics as well as some current trends and 'hot issues' relating to information privacy. The federal privacy regime, which includes the Privacy Act 1988 (Cth) will be discussed, together with amending legislation covering the private sector. Other topics include profiling and data-matching by government and private organisations and computer crimes legislation. A feature of the unit will be a more detailed consideration of information privacy issues within several sectors.

The course includes substantial emphasis upon the telecommunications sector: this module will consider Commonwealth and state interception of communications legislation in detail, within the context of the post-June 1997 telecommunications regime, administrative schemes such as the Telecommunications Industry Ombudsman, and the 'co-regulatory' approach to standards development which is now operative within the sector. The course will also consider the financial services sector (issues include smart cards, electronic commerce, money laundering) and the health sector (non-disclosure legislation, networking of medical records, genetic privacy, and HIV / AIDS, and privacy and the media).

LAWS 6243 Public International Law

6 credit points. Ms Shelley Wright. Semester: April.

This unit of study is an introduction to the general problems of public International Law designed for students with no prior background in this area. Particular attention will be given to the function and scope of international law, with particular reference to sources of international law, and their relationship with municipal (Australian) law. Consideration will also be given to principles of state responsibility, immunities, and dispute resolution while drawing on illustrations from human rights and the environment. This unit also provides a preliminary investigation of the effects of the globalisation of law and its impact on domestic legal systems.

LAWS 6256 Recent Developments in Contract Remedies

6 credit points. Professor Michael Furmston. Semester: April.

Assessment: 50% essay, 50% exam or 100% essay.

Traditional undergraduate contract courses concentrate on problems of formation, mistake, exemption clauses and the like. Remedies tend to be put off to the very end or left out altogether. Yet, in practice, they are one of the most important parts of contract law. It is not much use having a contract if you have no effective remedy when the other side breaks it. Not only is this area of the law very important but it is one of the most rapidly developing. In the last couple of years there have been important developments, for instance, in the law as to the recovery of non financial loss arising from breach of contract; for recovery of damages suffered not by the contracting party but by a third and exploration of whether a plaintiff can recover damages which reflect the profit the defendant has made by breaking the contract rather than the loss which the plaintiff has suffered (the traditional measure). There has also been important litigation seeking to widen the bounds within which one can obtain specific performance.

LAWS 6198 Refugee Law

6 credit points. Dr Mary Crock. Semester: 2. Classes: Two 2 hr seminars per week. Assessment: Class participation (10%), 2000 word case study (30%), 4500 word research essay (60%).

This unit of study is designed to give students a critical understanding of how refugee law developed both at international law and within Australia's domestic legal system. In particular it will examine:

- The international instruments and institutions created to deal with refugee flows;
- the refinement of the definition of 'refugee' at international law;
- Australia's experience of refugee flows;
- the machinery established in Australia for the determination of refugee status and for the hearing of refugee appeals;
- the jurisprudence that has developed both at international law and through the Australian courts;
- the role of international organisations such as the UN High Commissioner for Refugees;
- the theoretical bases for refugee protection and possible alternatives to the present protection models.

The unit will also examine emergent issues such as the treatment of women refugee claimants; the rights of asylum seekers to Judicial oversight of failed refugee claims; and the relationship between refugee law and other human rights instruments including the ICCPR and the 'Torture Convention'.

The unit complements Immigration and Nationality Law and Immigration and Labour Law, as well as other offerings in the Master of International Law and the Masters of Administrative Law and Policy.

Completion of the course entitles students, who are registered migration agents, to 10 CPD points.

LAWS 6164 Regulation of Derivatives Products & Mkt

6 credit points. Mr John Currie, Henry Davis York. Semester: 2.

Assessment: class participation (30%); one 4000 word research essay (70%).

This unit studies the development and the current state of regulation of derivatives products and markets in Australia. It examines both exchange-traded markets and products and 'over the counter' (OTC) markets and products. A central theme to the unit is the extent to which derivatives products and markets require special legal and regulatory treatment, by comparison with securities markets and other financial markets.

The unit aims to introduce students to the way in which the Australian markets have developed and how they are currently regulated and to place Australian developments in regulation within a regional and international context. The unit will commence with a description of the markets and a discussion of the history and themes of regulatory policy in this area, and then proceed with a detailed treatment of the regulation of futures contracts, OTC products and market delineation. Australian exchange-market regulation will then be examined, together with the regulation of OTC markets in Australia and the course of reform of regulation in this area, culminating in the CLERP 6 reforms introduced through the Financial Services Reform legislation. Current regulation of the markets and participants under the FSR regime will then be examined.

The unit will give special attention to developing areas of regulation, including: changes to the legal concept of a 'market' the way in which intermediaries, including brokers, advisers and market-makers, are regulated intermediaries' duties international and comparative law issues arising from the development of a global market and electronic trading.

Upon completion of the unit, the student should have an understanding of the development, nature and current regulation of derivatives, how the Australian markets operate, their relationship to regional and global markets and the likely direction of regulatory reform.

LAWS 6004 Restitution for Unjust Enrichment

6 credit points. Professor John Carter. Semester: 2. Assessment: one compulsory essay (25%), one exam (75%).

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 following 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.

LAWS 6124 Stamp Duties

6 credit points. The Hon. Justice D.G. Hill. Semester: 1. 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.

LAWS 6154 Sustainable Development Law in China
12 credit points. Professor Ben Boer, Ms Nicola Franklin, Chinese lecturers. Semester: June. Assessment: 12-15,000 word research paper submitted in March Semester (100%).

This 12-credit point unit comprises an intensive series of lectures and field trips in Beijing and Wuhan or Shanghai, China, followed by supervised research designed to introduce the legal and institutional framework of environmental law and policy in China, including the environmental responsibilities of foreign investors in China to encourage comparative and jurisprudential studies of Chinese and Australian environmental law and policy.

The lectures and field trips are undertaken over a period of two to three weeks in November. The unit is taught by both Australian and Chinese academics and involves the participation of both Australian and Chinese students. Australian students are given an introduction to Chinese law and the Chinese legal system before embarking on a study of Chinese environmental law. Chinese environmental law. The introductory lectures are given by Chinese Professors of Law at Tsinghua University, Beijing or the East China University of Politics and Law, Shanghai. In Beijing, students are introduced to the China Environment Protection Authority and State Land Administration.

LAWS 6008 Takeovers and Reconstructions

6 credit points. The Hon. Justice R.P. Austin, Supreme Court of NSW (Convenor), Mr Tim Bednall - Aliens Arthur Robinson, Mr Greg Golding - Mallesons Stephen Jaques, Mr Braddon Jolley — Freehills. Semester: 1. Assessment: two class assignments; open book exam.

This unit will involve detailed study of the requirements of chapters 6A, 6B and 6C of the Corporations Law with respect to the acquisition of company shares and takeovers. It will also examine 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). The unit is taught by a team of lawyers with extensive experience in takeovers and reconstructions.

Please Note: International students wishing to study this unit, who do not have a background in Australian corporate law, are encouraged to study an undergraduate corporate law course (either 'Corporate Law' or 'Advanced Corporate Law').

LAWS 6177 Tax Treaties

6 credit points. Professor Richard Vann. Semester: June. Assessment: exam or research essay (70%), class work (30%).

This unit is designed to provide an advanced study of Australia's international tax treaties against the background of the OECD Model Tax Convention on Income and on Capital and to examine in-depth several current practical issues of international taxation arising from tax treaties especially the review of Australia's treaty policy following the Review of Business Taxation. 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; the detailed articles of the OECD Model and Australian tax treaties; impact of tax treaties on investing overseas, including a study of the US international tax systems; entities and tax treaties.

LAWS 6112 Tax Administration

6 credit points. Professor Robin Woellner. Semester: April. Assessment: exam (70%), classwork (30%).

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.

Special attention will be given to the fundamental changes arising from tax reform. The following topics will be covered:

- examination of the models for administration of the taxation system;
- determining liability: audit, self-assessment, collection of information;
- dispute resolution: objections, appeals and challenging discretions;
- collection and recovery, including powers of investigation.

LAWS 6200 Tax Law in Asia and the Pacific

6 credit points. Mr Lee Burns. Semester: June. 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. Principal topics examined in the unit include:
- legal considerations influencing investment in Asia;
- principal features of the domestic tax systems, including tax rates for foreign investors and investment incentives;
- tax administration in Asia.

LAWS 6150 Tax of Business and Investment Income

6 credit points. Mr Lee Burns. Semester: 1,2. Assessment: classwork (30%), exam or research paper (70%).

The goal of this unit is to explore the policy and practical detail of the taxation of business and investment income. Tax reform, following the Report of the Review of Business Taxation, will be given special attention.

Upon successful completion of the unit, students will possess an advanced understanding of the current practical problems involved in the taxation of business income and property income, achieved through the analysis of a number of specific problems.

- Business income and deductions - isolated ventures; business and investing; product or sale of business; business; goodwill; business income and periodicity; treatment of leasing income, rent and lease incentive; repairs and depreciation; property development.
- Investment Income - sale or use of property; royalties; interest; debt and gearing; main residence exemption.
- Tax Accounting - obligation to prepare accounts; meaning and scope of accruals accounting; accounting at death; actual and deemed costs; accounting for interest; factoring; small business.

LAWS 6244 Taxation of Corporate Groups

6 credit points. Mr O'Donnell, Mr Lehmann and others. Semester: 1. Assessment: one exam (70%) classwork (30%).

NB: Note: this unit will only be offered if the consolidation regimes proceeds on 1 July 2002. Interested students should contact the Faculty for advice in early 2002.

The object of this unit is to examine the policy and practical issues that arise in the taxation of corporate groups in Australia. The focus is on the tax reforms arising out of the Review of Business Taxation: the consolidation regime and the rules that apply to related corporations, even if not consolidated.

The unit covers:

- Policy and history of grouping
- Entry into consolidation
- Effects of consolidation
- Exit from consolidation
- Losses in corporate groups
- Value shifting

LAWS 6217 Taxation of e-Commerce

6 credit points. Mr Paul McNab. **Semester:** June. **Assessment:** assignment (30%), exam (70%).

This unit examines the taxation issues that arise with e-commerce. The unit commences by introducing students to the key technologies and business practices associated with e-commerce. The primary focus of the unit is on the territorial and characterisation issues arising under the GST and income tax (including tax treaties). Consideration will also be given to transfer pricing, CFC and tax administration and compliance issues raised by e-commerce. The unit will provide a forum for students to critically analyse the main institutional responses to e-commerce tax issues to date, including use of the OECD, US Treasury and the ATO.

LAWS 6118 Taxation of Partners and Trusts

6 credit points. Professor Richard Vann. **Semester:** 1. **Assessment:** one 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 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. 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.

The unit covers:

- 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.

LAWS 6009 Taxation of Remuneration

6 credit points. Ms Celeste Black. **Semester:** 2. **Classes:** Two 2 hr seminars per week. **Assessment:** one 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 analogous 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. Another focus will be the alienation of personal services income. 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.

LAWS 6213 Taxation of Superannuation

6 credit points. Mr Carter, Mr Johansen. **Semester:** 2. **Assessment:** classwork (30%), examination or research paper (70%).

The unit consists of a detailed examination of the effects of income taxation on the superannuation industry. 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, 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 life insurance as it relates to superannuation

LAWS 6224 Telecommunications Law

6 credit points. Mr Greg McInnes. **Semester:** 2. **Assessment:** Assessment 2 essays worth 50% each of 2,500-3,000 words.

The World is truly entering a new age. We hear of 'new' and 'old' economies, of the 'information age', the 'information superhighway'. It is becoming a world of vast and rapid change, where commerce is e-commerce, where medicine is Telemedicine, where Channel 9 is Channel Me. Not only will we expect our interpersonal contacts to be immediate, so that for instance we can phone the person to whom we wish to speak, we will expect to be able to make that contact wherever we are, and to be able to look at the image of the person to whom we are speaking. If two dimensional images, such as film, can be digitised and transmitted as information, so also can three dimensional images, and so we will expect not only to see the image of the person, but to have that image appear as if he or she were standing in front of us (wherever we are). What drives this change is technology, firstly, and also, secondly, the means to deliver that technology. Tele-communications is the delivery mechanism. The revolution in telecommunications is at the very centre of the changes happening around us, and the Industry is both the agent of and the servant of that change. The Industry is, by its own description, self-regulating, and often the change, which the Industry both creates and serves, means that what is an accepted rule today is outmoded tomorrow. The rules by which it operates therefore are often hard to understand, even harder to describe, and move quickly. Often they are shrouded by jargon, acronyms and highly technical concepts of radio propagation theories, bandwidth capabilities, and the like, all of it set against the working environment of big, big business. And yet, in all of this wild activity, there is a body of law beginning to emerge. There is a major role, and opportunity, for Lawyers who want to understand these rules, since the changes to which they relate carry across to every aspect of every life. The typical lawyer is not equipped to fully understand all of the technical operations of telecommunications, no more so than a lawyer practicing in medical negligence cases could perform a heart transplant, but there is a need, and an opportunity, for lawyers to understand and to describe what is happening. With this background, it is intended that the Course will look at the Industry - its players, its structure, how it is regulated and operates, the types of technology existing at present and where we can expect the technology to go. We will look at how the Australian situation compares with experience in other countries, notably Asia, the US and Europe. The structure and concepts of the Telecommunications Act 1997 will be examined - 'carriers', carriage service providers', 'network boundary', standard carrier licence conditions, etc. We will examine the laws relating to the installation and operation of infrastructure- the mobile phone towers and cables- and the extensive powers and immunities of carriers which are involved. We will look at the rules applying between carriers in relation to sharing of infrastructure - the role of the Trade Practices Commission, the so-called 'competition rule' and various facilities access regimes. We will examine other issues, such as numbering allocations, number portability, and spectrum frequency allocation, all of which will have significant impact on future control and levels of service and competition in the Industry. We will even try to look at where Big Brother is hiding, looking at the Telecommunications (Interception) Act 1979, the potential capabilities of the technology, and where issues of concern to lawyers might arise. The Course will be delivered by Greg McInnes B.A.LLM., assisted as appropriate by prominent Industry figures. Mr. McInnes is a principal partner of McInnes Pynt Solicitors. That firm acts for a number of major carriers and Industry corporations, and he has acted in a broad range of telecommunications based matters for over 7 years. It is intended that the Course will be practical and will give a working insight into this most exciting field of emerging new law.

LAWS 7004 Thesis A

6 credit points. **Semester:** 1,2.

LAWS 7005 Thesis B

6 credit points. **Semester:** 1,2.

LAWS 6208 Trade and Commerce in European Law

6 credit points. Ms Anne McNaughton. **Semester:** June. **Assessment:** class presentation (30%), research paper (70%).

This unit is designed to introduce students to the operation of the legal system of the European Community as it affects trade and

commerce. In this unit, students will focus on the four fundamental freedoms upon which the single European market is based: the free movement of goods, people, capital and services. 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, internal developments in European Community law frequently have external implications for other countries, including Australia. 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, particularly in the areas of trade and commerce. Topics which will be dealt with in this unit include Community competition law, European Monetary Union, Community social policy and the European Social Charter. Students will be expected to read decisions of the European Court of Justice both in order to understand the Court's role in the development of Community law and to gain familiarity with civil legal methods.

