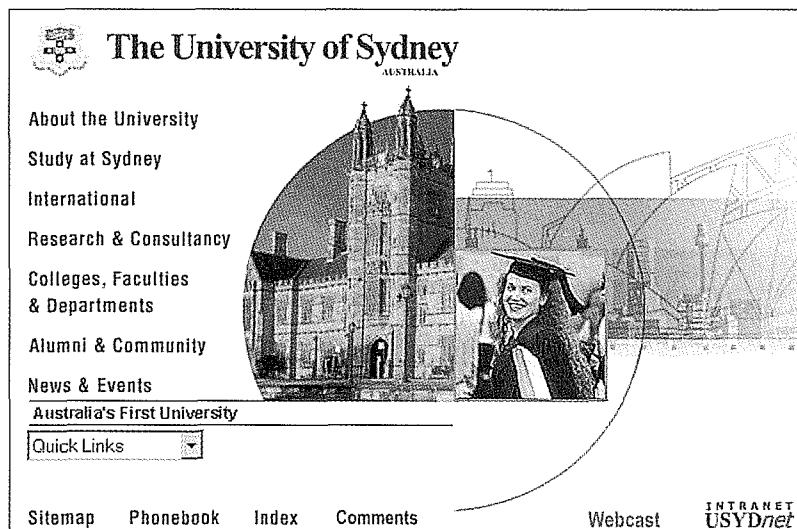




The University of Sydney

Faculty of Law Handbook 2000



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

You can explore the University of Sydney on the web at <http://www.usyd.edu.au/>.

Communications should be addressed to:

The University of Sydney, NSW 2006.
Phone: (02) 9351 2222

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University semester and vacation dates 2000

Academic year information (Academic Board policy and dates 1998-2002) is available at:
http://www.usyd.edu.au/su/planning/policy/acad/3_0aca.html

	Day	Date (2000)
First Semester lectures begin	Monday	28 February
Easter recess		
Last day of lectures	Thursday	20 April
Lectures resume	Monday	1 May
Study vacation: 1 week beginning	Monday	5 June
Examinations commence	Monday	12 June
First Semester ends	Saturday	24 June
Second Semester lectures begin	Monday	10 July
Mid-semester recess		
Last day of lectures	Friday	8 September
Lectures resume	Monday	9 October
Study vacation: 1 week beginning	Monday	6 November
Examinations commence	Monday	13 November
Second Semester ends	Saturday	2 December

Last dates for withdrawal or discontinuation 2000

	Day	Date
<i>Semester 1 units of study</i>		
Last day to add a unit	Friday	10 March
Last day for withdrawal	Friday	31 March
Last day to discontinue with permission	Friday	14 April
Last day to discontinue	Friday	26 June
<i>Semester 2 units of study</i>		
Last day to add a unit	Friday	21 July
Last day for withdrawal	Thursday	31 August
Last day to discontinue with permission		Not applicable in 2000 <i>(there are 7 weeks to withdraw until 31 August)</i>
Last day to discontinue	Friday	3 November
<i>Full Year units of study</i>		
Last day for withdrawal	Friday	31 March
Last day to discontinue	Friday	3 November

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

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Contents

Welcome from the Dean	iv
1. Guide to the Faculty	1
2. Introduction to the undergraduate degree	3
Programs available	3
Structure of the Combined and Graduate Law degrees	3
3. Undergraduate units of study	7
Introduction and information	7
Compulsory units of study	7
Optional units of study	10
4. Table of undergraduate units of study	21
5. Resolutions covering the undergraduate degree	25
1998 Resolutions of the Senate: Bachelor of Laws	25
1988 Resolutions of the Senate: Bachelor of Laws	27
Resolutions of the Faculty	28
Enrolment instructions	29
Progression through the degree	29
6. Postgraduate study	33
Doctorates	33
Doctor of Laws	33
Doctor of Philosophy	33
Doctor of Juridical Studies	34
Masters' Degrees and Graduate Diplomas	36
Resolutions of the Senate for Masters' Degrees and Graduate Diplomas	37
1. Graduate programs	37
2. Admission	38
3. Course requirements	38
4. Credit for other study	41
5. Course progress	41
6. Assessment and grades	42
7. Single unit enrolment	43
Units of study offered within the Faculty	43
Admission and enrolment	45
Student misconduct	46
International students	46
Postgraduate units of study	47
7. Other Faculty information	67
Services for students	68
Employment	69
Staff	70
Faculty administration	71
Centres	71
Scholarships and prizes	71
Student societies	74
General University information	77
Glossary	81
Index	85
Maps	88

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 rule book 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.

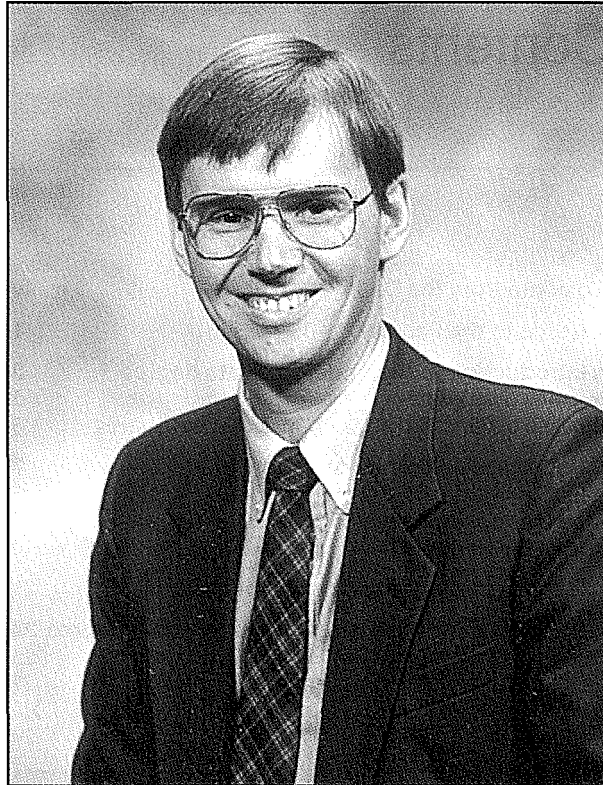
That is why it is so important to have a legal education that allows for in-depth interaction and discussion with your lecturers. That is why a legal education should make sure that you engage in the kind of legal argument and experimentation that the practise of law demands. That is why the theory of 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 this tradition will be.



Professor Jeremy Webber, Dean



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 J.B. Peden (later Sir John Peden) was appointed to the Chair of Law and became Dean of the Faculty. A second chair was created after World War I, and A.H. Charteris, of the University of Glasgow, was appointed Challis Professor of International Law and Jurisprudence.

The earliest lectures in the Law School, before Pitt Cobbett's arrival from England, were given on the second, i.e. the top, floor of an old building called Wentworth Court, which ran from Phillip to Elizabeth 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 till 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 (F.C. 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, 600 postgraduate coursework students and 100 postgraduate research students. There are now 14 chairs, including the Challis Chairs of Law (Professor Harland), Jurisprudence (Professor Tay), and International Law (Professor Shearer) and externally supported Chairs in Industrial Law (Blake Dawson Waldron - Professor McCallum), Women and the Law (Dunhill Maden Butler - Professor Graycar), Litigation and Dispute Resolution (Abbot Tout - Professor Astor). The Dean of the Faculty in 2000 is Professor Jeremy Webber.

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Introduction to the undergraduate degree

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.'

Two broad foundation units (Legal Institutions; and Law, Lawyers and Justice in Australian Society) have been developed in order to enable students, from the outset of their legal studies, to gain an understanding of the historical, political, economic and ethical contexts in which the law operates and the policies which the law seeks to serve.

This Law School has traditionally had a high reputation for providing students with a strong grounding in analytical skills, such as the ability to examine statutes, cases and other legal materials and to produce an accurate opinion on the current state of the law. These are essential skills for a lawyer and, accordingly, are an important goal of the curriculum. Integral to the foundation units are elements of legal research and legal writing skills.

Communication skills are developed in students by means of written assignments, mootings, 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. There is no part-time course of study and there are no evening lectures for units of study in the Bachelor of Laws. Applications are made through the Universities Admission Centre (UAC), which publishes a complete Guide in August each year.

Combined Law degrees

Duration: 5 years (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, 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 (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 have been given a value of 8 credit points. In the Combined Law Program, the first year law units have been given a value of 6 credit points and the third year law units a value of 10 credit points. All other law units of study in Combined Law have been given a value of 8 credit points. (The differential weighting for units in Combined Law programs recognises the need to accommodate the 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.

Optional units of study

All candidates for the degree must complete 48 credit points of optional units of study (ie. 6 individual units) including a maximum of 40 credit points (ie. 5 individual units) from units of study listed in Table 1 and a minimum of 8 credit points (ie. 1 unit) from units of study listed in Table 2. The optional units of study are listed in Chapter 6 of this Handbook. *No more*

than 48 credit points of optional units of study may be completed for the degree.

Combined Law

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

Students who are eligible to do so, may, at the end of the third year, suspend Law studies for one year in order to complete an honours degree in Arts, Economics, Economics (Social Sciences), Commerce or Science. These Combined Law students then complete the final two years (of full-time Law studies) at the St James Campus in Phillip Street. Students in the Engineering/Law program will enrol in their fourth year in Engineering units only, before proceeding to full-time law studies at St James.

Students enrolled in a Combined Law program must proceed in the following manner:

Year 1

Selected Arts, Economics, Economics (Social Sciences),

Commerce, Science or Engineering units

Legal Institutions

Law, Lawyers and Justice in Australian Society

Year 2

Selected Arts, Economics, Economics (Social Sciences),

Commerce, Science or Engineering units

Contracts

Criminal Law

Year 3

Selected Arts, Economics, Economics (Social Sciences),

Commerce, Science or Engineering units

Federal Constitutional Law

Torts

Year 4 — all except Engineering/Law

or

Year 5 - Engineering/Law

(full-time Law studies)

Administrative Law

Real Property

Equity

Corporate Law*

International Law*

Litigation

Year 5 - all except Engineering/Law

or

Year 6 - Engineering/Law

(full-time Law studies)!

48 credit points of the following units:

a) a maximum of 40 credit points from Table 1; and

b) a minimum of 8 credit points from Table 2

Graduate Law

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

Law I

Legal Institutions

Law, Lawyers and Justice in Australian Society

Federal Constitutional Law

Torts

Criminal Law

Contracts

Law II

As for Combined Law Year 4

Law III

As for Combined Law Year 5

* Students may choose instead to do a maximum of 2 units of study from Table 1 or 2.

† Students who have not completed Corporate Law of International Law must do so in Year 5 (Year 6 for Engineering/Law students).

Honours in Law

Honours are awarded at present on the basis of the weighted average marks. All law units are counted, including those taken as part of a combined degree and any failures. A further honours year is not required at this point. However, the criteria for awarding Honours are under review.

Weighted average marks

In calculating weighted average marks in Combined Law, all units of study will be weighted equally. Where students are selected to participate in exchange programs 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, unless the exchange program is a Faculty-specific exchange program negotiated between the Faculty of Law and the other institution.

Seminars

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

Part-time work by Law students during the academic year

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

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

English expression

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

It should not be thought these weaknesses are to be found only amongst students whose first language is not English. Many students, whatever their background, place themselves at a marked disadvantage by imprecise or inexpert use of language.

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

Where to ask for help

You will find that the faculty's undergraduate administration team will be able to answer most of your questions about admission requirements, enrolments, variations of enrolments, timetables and examinations. They can be contacted at the St James Campus on Level 12.

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

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

Students in Combined Law programs should refer general issues to the partner faculties. However, for law-specific enquiries, such as attendance in correct unit groups or assessment regimes, Combined Law students should consult the Undergraduate Adviser in the Law Faculty or the Law Counter Officer in the Old Teachers' College.

Library facilities on the Broadway campus

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

Undergraduate units of study

Introduction and information

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

Textbooks and reference material

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

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

Acts and regulations of the Australian Parliament are obtainable from:

Australian Government Publishing Service
32 York Street
Sydney NSW 2000.

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

Government Information Service of NSW
Goodsell Building
Cnr Hunter and Elizabeth Streets
Sydney NSW 2000.

Compulsory units of study

LAWS 2002 Administrative Law

8 credit points

Professor Allars (Convenor)

Offered: February. 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

Associate Professor Swanton (Convenor)

Offered: February, July. Classes: Two 2 hr seminars per week.

Assessment: Combination of assignment/s, essay/s and open book exam.

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 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

Associate Professor Hill (Convenor)

Offered: July. 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

Associate Professor Findlay (Convenor)

Offered: February, July. 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.

This unit of study is designed to assist students in developing the following understandings:

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

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

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

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

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

LAWS 2004 Equity

8 credit points

Associate Professor Parkinson (Convenor)

Offered: July. Classes: Two 2 hr seminars per week.

This unit of study will consider such matters as:

(1) the nature and history of equity, and the Judicature system;

(2) the concept of property in equity;

(3) estoppel;

(4) equity's approach to undue influence and unconscionable bargains;

(5) fiduciary relationships;

(6) the nature of trusts, trusts and other relationships;

(7) trusts, powers and discretionary trusts;

(8) the constitution of trusts;

(9) secret trusts;

- (10) the concept of the charitable trust (with emphasis on the notion of public benefit) and non-charitable purpose trusts;
- (11) resulting trusts;
- (12) constructive trusts;
- (13) duties and powers of trustees, rights and liability of trustees, rights of beneficiaries;
- (14) tracing and the in personam claim;
- (15) specific performance;
- (16) injunctions;
- (17) damages in equity;
- (18) dealings with property in equity: equitable assignments and dispositions of equitable interests.

LAWS 3000 Federal Constitutional Law

10 credit points

Dr Karpin (Convenor)

Offered: February. **Classes:** Two 2 hr seminars per week.

Assessment: Combination drawn from class participation, a 2000 w assignment, a 3000 w essay and an open book exam.

NB: Unit is part of the Combined Law program.

This unit of study aims to achieve an understanding of the principles of constitutional law at federal and state levels. 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, the relationship between Commonwealth and state laws, legislation with respect to the Crown, and intergovernmental immunities); economic and financial power and relations (including the corporations power, the trade and commerce power, freedom of interstate trade, taxation powers 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 1004 Federal Constitutional Law

8 credit points

Dr Karpin (Convenor)

Offered: July. **Classes:** Two 2 hr seminars per week. **Assessment:** Combination drawn from class participation, a 2000 w assignment, a 3000 w essay and an open book exam. As for Combined Law.

LAWS 2005 International Law

8 credit points

Associate Professor Rothwell (Convenor)

Offered: February. **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 1007 Law, Lawyers and Justice in Australian Society

6 credit points

Mr Dunne (Convenor)

Offered: July. **Classes:** One 1 hr lecture & Two 2 hr seminars per week. **Assessment:** Classwork, one 1500 w assignment, one 3500 w essay and a take-home exam.

NB: Unit is part of the Combined Law program.

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

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

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

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

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

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

LAWS 1001 Law, Lawyers and Justice in Australian Society

8 credit points

Mr Dunne (Convenor)

Offered: July. **Classes:** One 2 hr lecture & Two 2 hr seminars per week. **Assessment:** Classwork, one 1500 w assignment, one 3500 w essay and a take-home exam.

As for Combined Law.

LAWS 1006 Legal Institutions

6 credit points

Ms Millbank (Convenor)

Offered: February. **Classes:** One 1 hr lecture & Two 2 hr seminars per week. **Assessment:** Assessment will involve a combination of participation and work in the seminars themselves and written tasks, which will include a court observation assignment, a case reading and analysis assignment, and an essay.

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
- key aspects of legislative process
- the relationship between law, government and politics

- the law reform process in action
- 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 1000 Legal Institutions

8 credit points

Ms Millbank (Convenor)

Offered: February. **Classes:** Two 2 hr seminars per week.

Assessment: Assessment will involve a combination of participation and work in the seminars themselves and written tasks, which will include a court observation assignment, a case reading and analysis assignment, and an essay.

As for Combined Law.

LAWS 1008 Legal Research

0 credit points

Mr Coss

Offered: February, July. **Classes:** 1 hr per week over eleven weeks for Combined Law; 2hrs per week over six weeks for Graduate Law.

Assessment: Two in-class tests, one written assignment.

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

- Combined Law students undertake tuition at the Law School in their second year, in either first or second semester, depending on timetabling. In semester 1, the 'host' substantive law subject will be Contracts; in semester 2, the 'host' will be Criminal Law.
- 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 six weeks for Graduate Law students. Numbers will be limited to a maximum of 15 in each class. There will be continuous assessment throughout the semester. Also the 'host' substantive law subject will require students to complete a research assignment, and this will obviously be marked partly with research skills in mind.

LAWS 1009 Legal Writing

0 credit points

Mr Bell

Offered: February. **Classes:** one 2 hr seminar per semester.

Students are required to satisfactorily complete Legal Writing. This unit requires attendance at a legal writing seminar which is taught in conjunction with a host subject (Contracts for Combined students, and Criminal Law for Law School students). Class times will be made available early in the semester. The seminar will address common issues in legal writing at this level. Writing strategies will be developed in the context of preparing for the written assessment task in the host subject.

Legal Writing is graded on a Pass/Fail basis. Attendance at the seminar is mandatory.

LAWS 2006 Litigation

8 credit points

Mr McCrimmon (Convenor)

Offered: July. **Classes:** Two 2 hr seminars per week. **Assessment:**

Open book exam (60%), written work and/or skills assessment (40%).

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 2201 Personal Property

4 credit points

Ms Taylor

Offered: July. **Classes:** One 2 hr seminar.

NB: Only for students who commenced their Law degree before 1998.

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

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

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

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

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

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

PLEASE NOTE: Only students who commenced their degree prior to 1998 are required to complete this unit.

LAWS 2007 Real Property

8 credit points

Associate Professor Butt (Convenor)

Offered: February. **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 co-ownership (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 3001 Torts

10 credit points

Ms McDonald (Convenor)

Offered: July. **Classes:** Two 2 hr seminars per week. **Assessment:** Combination drawn from assignment/s and open book exam.

NB: Unit is part of the Combined Law program.

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, detinue 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.

LAWS 1005 Torts

8 credit points

Ms McDonald (Convenor)

Offered: February. **Classes:** Two 2 hr seminars per week.

Assessment: Combination drawn from assignment/s and open book exam.

As for Combined Law.

Optional units of study

LAWS 3006 Advanced Administrative Law

8 credit points

Professor Allars, Ms Franklin

Prerequisite: Administrative Law. **Classes:** Two 2 hr seminars per week. **Assessment:** 6000 w research paper (60%), 2 x 2000w essays (40%).

NB: Not offered in 2000.

The purpose of this unit of study is to provide students who have developed an interest in administrative law with the opportunity to deepen their understanding of the subject through participation in seminars and through individual research. Four or five topics are covered in seminars. These topics vary from year to year depending on contemporary relevance. Topics may include tribunals and inquiries; specialist jurisdictions (e.g. the Land and Environment Court); public torts and contracts; freedom of information; corporatisation, privatisation and contracting out of government functions; the purpose and scope of judicial review; comparative administrative law.

LAWS 3027 Advanced Constitutional Law

8 credit points

Mr Opeskin

Prerequisite: Constitutional Law. **Classes:** Two 2 hr seminars per week. **Assessment:** class participation (20%, compulsory); and a choice of: court report (20%); class presentation (20%); research paper (up to 80%); examination (up to 80%).

NB: Not offered in 2000.