LAWS 6173 Trade and Environment

6 credit points. Visiting Professor Jan McDonald (Coordinated by Ms. Nicola Franklin). **Semester:** June. **Assessment:** 100% Research Paper (10,000 words).

This unit of study examines the sources of tension between the law and policy aspects of the international trade liberalisation regime, environmental protection and ecologically sustainable development. It examines the obligations imposed by the World Trade Organisation (WTO) framework and the scope and operation of environmental exceptions that have been considered in recent trade-environment disputes. It explores these developments from the perspective of parallel initiatives in international law aimed at promoting Ecologically Sustainable Development domestically and globally. The Agreements on Food Safety Standards and Technical Barriers to Trade are also covered to the extent that they impose limitations on nations' ability to specify the manner in which foods and other traded goods are manufactured or processed. Tensions between the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) and the rights and duties created by the Convention on Biodiversity are also discussed.

The unit contrasts the WTO regime with that implemented by regional trade groups such as the European Union, the North American Free Trade Agreement (NAFTA) and the Asia Pacific Economic Cooperation Forum (APEC) and attempts some evaluation of their relative strengths in promoting ESD. It also reflects on the attempts to negotiate an agreement on investment liberalisation and the issues that raises for environmental protection initiatives. By the end of the unit participants should be able to critically assess the prospects for future harmonisation of global free trade regimes and ESD principles in the context of the Australian debate on these issues.

LAWS 6109 UK International Taxation

6 credit points. Professor Malcolm Gammie. **Semester:** April. The UK remains one of Australia's major leading partners. UK taxation thus has significant effects for inbound and outbound investment between Australia and UK. This seminar will be of interest to tax professionals who have dealings with the UK.

The objective of the seminar is to provide an overview of the income tax system of the UK and a detailed analysis of the most important legislative and treaty rules of the UK in the international income tax area, especially in dealings with Australia.

Upon successful completion of the subject, participants will have an advanced understanding of the policies of the UK rules for taxing international transactions as well as a detailed knowledge of the principles of income tax law applicable to inbound and outbound transactions in the UK.

The seminar includes a study of:

1. Overview of the UK income tax system
2. Taxation of inbound investment in the UK
3. Taxation of outbound investment in the UK
4. Transfer pricing in the UK
5. UK tax treaties
6. Australia UK Tax Treaty

LAWS 6191 Water Law

6 credit points. Ms Rosemary Lyster. **Semester:** April. This unit examines the ecologically sustainable management of water resources incorporating legal, scientific and economic perspectives. The legal analysis incorporates the following: international principles of water law; Commonwealth and state

responsibilities for water management; the Water Management Act 2000 (NSW); the legal and constitutional implications of the reallocation of rights to use water; the implications of allocation and use for Indigenous people; the regulation of water pollution; and the corporatisation and privatisation of water utilities. Case studies from a number of jurisdictions are used to explore these themes. Economic perspectives include the impact of National Competition Policy on water law while the principles of sustainable water management are discussed within a scientific paradigm.

LAWS 6096 Work Safety

6 credit points. Professor Ron McCallum. **Semester:** April. **Prerequisite:** Labour Law. **Assessment:** one 1500w essay, class participation, take home exam or further essay.

This unit of study is on occupational health and safety law. Its main focus is upon the Occupational Health and Safety Act 2000 (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.

LAWS 6122 Workplace Bargaining

6 credit points. Professor Ron McCallum. **Semester:** June. **Prerequisite:** Labour Law. **Assessment:** one 1500w essay, class participation, one take-home exam, or further essay.

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.

LAWS 6192 Young People, Crime and the Law

6 credit points. Associate Professor Chris Cunneen. **Semester:** 1. **Assessment:** one 4500w essay, one take home exam, class presentation.

The unit 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 unit 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 unit 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 unit 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.

7 Other Faculty 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:

Level 1 Lecture theatres; seminar rooms (LT 1, 2, 3, 4, 5)

Level 2 Lecture theatres; seminar rooms (LT 6, 7, 8, 9)

Level 3 Attendants Office; lockers; toilets; car park

Level 4 Foyer; Assembly Hall; Australian Centre for

Environmental Law

Level 5 Sydney University Union (refreshments); Sydney University Law Society (SULS) Office

Level 6 Law Society of NSW Moot Court Room; computer laboratory; staff offices; Sydney Law Review;

Level 8 Law School Library

Level 11 Staff offices; Institute of Criminology; Finance

Level 12 Dean's Office; Pro-Deans Offices; Student Liaison and Administration; Continuing Legal Education; Personnel; Finance; staff offices

Level 13 Minter Ellison Conference Room and Meeting Room; Seminar Room; Postgraduate students research room; staff offices; Centre for Asian and Pacific Law

Level 14 Squash courts.

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 the 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 and printers are available to patrons. The library provides a wide range of services including 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: 8.30 am-9.30 pm

Friday: 8.30 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 at www.law.usyd.edu.au/ -library, or by phoning (02) 9351 0216. Email 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. It is 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 phoning (02) 9351 0284.

The Aliens Arthur Robinson Visiting Fellowship

The Aliens Arthur Robinson 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 Faculty 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 countries in the East Asian regions, especially Vietnam and the People's Republic of China, in addition to seminars and conferences, in Australia and outside. It has received and continues to receive visiting 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 monographic 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*. In 2001, the Centre held the first of its 'Hanoi Winter School' courses at the Hanoi National University.

Institute of Criminology

The Institute of Criminology is a centre established by the Senate of the University within the Faculty 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 presenting a wide range of applied and theoretical research initiatives;
- disseminating current information through CRIMNET, an electronic noticeboard.

Staff associated with the Institute pursue a wide range of research interests, 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 to promote teaching and research in environmental law and policy, and to provide a resource for the exchange and dissemination of information and advice on ecologically sustainable development.

ACEL has centres within the Faculty of Law, University of Sydney, and the Faculty of Law, Australian National University. Both centres support the undergraduate and postgraduate programs in Environmental Law offered through their respective Faculties. Credit towards postgraduate degrees and diplomas may be approved for units undertaken on a cross-institutional basis.

ACEL (Sydney) specialises in environmental law research in the Asia Pacific region. It has close links with environmental research centres at leading Chinese Universities, including Wuhan University, Peking University, Tsinghua University, the Chinese Academy of Social Sciences and the China University of Politics and Law. Postgraduate students may undertake a unit of study in China through the collaboration of ACEL (Sydney) and the Research Institute of Environmental Law, Wuhan University. ACEL (Sydney) also maintains close links with the Asia Pacific Centre for Environmental Law at the National University of Singapore, the Indonesian Centre for Environmental Law in Jakarta, and the Centre for Environmental Education, Research and Advocacy at the National Law School of India, Bangalore.

ACEL (Sydney) has a resources room, which provides students with access to materials and computer-assisted research in environmental law.

Lecturers and researchers include Professor Ben Boer and Ms Nicola Franklin (Co-Directors), Dr Gerry Bates, Mr Bernard Dunne, Ms Rosemary Lyster and Mr Brian Preston.

Julius Stone Institute of Jurisprudence

The Julius Stone Institute of Jurisprudence was established in 1999 with the assistance of funds raised from and by the alumni and friends of the Law School, in particular, from those who were students of Professor Julius Stone, or who had worked with, or been influenced by him.

The Institute serves as a focus for theoretical scholarship in Australia, continuing the Faculty's strong leadership in this field. *Objectives*

The Institute plays a leadership role in the development, dissemination and application of legal theory in Australia. It also seeks to foster the international engagement of legal theorists working in Australia.

It pursues these objectives by:

- (a) sponsoring lectures, including the annual Julius Stone Address in Jurisprudence, as well as seminars, workshops and other similar activities.
- (b) supporting visits of distinguished scholars of jurisprudence
- (c) supporting and funding high quality postgraduate study in the field of legal theory
- (d) arranging the publication of papers, reports and other works

The Director of the Institute is Associate Professor Desmond Manderson, phone (02) 9351 0278, fax (02) 9351 0200, email desmond@law.usyd.edu.au.

National Children's and Youth Law Centre

The National Children's and Youth Law Centre (NCYLC) was established in 1993 jointly by the University of Sydney, the University of New South Wales and the Public Interest Advocacy Centre. Located at 32 Botany St, Randwick, phone (02) 9398 7888 and fax (02) 9398 7416, it provides a unique forum for the views and concerns of children and young people. Initial funding from the Australian Youth Foundation and contributions in kind from the three institutions have been superseded by funding from the Commonwealth Attorney General's Department, under the Community Legal Centres Program. The participation of children in legal and administrative processes and the improvement of legal services for children and young people are major aspects of the Centre's agenda, which focuses on the improvement of conditions and opportunities for Australian children and young people, especially the disadvantaged.

The Centre actively promotes implementation of the United Nations Convention on the Rights of the Child and facilitates a coordinated national approach to children's legal issues. It serves as an authoritative resource and referral service for those concerned with the rights of children and young people, and plays a leading role in the improvement of the law, the legal system, public administration and regulatory schemes affecting children and young people. The Centre aims to offer specialist, multi-disciplinary courses at undergraduate and postgraduate level on children, young people and the law.

■ Services for students

University Health Service

There is a full general practitioner service available on the Main University Campus.

Counselling Service

Level 7, Education Building, A35, phone (02) 9351 2228

The University Counselling Service provides a free, confidential service to assist students to overcome personal and University-related problems, which may arise during the course of their studies. The primary emphasis is on individual counselling with additional group programs in such areas as stress management, exam anxiety and the development of social skills.

Learning Assistance Centre

Level 7, Education Building, A35, phone (02) 9351 3853

The Learning Assistance Centre assists students to develop the academic and language 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, phone (02) 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, phone (02) 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, phone (02) 9351 5667

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, phone (02) 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 1, Services Building, G12, cnr Codrington and Abercrombie Sts, Darlington, phone (02) 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 and ABSTUDY and Student Allowance

Information booklets and application forms are available from Centrelink. Please consult the White Pages phone directory for a list of the locations of Centrelink offices.

Summer School

Most faculties at the University offer units of study from degree programs during January/February. As the University uses all of its HECS quota in first and second semester, these units are full fee-paying and entirely voluntary. However, Summer School units enable students to accelerate their degree progress, make up for a failed unit or fit in a unit which otherwise would not suit their timetables. New students may also gain a head start by completing requisite subjects before they commence their degrees. Units start on 2nd January and run for up to six weeks (followed by an examination week). Notice of the Units available is contained in the various faculty Handbooks and is usually circulated to students with their results notices.

■ 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.

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 4, 99 Elizabeth Street, Sydney, NSW 2000, phone 9392 0320 or email ag_lapb@agd.nsw.gov.au.

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 Postgraduate and CLE Team 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 Centre is in the Mackie Building, Arundel Street, Forest Lodge, phone (02) 9351 3481.

Overseas student exchanges

Opportunities for 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. Law students should note however that if they are seeking law credit, they are only permitted to go on exchange in their final year. At present, there are exchange programs with universities in the United States, Europe, Japan and Korea. Information about these programs may be obtained from the International Office, Services Building, phone (02) 9351 4161.

The second is the *Faculty-specific programs* which are limited to final year Law students. The Faculty of Law has entered into Student Exchange Agreements with Queen's University in Kingston, Canada; the University of Utrecht, Netherlands; Humboldt University in Berlin; Bucerius University in Hamburg; the Katholieke Universiteit in Leuven, Belgium; the National University of Singapore; Kobe University in Japan; and in the United States, Duke University in North Carolina, University of Texas, Austin, New York University Law School and Cornell University in New York.

Under these agreements, 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 be about to enter the final year of the Bachelor of Laws degree and selection is made generally on the basis of academic merit.

The overseas universities will not make any charge for tuition, although some incidental administrative fees will be payable. 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 the Faculty-specific program is normally available during Semester 1 from the Information Desk, Level 2, Law School.

■ Staff

Dean

Jeremy Webber, BAUBC LLB BCL McGill LLM York

Pro-Deans

Staff Development

Barbara McDonald, LLM Lond BA LLB

Teaching Programs

Ron McCallum, BJur LLB Monash LLM Qu

Associate Deans

Undergraduate

Graeme Coss, GradDipInf&LibStud Curtin LLB LLM

Postgraduate

Bernhard W Boer, BA LLB *Melb* (Coursework)
Isabel Karpin, LL.M *Harv* JSD *Columbia* BA LLB (Research)