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

The principal topics covered are as follows:

1. Foundations: Historical Origins of chapter III.
2. Federal Judges: A sociological profile of the federal judiciary; appointment and removal of federal judges; federal judges as holders of non-judicial office (the designated person principle).
3. Federal Courts: The High Court of Australia (original and appellate jurisdiction, remittal and removal of causes, special leave to appeal); The Federal Court of Australia; State Courts exercising Federal Jurisdiction.
4. Federal Jurisdiction: Limitations on federal jurisdiction (the concept of a "matter", advisory opinions, political questions, standing to sue); core elements of s 75 and s 76 of the Constitution (Commonwealth as a party, diversity jurisdiction, matters arising under the Constitution or under federal law); associated and accrued jurisdiction; Cross-vesting of jurisdiction.
5. Recurrent Themes: Federalism; Separation of Powers; Judicial Independence.

The unit of study focuses on broad principles and themes that have helped shape the evolution of Australia's federal judicial system. Where possible, comparison will be made with the law of other federations such as Canada and the United States. The latter, in particular, was highly influential in the drafting of Chapter III of the Australian Constitution, and American law today remains a useful body of law for comparative purposes in respect of the federal judicial system.

LAWS 3007 Advanced Contracts

8 credit points

Professor Carter, Professor Harland

Prerequisite: Contracts. **Classes:** Two 2 hr seminars per week.

Assessment: 3500w essay(optional, non-redeemable) (35%), open book exam (65% or 100%).

NB: Not offered in 2000.

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

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

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

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

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

9. The Impact on the Law of Contract of the Statutory Prohibition on Misleading or Deceptive Conduct.
10. Privity of Contract
11. Specific Performance and Injunction
12. The Relationship between Contract and Restitution.

LAWS 3008 Advanced Corporate Law

8 credit points

Mr Fridman

Prerequisite: Corporate Law. **Offered:** February. **Classes:** Two 2 hr seminars per week. **Assessment:** Class participation (25%), optional 3000w essay (25%), open book exam (50 or 75%).

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

LAWS 3009 Advanced Public International Law

8 credit points

Associate Professor Rothwell

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

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

The topics selected for 1999 were:

(1) The Law of the Sea. The impact of the United Nations Convention on the Law of the Sea, 1982, will be assessed against the background of customary international law. Special attention will be given to those aspects of the law which affect natural resources, freedom of navigation and the protection of the marine environment. Australian policy and legislation will also be examined.

(2) International Environmental Law. The development, concepts, and principles of international environmental law will be outlined. State responsibility, mechanisms for implementation, compliance, enforcement and special regimes of protection will also be studied, including the implementation of international environmental law in Australia.

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

LAWS 3051 Advanced Torts

8 credit points

Dr Ball

Prerequisite: Torts. **Prohibition:** Remedies for Defamation and Personal Injury. **Classes:** Two 2 hr seminars per week.

Assessment: One optional essay (30%), class assignment(s) (20%), one exam (50% or 80%).

NB: Not offered in 2000.

This unit of study considers a number of areas of the law of torts which are not covered in the compulsory Torts unit. In 2000, it will seek to evaluate, through a critical and analytical study of primary and secondary materials, the way in which the law in New South Wales attempts (1) to reconcile the interest in freedom of speech with the right to protection from attacks on individual reputation and (2) to provide compensation for personal injury.

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

practice; conduct of a defamation trial; remedies; criminal defamation; and reform of defamation law.

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

LAWS 3011 Advocacy, Interviewing and Negotiation

8 credit points

Mr McCrimmon

Corequisite: Litigation. **Offered:** February. **Classes:** Two 2 hr seminars per week. **Assessment:** Workshop performance (20%), mid semester take-home exam (40%), end semester half-day trial (40%), reflective journal -(Pass/fail).

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

Offered: July. **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 and Financial Instruments (Seminar)

8 credit points

Dr Magnusson

Offered: February.

This unit of study aims to provide students with:

- An introduction to the legal environment of banking and financial services;
- An understanding of the legal basis of dealings between banks and their customers, and an overview of the more common rights and duties which adhere to the banker/customer relationship;
- An introduction to the basic principles governing the use of some important financial instruments.

The unit covers aspects of banking and finance law at both the "consumer" and "commercial" level, while minimising overlap with existing courses on corporations law, securities, equity, contracts and real property. The unit does not consider insolvency. Topics to be covered include:

- Legal Regulation of Banks and NBFIs;
- The Legal Basis of Dealings Between Banks and their Customers;

- The Duties and Liabilities of Bankers;
- Appropriation, Combination, and Set-Off;
- Cheques;
- Bills of Exchange;
- "Digital Money" and Electronic Payment Systems;
- Securing Debt: Fixed and Floating Charges.

LAWS 3013 Business Taxation

8 credit points

Dr Loughlan

Prerequisite: Personal Taxation. **Offered:** July. **Classes:** Two 2 hr seminars per week.

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, goods and services tax, payroll tax and land tax, being taxes usually paid by business. An assessment will be made of the appropriateness of the mix of taxes in place in Australia.

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;
- (e) stamp duties;
- (f) payroll tax;
- (g) land tax.

LAWS 3014 Chinese Laws and Chinese Legal Systems

8 credit points

Professor Tay

Offered: February, July. **Assessment:** One 3 hr exam and one 8000w essay.

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 5 to 28 January, 2000, 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.

For students who are unable to travel to China, the course is also offered in Sydney in Semester 2.

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/Table 2 requirement for the LLB in the Faculty of Law.

LAWS 3018 Clinical Environmental Law

8 credit points

Professor Boer

Prerequisite: Environmental Law. **Offered:** July. **Classes:** Two 2 hr seminars per week. **Assessment:** Essay (60%), class participation (40%).

This unit of study is focussed on providing practical experience in the implementation of Environmental Law. Students are required to work on cases at the Environmental Defenders Office under the supervision of specialist solicitors for at least half a

day per week over a period of 8 weeks. They may also be required to work on aspects of community legal education initiatives of the Environmental Defenders Office, and a special program arising out of the EDO's membership of ELAW - the Environmental Law Alliance worldwide.

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

JURS 3003 Comparative Constitutionalism

8 credit points

Professor Sadurski

Classes: Two 2 hr seminars per week. **Assessment:** One exam, one 4000w essay.

NB: Not offered in 2000.

This unit of study will examine the rise and spread of constitutions and constitutionalism throughout the modern world and the extent to which these have transformed or affected modern and modernising societies.

In the 200 years since the Declaration of Rights of Man and the Citizen in France and the coming into force of the first U.S. Constitution, monarchies have fallen, colonies have become independent, countries have become socialist or revolutionary communist and new states have been formed, in Europe, the Americas, Asia, Africa, Pacific and the Indian Ocean. In the past five to ten years, momentous events have taken place in the People's Republic of China, the U.S.S.R. and Eastern and Central Europe which have direct impact on the constitutions and constitutionalism of these countries, giving aspects of this unit of study heightened significance and new perspectives.

The unit will examine the constitution-making and constitutional reform that have accompanied these developments, their nature, presuppositions and their relation to the social and legal culture on which constitutions depend for their effectiveness in restraining governments and protecting rights. In the process it will distinguish unitary, federal, parliamentary and presidential models, different attitudes to the separation of power and locus standi in appealing against government breaches, entrenched clauses and the protection of human and other rights, entrenched powers and the operation of and threat posed by extra-constitutional power centres (the Army in parts of South America, Indonesia, Turkey, for instance, the Part in Communist countries, trade unions and extra-parliamentary groups in some other countries).

Attention will be focused on the constitutional and legal aspects of the unification of Germany; the history and current constitution-making processes of Poland; twentieth century China and the development of the U.S.S.R. since 1917 and its collapse and demise in 1991; special constitutional features of Malaysia, Myanmar, Vietnam, Hong Kong, etc.

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

JURS 3007 Comparative Law

8 credit points

Classes: Two 2 hr seminars per week. **Assessment:** Class participation (40%), 6000w essay (60%).

NB: Not offered in 2000.

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

Germanic family of laws through a comparison between Anglo-Australian law and French, German and Italian law.

LAWS 3016 Competition Law

8 credit points
Dr McMahon

Offered: February. **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 will be analysed within the context of the 'National Competition Policy'. The framework for analysis will include a critical overview of the fundamental purposes of competition policy and the legal regulation of economic activity in general. Some reference 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;
- d) Misuse of substantial market power;
- e) Third party access to essential services;
- f) Competition policy and telecommunications; and
- g) The role of the Australian Competition and Consumer Commission.

JURS 3002 Contemporary Analytical Jurisprudence

8 credit points
Associate Professor Ziegert

Classes: Two 2 hr seminars per week. **Assessment:** One exam and one 4000w essay.

NB: Not offered in 2000.

Strand B will concern itself, in the first place, with the logical analysis of the concept of a legal system and of basic legal concepts such as rights and duties. It will then discuss the fundamental concepts of traditional analytical jurisprudence - eg, property, possession, fault, contract, etc. in the context of a rapidly changing society and of new and different demands made on law, lawyers and the judicial process.

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

LAWS 3017 Conveyancing

8 credit points
Associate Professor Butt

Prerequisite: Real Property. **Offered:** July. **Classes:** Two 2 hr seminars per week. **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 Cunneen, Associate Professor Stubbs
Offered: February. **Classes:** Two 2 hr seminars per week.
Assessment: One take-home exam (50%), one 5000w essay (50%), class presentation.

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

Students are expected to take part in visits to a gaol and/or a juvenile detention centre.

LAWS 3021 Critical Legal Studies

8 credit points
Mr Fraser

Classes: Two 2 hr seminars per week.

NB: Not offered in 2000.

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

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

LAWS 3022 Dispute Resolution

8 credit points
Professor Astor

Offered: February, July. **Classes:** Two 2 hr seminars per week.

Assessment: One open book exam (50%), one 3500w essay (35%), classwork (15%).

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

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

There is a quota on enrolment in this unit.