Academic staff

Margaret Allars, DPhil *Oxf* BA LLB, Professor (fractional)
Ross Anderson, LL.M *Lond* LLB, Senior Lecturer
Kirsten Anker, BSc LLB, Associate Lecturer (fractional)
Patricia Apps, BArch *NSW* Med *Yale* PhD *Camb*, ARAIA,
Professor in Public Economics in Law (Personal Chair)
Hilary Astor, BTech(Law) PhD *Brunei*, Abbott Tout Professor of
Litigation and Dispute Resolution
Belinda Bennett, BEc LLB *Macq* LL.M *SJD Wisc*, Senior
Lecturer
Katherine Biber, BA(Hons) PhD, Associate Lecturer (fractional)
Celeste Black, BA *Harv* JD *Perm*. LL.M, Lecturer (fractional)
Bernhard W Boer, BA LLB *Melb*, Professor in Environmental
Law (Personal Chair)
Fiona Burns, LL.M *Camb* PhD *ANU* BA LLB, Senior Lecturer
Lee Burns, BCom LLB *NSW* LL.M, Senior Lecturer
Peter Butt, BA LL.M, Associate Professor
Terry R Carney, LLB DipCrim *Melb* PhD *Monash*, Professor
John W Carter, PhD *Camb* BA LLB, Professor of Commercial
Law (Personal Chair) (fractional)
Graeme Coss, GradDipInf&LibStud *Curtin* LL.B LL.M, Lecturer
Mary Crock, BA LLB PhD *Melb*, Senior Lecturer
Christopher Cunneen, BA DipEd *NSW* MA, PhD Associate
Professor
Kristen Daglish, BA LLB *Macq.*, Associate Lecturer (fractional)
Catherine Dauvergne, BA MA *Carleton* LLB *UBC* PhD *ANU*,
Senior Lecturer
Bernard Dunne, BA LLB *Macq.* Lecturer
Mark J Findlay, BA LLB *ANU* DipCrim MSc *Edin* LL.M,
Professor
Nicola E Franklin, BA LLB *Natal* DipComparLegalStud LL.M
Camb, Senior Lecturer
David Fraser, LLB *Laval* LLB *Dal* LL.M *Yale*, Senior Lecturer
Saul Fridman, LLB *W Ontario* BCL *Oxf*, Senior Lecturer
Jennifer Gage, BEc LLB, Lecturer (fractional)
Reg Graycar, LLB *A del* LL.M *Harv*, PricewaterhouseCoopers-
Legal Professor of Women and the Law
Valentin Hadjiev, LLB DipEd *Sofia*, Associate Lecturer
(fractional)
Jennifer G Hill, BCL *Oxf* BA LLB, Professor
Helen Irving, BA(Hons) *Melb*. MPhil *Camb*. PhD LLB(Hons),
Senior Lecturer
Isabel Karpin, LL.M *Harv* JSD *Columbia* BA LLB, Senior
Lecturer
Miranda Kaye, BA *Camb* BCL *Oxf*, Lecturer (fractional)
Abigail Kohn, BA *Harv*. MPhil *Camb*. PhD *UC Berkeley*, U2000
Postdoctoral Fellow
Patricia Loughlan, BA LL.M *Tor* PhD, Associate Professor
Rosemary Lyster, BA LL.M *Natal*, Senior Lecturer
Roger Magnusson, BA, LLB *ANU* PhD *Melb*, Senior Lecturer
Desmond Manderson, BA, LLB *ANU* DCL *McGill*, Associate
Professor
Ron McCallum, BJur LLB *Monash* LL.M *Qu* Blake Dawson
Waldron Professor of Industrial Law
Les McCrimmon, BA LLB *Alta* LL.M *Qld*, Associate Professor
Barbara McDonald, LL.M *Lond* BA LLB, Associate Professor
Kathryn E McMahon, LLB *UNSW* BEc LL.M PhD, Senior
Lecturer
Jenni Millbank, LL.M *UBC* BA LLB, Senior Lecturer
Luke Nottage, BCA LLB *VUW* LL.M *Kyoto*, Senior Lecturer
Brian Opeskin, BCom LLB *UNSW* BCL *Oxf*, Associate
Professor
Patrick N Parkinson, MA *Oxf* LL.M *Ill*, Professor
Elizabeth Peden, PhD *Camb* BA LLB, Lecturer
Joellen Riley, BCL *Oxf* LLB MA DipEd, Lecturer
Donald R Rothwell, BA LLB *Qld* LL.M *Alta* MA *Calg* PhD,
Associate Professor
Wojciech Sadurski, DrJur *Warsaw*, Professor of Legal
Philosophy (Personal Chair)
Krisiten Savell, BSc LLB(Hons) *Macq.* LL.M *McGill* PhD *Camb*,
Lecturer
Petra Schmidt, MA (Japanese & Chinese Studies, Law) *Marburg*
PhD *Hamburg* U2000 Postdoctoral Fellow
Ivan Shearer, AM, LL.M *Adel* SJD *Northwestern*, Challis
Professor of International Law
Diane Skapinker, BComm LLB *Witw* LL.M, Associate Professor
(fractional)
Belinda Smith, BEc LL.M *Col.*, Lecturer

Timothy Stephens, BA LLB, Associate Lecturer (fractional)
Geoff Stewart-Richardson, LLB *Qld*, Associate Lecturer
Julie Stubbs, BA *W'gong* MA *Tor*, Associate Professor
Jane Swanton, LL.M *Lond* BA LLB, Associate Professor
Alice Erh-Soon Tay, AM, PhD *ANU* HonLLD *Edin*, Chains
Professor of Jurisprudence (fractional)
George Tomossy, BS *Tor*. LLB *McGill* ARCT *RoyalConMusTor*,
Associate Lecturer (fractional)
Richard J Vann, BA LLB *Qld* BCL *Oxf*, Challis Professor of Law
Kimberlee Weatherall, BA LLB(Hons) BCL *Oxon* LL.M *Yale*,
Lecturer
Jeremy Webber, BA *UBC* LLB BCL *McGill* LL.M *York*, Dean of
the Faculty
David Weisbrot, BA *CUNY* JD *Calif*, Professor
Brett Williams, BEc LLB PhD *Adel*, Lecturer
Shelley Wright, BA LLB *Alta* LL.M *Lond*, Senior Lecturer
K Alex Ziegert, DPhil *Mün*, Associate Professor

Challis Lecturers

The Hon Justice Arthur R Emmett, BA LL.M (Challis Lecturer in
Roman Law)
Emeritus Professor David J Harland, BCL *Oxf* BA LLB, Challis
Professor
The Hon. Justice D Graham Hill, LL.M *Harv* BA LLB (Challis
Lecturer in Taxation) (*Stamp Duties*)
The Hon Justice Roderick P Meagher, BA LLB (Challis Lecturer
in Equity)

Lecturers (Part-time)

The Hon Justice Robert Austin, D.Phil *Oxf* BA LL.M (*Corporate*
Takeovers and Reconstruction), (*Corporate Fundraising*)
Gerry Bates, LLB(Hons) PhD *Birm* (*Environmental Law and*
Policy, Pollution Law)
Christopher Birch, BA LLB PhD (*Aspects of Legal Reasoning*)
Roger Hamilton, BA *ANU* LL.M *York* (*Tax Litigation*)
Emeritus Professor David Harland, BCL *Oxf* BA LLB
Angus Mackenzie, BA LL.M MBA *Melb* (*International Business*
Law)
Bron McKillop, BA, LLB, BEc, LL.M (Harv).
Stephen Odgers, BA LLB *ANU* LL.M *Col* (*Litigation*)
Brian Preston, BA LLB *Macq* (*Wildlife Law, Environmental*
Dispute Resolution)
Robin H Woellner, BA LLB (*Tax Administration*)

Faculty administration

Faculty Manager
Florence Ma, BA *HKU*, DipEd *CUHK*
Secretary to the Dean and the Faculty Manager
Sally Spence
Secretary to the Pro-Deans
Christine Cargill
Student Administration and Liaison Group
Peter Finneran, BA (Coordinator)
Marketing and Information Team
Peter Finneran, BA (Leader)
Marketing & Publications Officer
Greg Sherington, BA (Communication)(CSU - Mitchell)
Information Officer (Web)
Dat Nguyen, BVA South Aust
Information Officer (Counter)
Yen Thi Hong Ho, BCS *Adel*.
Postgraduate & Continuing Legal Education
Sue Ng, BA *UNSW* (Team Leader)
Student Liaison Officers
Jonathan Crabbe, BA, MTeach
Rosy Sidhu, BA, MA *Punjab*
Student Liaison Officer (CLE)
Simon French, BA
Undergraduate
Natasha De Zilva, BA, MPhil (Team Leader)
Student Liaison Officer
Kathleen McDonnell
Administrative Assistant
Donna Wilson
Finance and Facilities Group
Tony Cousins (Group Coordinator)
Finance Officers
Lee Kan Lee, BA (Accountancy) *Stirling*, CPA

Qinjuan (Linda) Zong, LLB, LLM RenMing
Finance Assistant
 Maryann Joseph
Facilities Officer
 Warwick Yee, BEc
Facilities Assistant
 Katrina Thomas
Information Technology
 Peter Ni (Team Leader)
Computer Support Officer
 Patrick Lui
Human Resources and Academic Support Group
 Pat Manley (Group Coordinator)
Administrative Assistants
 Gail Bruton (fractional)
 Mary Haswell (fractional)
 Miki Itakura, BA Woll, M.Crim
 Elizabeth Salopek
 Fran Smithard (fractional)
Sydney Law Review
 Joanna Howse (Coordinator)
Tax Program
 Nancy Carascu (Administrator)

Centres

Institute of Criminology

Director
 Associate Professor Christopher Cunneen, BA DipEd NSW MA, PhD
Deputy Directors
 Professor Mark J Findlay, BA LLB ANU DipCrim MSc Edin. LLM
 Associate Professor Julie Stubbs, BA W'gong MA Tor
Administrator
 Tessa Boyd-Caine, BA (fractional)

Administrative Assistant
 Sarah Ellison (fractional)

Australian Centre for Environmental Law - Sydney

Co-Directors
 Professor Ben Boer, BA LLM Melb.
 Ms Nicola Franklin, BA Natal LLB Natal&Camb
Administrative Assistant
 Valerie Le Bon, BHSc UTS

Centre for Asian and Pacific Law in the University of Sydney

Director
 Associate Professor K Alex Ziegert, DPhil Mun
Administrative Assistant
 Lucy Babayan

Julius Stone Institute of Jurisprudence

Director
 Associate Professor Desmond Manderson, BA(Hons)
 LLB (Hons) ANU DCL McGill

National Children's and Youth Law Centre

Law School Liaison
 Professor 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 1998 Vol. I: Statutes and Regulations*

Scholarships and prizes

The table on the following pages is a summary only. For full details of scholarships and prizes available, contact the Scholarships Office.

For details of postgraduate scholarships, you should contact the Student Administration Manager or the Scholarships Office.

Prizes and scholarships

Prize or scholarship	Value \$	Awarded for
Undergraduate		
Aaron Levine Prize	350	Proficiency in Criminal Law
Allen Allen and Hemsley Prize	500	Proficiency in Product Liability Law or its equivalent
Andrew M. Clayton Memorial Prize	500	Proficiency in Real Property, Personal Property and Equity
Australian Securities and Investments Commission Prize	250	Proficiency in Corporations Law
Baker and McKenzie Prize	500	Proficiency in Advanced Constitutional Law
Baker and McKenzie Student Exchange Scholarships	varies	Academic merit, financial need
Barbara Nye Prize	100	Proficiency in Comparative Law
Blake Dawson Waldron Prizes	200	Proficiency in Personal Taxation
	200	Proficiency in Business Taxation
	200	Proficiency in Environmental Law
Bruce Panton Macfarlan Prize	250	Proficiency in Sale of Goods
Butterworths Prizes (5)	book voucher	(1) Proficiency in law units in year 1 of Combined Law (2) Proficiency in law units in year 2 of Combined Law (3) Proficiency in law units in year 3 of Combined Law (4) Proficiency in law units in year 1 of Graduate Law (5) Proficiency in law units in penultimate year of the LLB
C A Hardwicke Prize	250	Proficiency in Constitutional Law
Caroline Munro Gibbs Prize	350	Proficiency in Torts
Christopher C Hodgekiss Prize	250	Proficiency in Competition Law
Dudley Williams Prize	110	Honours graduand placed 2nd in order of merit
E.D. Roper Memorial Prizes (No.1)	220	First for Equity and Corporate Law
E.D. Roper Memorial Prize (No.2)	220	Second for Equity and Corporate Law
E.M. Mitchell Prize	60	Proficiency in Contracts
Edward John Culey Prize	100	Awarded for proficiency in Real Property and Equity
George and Matilda Harris Scholarships*	2500 1250 1250	(I) Proficiency in Law II (IIA) Proficiency in 2nd year of 3-year course (IIB) Proficiency in 3rd year of 5-year course

Prizes and scholarships (continued)

Prize or scholarship	Value \$	Awarded for
Harmer's Workplace Lawyers Prize	500	Proficiency in Anti-Discrimination Law
Harmer's Workplace Lawyers Prize	500	Proficiency in Employment and Industrial Law
Ivan Roberts Scholarship	5000	Most distinguished graduate in the Bachelor of Laws
J.H. McClemens Memorial Prize No. 1	200	Proficiency in Criminology
John Geddes Prize	40	Proficiency in Equity
John George Dalley Prizes	400 400	(IA) Proficiency in final year of combined program (IB) Proficiency in final year of graduate program
Julius and Rea Stone Award in International Law and Jurisprudence	100	For creative achievement displayed in essays in International Law and Jurisprudence
Julius Stone Prize in Sociological Jurisprudence	90	Proficiency in Sociological Jurisprudence within course
Kevin Dufty Memorial Prize	325	Proficiency in the subjects Real Property and Conveyancing
Mallesons Stephen Jaques Prize	250	Proficiency in Banking & Financial Instruments
Margaret Dalrymple Hay Prize*	50	Proficiency in Legal History
Margaret Ethel Peden Prize	100	Proficiency in Real Property
Minter Ellison Prize	250	Proficiency in Intellectual Property
Minter Ellison Scholarship	500	Most distinguished student commencing 4th year of the combined Law degree
Mitchell Nahas Prize (People Synergy Australia)	1000	Student (female) with the highest aggregate mark in all 1st year Econ/Econ(SocSc)/Comm/Law units of study
Mitchell Nahas Prize (QBE)	1000	Student (male) with the highest aggregate mark in all 1st year Econ/Econ(SocSc)/Comm/Law units of study
Monahan Prize	100	Proficiency in Litigation
The Mr Justice Stanley Vere Toose Memorial Prize	70	Proficiency in Family Law
Nancy Gordon Smith Prizes	100	To first 5 candidates for LLB who obtain first-class honours at graduation
New South Wales Justices' Association Prize	250	Proficiency in Administrative Law
New South Wales Women Justices' Association Prize	100	Proficiency in Family Law
Permanent Trustee Company of	500	Proficiency in Conveyancing
NSW Ltd. Prizes (2)	500	Proficiency in Succession
Peter Paterson Prize	50	Best student contribution in the Sydney Law Review
Pitt Cobbett Prizes	30 30 30	Proficiency in Administrative Law Proficiency in Constitutional Law Proficiency in International Law
Pitt Cobbett Scholarship	to 1000	Financial need and academic merit
Playfair Prize in Migration Law	250	Proficiency in Migration Law
RG Henderson Memorial Prize	250	Awarded to student gaining University Medal
Rose Scott Prize	160	Proficiency at graduation by a woman student
Sir Alexander Beattie Prize in Industrial Law	100	Proficiency in Employment and Industrial Law
Sir John Peden Memorial Prize	650	Proficiency throughout course in Legal Institutions, Constitutional Law, International Law and Real Property
Sir Peter Heydon Prize	100	Best undergraduate contribution to Sydney Law Review in Constitutional, Administrative or International Law
Sybil Morrison Prize	325	Proficiency in Jurisprudence
Thomas P Flattery Prize	40	Proficiency in Roman Law
Tomonari Akaha Memorial Prize	500	Proficiency in Equity (international student from the Asia Pacific Region)
Victoria Gollan Scholarship	1500	For an indigenous student in a law program, undergraduate or postgraduate
Walter Ernest Savage Prize	200	Proficiency in Legal Institutions
Walter Reid Memorial Fund	to 500	Book grant for proficiency in any year except final year
Wigram Allen Scholarships*	50 50 100	(IA) Proficiency in 1st year for candidates not taking combined course (IB) Proficiency in Legal Institutions, Constitutional Law, Administrative Law, Torts, Contracts and Criminal Law by a combined law student (II) Best Arts graduate entering Law
Zoe Hall Scholarship	3000	Academic merit, financial need and extracurricular achievements
Postgraduate		
Alan Ayling Memorial Prize	TBA	Proficiency in Environmental Planning Law
Bill Wallace Memorial Prize	500	Proficiency in Stamp Duties
Cooke, Cooke, Coughlan, Godfrey and	varies	For a USyd law graduate to pursue advanced study at USyd (value is

Prizes and scholarships (continued)

Prize or scholarship	Value \$	Awarded for
Littlejohn Scholarship		same as Australian Postgraduate Award [APA]† or elsewhere (value is same as Usyd Travelling Scholarship‡), or for a law graduate from any other university to pursue studies at USyd (value is APA)
Full Equity Scholarships (2)	fee waiver	For indigenous students in postgraduate coursework programs, degree or diploma
Gustav and Emma Bondy Postgraduate Prize in Jurisprudence	100	Best student in units of study examining aspects of legal theory
J.H. McClemens Memorial Prize in Criminology No 2	150	For the candidate completing the Master of Laws or Master of Criminology who has achieved the highest aggregate mark in four 6 credit-point units of study in the area of Criminology
J.H. McClemens Memorial Prize in Criminology No 3	150	Most proficient candidate who completes the Diploma in Criminology
Judge Samuel Redshaw Prize	150	Proficiency in Administrative Law
Law Graduates' Association Medal	medal	Most distinguished student graduating Master of Laws in the Faculty of Law
Longworth Scholarship	varies	For candidates who are law graduates enrolled in a postgraduate program, preferably in a full-time research degree
Maritime Law Prize	500	Most proficient in the unit of study Maritime Law
Nancy Gordon Smith Memorial Prize	400	Most proficient candidate for the degree of Master of Laws (coursework)
Ross Waite Parsons Scholarship		For full-time candidates in Doctoral or Master's awards (value is APA† but supplementary funding may be available)
Victoria Gollan Scholarship	1500	For an indigenous student in a law program, post graduate or undergraduate

* under review

† In 2001 the value was \$17,017

‡ In 2001 the value was up to \$17,500

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 (02) 9351 0259.