LAWS 3023 Employment and Industrial Law

8 credit points
Professor McCallum

Prerequisite: Federal Constitutional Law, Contracts. **Offered:** February, July. **Classes:** Two 2 hr seminars per week. **Assessment:** Combination drawn from class participation, assignment/s 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

Ms Franklin, Ms Lyster

Offered: July. **Classes:** Two 2 hr seminars per week. **Assessment:** Exam (50%), one 5000w essay (40%), class participation (10%).

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

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

LAWS 3025 External Placement Program

8 credit points

Mr Coss, Mr McCrimmon

Offered: February, July. **Classes:** Two 2 hr seminars per week.

Assessment: One research assignment (50%), seminar performance (30%), placement site evaluation (20%).

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

At the end of the unit students should have:

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

There is a quota on enrolments in this unit.

LAWS 3026 Family Law

8 credit points

Ms Kaye, Associate Professor Parkinson

Offered: February. **Classes:** Two 2 hr seminars per week.

Assessment: One open book exam (75%), one 2500w essay (25%).

This unit of study will include the following topics:

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

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

Mr Fraser

Offered: February. **Classes:** Two 2 hr seminars per week.

Assessment: One 7000w essay, a take home exam or class participation paper.

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/Table 2 requirement for the LLB in the Faculty of Law.

LAWS 3031 Independent Research Project

8 credit points

Offered: February, July. **Assessment:** 10,000w research paper.

NB: 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 credit average or better in order to enrol in this unit.

LAWS 3030 Independent Research Project

4 credit points

Offered: February, July. **Assessment:** 5000w research paper.

NB: 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 3005 Indigenous People and the Law

8 credit points

Associate Professor Cunneen

Offered: July. **Classes:** Two 2 hr seminar per week. **Assessment:**

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

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

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

LAWS 3033 Intellectual Property

8 credit points

Dr Loughlan, Ms Wright

Offered: February, July. **Classes:** Two 2 hr seminars per week.

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.

LAWS 3034 International Human Rights Law

8 credit points

Ms Wright

Prerequisite: International Law. **Offered:** July. **Classes:** Two 2 hr seminars per week.

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.

JURS 3006 International/Comparative Jurisprudence

8 credit points

Associate Professor Ziegert

Offered: July. **Classes:** Two 2 hr seminars per week.

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

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

LAWS 3035 Jessup International Law Moot

8 credit points

Professor Shearer

Prerequisite: International Law. **Offered:** February. **Classes:** Two 2 hr seminars per week. **Assessment:** Class participation, memorial writing, mooting, team participation.

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

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

Offered: February. **Classes:** Two 2 hr seminars per week.**Assessment:** Problem exercise (20%), Issues paper (oral or written) (30%), 2 hour open book exam (50%).

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. The unit follows the path of a commercial transaction from inception to conclusion. Core topics include property transfer, commercial relationships (partnership; principal and agency), risk management through taking security and insurance, 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 3103 Law and Discourse (Seminar)

8 credit points

Dr Manderson

Offered: February. **Classes:** Two 2 hr seminars per week.

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 pluralism and sovereignty of law. Through a study of prominent contemporary theorists 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.

The ideas in this unit centre around these four related themes or modules, which might be called 'circles of discourse'. 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. The discourse then is the ground rules which are assumed by those who play what Wittgenstein called a "language game".

However the idea of the circle also suggests that 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. A discourse *assumes¹¹ certain principles of operation - that is what makes translation/interpretation/understanding possible. But those principles necessarily, therefore, exclude and ignore other ideas and ways of understanding. Like concentric circles, each of the four themes of this course encompasses and questions 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/ Table 2 requirements for the LLB in the Faculty of Law.

LAWS 3036 Law and Economics

8 credit points

Professor Apps

Offered: February. **Classes:** Two 2 hr seminars per week.**Assessment:** Two 1500 w essays and class participation (40%), 2 hour exam (60%).

The aim of this unit of study is to provide an understanding of the economic analysis of law and to clarify differences between the role of legal argument and the welfare analysis of policy. The unit of study outlines the objectives of public policy defined within the framework of modern welfare economics and exam-

ines 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/Table 2 requirements for the LLB in the Faculty of Law.

LAWS 3037 Law and Gender

8 credit points
Dr Karpin

Offered: February. 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 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/Table 2 requirement for the LLB in the Faculty of Law.

JURS 3008 Law and Social Justice

8 credit points
Associate Professor Ziegert

Classes: Two 2 hr seminars per week. **Assessment:** One 3500w essay (40%), class participation and essay presentation (20%) and one open book exam (40%), OR two essays (40% each) and class participation and essay presentation (20%).

NB: Not offered in 2000.

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

Nozick's 'entitlement theory', Walzer's 'pluralist' theory of distributive justice, communitarian and feminist critiques of liberal theories of justice, etc.

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

LAWS 3039 Law, Communications, Culture and Global Economies

8 credit points
Dr McMahon, Dr Karpin

Classes: Two 2 hr seminars per week. **Assessment:** Class participation/presentation (35%), 6500w essay (65%).

NB: Not offered in 2000.

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 the privatisation of public assets and deregulation. Throughout the unit we will place communications law within the framework of the massive economic, political, cultural and 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 how concepts such as the "virtual city" challenge our traditional understanding of regulatory boundaries and cultural identity. This unit will also examine the development of a cyberculture, which, while resisting government attempts to regulate "decency" and censorship, has introduced new and different forms of informal justice.

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

LAWS 3065 Legal Theories of State and Membership

8 credit points
Ms Dauvergne

Prerequisite: Administrative Law or Federal Constitution Law or International Law. **Offered:** July. **Classes:** Two 2 hr seminars per week. **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 how the a liberal conception of the state influences the development of administrative law concepts such as natural justice, how the alleged disappearance of the state is reflected in international law, and how evolving conceptions of citizenship are reflected in constitutional interpretation.

LAWS 3059 Media Law

8 credit points
Dr Magnusson, Ms McDonald

Offered: July. Classes: Two 2 hr seminars. Assessment: Open book exam and an optional essay. (Class participation may be assessed in 2000 depending on numbers).

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. The unit will also include an introduction to the licensing and regulation of ownership and control of media organisations. Students will be expected to be able to identify and apply the current legal rules and to evaluate their

efficacy in protecting and balancing various interests in society: freedom of 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 to be covered:

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 Bennett, Dr Magnusson

Offered: July. **Classes:** Two 2 hr seminars per week. **Assessment:** One optional essay, one take home exam.

This unit of study aims to provide students with an introduction to the legal issues that arise in modern health care. Issues to be covered in the course include: consent to treatment, negligence by health professionals, confidentiality, dispute resolution, legal implications of reproductive technologies, euthanasia and 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 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 Crock

Prerequisite: Administrative Law. **Classes:** Two 2 hr seminars per week. **Assessment:** One exam, one 3500w essay or moot exercise and tribunal observation exercise/classwork.

NB: Not offered in 2000.

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-specialities 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

Dr Loughlan

Offered: February. **Classes:** Two 2 hr seminars per week.

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. Students interested in the interaction of the tax and social security systems (including more detailed treatment of superannuation) should consider enrolling in Social Security Law.

JURS 3005 Philosophy of Human Rights

8 credit points

Professor Sadurski

Classes: Two 2 hr seminars per week. **Assessment:** One optional, non-redeemable 3500w essay (40%), one 2hr open book exam (60%) OR one 3hr exam (100%) OR Two essays (50% each).

NB: Not offered in 2000.

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

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

LAWS 3048 Policing Crime and Society

8 credit points

Associate Professor Stubbs

Prerequisite: Criminology. **Classes:** Two 2 hr seminars per week.

Assessment: One 5000w essay/research paper (50%), one take home exam (50%).

NB: Not offered in 2000.

The unit of study aims to encourage students to further develop their skills and knowledge in criminology and its critical analysis through an examination of in depth theoretical and policy issues within contemporary criminal justice. Critical attention will be paid to policing (in its widest sense) and other criminal justice institutions. Students will examine: crime and crime control within a social and political context; policing and other institutions; and process of criminal justice in the light of contemporary research and policy debates.

JURS 3004 Post-Communist Law and Legal Theory

8 credit points

Associate Professor Ziegert

Classes: Two 2 hr seminars per week. **Assessment:** One 5000-6000w essay (60%), class presentation and participation (40%).

NB: Not offered in 2000.

In view of the significant changes in the political, economic and social structures of the societies of Eastern and Central Europe, new problems arise for the development of law and legal theory, particularly in these societies but also generally in our assess-

ment of the function(s) of law in any given society. This unit of study will introduce the student to the historical context in which the changes that challenged orthodox Marxist-Leninist legal doctrine have taken place and it will analyse the consequences of these changes for the legal order of Eastern European societies.

This unit will show how systemic and ideological causes have destroyed the legal order and changed the legal culture in East European societies. It will provide an outline, in the context of the dichotomy of civil society and the state, of the modes and contents of changes in the weak democratic structures of Central and Eastern Europe, the stages in the transition of democratic state, the rule of law and the 'marketisation of the economy'. In this framework, the possibilities for the revival of law, of political stability and undistorted legal discourse will be discussed and related to a comparative perspective on the different styles of Western, Central and Eastern European legal culture.

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

LAWS 3015 Private International Law

8 credit points
Mr Anderson

Prerequisite: International Law. **Prohibition:** Conflict of Laws.

Offered: July. **Classes:** Two 2 hr seminars per week. **Assessment:** 3000w assignment (30%), 2 hour examination (70%).

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 whose last will was executed in New York or the validity of a mortgage of shares in an Indonesian corporation executed by the mortgagor 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.

LAWS 3062 Product Liability Law

8 credit points
Professor Harland

Prerequisite: Contracts, Torts. **Offered:** July. **Classes:** Two 2 hr seminars per week. **Assessment:** Class participation (10%), 5000w essay (50%), open book exam (40%).

This unit of study examines recent developments towards imposing stricter liability on manufacturers of defective goods which cause death or personal injury and, in some cases, damage to other property. The focus of the unit is the regime of strict liability introduced into the Trade Practices Act 1974 (Cth) in 1992. This regime is based on that adopted by the European Communities in 1985. Attention will be given to arguments raised for and against the introduction of strict liability, the previous Australian law and the law reform process leading to the 1992 reform. There will be consideration of developments in product liability law in the United States and Europe, and of the influence outside Europe of the EC Directive (especially in the Asia/Pacific region).