Sydney University Law Graduates' Association

The Sydney University Law Graduates' Association was formed in 1963 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 Mr Greg Sherington, University of Sydney Law School, 173-175 Phillip Street, NSW 2000 or DX83 Sydney, phone (02) 9351 0202 or fax (02) 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.

Representative functions

As the Law School is separate geographically from the Camperdown (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 separation.

The President of SULS is a member of Faculty and is an *ex-officio* member of the SRC. The Society is asked to nominate a law student to the Affiliated Campuses Committee which endeavours to provide funds to the students of the Law School for improved general facilities. Furthermore, SULS liaises with the Sports Union in order to provide a variety of sporting services, including the organisation of interfaculty sport, the provision of sporting equipment and squash court hire.

Aims

The aims of the Executive are various, and include the creation of an enjoyable social climate and feeling of camaraderie among the students. Furthermore SULS, through its continued sponsorship has been successful in developing a stronger relationship with the legal 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.

The Society runs the mooting programs for both senior and junior mooters. In addition to the internal competition, the HV 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. SULLS 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 SULLS which has a vast range of contributors from all facets of the legal profession.

Second-hand bookshop

SULLS organises a bookswap in each semester which provides students with a forum in which to sell and buy second hand textbooks.

Location

The Society represents all law students. Members of the Executive may be contacted on Level 5 of the Law School or by phoning (02) 9351 0204.

Sydney Campus Undergraduate Law Society

The Sydney Campus Undergraduate Law Society (SCULLS) is a Faculty society similar to, but separate from, SULLS. Its role is to represent the interests and enhance the university life of all combined law students attending classes on the Camperdown (Main) Campus. Students in their first, second or third year of combined law are members. The large majority of SCULLS funding is provided by Union and SRC grants.

The day to day functioning of SCULLS 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

SCULLS' 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.

SCULLS works with SULLS 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 SCULLS, SULLS and the Faculty of Law.

Location

The most accessible point of contact with SCULLS is through the elected representatives from each year. In 1996 the Faculty of Law provided office space for SCULLS in Room 313 of the Old Teachers' College. This space is shared with the Faculty of Law Student Administration Division. SCULLS can be contacted by phoning (02) 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.

8 General University information

See also the Glossary for administrative information relating to particular terms.

Accommodation Service

The Accommodation Service assists students to find off-campus accommodation by maintaining an extensive database of suitable accommodation in various areas but primarily close to University or within easy access via public transport.

Level 7, Education Building, A35
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 3312
Fax: (02) 9351 8262
TTY: (02) 9351 3412
Email: accomm@stuserv.usyd.edu.au
Web: www.usyd.edu.au/su/accomm

Admissions Office

The Admissions Office is responsible for overseeing the distribution of offers of undergraduate admission and can advise prospective local undergraduate students regarding admission requirements. Postgraduate students should contact the appropriate faculty. If you are an Australian citizen or a permanent resident but have qualifications from a non-Australian institution, phone (02) 9351 4118 for more information. For enquiries regarding Special Admissions (including Mature-Age Entry), phone (02) 9351 3615. Applicants without Australian citizenship or permanent residency should contact the International Office.

Student Centre
Ground Floor, Carslaw Building, F07
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 4117 or (02) 9351 4118
Fax: (02) 9351 4869
Email: admissions@records.usyd.edu.au

Applying for a course

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 Pharmacy, the Sydney Conservatorium of Music and Sydney College of the Arts, have additional application procedures.

Assessment

For matters regarding assessment, refer to the relevant department or school.

Careers information

Provides careers information and advice, and help in finding course-related employment both while you're studying and when you commence your career.

Careers Centre
Ground Floor, Mackie Building, K01
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 3481
Fax: (02) 9351 5134
Email: info@careers.usyd.edu.au
Web: www.careers.usyd.edu.au

Casual Employment Service

The Casual Employment Service helps students find casual and part-time work during their studies and in University vacations.

Level 7, Education Building, A35
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 8714
Fax: (02) 9351 8717

Email: ces@stuserv.usyd.edu.au
Web: www.usyd.edu.au/su/cas_emp

Centre for Continuing Education

Bridging courses, study skills courses, essay writing courses, accounting extension courses, university preparation courses, access to university courses, non-award short courses.

Mackie Building, K01
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 2907
Fax: (02) 9351 5022
Email: info@cce.usyd.edu.au
Web: www.usyd.edu.au/cce

Centre for English Teaching

The Centre for English Teaching (CET) offers a range of English language courses including Academic English, General & Business English and IELTS preparation. CET programs help international students to reach the required English language levels for entry to degrees at the University. Students have the opportunity to take the CET university direct entry test at the completion of their language programs.

Level 2, Building F, 88 Mallett St
University of Sydney (M02)
NSW 2006 Australia
Phone: (02) 9351 0706
Fax: (02) 9351 0710
Email: info@cet.usyd.edu.au
Web: www.usyd.edu.au/cet

Child care

Contact the Child Care Coordinator for information about Children's Services for students and staff of the University who are parents.

Child Care Coordinator
Level 7, Education Building, A35
Phone: (02) 9351 5667
Fax: (02) 9351 7055
TTY: (02) 9351 3412
Email: childe@stuserv.usyd.edu.au
Web: www.usyd.edu.au/su/childcare

Co-op Bookshop

Sells textbooks, reference books, general books and software. Special order services available. The Co-op Bookshop is located at:

Sydney University Sports and Aquatic Centre, G09
Cnr Codrington St and Darlington Rd
Phone: (02) 9351 3705 or (02) 9351 2807
Fax: (02) 9660 5256
Email: sydu@mail.coop-bookshop.com.au
Web: www.coop-bookshop.com.au

Counselling Service

The Counselling Service aims to help students fulfil their academic, individual and social goals through professional counselling which is free and confidential. Counselling presents an opportunity to: gain greater self awareness; learn to cope more efficiently with the problem at hand; discuss any work related, social or personal issues that cause concern; explore options with professionally trained staff. In addition, workshops are offered each semester on topics such as stress management, relaxation, exam anxiety, communication skills and others.

Level 7, Education Building, A35
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 2228
Fax: (02) 9351 7055

Email: counsell@mail.usyd.edu.au
 Web: www.usyd.edu.au/su/counsel

Disability Services

Disability Services is the principal point of contact and advice on assistance available for students with disabilities. The Service works closely with academic and administrative staff to ensure that students receive reasonable accommodations in all areas of their study. Assistance available includes the provision of notetaking, interpreters, and advocacy with academic staff to negotiate assessment and course requirement modifications where appropriate.

Level 7, Education Building, A35
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 4554
 Fax: (02) 9351 7055
 Email: disserv@stuserv.usyd.edu.au
 Web: www.usyd.edu.au/su/disability

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 week 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 and nominate your preferred 'up front' or deferred payment for your Higher Contribution Scheme (HECS) liability. You also choose your first-year units of study, so it's important to consult the Handbook before enrolling.

All other students

A pre-enrolment package is sent to all enrolled students in late September, and contains instructions on the procedure for pre-enrolment.

Examinations

The Examinations and Exclusions Office looks after the majority of exam papers, timetables and exclusions. Some faculties, such as the Sydney Conservatorium of Music, make all examination arrangements for the units of study that they offer.

Examinations and Exclusions Office
 Student Centre
 Level 1, Carslaw Building, F07
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 4005 or (02) 9351 4006
 Fax: (02) 9351 7330
 Email: exams.office@exams.usyd.edu.au

Fees

For information on how to pay, where to pay, and if payments have been received.

Fees Office
 Margaret Telfer Building, K07
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 5222
 Fax: (02) 9351 4202

Financial Assistance Office

The University has a number of loan funds and bursaries to assist students who experience financial difficulties. Assistance is not intended to provide the principal means of support but to help in emergencies and to supplement other income.

Level 7, Education Building, A35
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 2416
 Fax: (02) 9351 7055
 TTY: (02) 9351 3412
 Email: fao@stuserv.usyd.edu.au
 Web: www.usyd.edu.au/su/fm_assist

Freedom of Information

The University of Sydney falls within the jurisdiction of the NSW Freedom of Information Act, 1989. The Act requires information concerning documents held by the University to be made available to the public, to enable a member of the public to obtain access to documents held by the University and to enable a member of the public to ensure that records held by the University concerning his or her personal affairs are not incomplete, incorrect or out of date. By definition, a 'member of the public' includes staff or students of the University.

Application may be made for access to access University documents, however the Act provides some exemptions to particular documents. The Act contains review and appeal mechanisms which are required to be explained to applicants where applicable. The University is required to report to the public on its FOI activities on a regular basis. The two reports provided are the Statement of Affairs and the Summary of Affairs. The Statement of Affairs contains information about the University, its structure and function and the kinds of documents held. The Summary of Affairs identifies each of the University's policy documents and provides a contact list for those wishing to access these documents. Further information, and copies of the current reports may be found at www.usyd.edu.au/arms/foi/.

It is a requirement of the Act that applications be processed and a determination be made generally within 21 days. Determinations are made by the University's Registrar.

Graduations Office

The Graduations Office is responsible for organising graduation ceremonies and informing students of their graduation arrangements.

Student Centre
 Ground Floor, Carslaw Building, F07
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 3199, (02) 9351 4009, Protocol (02) 9351 4612
 Fax: (02) 9351 5072

(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 University Calendar) 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.

A document outlining the current procedures for appeals against academic decisions is available at the Student Centre, at the SRC, and on the University's web site at www.usyd.edu.au/su/planning/policy/.

If you wish to seek assistance or advice regarding an appeal, contact:

Students' Representative Council
 Level 1, Wentworth Building, G01
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9660 5222

HECS

Student Centre
 Ground Floor, Carslaw Building, F07
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 5659, (02) 9351 5062, (02) 9351 2086
 Fax: (02) 9351 5081

International Student Centre

The International Student Centre consists of the International Office (IO), the International Student Services Unit (ISSU) and the Study Abroad and Exchange Office. The International Office provides assistance with application, admission and enrolment procedures and administers scholarships for international students. The ISSU provides a wide range of international student support services including arranging arrival accommodation and offering advice and professional counselling. The Study Abroad and Exchange Unit assists both

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domestic and international students who wish to enrol for Study Abroad or Exchange programs.

International Student Centre

Services Building, G12
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 4079
Fax: (02) 9351 4013

Email: info@io.usyd.edu.au

Web: www.usyd.edu.au/io

International Student Services Unit

Phone: (02) 9351 4749

Fax: (02) 9351 6818

Email: info@issu.usyd.edu.au

Web: www.usyd.edu.au/issu

Study Abroad and Exchange Unit

Study Abroad

Phone: (02) 9351 5841

Fax: (02) 9351 2795

Email: studyabroad@io.usyd.edu.au

Web: www.usyd.edu.au/io/studyabroad

Exchange

Phone: (02) 9351 5843

Fax: (02) 9351 2795

Email: exchange@io.usyd.edu.au

Web: www.usyd.edu.au/io/exchange

Intranet

USYDnet is The University of Sydney's intranet. It provides easy access to staff and student directories, maps, software and useful resources for both staff and students. As well as delivering information, the intranet provides interactive services such as the calendar of events, where staff and students can enter events and publish them University-wide.

MyUni is the personalised section of USYDnet. All staff and students are provided with access to MyUni through a login name and password. This enables them to customise the information they see and also receive delivery of personal information such as exam results and seat numbers. MyUni is a portal from which students and staff can complete tasks that were previously only possible offline. Web enrolment variation is one of the first of many facilities that are helping to move the every day tasks of all members of the university online.

Koori Centre and Yooroang Garang

The Koori Centre provides tutorial assistance: access to computers, Indigenous counsellor, Aboriginal Studies library study rooms, Orientation program at the beginning of the year, and assistance in study and learning skills. Education Unit: courses in Education for ATSI students. Indigenous Studies Unit: aims to increase the awareness of Indigenous Australian issues through courses across the University.

Ground Floor, Old Teachers' College, A22

The University of Sydney

NSW 2006 Australia

Phone: (02) 9351 2046 general enquiries,

(02) 9351 7003 Liaison Officer

Fax: (02) 9351 6923

Email: koori@koori.usyd.edu.au

Web: www.koori.usyd.edu.au

Language Centre

Provides self-access course materials in over 140 languages. Beginners and intermediate courses in Modern Spanish, Modern Russian, Modern Welsh, Modern Irish, Modern Portuguese languages and cultures; Diploma Course in Modern Language Teaching.

Level 2, Christopher Brennan Building, A18

The University of Sydney

NSW 2006 Australia

Phone: (02) 9351 2371

Fax: (02) 9351 3626

Email: language.enquiries@language.usyd.edu.au

Web: www.arts.usyd.edu.au/Arts/departs/langcent/home.html

Learning Centre

The Learning Centre assists students to develop the generic skills which are necessary for learning and communicating knowledge and ideas at university. The Centre is committed to helping

students to achieve their academic potential throughout their undergraduate and postgraduate studies. The Centre's program includes a wide range of workshops on study skills, academic reading and writing, oral communication skills and postgraduate writing and research skills. Other services the Centre provides are an Individual Learning Program (ILP), a special program for international students, Faculty-based workshops, publications of learning resources and library facilities.

Level 7, Education Building, A35

The University of Sydney

NSW 2006 Australia

Phone: (02) 9351 3853

Fax: (02) 9351 4865

Email: lc@stuserv.usyd.edu.au

Web: www.usyd.edu.au/su/lc

Library

Students are welcome to use any of the 22 libraries in the University. The student card is also the library borrower's card. Further details of the libraries, including services provided, locations and opening hours are available on the Library's homepage www.library.usyd.edu.au as well as in the printed *Library Guide*, available at any library. Consult the Library staff for assistance.