Particular issues to be examined include:

- the concept of 'defect'
- the concept of 'product' and its distinction from 'services'
- causation
- defences (especially that of 'development risks')
- liability of co-defendants (and market share theory)
- limitation periods.

LAWS 3049 Regulation of Financial Markets

8 credit points
Ms Kingsford Smith

Prerequisite: Corporate Law, Equity, Administrative Law. **Classes:** Two 2 hr seminars per week. **Assessment:** 4000w research essay (40%), open book or take-home exam (40%), class participation (20%).

NB: Not offered in 2000.

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

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

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

LAWS 3052 Roman Law

8 credit points
Justice Emmett

Offered: February. **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.

LAWS 3055 Social Security Law

8 credit points
Professor Camey

Classes: Two 2 hr seminars per year. **Assessment:** One 5000w research paper (50%), one take home exam (40%), class participation (10%) (Postgraduate students will have different markings and requirements).

NB: Not offered in 2000.

This unit of study assesses the development and operation of the law and policy of the social security system as an instrument of social policy (the redistribution of income and wealth, poverty alleviation, fostering of social integration). It combines policy and legal analysis, built around the Social Security Act 1991 (Cth). The unit canvasses material on the nature of poverty and the current and alternative responses to poverty; the operation of social security as it affects particular groups (the unemployed,

the ill or disabled, the sole or 'intact' family), and will consider various ways of judging consistency of outcomes, including by reference to 'citizenship theory', 'lifecycle' approaches, and the implications of 'contractualism'. The administration and social impact of the system is an important theme (including the operation of review and appeal systems).

This unit is open to postgraduate students.

JURS 3001 Sociological Jurisprudence

8 credit points

Associate Professor Ziegert

Offered: February. **Classes:** Two 2 hr seminars per week.

Assessment: One oral exam (40%) and one 6000w research paper (60%).

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

The first part of this unit will look at what sociological theory and research can offer today in the description of social life, the explanation of how societies are organised, why people do what they do. Elementary sociological concepts like norm, role, group, power, class, social structure and social system will be related to the operation of the law. Concepts like these provide the tools which make it possible to examine and study systematically and carefully the social organisation and structure of legal systems, the operation and the social environments in which and in relation to which they are operating.

The second part of this unit will introduce the student to the methodological and practical issues of empirical socio-legal research. It will focus on the design and on the practical conducting of study on the role and operations of the courts in the legal process. This part of the unit will back up methodologically the 'Court Watch' program by making court observation a practical research task which will be assessed as a research assignment.

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

LAWS 3056 Succession

8 credit points

Classes: Two 2 hr seminars per week. **Assessment:** One exam (60%), one 4000w research essay or moot or take-home exam (40%).

NB: Not offered in 2000.

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

LAWS 3057 Sydney Law Review

8 credit points

Offered: February, July. **Assessment:** One 2500w essay, plus one 5000w case note, plus drafting, editing and reviewing articles.

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

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

(a) an initial reading of 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.

Classes on editing, research and writing will be provided, and students will also meet regularly with members of The Editorial Board.

CHAPTER 4

Table of undergraduate units of study

Unit of study	Credit points	A) Assumed Knowledge C) Corequisite	Q) Qualifying N) Prohibition	P) Prerequisite	Offered
LAWS 2002 Administrative Law	8				February
LAWS 3006 Advanced Administrative Law	8			P) Administrative Law. <i>NB: Not offered in 2000.</i>	
LAWS 3027 Advanced Constitutional Law	8			P) Constitutional Law. <i>NB: Not offered in 2000.</i>	
LAWS 3007 Advanced Contracts	8			P) Contracts. <i>NB: Not offered in 2000.</i>	
LAWS 3008 Advanced Corporate Law	8			P) Corporate Law.	February
LAWS 3009 Advanced Public International Law	8			P) International Law.	July
LAWS 3051 Advanced Torts	8			P) Torts. N) Remedies for Defamation and Personal Injury. <i>NB: Not offered in 2000.</i>	
LAWS 3011 Advocacy, Interviewing and Negotiation	8			C) Litigation.	February
LAWS 3012 Anti-Discrimination Law	8				July
LAWS 3101 Banking and Financial Instruments (Seminar)	8				February
LAWS 3013 Business Taxation	8			P) Personal Taxation.	July
LAWS 3014 Chinese Laws and Chinese Legal Systems	8				February, July
LAWS 3018 Clinical Environmental Law	8			P) Environmental Law.	July
JURS 3003 Comparative Constitutionalism	8			<i>NB: Not offered in 2000.</i>	
JURS 3007 Comparative Law	8			<i>NB: Not offered in 2000.</i>	
LAWS 3016 Competition Law	8				February
JURS 3002 Contemporary Analytical Jurisprudence	8			<i>NB: Not offered in 2000.</i>	
LAWS 1002 Contracts	8				February, July
LAWS 3017 Conveyancing	8			P) Real Property.	July
LAWS 2003 Corporate Law	8				July
LAWS 1003	8				February, July
LAWS 3020 Criminology	8				February

Faculty of Law Handbook 2000

Unit of study	Credit points	A) Assumed Knowledge C) Corequisite	Q) Qualifying N) Prohibition	P) Prerequisite	Offered
LAWS 3021 Critical Legal Studies	8	<i>NB: Not offered in 2000.</i>			
LAWS 3022 Dispute Resolution	8				February, July
LAWS 3023 Employment and Industrial Law	8	P) Federal Constitutional Law, Contracts.			February, July
LAWS 3024 Environmental Law	8				July
LAWS 2004 Equity	8				July
LAWS 3025 External Placement Program	8				February, July
LAWS 3026 Family Law	8				February
LAWS 3000 Federal Constitutional Law	10	<i>NB: Unit is part of the Combined Law program.</i>			February
LAWS 1004 Federal Constitutional Law	8				July
LAWS 2029 The Holocaust, Moral Responsibility and the Rule of Law	8				February
LAWS 3030 Independent Research Project	4	<i>NB: Also an 8 credit point Independent Research Project.</i>			February, July
LAWS 3031 Independent Research Project	8	<i>NB: Also a 4 credit point Independent Research Project.</i>			February, July
LAWS 3005 Indigenous People and the Law	8				July
LAWS 3033 Intellectual Property	8				February, July
LAWS 3034 International Human Rights Law	8	P) International Law.			July
LAWS 2005 International Law	8				February
JURS 3006 International/Comparative Jurisprudence	8				July
LAWS 3035 Jessup International Law Moot	8	P) International Law.			February
LAWS 3064 Law and Commercial Transactions	8				February
LAWS 3103 Law and Discourse (Seminar)	8				February
LAWS 3036 Law and Economics	8				February
LAWS 3037 Law and Gender	8				February
JURS 3008 Law and Social Justice	8	<i>NB: Not offered in 2000.</i>			
LAWS 3039 Law, Communications, Culture and Global Economies	8	<i>NB: Not offered in 2000.</i>			
LAWS 1007 Law, Lawyers and Justice in Australian Society	6	<i>NB: Unit is part of the Combined Law program.</i>			July
LAWS 1001 Law, Lawyers and Justice in Australian Society	8				July

Unit of study	Credit points	A) Assumed Knowledge C) Corequisite	Q) Qualifying N) Prohibition	P) Prerequisite	Offered
LAWS 1006 Legal Institutions	6	<i>NB: Unit is part of the Combined Law program.</i>			February
LAWS 1000 Legal Institutions	8				February
LAWS 1008 Legal Research	0				February, July
LAWS 3065 Legal Theories of State and Membership	8	P) Administrative Law or Federal Constitution Law or International Law.			July
LAWS 1009 Legal Writing	0				February
LAWS 2006 Litigation	8				July
LAWS 3059 Media Law	8				July
LAWS 3046 Medical Law	8				July
LAWS 3045 Migration Law	8	P) Administrative Law. <i>NB: Not offered in 2000.</i>			
LAWS 2201 Personal Property	4	<i>NB: Only for students who commenced their Law degree before 1998.</i>			July
LAWS 3047 Personal Taxation	8				February
JURS 3005 Philosophy of Human Rights	8	<i>NB: Not offered in 2000.</i>			
LAWS 3048 Policing Crime and Society	8	P) Criminology. <i>NB: Not offered in 2000.</i>			
JURS 3004 Post-Communist Law and Legal Theory	8	<i>NB: Not offered in 2000.</i>			
LAWS 3015 Private International Law	8	P) International Law. N) Conflict of Laws.			July
LAWS 3062 Product Liability Law	8	P) Contracts, Torts.			July
LAWS 2007 Real Property	8				February
LAWS 3049 Regulation of Financial Markets	8	P) Corporate Law, Equity, Administrative Law. <i>NB: Not offered in 2000.</i>			
LAWS 3052 Roman Law	8				February
LAWS 3055 Social Security Law	8	<i>NB: Not offered in 2000.</i>			
JURS 3001 Sociological Jurisprudence	8				February
LAWS 3056 Succession	8	<i>NB: Not offered in 2000.</i>			
LAWS 3057	8				February, July
LAWS 3001 Torts	10	<i>NB: Unit is part of the Combined Law program.</i>			July
LAWS 1005 Torts	8				February

Resolutions covering the undergraduate degree

Resolutions of the Senate

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

The 1998 Resolutions of the Senate 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.

1998 Resolutions of the Senate: Bachelor of Laws

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 head of department or Dean may vary the entry requirements for units of study for particular candidates in special circumstances.
5. All units of study for the degree will be of semester length.

Grades of award

6. The degree is awarded in two grades: pass and honours.
7. In the honours grade there are two classes: first class honours and second class honours.
8. A candidate who qualifies for the award of first class honours, and whose work is of outstanding merit in the opinion of the Faculty, may be considered for the award of a University medal.