The libraries listed below are located on the Camperdown/Darlington campus unless otherwise specified.

Architecture Library

Wilkinson Building, G04

Phone: (02) 9351 2775

Fax: (02) 9351 4782

Email: architecture@library.usyd.edu.au

Badham Library

Badham Building, A16

Phone: (02) 9351 2728

Fax: (02) 9351 3852

Email: badham@library.usyd.edu.au

Biochemistry Library

Biochemistry Building, G08

Phone: (02) 9351 2231

Fax: (02) 9351 7699

Email: biochemistry@library.usyd.edu.au

Burkitt-Ford Library

Sir Edward Ford Building, A27

Phone: (02) 9351 4364

Fax: (02) 9351 7125

Email: burkittford@library.usyd.edu.au

Camden Library

University Farms, Camden, C15

Phone: (02) 9351 1627

Fax: (02) 4655 6719

Email: camden@library.usyd.edu.au

Chemistry Library

Chemistry Building, F11

Phone: (02) 9351 3009

Fax: (02) 9351 3329

Email: chemistry@library.usyd.edu.au

Curriculum Resources Library

Old Teachers College, A22

Phone: (02) 9351 6254

Fax: (02) 9351 7766

Email: curriculum@library.usyd.edu.au

Dentistry Library

United Dental Hospital, 2 Chalmers St, Surry Hills, C12

Phone: (02) 9351 8331

Fax: 9212 5149

Email: dentistry@library.usyd.edu.au

Engineering Library

PN Russell Building, J02

Phone: (02) 9351 2138

Fax: (02) 9351 7466

Email: engineering@library.usyd.edu.au

Fisher Library

Eastern Ave, F03

Phone: (02) 9351 2993

Fax: (02) 9351 2890

Email: fishinf@library.usyd.edu.au

Geosciences Library

Madsen Building, F09

Phone: (02) 9351 6456

Fax: (02) 9351 6459

Email: geosciences@library.usyd.edu.au*Health Sciences Library*

East St, Lidcombe, C42

Phone: (02) 9351 9423

Fax: (02) 9351 9421

Email: h.knight@cchs.usyd.edu.au*Law Library*

Law School, 173-175 Phillip St, Sydney, C13

Phone: (02) 9351 0216

Fax: (02) 9351 0301

Email: library@law.usyd.edu.au*Mathematics Library*

Carslaw Building, F07

Phone: (02) 9351 2974

Fax: (02) 9351 5766

Email: mathematics@library.usyd.edu.au*Medical Library*

Bosch Building, D05

Phone: (02) 9351 2413

Fax: (02) 9351 2427

Email: medical@library.usyd.edu.au*Music Library*

Seymour Centre, J09

Phone: (02) 9351 3534

Fax: (02) 9351 7343

Email: music@library.usyd.edu.au*Nursing Library*

88 Mallett St, Camperdown, M02

Phone: (02) 9351 0541

Fax: (02) 9351 0634

Email: nursing@library.usyd.edu.au*Orange Library*

Leeds Parade, Orange

Phone: (02) 6360 5594

Fax: (02) 6360 5637

Email: lib@orange.usyd.edu.au*Physics Library*

New Wing, Physics Building, A29

Phone: (02) 9351 2550

Fax: (02) 9351 7767

Email: physics@library.usyd.edu.au*Shaeffer Fine Arts Library*

Mills Building, A26

Phone: (02) 9351 2148

Fax: (02) 9351 7624

Email: john.spencer@arthist.usyd.edu.au*Sydney College of the Arts Library*

Balmain Rd, Rozelle, N01

Phone: (02) 9351 1036

Fax: (02) 9351 1043

Email: scalib@sca.usyd.edu.au*Sydney Conservatorium of Music Library*

Macquarie St (opposite Bridge St), Sydney, C41

Phone: (02) 9351 1316

Email: library@conmusic.usyd.edu.au**Mathematics Learning Centre**

The Mathematics Learning Centre runs bridging courses in mathematics at the beginning of the academic year (fees apply). It also provides on-going support during the year through individual assistance and small group tutorials.

Level 4, Carslaw Building, F07

The University of Sydney

NSW 2006 Australia

Phone: (02) 9351 4061

Fax: (02) 9351 5797

TTY: (02) 9351 3412

Email: mlc@stuserv.usyd.edu.auWeb: www.usyd.edu.au/su/mlc**Part-time, full-time**

Students are normally considered as full-time if they have a HECS weighting of at least 0.375 each 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

The University is subject to the NSW Privacy and Personal Information Protection Act 1998 (the Act). Central to the Act is Part 2 which contains twelve Information Protection Principles (IPPs) which regulate the collection, management, use and disclosure of personal information.

In response to Section 33 of the Act the University has developed a Privacy Management Plan which includes a new University Privacy Policy incorporating the requirements of the IPPS. Both the Plan and the new University Privacy Policy were endorsed by the Vice-Chancellor on 28 June 2000. The Privacy Management Plan sets out the IPPs and how they apply to functions and activities carried out by the University.

Further information and a copy of the Plan may be found at www.usyd.edu.au/arms/privacy/. Any questions regarding the Freedom of Information Act, the Privacy and Personal Information Protection Act or the Privacy Management Plan should be directed to:

Tim Robinson: (02) 9351 4263 or

Judith Russell: (02) 9351 2684

Email: foi@mail.usyd.edu.au**Student Centre**

Ground Floor, Carslaw Building, F07

The University of Sydney

NSW 2006 Australia

Phone: (02) 9351 3023 General Enquiries

(02) 9351 4109 Academic Records

(02) 9351 3023 Discontinuation of Enrolment

(02) 9351 5057 Handbooks

(02) 9351 5060 Prizes

Fax: (02) 9351 5081, (02) 9351 5350 Academic Records

Student identity cards

In 1999 the University incorporated a photograph into the student identity card. This means that all students have to provide a colour, passport-sized, head and shoulders photograph when they attend on campus sites to have their student ID card laminated. University student ID cards also function as transport concession cards for eligible students, thus eliminating the need for a separate concession card. The endorsement for concession travel will take the form of a hologram sticker attached to the front of the student ID card.

Student Services

Student Services exists to help you achieve your educational goals by providing personal, welfare, and academic support services to facilitate your success at University. Many factors can impact on your well being while studying at University and Student Services can assist you in managing and handling these more effectively. Refer to Accommodation Service, Casual Employment Service, Child Care, Disability Service, Financial Assistance Office, Learning Centre, Mathematics Learning Centre. The web site is at www.usyd.edu.au/su/stuserv.

The Sydney Summer School

Most faculties at the University offer units of study from degree programs during January/February. As the University uses all of its HECS quota in first and second semester, these units are full fee-paying and entirely voluntary. However, Summer School units enable students to accelerate their degree progress, make up for a failed unit or fit in a unit which otherwise would not suit their timetables. New students may also gain a head start by completing requisite subjects before they commence their degrees. Units start on 2 January and run for up to six weeks (followed by an examination week). Notice of the units available is contained in the various faculty handbooks and is usually circulated to students with their results notices.

Timetabling Unit

The timetabling unit in the Student Centre is responsible for producing students' class and tutorial timetables. Students can obtain their Semester 1 timetables from the Wednesday of Orientation Week via the web.

The Sydney Conservatorium of Music operates in accordance with a local calendar of dates and produces a complete timetable

for all teaching that it delivers. The timetable is available on enrolment at the Conservatorium.

Undergraduate Scholarships

Scholarships Unit, Room 147
Ground Floor, Mackie Building, KO1
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 2717
Fax: (02) 9351 5134
Email: scholarships@careers.usyd.edu.au
Web: www.usyd.edu.au/study/

University Health Service

Provides full general practitioner services and emergency medical care to the University community.

Email: director@unihealth.usyd.edu.au
Web: www.unihealth.usyd.edu.au

University Health Service (Wentworth)

Level 3, Wentworth Building, G01
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 3484
Fax: (02) 9351 4110

University Health Service (Holme)

Science Rd Entry, Holme Building, A09
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 4095
Fax: (02) 9351 4338

■ Student organisations

Students' Representative Council

Level 1, Wentworth Building, G01
The University of Sydney
NSW 2006 Australia
Phone: (02) 9660 5222 Editors, Honi Soit/Legal Aid
(02) 96604756 Second-hand Bookshop
(02)9351 0691 Mallett St
(02) 9230 3777 Pitt St - Conservatorium
Fax: (02) 9660 4260
Email: postmaster@src.usyd.edu.au

Sydney University Sports Union

Services, facilities and clubs for sport, recreation and fitness.

Noel Martin Sports and Aquatic Centre, G09
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 4960
Fax: (02) 93514962
Email: sports_union@susu.usyd.edu.au

University of Sydney Union

Main provider of catering facilities, retail services, welfare programs, and social and cultural events for the University community on the Camperdown and Darlington campuses, and at many of the University's affiliated campuses.

University of Sydney Union
Box 500, Holme Building, A09
The University of Sydney
NSW 2006 Australia
Phone: (02) 9563 6000 Switchboard/Enquiries
Fax: (02) 9563 6239
Email: email@usu.usyd.edu.au
Web: www.usu.usyd.edu.au

Women's Sports Association

Provides for students, predominantly women, to participate in sport and recreation through the provision of facilities, courses and personnel.

The Arena Sports Centre, A30
The University of Sydney
NSW 2006 Australia
Phone: (02)9351 8111
Fax: (02) 9660 0921
Email: secretary@suwsa.usyd.edu.au
Web: www.suwsa.usyd.edu.au

Glossary

This glossary describes terminology in use at The University of Sydney.

Academic Board

The Academic Board is the senior academic body within the University. In conjunction with faculties, the Academic Board has responsibility for approving, or recommending to Senate for approval, new or amended courses and units of study and policy relating to the admission of students. (For further information, see the University Calendar.)

Academic cycle

The academic cycle is the program of teaching sessions offered over a year. Currently the cycle runs from the enrolment period for Semester 1 through to the completion of the processing of results at the end of Semester 2. (See also *Stage*.)

Academic record

The academic record is the complete academic history of a student at the University. It includes, among other things, personal details, all units of study and courses taken, assessment results (marks and grades), awards and prizes obtained, infringements of progression rules, approvals for variation in course requirements and course leave, thesis and supervision details.

Access to a student's academic record is restricted to authorised University staff. A student's academic record is not released to a third party without the written authorisation of the student. (See also *Academic transcript*.)

Academic transcript

An academic transcript is a printed statement setting out a student's academic record at the University. There are two forms of academic transcript: external and internal. (See also *External transcript*, *Internal transcript*.)

Academic year

An academic year is a normal full-time program taken in a course in a year. Some courses consist of stages, which may readily be equated with academic year. Others use the aggregation of credit points to do this (eg, 48 credit points = an academic year). (See also *Academic cycle*, *Stage*.)

Addresses

All enrolled students need to have a current postal address recorded on FlexSIS to which all official University correspondence is sent. (See also *Business address*, *Permanent home address*, *Semester address*, *Temporary address*.)

Admission

Admission is governed by the University's admission policy and is the process for identifying applicants eligible to receive an initial offer of enrolment in a course at the University. Admission to most courses is based on performance in the HSC with applicants ranked on the basis of their UAL. Other criteria such as a portfolio, interview, audition, or results in standard tests may also be taken into account for certain courses.

Admission basis

The main criterion used by a faculty in assessing an application for admission to a course. The criteria used include, among other things, previous secondary, TAFE or tertiary studies, work experience, special admission and the Universities Admission Index (UAI).

Admission (deferment)

An applicant who receives an offer of admission to a course may apply to defer enrolment in that course for one semester or one academic cycle.

Admission mode

Admission mode is a classification based on how a student was admitted to a course, for example 'UAC or 'direct'.

Admission period

The period during which applications for admission to courses are considered. The main admission period takes place before Semester 1, but there may also be an admission period for mid-

year applicants before the beginning of Semester 2 and other admission periods.

Admission reply

A code used by FlexSIS to indicate whether an applicant who has received an offer has accepted the offer or not.

Admission result

A code used by FlexSIS to indicate the result of a direct application to study at the University (eg, offer, unsuccessful, withdrawn).

Admission year

The year the student began the course.

Advanced diplomas

See *Award course*.

Advanced standing

See *Credit*.

Advisor

A member of academic staff appointed in an advisory role for some postgraduate coursework students. (See also *Associate supervisor*, *Instrumental supervisor (teacher)*, *Research supervisor*, *Supervision*.)

Annual Progress Report

The Annual Progress Report is a form issued by faculties which is used to monitor a research student's progress each year. The form provides for comments by the student, the supervisor, the head of the department and the dean (or nominee). The completed form is attached to the student's official file.

FlexSIS records that the form has been sent out and that it has been satisfactorily completed.

APA

Australian Postgraduate Awards. (See also *Scholarships*, *UPA*.)

Appeals

Students may lodge appeals against academic or disciplinary decisions. FlexSIS will record an academic appeal (eg, against exclusion) while they are under consideration and will record the outcome of the appeal. Disciplinary (that is, non-academic) appeals are not recorded on FlexSIS.

ARTS

Automated Results Transfer System. This system was developed on behalf of ACTAC (Australasian Conference of Tertiary Admissions Centres) to allow the electronic academic record of a student to be accessible, via an admission centre, between tertiary institutions.

Assessment

The process of measuring the performance of students in units of study and courses. The assessment of performance in a unit of study may include examinations, essays, laboratory projects, or assignments. (See also *Board of examiners*, *Result processing*, *Result processing schedule*.)

Associate supervisor

A person who is appointed in addition to the supervisor of a research student who can provide the day-to-day contact with the candidate or provide particular expertise or additional experience in supervision. (See also *Advisor*, *Instrumental supervisor (teacher)*, *Research supervisor*, *Supervision*.)

Assumed knowledge

For some units of study, a student is assumed to have passed a relevant subject at the HSC and this is called assumed knowledge. While students are generally advised against taking a unit of study for which they do not have the assumed knowledge, they are not prevented from enrolling in the unit of study. (See also *Prerequisite*.)

Attendance mode

A DETYA classification defining the manner in which a student is undertaking a course - ie, internal, external, mixed or offshore.

Attendance pattern/type

Refers to whether the student is studying part-time or full-time. For coursework students this is a function of course load - ie, the

proportion being undertaken by the student of the normal full-time load specified for the course in which the student is enrolled. To be considered full-time, a coursework student must undertake at least 0.75 of the normal full-time load over the academic cycle or at least 0.375 if only enrolling in half of an academic year. It is important to note, however, that, for some purposes, to be considered full-time a student may need to be enrolled in at least 0.375 in each half year. Research students, with the approval of their faculty, nominate whether they wish to study part-time or full-time. The attendance status is then recorded on FlexSIS as part of the application or enrolment process. (See also *Coursework, Student load.*)

AusAID

Australian Agency for International Development.

AUSCHECK

AUSCHECK is the software provided by Centrelink to validate data prior to reporting to Centrelink.

AUSTUDY

Replaced by Youth Allowance. (See also *Youth Allowance.*)

Award course

An award course is a formally approved program of study that can lead to an academic award granted by the University. An award course requires the completion of a program of study specified by course rules. (See also *Course rules.*) Award courses are approved by Senate, on the recommendation of the Academic Board. Students normally apply to transfer between Award courses through the UAC. The award course name will appear on testamurs. The University broadly classifies courses as undergraduate, postgraduate coursework or postgraduate research. The award courses offered by the University are:

- Higher doctorates
- Doctor of philosophy (PhD)
- Doctorates by research and advanced coursework
- Master's degree by research
- Master's degree by coursework
- Graduate diploma
- Graduate certificate
- Bachelor's degree
- Advanced diplomas
- Diplomas
- Certificates

(See also *Bachelor's degree, Course rules, Diploma, Doctorate, Major, Master's degree, Minor, PhD, Stream.*)

Bachelor's degree

The highest undergraduate award offered at the University of Sydney. A bachelor's degree course normally requires three or four years of full-time study or the part-time equivalent. (See also *Award course.*)

Barrier

A barrier is an instruction placed on a student's FlexSIS record that prevents the student from re-enrolling or graduating. (See also *Deadline (fees), Suppression of results.*)

Board of examiners

A Board of examiners was a body appointed by a faculty or board of studies which met to approve the results of all students undertaking courses supervised by that faculty or board of studies. Boards of examiners were dis-established following revision of the University's examination procedures in 2000. (See also *Assessment, Result processing, Result processing schedule.*)

Board of studies

An academic body which supervises a course or courses and which is similar to a faculty except that it is headed by a chair rather than a dean and does not supervise PhD candidates.

Bursaries

See *Scholarships.*

Business address

FlexSIS can record a student's business address and contact details. (See also *Addresses, Permanent home address, Semester address, Temporary address.*)

Cadigal Program

The Cadigal Program is a University wide access and support scheme for Aboriginal and Torres Strait Islanders.

Campus

The grounds on which the University is situated. There are eleven campuses of the University of Sydney: Burren Street (Institute for International Health, Institute of Transport Studies),

Camperdown and Darlington (formerly known as Main Campus), Camden (Agriculture and Veterinary Science), Conservatorium (Conservatorium of Music), Cumberland (Health Sciences), Mallett Street (Nursing), Orange (Faculty of Rural Management), Rozelle (Sydney College of the Arts), St James (Law) and Surry Hills (Dentistry).

Census date

See HECS census date.

Centre for Continuing Education

The Centre for Continuing Education develops and conducts courses, conferences and study tours for the general public and professional groups. The Centre offers approximately 1,000 courses for approximately 20,000 students each year. Most of these courses are held over one of the four main sessions that are conducted each year, though the Centre is offering an increasing number of ad hoc courses in response to increased competition and changing demands. The Centre operates on a cost recovery/income generation basis. (See also *Continuing professional education.*)

Centrelink

Centrelink is the agency responsible for providing information and assistance on a range of Commonwealth Government programs including Youth Allowance. (See also *Youth Allowance*)

Ceremony

See *Graduation ceremony.*

Chancellor

The non-executive head of the University. An honorary position, the Chancellor chairs meetings of the University's governing body, the Senate, and presides over graduation ceremonies amongst other duties.

Class list

A listing of all currently enrolled students in a particular unit of study. (See also *Unit of study*)

Combined course

A course which leads to two awards. For example the Arts/Law course leads to the separate awards of Bachelor of Arts and Bachelor of Laws.

Combined degree

See *Combined course.*

Commencing student

A student enrolling in an award course at the University of Sydney for the first time. The DETYA glossary provides a more detailed definition.

Comp subs

See *Compulsory subscriptions.*

Compulsory subscription rates

There are two rates for some annual subscriptions: full-time and part-time. (See also *Compulsory subscriptions.*)

Compulsory subscription waiver provision

Certain students over a certain age or with disabilities or medical conditions may be exempted from the subscription to the sports body.

Students with a conscientious objection to the payment of subscriptions to unions of any kind may apply to the Registrar for exemption. The Registrar may permit such a student to make the payment to the Jean Foley Bursary Fund instead. (See also *Compulsory subscriptions.*)

Compulsory subscriptions

Each enrolled student is liable to pay annual (or semester) subscriptions as determined by the Senate to the student organisations at the University. These organisations are different on different campuses. There are different organisations for undergraduate and postgraduate students.

At the Camperdown/Darlington campus (formerly known as Main Campus), compulsory submissions depend on the level of study.

Undergraduate: the University of Sydney Union, Students' Representative Council (SRC) and the University of Sydney Sports Union or the Sydney University Women's Sports Association.

Postgraduate: the University of Sydney Union and the Sydney University Postgraduate Representative Association (SUPRA).

Student organisations at other campuses include: the Conservatorium Student Association, the Cumberland Student Guild, the Orange Agricultural College Student Association and the Student Association of Sydney College of the Arts.

(See also *Compulsory subscription rates, Compulsory subscription waiver provision, Joining fee, Life membership.*)

Confirmation of Enrolment form

A Confirmation of Enrolment form is issued to students after enrolment showing the course and the units of study they are enrolled in, together with the credit point value of the units of study and the HECS weights. Until all fees are paid, it is issued provisionally.

A new Confirmation of Enrolment form is produced every time a student's enrolment is varied.

For postgraduate research students the form also lists candidature details and supervisor information.

Where students have an appointed advisor, the advisor information is also shown.

Continuing professional education

The continuing professional education process provides a number of programs of continuing education courses for professionals as they move through their career. These programs are presently administered by the Centre for Continuing Education and a number of departments and Foundations across the University. This process supports the whole of life learning concept and requires/promotes the maintenance of a long term relationship between the student and the University. It is envisaged that the importance of this mode of education will increase in the future. (See also *Centre for Continuing Education.*)

Convocation

Convocation is the body comprising all graduates of the University.

Core unit of study

A unit of study that is compulsory for the course or subject area. (See also *Unit of study.*)

Corequisite

A corequisite is a unit of study which must be taken in the same semester or year as a given unit of study (unless it has already been completed). These are determined by the faculty or board of studies concerned, published in the faculty handbook and shown in FlexSIS. (See also *Prerequisite, Waiver.*)

Course

An award course or non-award course undertaken at the University of Sydney. (See also *Award course, Non-award course.*)

Course alias

Each course in FlexSIS is identified by a unique five-digit alphanumeric code.

Course code

See *Course alias*.

Course leave

Students (undergraduate and postgraduate) are permitted to apply for a period away from their course without losing their place. course leave is formally approved by the supervising faculty for a minimum of one semester and recorded on FlexSIS (leave for periods of less than one semester should be recorded internally by the faculty). Students on leave are regarded as having an active candidature, but they are not entitled to a student card. At undergraduate level leave is not counted towards the total length of the course. Students who are absent from study without approved leave may be discontinued and may be required to reapply formally for admission. The term 'suspension of candidature' was previously used to describe research students on course leave.

Course (research)

A classification of courses in which students undertake supervised research leading to the production of a thesis or other piece of written or creative work over a prescribed period of time. The research component of a research course must comprise 66% or more of the overall course requirements.

Course rules

Course rules govern the allowable enrolment of a student in a course; eg, a candidate may not enrol in units of study having a total value of more than 32 credit points per semester. Course rules also govern the requirements for the award of the course - eg, a candidate must have completed a minimum of 144 credit points. Course rules may be expressed in terms of types of units of study taken, length of study, and credit points accumulated. (See also *Award course.*)

Course suspension

See *Course leave*.

Course transfer

A course transfer occurs where a student changes from one course in the University to another course in the University without the requirement for an application and selection (eg, from a PhD to a master's program in the same faculty).

Course type

Course type is a DETYA code.

Coursework

Coursework is a classification used to describe those courses that consist of units of study rather than research work. All undergraduate courses are coursework programs. Postgraduate courses can be either research courses or coursework courses. (See also *Course (research).*)

Credit

The recognition of previous studies successfully completed at this or another recognised (by the University of Sydney) university or tertiary institution as contributing to the requirements for the award of the course in which the applicant requesting such recognition has been admitted.

Where the University agrees to recognise successfully completed previous studies, their contribution to the requirements for the award of the course, in which the applicant has been admitted, will be expressed as specific or non-specific credit.

Credit awarded to a credit applicant - whether specific or non-specific - will be recorded with a mark and grade of 50 pass, unless in individual cases the credit is assessed by the faculty as having a mark and grade greater than 50 pass. This equivalent mark and grade will be used for the purposes of calculating a student's weighted average mark and for the purposes of satisfying prerequisite rules where a level of passing grade is specified.

(See also *Precedents, Specific credit, Non-specific credit, Waiver, Weighted average mark (WAM).*)

Credit points

Credit points are a measure of value indicating the contribution each unit of study provides towards meeting course completion requirements stated as a total credit point value. Each unit of study will have a credit point value assigned to it, normally in the range 3 to 24. Resolutions of Senate set the number and level of credit points required for graduation.

Cross-institutional enrolment

Cross-institutional enrolment is an enrolment in units of study at one university to count towards an award course at another university. Cross-institutional enrolments incur a HECS liability or tuition fee charge at the institution at which the unit of study is being undertaken. Students pay compulsory subscriptions to one university only (usually their home university - ie, the university which will award their degree). (See also *Non-award course, Enrolment non-award.*)

DAC (Data Audit Committee)

DAC is a sub-committee of the VCAC Enrolment Working Party, chaired by the Registrar, with membership including the deans, the Student Centre, FlexSIS and the Planning Support Office. Its role is to oversee the integrity and accuracy of the course and unit of study data as strategic university data. It has a role in advising the Academic Board on suggested policy changes with relation to course and unit of study data.

Deadlines (enrolment variations)

See *Enrolment variations*.

Deadlines (fees)

The University has deadlines for the payment of fees (eg, HECS, compulsory subscriptions, course fees, etc). Students who do not pay fees by these deadlines may have their enrolment cancelled or they may have a barrier placed on the release of their record. (See also *Barrier.*)

Dean

The head of a faculty or the principal or director of a college (such as the Conservatorium of Music or the Sydney College of Arts).

Dean's certificate

A statement from the dean certifying that all requirements, including fieldwork and practical work, have been met and that the student is eligible to graduate. Not all faculties use dean's

certificates. In faculties that do, qualified students have 'dean's certificate' noted on their academic record.

Deferment

See *Admission (deferment)*, *Leave*.

Degree

(See also *Award course*, *Bachelor's degree*.)

Delivery mode

Indicates the mode of delivery of the instruction for a unit of study - eg, normal (ie, by attending classes at a campus of the University), distance (ie, remotely by correspondence or other distance means - eg, Web delivery). The delivery mode must be recorded for each unit as distinct from the attendance mode of the student - ie, an internal student may take one or more units by distance mode and an external student may attend campus for one or more units.

Department

For the purposes of FlexSIS, a department is the academic unit, which is responsible for teaching and examining a unit of study. It may be called a school, a department, a centre or a unit within the University.

DETYA

The Department of Education Training and Youth Affairs is the Commonwealth Government department responsible for higher education. The University is required to provide DETYA with information about its students three times a year. The Government in its funding deliberations uses this information.

Differential HECS

See *Higher Education Contribution Scheme (HECS)*.

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 only available to students who already hold an undergraduate degree. (See also *Award course*.)

Direct admissions

For some courses, applications may be made directly to the University. Applications are received by faculties or the International Office, registered on FlexSIS and considered by the relevant department or faculty body. Decisions are recorded on FlexSIS and FlexSIS produces letters to applicants advising them of the outcome. (See also *Admission*, *VAC admissions*.)

Disability information

Students may inform the University of any temporary or permanent disability, other than a financial disability, which affects their life as a student. Disability information is recorded in FlexSIS but it is only visible to particular authorised users because of its sensitive nature.

Discipline codes

Discipline codes are four-letter codes for each area of study available at the university (eg, CHEM Chemistry, ECON Economics).

Discipline group

A DETYA code used to classify units of study in terms of the subject matter being taught or being researched.

Discontinuation (course)

See *Enrolment variation*.

Discontinuation (unit of study)

See *Enrolment variation*.

Dissertation

A dissertation is a written exposition of a topic and may include original argument substantiated by reference to acknowledged authorities. It is a required unit of study for some postgraduate award courses in the faculties of Architecture and Law.

Distance and flexible learning

Distance and flexible learning affords the opportunity to provide higher education to a much wider market - including students from anywhere in the world - at times, locations and modes that suit them.

Doctor of philosophy (PhD)

See *Award course*, *Doctorate*, *PhD*.

Doctorate

The doctorate and the PhD are high-level postgraduate 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 at the University of Sydney. (See also *Award course*, *PhD*.)

Earliest date

See *Research candidature*.

EFTSU

The equivalent full-time student unit (EFTSU) is a measure of student load expressed as a proportion of the workload for a standard annual program for a student undertaking a full year of study in a particular award course. A student undertaking the standard annual program of study (normally 48 credit points) generates one EFTSU.

EFTYR

The effective full-time enrolment year (EFTYR) is a calculation of how long, in terms of equivalence to full-time years of enrolment, a student has been enrolled in a course. If a student has always been full-time, the calculation is straightforward (eg, the fifth year of enrolment is EFTYR 5). If the student has had a mixture of part-time and full-time enrolment, this can be equated with an EFTYR. (See also *Stage*.)

Enrolment

A student enrolls in a course by registering with the supervising faculty in the units of study to be taken in the coming year, semester or session. The student pays whatever fees are owing to the University by the deadline for that semester. New students currently pay on the day they enrol which is normally in early February. Students already in a course at the University re-enrol each year or semester; for most students pre-enrolment is required. (See also *Pre-enrolment*.)

Enrolment non-award

Non-award enrolment is an enrolment in a unit or units of study, which does not count towards a formal award of the University. Non-award enrolments are recorded in various categories used for reporting and administrative purposes. (See also *Cross-institutional enrolment*, *Non-award course*.)

Enrolment status

A student's enrolment status is either 'enrolled' or 'not enrolled'. An enrolment status is linked to an enrolment status reason or category.

Enrolment status reason/category

Not enrolled status reasons/categories include: withdrawn, totally discontinued, cancelled, on leave (suspended), transferred, lapsed, terminated, qualified and conferred.

Enrolment variation

Students may vary their enrolment at the beginning of each semester. Each faculty determines its deadlines for variations, but HECS liability depends on the HECS census date. (See also *HECS*.)

Enrolment year

See *EFTYR*, *Stage*.

Examination

See *Examination paper code*, *Examination period*, *Supplementary exams*.

Examination paper code

A code that identifies each individual examination paper. Used to help organise examinations.

Examination period

The examination period is the time set each semester for the conduct of formal examinations.

Exchange student

An exchange student is either a student of the University of Sydney who is participating in a formally agreed program involving study at an overseas university or an overseas student who is studying here on the same basis. The International Office provides administrative support for some exchanges.