Requirements for the degree

9. To qualify for the degree, candidates must complete units of study to the value of 144 credit points, made up of the following:
 - i) 96 credit points of the following compulsory units of study:
 - Legal Institutions
 - Law, Lawyers and Justice in Australian Society
 - Federal Constitutional Law
 - Torts
 - Criminal Law
 - Contracts
 - Administrative Law
 - Litigation
 - Real Property
 - Equity
 - Corporate Law
 - International Law
 - Legal Research (0 credit points)
 - Legal Writing (0 credit points); and
 - ii) 48 credit points of the following optional units of study:

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

10. No unit of study may be credited more than once for the degree.
11. Except with the express permission of the Faculty, candidates may not take more than 24 credit points in any one semester.

Sequence of units of study

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

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

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

Year	Unit of study	Credit points
Combined Law 4*	Administrative Law	8
	Corporate Law	8
	Equity	8
	International Law	8
	Litigation	8
	Real Property	8
Combined Law 5*	optional units of study selected from Table 1 and Table 2 as required in Resolution 9(ii)	

* For students enrolled in the Engineering/Law course, the normal Combined Law 4 program is taken in year 5 and the normal Combined Law year 5 program is taken in year 6

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

Year	Unit of study	Credit points	
Graduate Law 1	Legal Institutions	8	
	Law, Lawyers and Justice in Australian Society	8	
	Contracts	8	
	Criminal Law	8	
	Federal Constitutional Law	8	
	Torts	8	
	Legal Research	0	
	Legal Writing	0	
	Graduate Law 2	Administrative Law	8
		Corporate Law	8
		Equity	8
international Law		8	
Graduate Law 3	Litigation	8	
	Real Property	8	
	optional units of study selected from Table 1 and Table 2 as required in Resolution 9(ii)		

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

Satisfactory progress

- 16. The Faculty will require candidates to show good cause why they should be allowed to re-enrol in the Faculty of Law if, in the opinion of the Faculty, they have not made satisfactory progress towards fulfilling the requirements of the degree.
- 17. Satisfactory progress cannot be defined in all cases in advance, but a candidate who:
 - i) does not pass at least 24 credit points in any year of enrolment, or
 - ii) has failed a compulsory unit of study more than once, shall normally be presumed not to have made satisfactory progress. Therefore a candidate must normally remain enrolled in at least 24 credit points each year, except when they need fewer than 24 credit points to complete the requirements for the degree.
- 18. Where the Faculty permits the re-enrolment of a candidate whose progress has been presumed to be unsatisfactory, it may require the completion of specified units of study or a specified number of credit points in a specified time. If the candidate fails to comply with these conditions, he or she may again be presumed not to have made satisfactory progress.
- 19. Except with the express permission of the Faculty, a candidate must complete the requirements for the award of the degree within ten calendar years of admission to candidature.

Suspension of study

- 20. A candidate must re-enrol each calendar year unless Faculty has approved suspension of candidature. Candidature lapses if a candidate has not obtained approval for suspension and does not re-enrol. Candidates whose candidature has lapsed must be selected for admission again before they can re-enrol.
- 21. Suspensions will not be approved for more than two years, unless the Dean is satisfied that there are exceptional circumstances.

Credit for previous units of study

- 22. A candidate may be granted credit for up to 64 credit points for units of study completed during a previous candidature in an award course of the University of Sydney or at an equivalent institution recognised by the Faculty.
- 23. Non-specific credit may be granted for up to 24 of these 64 credit points for units of study not sufficiently related to units of study in Table 1 or Table 2.
- 24. A candidate will not be granted credit toward the degree for any units of study:
 - i) for which the result is a Terminating Pass, Conceded Pass or the equivalent;
 - ii) which were completed more than nine years before admission to candidature for the degree; or
 - iii) upon which the candidate has relied to qualify for another degree or academic qualification.

Variation of requirements for the degree

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

Transitional provisions

- 26. All candidates who first enrolled prior to 1st 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.

27. From 1st January, 1998, all candidates who have completed Legal Institutions or Legal Institutions 1 and Legal Institutions n, and who have not completed any other Bachelor of Laws units of study, will be transferred to the new degree resolutions.

Optional units of study #

Table 1

Unit of study	Credit points	Pre/Corequisites
Advanced Administrative Law	8	P: Administrative Law
Advanced Constitutional Law	8	P: International Law
Advanced Contracts	8	P: Contracts
Advanced Corporate Law	8	P: Corporate Law
Advanced Public International Law	8	P: International Law
Advanced Real Property	8	P: Real Property
Advanced Torts	8	P: Torts
Advocacy, Interviewing and Negotiation	8	C: Litigation
Anti-Discrimination Law	8	
Business Taxation	8	C: Personal Taxation
Clinical Environmental Law	8	P: Environmental Law
Comparative Law	8	
Competition Law	8	
Conveyancing	8	P: Real Property
Criminology	8	
Dispute Resolution	8	
Employment and Industrial Law	8	P: Constitutional Law P: Contracts
Environmental Law	8	
External Placement Program	8	
Family Law	8	
Independent Research Project	8	
Indigenous People and the Law	8	
Indonesian Law	8	
Intellectual Property	8	
International Human Rights Law	8	P: International Law
Jessup International Law Moot	8	P: International Law
Law and Commercial Transactions	8	P: Contracts, Equity, Real Property
Law and Social Justice	8	
Media Law	8	
Medical Law	8	
Migration Law	8	P: Administrative Law
Personal Taxation	8	
Policing Crime and Society	8	P: Criminology
Private International Law	8	P: International Law
Product Liability Law	8	P: Contracts P: Torts
Regulation of Financial Markets	8	P: Corporate Law P: Equity P: Administrative Law
Remedies	8	P: Contracts P: Torts P: Equity
Roman Law	8	
Sale of Goods and Consumer Protection	8	P: Contracts
Social Security Law	8	
Succession	8	
Sydney Law Review Seminar*	8	

Table 2

Unit of study	Credit points	Pre/Corequisites
Chinese Laws and Chinese Legal Systems	8	
Comparative Constitutionalism	8	
Contemporary Analytical Jurisprudence	8	
Cricket and the Law	8	
Critical Legal Studies	8	
Democracy and the Constitution	8	P: Federal Constitutional Law
International/Comparative Jurisprudence	8	
Law and Discourse (Seminar)	8	
Law and Economics	8	
Law and Gender	8	

Law and Social Justice	8	
Law, Communications, Culture and Global Economies	8	
Legal Theories of State and Membership	8	P: Administrative Law or Federal Constitutional Law or International Law
Philosophy of Human Rights	8	
Post Communist Law and Legal Theory	8	
Seminar*	8	
Sociological Jurisprudence	8	
The Holocaust, Moral Responsibility and the Rule of Law	8	
Thinking Through the Body of the Law	8	

*Seminar units of study may be offered with the approval of the head of department to bring together research interests of staff and students or to permit a visiting staff member to teach in their area of expertise.

#Please note that not all optional units of study are offered every year.

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 Dean 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 Criminal Law†
Combined Law III	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 IV	International Law Equity Personal 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 Contracts
Graduate Law II	Real Property Equity Personal Property International Law Corporate Law 12 to 20 optional credit points
Graduate Law III	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	Prerequisite (P) or Corequisite (C)
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:
- (a) (i) for any unit of study completed under a previous curriculum of the Faculty of Law in the University of Sydney;
- (ii) for any unit of study deemed to be equivalent to a unit or units of study offered by the Faculty of Law in the University of Sydney,
- and the Dean shall in allowing such credit designate in respect of which unit or units of study credit is allowed
- (b) for any unit of study completed other than at the University of Sydney and deemed to be not equivalent to any unit of study offered by the Faculty of Law in the University of Sydney, and the Dean shall in allowing

such credit determine the equivalent credit point value of any such unit of study.

- (2) Unless the Faculty otherwise prescribes, credit shall not be granted for any unit of study commenced more than ten years before the year in which credit is sought.
- 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 Table 1 and Table 2 in the 1998 Resolutions for optional units of study. Students will satisfy the Jurisprudence requirement by completing any unit of study shown in Table 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%

[The guidelines apply to 1999 only.]

Reassessment

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

Honours

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

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 by successfully completing any 8 credit point unit of study approved by the Faculty for that purpose. In the 1998 Resolutions of the Senate, such units of study are set out in Table 2.

*This policy is the subject of Academic Board review.

Enrolment instructions

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

Dates

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

Late enrolment

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

Confirmation of enrolment

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

To enable you to see what enrolment data have been recorded, you will be given or sent a 'confirmation of enrolment' in January or shortly after completion of enrolment. This should be checked carefully. If the information is correct, the form should be kept as 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 then be prepared and sent to you.

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

If you wish to -

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

you should apply to the Faculty's Student Administration, St James Campus, to obtain the appropriate approval. However, Main Campus students must apply at the Arts, Economics, Science of 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 2000.

	February Semester unit of study	July Semester unit of study
Withdraw, by:	31 March	31 August
Discontinued - Not to Count as Failure, by:	14 April	31 August
Discontinued - Fail, by:	2 June	3 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 31 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 31 August in that year shall be recorded as having withdrawn from that unit of study.
7. (1) A discontinuation of enrolment in a unit of study shall be recorded as 'Discontinued with Permission' when the discontinuation occurs after the relevant withdrawal period, and
 - (a) on or before the Friday of the first week of July Semester for a full year unit of study, or
 - (b) up to the last day of the seventh week of teaching in a one semester unit of study.(2) A discontinuation of enrolment in a unit of study shall be recorded as 'Discontinued' when the discontinuation occurs,
 - (a) after the Friday of the first week of July Semester for a full year unit of study, or
 - (b) after the last day of the seventh week of teaching in a one semester unit of study.(3) Notwithstanding subsection (2) the Dean, Pro-Dean or Sub-Dean of the Faculty, Director or Deputy Director of the College or Chairperson of the Board of Studies concerned may determine that a discontinuation of enrolment should be recorded as 'Discontinued with Permission' on the grounds of serious ill health or misadventure.