Exclusion

The faculty may ask a student whose academic progress is considered to be unsatisfactory to 'show cause' why the student should be allowed to re-enrol. If the faculty deems the student's explanation unsatisfactory, or if the student does not provide an explanation, the student may be excluded either from a unit of study or from a course. An excluded student may apply to the faculty for permission to re-enrol. Normally at least two years must have elapsed before such an application would be considered.

University policy relating to exclusion is set out in the University Calendar. (See also *Senate appeals*.)

Extended semesters

Distance learning students may be allowed more time to complete a module/program if circumstances are beyond the student's control - eg, drought, flood or illness, affect the student's ability to complete the module/program in the specified time.

External

See *Attendance mode*.

External transcript

An external transcript is a certified statement of a student's academic record printed on official University security paper. It includes the student's name, any credit granted, all courses the student was enrolled in and the final course result and all units of study attempted within each course together with the result (but not any unit of study which has the status of withdrawn). It also includes any scholarships or prizes the student has received. Two copies are provided to each student on graduation (one with marks and grades for each unit of study and one with grades only). External transcripts are also produced at the request of the student. The student can elect either to have marks appear on the transcript or not. (See also *Academic transcript*, *Internal transcript*.)

Faculty

A faculty, consisting mainly of academic staff members and headed by a dean, is a formal part of the University's academic governance structure, responsible for all matters concerning the award courses that it supervises (see the 2001 University Calendar, pp.140-141). Usually, a faculty office administers the faculty and student or staff inquiries related to its courses. The Calendar sets out the constitution of each of the University's 17 faculties. (See also *Board of studies*, *Supervising faculty*.)

Fail

A mark of less than 50% which is not a concessional pass. (See also *Results*.)

Fee-paying students

Fee-paying students are students who pay tuition fees to the University and are not liable for HECS.

Fee rate

Local fees are charged in bands, a band being a group of subject areas. The bands are recommended by faculties and approved by the DV-C (Planning and Resources).

Fee type

Fee type can be 'international' or 'local'.

Flexible learning

See *Distance* and *Flexible learning*.

Flexible start date

Full fee-paying distance students should not be restricted to the same enrolment time frames as campus-based or HECS students.

FlexSIS

FlexSIS is the computer-based Flexible Student Information System at the University of Sydney. Electronically FlexSIS holds details of courses and units of study being offered by the University and the complete academic records of all students enrolled at the University. FlexSIS also holds the complete academic records of many (but not all) past students of the university. For past students whose complete records are not held on FlexSIS, there will be a reference on FlexSIS to card or microfiche records where details are kept.

Full-time student

See *Attendance status*, *EFTSU*.

Grade

A grade is a result outcome for a unit of study normally linked with a mark range. For example, in most faculties, a mark in the range 85-100 attracts the grade 'high distinction' ('HD'). (See also *Mark*.)

Graduand

A Graduand is a student who has completed all the requirements for an award course but has not yet graduated. (See also *Graduation*, *Potential graduand*.)

Graduate

A graduate is a person who holds an award from a recognised tertiary institution. (See also *Graduand*, *Graduation*.)

Graduate certificate

See *Award course*.

Graduate diploma

See *Award course*.

Graduate register

The graduate register is a list of all graduates of the University. (See also *Graduation*.)

Graduation

Graduation is the formal conferring of awards either at a ceremony or in absentia. (See also *In absentia*, *Potential graduand*.)

Graduation ceremony

A graduation ceremony is a ceremony where the Chancellor confers awards upon graduands. The Registrar publishes annually the schedule of graduation ceremonies.

HECS

See *Higher Education Contribution Scheme (HECS)*.

HECS census date

The date at which a student's enrolment, load and HECS liability are finalised before reporting to DETYA. The following dates apply:

Semester 1: 31 March
Semester 2: 31 August.

HECS code

A code used by DETYA to identify the HECS status of a student (eg, 10 deferred, 11 upfront).

Higher doctorates

See *Award course*.

Higher Education Contribution Scheme (HECS)

All students, except international students, local fee-paying students and holders of certain scholarships are obliged to contribute towards the cost of their education under the Higher Education Contribution Scheme (HECS). HECS liability depends on the load being taken.

Current students, except possibly those who began their studies prior to 1997, have a HECS rate charged for each unit of study in their degree program which depends on the 'discipline group' it is in, and the 'band' to which the Government has assigned it. These are all determined annually by the Government.

Honorary degrees

A degree *honoris causa* (translated from the Latin as 'for the purpose of honouring') is an honorary award, which is conferred on a person whom the University wishes to honour.

A degree *ad eundem gradum* (translated as 'at the same level') is awarded to a member of the academic staff who is not a graduate of the University in recognition of outstanding service to the University. The award of an honorary degree is noted on the person's academic record.

Honours

Some degrees may be completed 'with Honours'. This may involve either the completion of a separate Honours year or additional work in the later years of the course or meritorious achievement over all years of the course. Honours are awarded in a class (Class I, Class II, Class III) and sometimes there are two divisions within Class II.

HSC

The HSC is the NSW Higher School Certificate, which is normally completed at the end of Year 12 of secondary school. The UAI (Universities Admission Index) is a rank out of 100 that is computed from a student's performance in the HSC.

In absentia

In absentia is Latin for 'in the absence of'. Awards are conferred in absentia when a graduand does not, or cannot, attend the graduation ceremony scheduled for them.

Those who have graduated *in absentia* may later request that they be presented to the Chancellor at a graduation ceremony. (See also *Graduation*.)

Instrumental supervisor (teacher)

All students at the Conservatorium of Music and BMus students on the Camperdown campus have an instrumental teacher appointed. (See also *Advisor*, *Associate supervisor*, *Research supervisor*, *Supervision*.)

Internal

See *Attendance mode*.

Internal transcript

An Internal transcript is a record of a student's academic record for the University's own internal use. It includes the student's

name, SID, address, all courses in which the student was enrolled and the final course result, and all units of study attempted within each course together with the unit of study result. (See also *Academic transcript*, *External transcript*.)

International student

An International student is required to hold a visa to study in Australia and may be liable for international tuition fees. Any student who is not an Australian or New Zealand citizen or a permanent resident of Australia is an international student. New Zealand citizens are not classified as international students but have a special category under HECS that does not permit them to defer their HECS liability. (See also *Local student*, *Student type*.)

Joining fee

Students enrolling for the first time pay, in addition, a joining fee for the University of Sydney Union or equivalent student organisation. (See also *Compulsory subscription*.)

Leave

See *Course leave*.

Life membership

Under some circumstances (eg, after five full-time years of enrolments and contributions) students may be granted life membership of various organisations, which means they are exempt from paying yearly fees. (See also *Compulsory subscription*.)

Load

Load for an individual student is the sum of the weights of all the units of study in which the student is enrolled. (See also *EFTSU*, *HECS*.)

Local student

A local student is either an Australian or New Zealand citizen or Australian permanent resident. New Zealand citizens are required to pay their HECS upfront. (See also *Fee type*, *HECS*, *International student*.)

Major

A major is a defined program of study, generally comprising specified units of study from later stages of the award course. Students select and transfer between majors by virtue of their selection of units of study. One or more majors may be prescribed in order to satisfy course requirements. Majors may be included on testamurs. (See also *Award course*, *Minor*, *Stream*.)

Major timetable clash

Used by FlexSIS to denote occasions when a student attempts to enrol in units of study which have so much overlap in the teaching times that it has been decided that students must not enrol in the units together.

Mark

An integer (rounded if necessary) between 0 and 100 inclusive, indicating a student's performance in a unit of study. (See also *Grade*.)

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 an undergraduate level. (See also *Award course*.)

Method of candidature

A course is either a research course or a coursework course and so the methods of candidature are 'research' and 'coursework'. (See also *Course*, *Course (research)*, *Coursework*.)

Minor

A minor is a defined program of study, generally comprising units of study from later stages of the award course and requiring a smaller number of credit points than a major. Students select and transfer between minors (and majors) by virtue of their selection of units of study.

One or more minors may be prescribed in order to satisfy course requirements. Minors may be included on testamurs. (See also *Award course*, *Major*, *Stream*.)

Minor timetable clash

Used by FlexSIS to denote occasions when a student attempts to enrol in units of study which have some identical times of teaching.

Mixed mode

See *Attendance mode*.

Mode

See *Attendance mode and Delivery mode*.

Mutually exclusive units of study

See *Prohibited combinations of units of study*.

MyUni

MyUni is a personalised space for staff and students on the University of Sydney's intranet, called USYDnet. MyUni is used to deliver information and services directly through a central location, while also allowing users to customise certain information. Students are able to access such services as exam seat numbers, results, timetables and FlexSIS pre-enrolment and enrolment variations on MyUni. (See also *UsydNet*.)

Non-award course

Non-award courses are courses undertaken by students who are not seeking an award from the University. These may be students enrolled in an award course at another institution or students not seeking an award from any institution. Non-award courses are assigned a course code in the same way as award courses. A separate course code is assigned for each faculty, level (undergraduate or postgraduate) and method (research or coursework) which offers a non-award course. Various categories of non-award enrolment are recorded on FlexSIS for reporting and administrative purposes. (See also *Course*, *Cross-institutional enrolment*, *Enrolment non-award*.)

Non-award enrolment

See *Enrolment non-award*.

Non-specific credit

Non-specific credit is awarded when previous studies are deemed to have satisfied defined components of a course other than named units of study. These components include, but are not limited to:

- entire years in courses that progress through the successful completion of a set of prescribed units of study per year
- a set number of credit points within a particular discipline or level (ie, first, second or third year)
- one or more semesters for research courses.

(See also *Credit*, *Specific credit*.)

OPRS

Overseas Postgraduate Research Scholarship.

Orientation Week

Orientation or 'O Week', takes place during the week prior to lectures in Semester 1. 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 student

See *Attendance status*, *EFTSU*.

Permanent home address

The permanent home address is the address for all official University correspondence both inside and outside of semester time (eg, during semester breaks), unless overridden by semester address. (See also *Addresses*, *Business address*, *Semester address*, *Temporary address*.)

PhD

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 in the University of Sydney. (See also *Award course*, *Doctorate*.)

Postgraduate

A term used to describe a course leading to an award such as graduate diploma, a 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.

Potential graduand

Potential graduands are students who have been identified as being eligible to graduate on the satisfactory completion of their current studies. (See also *Graduand*, *Graduation*.)

Precedents

Where a credit applicant has credit approved in terms of the granting of specific or non-specific credit on the basis of study previously taken, a precedent is established at system level. Any other credit applicant subsequently seeking credit on the basis of the same pattern of previous study will be eligible to have the item of credit to be immediately approved on the basis of the previously approved precedent. (See also *Credit*.)

Pre-enrolment

Pre-enrolment takes place in October for the following year. Students indicate their choice of unit of study enrolment for the following year. After results are approved, registered students are regarded as enrolled in those units of study they chose and for which they are qualified. Their status is 'enrolled' and remains so provided they pay any money owing or comply with other requirements by the due date. Re-enrolling students who do not successfully register in their units of study for the next regular session are required to attend the University on set dates during the January/February enrolment period. Pre-enrolment is also known as provisional re-enrolment. (See also *Enrolment*)

Prerequisite

A prerequisite is a unit of study that is required to be completed before another unit of study can be attempted. (See also *Assumed knowledge, Corequisite, Waiver.*)

Prizes

Prizes are awarded by the University, a faculty or a department for outstanding academic achievement. Full details can be found in the University Calendar.

Probationary candidature

A probationary candidate is a student who is enrolled in a postgraduate course on probation for a period of time up to one year. The head of department is required to consider the candidate's progress during the period of probation and make a recommendation for normal candidature or otherwise to the faculty.

Progression

See *Course progression*.

Prohibition (prohibited combinations of units of study)

When two or more units of study contain a sufficient overlap of content, enrolment in any one such unit prohibits enrolment in any other identified unit. A unit related in this way to any other unit is linked in tables of units of study via use of the symbol N to identify related prohibited units.

Provisional re-enrolment

See *Pre-enrolment*.

Qualification

A qualification is an academic attainment recognised by the University.

Registrar

The Registrar is responsible to the Vice-Chancellor for the keeping of official records and associated policy and procedures within the University. (See the University Calendar for details.)

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 Orientation Week.

Note that unlike enrolment, registration is not a formal record of units attempted by the student.

Research course

See *Course (research)*.

Research supervisor

A supervisor is appointed to each student undertaking a research postgraduate degree. The person will be a full-time member of the academic staff or a person external to the University appointed in recognition of their association with the clinical teaching or the research work of the University. A research supervisor is commonly referred to as a supervisor. (See also *Advisor, Associate supervisor, Instrumental supervisor (teacher), Supervision.*)

Resolutions of Senate

Regulations determined by the Senate of the University of Sydney that pertain to degree and diploma course requirements and other academic or administrative matters.

Result processing

Refers to the processing of assessment results for units of study. Departments tabulate results for all assessment activities of a unit of study and assign preliminary results for each unit of study. Preliminary results are considered by the relevant board of examiners, which approves final results. Students are notified of results by result notices that list final marks and grades for all units of study. (See also *Assessment, Examination period.*)

Result processing schedule

The result processing schedule will be determined for each academic cycle. It is expected that all departments and faculties will comply with this schedule. (See also *Assessment, Examination period, Result processing.*)

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:

HD	High distinction	a mark of 85-100
D	Distinction	a mark of 75-84
CR	Credit	a mark of 65-74
P	Pass	a mark of 50-64
R	Satisfied requirements	This is used in pass/fail only outcomes
UCN	Unit of study continuing	Used at the end of semester for units of study that have been approved to extend into a following semester. This will automatically flag that no final result is required until the end of the last semester of the unit of study.
PCON	Pass (concessional)	A mark of 46-49. Use of this grade is restricted to those courses that allow for a concessional pass of some kind to be awarded. A student may re-enrol in a unit of study for which the result was PCON. Each faculty will determine and state in its course regulations what proportion, if any, may count - eg, 'no more than one sixth of the total credit points for a course can be made up from PCON results'.
F	Fail	This grade may be used for students with marks of 46-49 in those faculties which do not use PCON
AF	Absent fail	Includes non-submission of compulsory work (or non-attendance at compulsory labs, etc) as well as failure to attend an examination
W	Withdrawn	Not recorded on an external transcript. This is the result that obtains where a student applies to discontinue a unit of study by the HECS census date (ie, within the first four weeks of enrolment).
DNF	Discontinued - not to count as failure	Recorded on external transcript. This result applies automatically where a student discontinues after the HECS Census Date but before the end of the seventh week of the semester (or before half of the unit of study has run, in the case of units of study which are not semester-length). A faculty may determine that the result of DNF is warranted after this date if the student has made out a special case based on illness or misadventure.
DF	Discontinued - fail	Recorded on transcript. This applies from the time DNF ceases to be automatically available up to the cessation of classes for the unit of study.