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

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

You are permitted to suspend your candidature for the degree for one year 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:

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

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), an Academic Adviser or the Undergraduate Adviser.

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 Advisers, the Undergraduate Adviser 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,

- (i) Applications relating to relatively short periods of time during the semester (or academic year in the case of a full-year unit) will normally only be relevant to assessment prior to the final examination in the units. It is therefore essential, if you are affected, to approach the lecturers in the units concerned for extensions of time or other special arrangements with regard to such assessment,
- (ii) Applications relating to a significant part of the semester or academic year may not only be relevant to the assessment before the final examination but also to the final examination itself. If this is the case, you should submit a 'Special Consideration' form. Such applications will be referred to the examiners in the units concerned. While the examiners will exercise their judgement on what effect, if any, such applications should have on the results in the final examination, it must be appreciated that examiners

will find it difficult to equate a particular illness or misadventure with specific marks. In general, examiners are only likely to refer to such applications to assist them in determining borderline cases in any category of grade and especially borderline cases of Pass/Fail.

- (iii) Where continuing illness or misadventure has had a serious effect on your performance, consideration should be given to approaching an Associate Dean (Undergraduate) for permission to discontinue a unit or units. Only in the most exceptional cases will it be possible to seek permission to discontinue a unit after an examination has been attempted and marked.
- (iv) Where the application relates to illness or misadventure during the examination period, or possibly during the study vacation, it may be appropriate for the student to apply for reassessment in a unit of study or units. Details relating to applications for reassessment are given in the following section. If you do not wish to apply for reassessment, the application will be referred to the examiners in the units concerned for their consideration, as outlined in (ii) above. It is not possible for you to apply for reassessment on the ground that illness or misadventure during the examination period prevented you from effectively undertaking the final examination in a unit and also to ask that the examination paper be marked to see if it deserves a Pass. A choice must be made between an application for special consideration and an application for reassessment.

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 (eg. 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, telephone 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 Adviser. The application will be considered by an Associate Dean (Undergraduate).

Since reassessment will be permitted only in exceptional circumstances, it is most important that if you encounter difficulties during the semester you seek the advice of an Associate Dean (Undergraduate) or the Undergraduate Adviser. If you are unable to meet unit of study requirements or to prepare for the final examination because of serious illness or misadventure, the appropriate solution is to apply for a 'Discontinuation - Not to Count as Failure'. Extensions or other special arrangements with regard to assessment prior to the final examination - eg, 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 July semesters.

With respect to unclaimed scripts, Faculty resolved as follows on 6 March 1990:

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

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 wilful disobedience to a reasonable direction of a prescribed officer.

Misconduct can thus cover a very wide range of misbehaviour, from damaging University property to cheating in examinations.

There have been a number of cases of misconduct in the University emerging from the classwork context rather than examinations. These have included students being found guilty of plagiarism in essays and of copying other students' assignments.

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

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

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

Interviews with staff members

It is the policy of the Faculty that the Dean, Pro-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 Student Administration, 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, the Associate Dean (Undergraduate), the Pro-Deans or, if necessary, the Dean.

Disabilities

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

Resolutions

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

Appointments

In general, you are requested to direct your enquiries as indicated above. If you wish to see the Dean you should make an appointment with his secretary. 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 will be published on Level 12 at the St James Campus and the counter, Level 3 in the Old Teachers' College building.

Postgraduate study

Background to the postgraduate courses of study

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

Sydney Law Faculty has been in the business of postgraduate education since its outset. Established in 1855, it soon made provision for a *Doctor of Laws* by thesis and in 1950 added the degree of *Master of Laws* by thesis. Soon after, 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. Because of its long history in the field, Sydney is also able to provide flexibility in the courses of study on offer. Coursework programs are now sequenced, allowing 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 richness of the current program reflects our long tradition as a provider of postgraduate education.

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

- *Master of Criminology* (including a minor dissertation option);
- *Master of Taxation*, catering both to lawyers and to accountants and others working in the field;
- *Master of Labour Law and Relations* (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 domestically-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 Sydney University postgraduate program and economic globalisation
- *Master of International Law* (1999), providing for specialisation in international law, both public and private, and building on Faculty of Law's global reputation in international law.

Graduate Diploma courses have been a part of the Sydney University program as well, since graduate diplomas in *Jurisprudence* and *Criminology* were set up in 1964. Other well established programs include such courses as the *Graduate Diploma of Law*. Over the period 1998/1999 these programs were joined by six new programs, the:

- Graduate Diploma in Commercial Law
- Graduate Diploma in Corporate, Securities and Finance Law
- Graduate Diploma in Environmental 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 1998, Vol. I: Statutes and Regulations*. The following is a summary of the requirements.

1. Admission

What are the requirements for admission?

1.1 There are two main conditions of admission, namely (1) academic qualifications, and (2) suitability of the proposed course of study and research.

An applicant for admission to candidature for the degree of Doctor of Philosophy (PhD) must submit to the Faculty of Law a proposed program of advanced study and research. The applicant must also submit satisfactory evidence of training and ability to pursue the proposed program and, if required, pass a special examination.

(1) Academic qualifications. The normal requirement is that the applicant has:

(a) completed one of the following degrees in Law of the University of Sydney:

- (i) Master of Laws, or
- (ii) Bachelor of Laws with First or Second Class Honours; or

(b) qualifications which the University's Committee for Graduate Studies considers equivalent.

- (2) 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 (e.g. 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, of approximately 100,000 words, which is regarded as a substantially original contribution to the field in which it is written.
- (b) Units of study in legal research. Following changes to the PhD resolutions in 1996, the Faculty now requires that candidates enrolled for the PhD undertake the three postgraduate legal research units of study offered by the Faculty (Legal Research 1-3). This requirement may be waived in special circumstances.

3. Credit for other study

Can I credit time spent in other research degrees?

3.1 Candidates enrolled for at least one semester as a candidate for a Master's degree by research (i.e. not by coursework) who are admitted to 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 Faculty, the maximum period is five years. For members of the full-time academic staff of the University the maximum period is seven years.

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

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

The Academic Board has approved the following guidelines for admission of part-time PhD candidates to the Faculty of Law:

- (a) An applicant should be able to devote at least 20 hours per week to the candidature.
- (b) An applicant should be able to attend the University for at least one day each week 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 thesis

What are the obligations with respect to my thesis?

5.1 The requirements for the submission of theses are applicable generally across the University. The complete resolutions are available in the Calendar 1998, Vol. I: Statutes and Regulations.

Doctor of Juridical Studies

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

Resolutions of the Senate for the Doctor of Juridical Studies

The text below is a much simplified draft consolidation for consideration for adoption by Faculty and the University during 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:

'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 of approximately 75,000 words in length, which shall be a substantially original contribution to the subject concerned.

(c) The topic of the thesis shall be approved by the Committee.

3. Credit for other study

How can I get credit for other study?

3.1 (a) Applications for credit for other study are to be made to the Committee.

(b) Such other study may include

(i) study prior to enrolment; and

(ii) study during enrolment.

Can I credit postgraduate units of study offered towards another degree?

3.2 The Committee may grant a candidate credit for:

(a) completion of postgraduate coursework units of study totalling at most 18 credit points and postgraduate research units of study totalling at most 18 credit points in respect of units of study offered towards the Master of Laws in this Faculty;¹

(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:

1. In the case of a candidate enrolled before 1996, credit may only be given for 24 credit points of coursework units for the purpose of section 2.2.

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

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

- 3.4 The Committee may grant credit for the whole or any part of a period of candidature undertaken for the course of study of Master of Laws by thesis or the course of study of Doctor of Philosophy, provided that:
- (a) the candidate has abandoned candidature for the course of study for which credit is sought; and
 - (b) the period of candidature for which credit is sought:
 - (i) involved a program of advanced study and research related to the candidate's proposed program of advanced study and research for the course of study of Doctor of Juridical Studies;
 - (ii) was taken within six years immediately preceding the commencement of the course of study of Doctor of Juridical Studies.

4. Course progress

What are the time constraints for the degree?

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

How often do I need to report my progress?

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

What if my progress is unsatisfactory?

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

5. Assessment and Grades

How is the thesis examined?

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

How is the result of my candidature determined?

- 5.2 The Committee shall recommend the result of the candidature:
- (a) upon completion of the coursework units of study at the level of attainment prescribed by the Committee,² 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.

Masters' Degrees and Graduate Diplomas

The Faculty offers a broad range of Masters' degrees and Graduate diplomas, including the Master of Laws (LLM) and Graduate Diploma of Law (GradDipLaw) and a range of specialist programs of study. The Master of Laws and Master of Criminology degrees are available by thesis or by coursework.

The Diplomas are based on programs of 24 credit points of study; the Masters' Degrees on 48 credit points of study. Most units of study are worth 6 credit points. The units of study available for each degree or diploma are listed in the Appendix to the Resolutions of the Faculty.

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

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

Master of Administrative Law and Policy (MALP)

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

Master of Asian and Pacific Legal Systems (MAPLS)

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

2. 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.

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

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

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

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

Master of Health Law (MHL)

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

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

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

Master of Labour Law and Relations (MLLR)

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

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

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

Master of International Taxation (MIntTax)

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

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

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.

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 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)
 - 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 International Law (GradDipIL)
 - Graduate Diploma in International Business Law (GradDiplntBusL)
 - Graduate Diploma in Environmental Law (GradDipEnvLaw)
 - Graduate Diploma in Jurisprudence (GradDipJur)
 - Graduate Diploma in Taxation (GradDipTax)
 - Graduate Diploma of 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.³
- 2.9 Candidates in the following degrees and diplomas, who do not have a legal qualification or prior orientation, may be required to attend a short, intensive bridging course on law and legal methodology:
- Master of Administrative Law and Policy
 - Master of Asian and Pacific Legal Systems
 - Master of Environmental Law
 - Master of Health Law
 - Master of International Law

3. Faculty has determined that non-law candidates for the MHL must hold a degree in law, medicine, nursing or other relevant health care field.