MINC	Incomplete with a mark of at least 50	This result may be used when examiners have grounds (such as illness or misadventure) for seeking further information or for considering additional work from the student before confirming the final mark and passing grade. Except in special cases approved by the Academic Board, this result will be converted to a normal passing mark and grade either: • by the dean at the review of examination results conducted pursuant to section 2 (4) of the Academic Board policy 'Examinations and Assessment Procedures'; or • automatically to the indicated mark and grade by the third week of the immediately subsequent academic session. Deans are authorised to approve the extension of a MINC grade for individual students having a valid reason for their incomplete status.
INC	Incomplete	This result is used when examiners have grounds (such as illness or misadventure) for seeking further information or for considering additional work from the student before confirming the final result. Except in special cases approved by the Academic Board, this result will be converted to a normal permanent passing or failing grade either: • by the dean at the review of examination results conducted pursuant to section 2 (4) of the Academic Board policy 'Examinations and Assessment Procedures'; or • automatically to an AF grade by the third week of the immediately subsequent academic session. Deans are authorised to approve the extension of a MINC grade for individual students having a valid reason for their incomplete status.
UCN	Incomplete	A MINC or INC grade is converted, on the advice of the dean, to UCN when all or many students in a unit of study have not completed the requirements of the unit. The students may be engaged in practicum or clinical placements, or in programs extending beyond the end of semester (eg, Honours).

Scholarships

Scholarships are financial or other forms of support made available by sponsors to assist Australian and international students to pursue their studies at the University. When a student's means are a criterion, scholarships are sometimes called bursaries. (See also *Prizes*.)

School

See *Department*.

SCR

System change request.

Semester

A semester is a session whose dates are determined by the Academic Board. Normally all undergraduate sessions will conform to the semesters approved by the Academic Board. Any offering of an undergraduate unit not conforming to the semester dates must be given special permission by the Academic Board.

Semester address

The semester address is the address to which all official University correspondence is sent during semester time, if it is different to the permanent address. Unless overridden by a temporary address all official University correspondence during semester (including Session 4 for students enrolled in Summer School) will be sent to this address. (See also *Addresses*, *Business address*, *Permanent home address*, *Temporary address*.)

Senate

The Senate of the University is the governing body of the University. (See the University Calendar.)

Senate appeals

Senate appeals are held for those students who, after being excluded by the faculty from a course, appeal to the Senate for readmission. While any student may appeal to the Senate against an academic decision, such an appeal will normally be heard only after the student has exhausted all other avenues - ie, the department, faculty, board of study and, in the case of postgraduates, the Committee for Graduate Studies. (See also *Exclusion*.)

Session

A session is a teaching period that defines the offering of a unit of study. A session cannot be longer than six months. Session offerings are approved by the relevant dean, taking into account all the necessary resources, including teaching space and staffing. The Academic Board must approve variation to the normal session pattern.

Session address

See *Semester address*.

Special consideration

Candidates who have medical or other serious problems, which may affect performance in any assessment, may request that they be given special consideration in relation to the determination of their results.

They can obtain an official form from the Student Centre. The Student Centre stamps the form and the medical or other documentation. The student gives a copy of the material to the

Student Centre staff and takes copies to the relevant departments. The student retains the originals. The dates for which special consideration is sought are recorded on FlexSIS and printed on the examination register.

Special permission

See *Waiver*.

Specific credit

Specific credit is awarded when previous studies are entirely equivalent to one or more named units of study offered by the University of Sydney that contribute to the course in which the applicant has been admitted. (See also *Credit*, *Non-specific credit*.)

Sponsorship

Sponsorship is the financial support of a student by a company or government body. Sponsors are frequently invoiced directly.

SRS

SRS is the student record system responsible, prior to FlexSIS, for the processing of student records. The functions of SRS are gradually being incorporated into FlexSIS. (See also *FlexSIS*.)

Stage

For the purposes of administration, a course may be divided into stages to be studied consecutively. The stages may be related to sessions or they may relate to an academic cycle. Part-time students progress through a course more slowly and would often enrol in the same stage more than once.

Status

Status is a variable for students both with relation to course and unit of study. With relation to course, students can have the status of enrolled or not enrolled. 'Not enrolled' reasons can be: totally discontinued, withdrawn, suspended, cancelled, awarded, etc. With relation to unit of study, students can have the status of CURENR or WITHDN, discontinued, etc.

Stream

A stream is a defined program of study within an award course, which requires the completion of a program of study specified by the course rules for the particular stream, in addition to the core program specified by the course rules for the award course. Students enrolled in award courses that involve streams will have the stream recorded in their enrolment record. Students normally enter streams at the time of admission, although some award courses require students to enrol in streams after the completion of level 1000 units of study. Where permitted to do so by faculty resolution, students may transfer from one stream to another, within an award course, provided they meet criteria approved by the Academic Board on the advice of the faculty concerned. A stream will appear with the award course name on testamurs - eg, Bachelor of Engineering in Civil Engineering (Construction Management). (See also *Award course*, *Major*, *Minor*.)

Student ID card

All students who enrol are issued with an identification card. The card includes the student name, SID, the course code, and a library borrower's bar code. The card identifies the student as eligible to attend classes and must be displayed at formal

examinations. It must be presented to secure student concessions and to borrow books from all sections of the University Library.

Student identifier (SID)

A 9-digit number which uniquely identifies a student at the University.

Student load

See *Load*.

Study Abroad Program

A scheme administered by the International Education Office which allows international students who are not part of an exchange program, to take units of study at the University of Sydney, but not towards an award program. In most cases the units of study taken here are credited towards an award at their home institution. (See also *Exchange student*.)

Subject area

A unit of study may be associated with one or more subject areas. The subject area can be used to define prerequisite and course rules - eg, the unit of study 'History of Momoyama and Edo Art' may count towards the requirements for the subject areas 'Art History and Theory' and 'Asian Studies'.

Summer School

See *Sydney Summer School*.

Supervising faculty

The supervising faculty is the faculty which has the responsibility for managing the academic administration of a particular course - ie, the interpretation and administration of course rules, approving students' enrolments and variations to enrolments. Normally the supervising faculty is the faculty offering the course. However, in the case of combined courses, one of the two faculties involved will usually be designated the supervising faculty at any given time. Further, in the case where one course is jointly offered by two or more faculties (eg, the Liberal Studies course) a joint committee may make academic decisions about candidature and the student may be assigned a supervising faculty for administration.

The International Office has a supporting role in the administration of the candidatures of international students and alerts the supervising faculty to any special conditions applying to these candidatures (eg, that enrolment must be full-time). (See also *Board of studies*.)

Supervision

Supervision refers to a one-to-one relationship between a student and a nominated member of the academic staff or a person specifically appointed to the position. (See also *Advisor*, *Associate supervisor*, *Instrumental supervisor (teacher)*, *Research supervisor*.)

Supplementary examinations

Supplementary exams may be offered by faculties to students who fail to achieve a passing grade or who were absent from assessment due to illness or misadventure.

Suppression of results

Results for a particular student can be suppressed by the University for the following reasons:

- the student has an outstanding debt to the university
- the student is facing disciplinary action.

Suspension

See *Course leave*.

Sydney Summer School

Sydney Summer School is a program of accelerated, intensive study running for approximately 6 weeks during January and February each year. Both undergraduate and postgraduate units are offered. Summer School provides an opportunity for students at Sydney and other universities to catch up on needed units of study, to accelerate completion of a course or to undertake a unit that is outside their award course. All units are full fee-paying and enrolled students are also liable for compulsory subscriptions. Some fee-waiver scholarships are available.

Teaching department

See *Department*.

Temporary address

Students may advise the University of a temporary address. Correspondence will be sent to this address between the dates specified by the student. (See also *Addresses*, *Business address*, *Permanent home address*, *Semester address*.)

Testamur

A testamur is a certificate of award provided to a graduate usually at a graduation ceremony.

Thesis

A thesis is a major work that is the product of an extended period of supervised independent research. 'Earliest date' means the earliest date at which a research student can submit the thesis. 'Latest date' means the latest date at which a research student can submit the thesis.

Timetable

Timetable refers to the schedule of lectures, tutorials, laboratories and other academic activities that a student must attend.

Transcript

See *Academic transcript*.

Transfer

See *Course transfer*.

Tuition fees

Tuition fees may be charged to students in designated tuition fee-paying courses. Students who pay fees are not liable for HECS.

VAC

The Universities Admissions Centre (UAC) receives and processes applications for admission to undergraduate courses at recognised universities in NSW and the ACT. Most commencing undergraduate students at the University apply through UAC.

VAC admissions

Most local undergraduates (including local undergraduate fee payers) apply through the Universities Admission Centre (UAC).

The University Admissions Office coordinates the processing of UAC applicants with faculties and departments and decisions are recorded on the UAC system.

Applicants are notified by UAC and an electronic file of applicants who have been made offers of admission to courses at the University is loaded onto FlexSIS. (See also *Admission*, *Direct admissions*.)

UAI (Universities Admission Index)

The Universities Admission Index (UAI) is a number between 0.00 and 100.00 with increments of 0.05. It provides a measure of overall academic achievement in the HSC that assists universities in ranking applicants for university selection. The UAI is based on the aggregate of scaled marks in ten units of the HSC.

Undergraduate

A 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 unit of study is the smallest stand-alone component of a student's course that is recordable on a student's transcript. Units of study have an integer credit point value, normally in the range 3-24. Each approved unit of study is identified by a unique sequence of eight characters, consisting of a four character alphabetical code which usually identifies the department or subject area, and a four character numeric code which identifies the particular unit of study. Units of study can be grouped by subject and level. (See also *Core unit of study*, *Course*, *Major*.)

Unit of study enrolment status

The enrolment status indicates whether the student is still actively attending the unit of study (ie, currently enrolled) or is no longer enrolled (withdrawn or discontinued).

Unit of study group

A grouping of units of study within a course. The units of study which make up the groups are defined within FlexSIS.

Unit of study level

Units of study are divided into Junior, Intermediate, Senior, Honours, Year 5, and Year 6. Most majors consist of 32 Senior credit points in a subject area (either 3000 level units of study or a mix of 2000 and 3000 level units of study).

University

Unless otherwise indicated, University in this document refers to the University of Sydney.

University Medal

A faculty may recommend the award of a University Medal to students qualified for the award of an undergraduate Honours degree or some master's degrees, whose academic performance is judged outstanding.

UPA

University Postgraduate Award.

USYDnet

USYDnet is the University of Sydney's intranet system. In addition to the customised MyUni service, it provides access to other services such as directories (maps, staff and student, organisations), a calendar of events (to which staff and students can submit entries), and a software download area. (See also *MyUni*.)

Variation of enrolment

See *Enrolment variation*.

Vice-Chancellor

The chief executive officer of the University, responsible for its leadership and management. The Vice-Chancellor is head of both academic and administrative divisions.

Waiver

In a prescribed course, a faculty may waive the prerequisite or corequisite requirement for a unit of study or the course rules for a particular student. Unlike credit, waivers do not involve a reduction in the number of credit points required for a course (See also *Credit*.)

Weighted average mark (WAM)

The Weighted Average Mark (WAM) is the average mark in the unit of study completed, weighted according to credit point value and level. The formulae used to calculate the WAMs are course-specific: there are many different WAMs in the University.

Year of first enrolment (YFE)

The year in which a student first enrolls at the University.

Youth Allowance

Youth Allowance is payable to a full-time student or trainee aged 16-24 years of age; and enrolled at an approved institution such as a school, college, TAPE or university, and undertaking at least 15 hours a week face-to-face contact. Youth Allowance replaces AUSTUDY.

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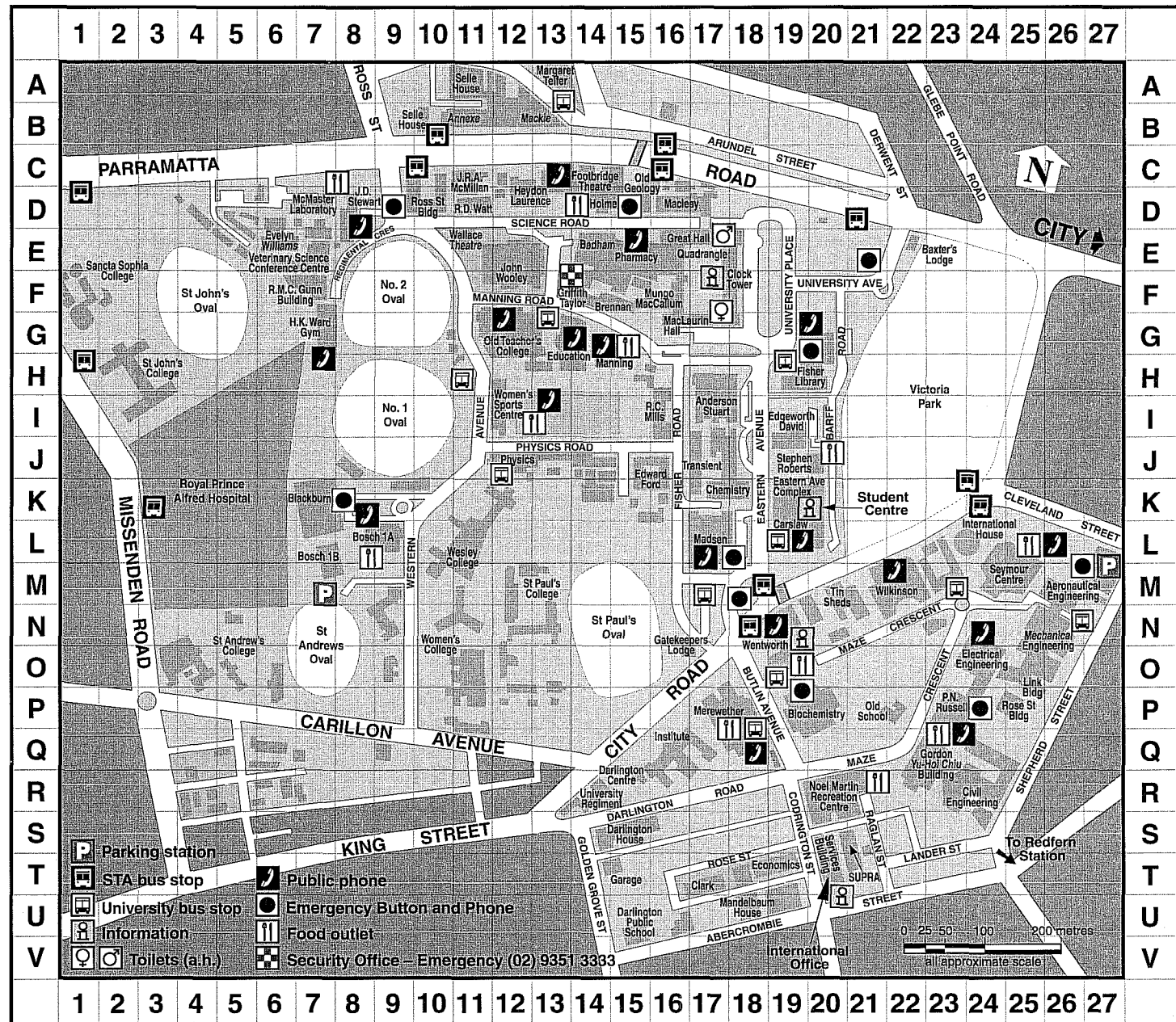
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