Master of Labour Law and Relations
Graduate Diploma of Environmental Law
Graduate Diploma of International Business Law
Graduate Diploma of International Law

Thesis candidates

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

- 2.10 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?

- 1.1 (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 Head of the Department of Jurisprudence,
- (b) With the permission of the Head of Department of Jurisprudence, a candidate for the Master of Jurisprudence may complete up to 24 credit points of the coursework requirement in (a) by undertaking a unit or units of study

prescribed for one of the other Masters degrees offered by the Faculty.

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

- 3.4(a) The units of study for the Master of Administrative Law and Policy may be prescribed by the Faculty, by the Department of Government and Public Administration 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 Industrial Relations, 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 (hereafter 'Faculty of Economics units of study') subject to the following conditions:
 (i) Faculty of Economics 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 Industrial Relations (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?

- 3.6 A candidate for the Master of International Taxation, Master of Taxation or Graduate Diploma of Taxation may, subject to the approval of the Committee on the recommendation of the program coordinator and up to the limit prescribed from time to time by the Committee, take any coursework unit of study or seminar offered by a 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 of Environmental Law may, subject to the approval of the Committee on the recommendation of the program coordinator and up to the limit prescribed from time to time by the Committee, take any coursework unit of study or seminar offered by 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?

- 3.8 A candidate for the Master of International Law must

- (a) (i) 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, including 6 credit points from one unit of study from units offered by the Department of Government and Public Administration in the Master of International Studies program, and
 (ii) pass the assessments in those units of study; and
 (b) complete an 'International Law Research Project' worth 12 credit points on a topic approved by the program coordinator.

- 3.9A candidate for the graduate Diploma in International Law and Graduate Diploma in International Business Law must
 (i) attend classes in units of study totalling 24 credit points 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 Head of the Department of Law, 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 of 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?⁴

- 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

4. 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.

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 6,000-10,000 words for a unit of study of 6 credit points and 12,000-20,000 words for a unit of study of 12 credit points. 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.

(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.⁵

(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.

5. 'Approximately', where it appears in the Resolutions in relation to word lengths, means a deviation of not more or 15% more or less from the stated word limit.

Thesis candidates

What are the rules concerning theses?

- 3.26 A thesis candidate must present to the Faculty a thesis 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.
- 3.27 A thesis candidate may be required by the Head of the Department (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) 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.
(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.

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 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).

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 show 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:

Grade	%
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 worm 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

6.6(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.

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

(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.

8. Except in special circumstances, candidates who have completed the post graduate unit of study Administrative Law previously offered by the Faculty may not enrol in the unit of study Administrative Law. Candidates who have satisfactorily completed the postgraduate unit of study Administrative Law previously offered by the Faculty will be exempted from the requirement to undertake the compulsory unit of study Administrative Law. Units of study totalling 48 credit points must still be completed for the course of study. Candidates who have satisfactorily completed the postgraduate unit of study Administrative Law previously offered by the Faculty and who transfer from the Master of Laws to the Master of Administrative Law and Policy will be awarded 6 credit points towards the MALP.

7. Single unit enrolment

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

Units of study offered within the Faculty

All units of study have a value of 6 credit points unless otherwise specified.

Master of Laws, Graduate Diploma of Law

Candidates may choose from the full range of units of study offered by the Faculty in 2000, excluding *Criminal Liability*.

Master of Administrative Law and Policy

Compulsory units of study

Administrative Law⁸

Public Sector Policy 1

Public Policy Making: Structure and Processes (or any other unit of study of 6 credit points prescribed by the Department of Government and Public Administration)

Optional units of study

Environmental Impact Assessment Law

Government Regulation, Health Policy and Ethics

Judicial Review: Principles, Policy and Procedure

Law, Ageing and Disability

Privacy, Surveillance and Fair Information Practices

Public Sector Policy 2

Refugee Law

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)⁹

Optional units of study

Asia Pacific Environmental Law

Asia Pacific Environmental Law Journal

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 Society in Indonesia

Law and Business in Indonesia

Tax Law in Asia and the Pacific

Master of Criminology by coursework, Graduate Diploma in Criminology

Compulsory units of study

Crime, Research and Policy 1

Explaining Crime

Criminal Liability¹⁰

Optional units of study

Advanced Criminal Law¹¹

Advanced Forensic Psychiatry [*Prerequisite: Forensic Psychiatry*)]

9. 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.

10. 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.

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

Contemporary Crime Issues
Crime, Research and Policy 2 (*Prerequisite:* Crime, Research and Policy 1)
Criminal Justice: Developments in Prevention and Control
Criminal Procedures
Criminalisation
Explaining Punishment
Forensic Psychiatry
Gender, Race and Legal Relations
Policing Australian Society
Young People, Crime and the Law

Master of Environmental Law, Graduate Diploma in Environmental Law

Compulsory unit of study
Environmental Law and Policy¹²
Optional units of study
Asia Pacific Environmental Law
Asia Pacific Environmental Law Journal
Biodiversity Law
Comparative Environmental Law
Dispute Resolution in Australia
Environmental Dispute Resolution
Environmental Economics/Public Sector Policy 1
Environmental Impact Assessment Law
Environmental Planning Law
Hazard Substances and the Law
Heritage Law
International Environmental Law
Local Government Law
Natural Resources Law
Pollution Law
Protection of the Antarctic Environment
Sustainable Development Law in China and Australia
Master of Health Law

Compulsory units of study
Government Regulation, Health Policy and Ethics
Health Care and Professional Liability
Information Rights in Health Care¹³
Optional units of study
Advanced Forensic Psychiatry
Child Protection Law
Dispute Resolution in Australia
Drugs, Drug Policy and the Law
Forensic Psychiatry
Law, Ageing and Disability
Legal Issues in Health Care and Technology
Privacy, Surveillance and Fair Information Practices
Reproduction and the Law

Master of International Taxation

Compulsory unit of study
Comparative International Taxation¹⁴
Optional units of study
Australian International Taxation
Comparative Corporate Taxation
Comparative Income Tax
Controlled Foreign Companies, Foreign Investment Funds and Transferor Trusts
Goods and Services Tax
New Income Tax System
Tax Administration

12. 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.

Tax Law in Asia and the Pacific
Tax Treaties
Taxation and Social Policy
Transfer Pricing in Taxation
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)
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 Law¹⁵
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 System¹⁶
Optional units of study
Australian International Taxation
Comparative Income Tax
Comparative International Taxation
Comparative Corporate Taxation
Corporate Taxation
Controlled Foreign Companies, Foreign Investment Funds and Transferor Trusts
Goods and Services Tax
Stamp Duties
Tax Administration
Tax Law in Asia and the Pacific
Tax Treaties
Taxation and Social Policy
Taxation of Business and Investment Income
Taxation of Financial Institutions and Financial Transactions
Taxation of Partnerships and Trusts
Taxation of Remuneration
Taxation of Superannuation
Transfer Pricing in Taxation
UK International Taxation

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. 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.

Graduate Diploma in Commercial Law*Optional units of study*

Advanced Financing Techniques
 Chinese Legal System and Foreign Investment Law
 Commercial Equity
 Comparative Competition Law
 Consumer Protection Law - Regulation of Unfair Marketing Practices
 Consumer Protection Law - Post-Sale Consumer Protection
 Corporate Fundraising
 Corporate Takeovers and Reconstructions
 Debt Financing
 Equity Financing
 Insolvency Law
 International Business Law
 International Commercial Arbitration
 International Mergers and Acquisitions (Seminar)
 International Trade Regulation
 International Transport Law
 Issues in the Law of Copyright
 Maritime Law
 Modern Corporate Governance
 Privacy, Surveillance and Fair Information Practices
 Regulation of Collective Investments
 Regulation of Derivatives, Products and Markets
 Restitution for Unjust Enrichment
 Restitution for Ineffective Contracts
 Securities Regulation (Seminar)
 Trade and Commerce in European Law

Graduate Diploma in Corporate, Securities and Finance Law*Optional units of study*

Advanced Financing Techniques
 Corporate Fundraising
 Corporate Takeovers and Reconstructions
 Corporate Taxation
 Debt Financing
 Equity Financing
 Insolvency Law
 International Business Law
 International Mergers and Acquisitions
 Modern Corporate Governance
 Regulation of Collective Investments
 Regulation of Derivatives, Products and Markets
 Taxation of Financial Institutions and Financial Transactions
Master of International Law

Compulsory units of study

International Law¹⁷
 International Law and Australian Institutions
 International Law Research Project⁸

Core units of study*Law Program*

International Business Law
 International Commercial Arbitration
 International Criminal Law
 International Dispute Resolution
 International Environmental Law
 International Human Rights
 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 Organisations
 International Politics of Human Rights
 International Relations: Europe
 International Security
 Politics of International Economic Relations
Optional units of study
 Asia Pacific Environmental Law
 Comparative Environmental Law
 Chinese Legal Systems & Foreign Investment
 Comparative International Tax
 Immigration and Labour Law
 Japanese Law, Society and Public Policy
 Korean Law
 Maritime Law
 Law & Society in Indonesia
 Law & Business in Indonesia
 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
Graduate Diploma in International Law

Compulsory unit of study

International Law and Australian Institutions

Optional units of study

selected from units shown as core or optional units for the MIL

Graduate Diploma in International Business Law*Core units of study*

International Business Law
 International Commercial Arbitration
 International Trade Regulation
 International Transport Law
Optional units of study
 Chinese Legal Systems & Foreign Investment
 Comparative International Tax
 Maritime Law
 Law & Society in Indonesia
 Law & Business in Indonesia
 Tax Law in Asia and the Pacific
 Tax Treaties
 The Legal System of the European Union
 UK International Taxation

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

15. 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.

16. 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.

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

18. Available to MIL candidates only.

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's refund policy is as follows:

- **withdrawal from course before the start of semester but subsequent to enrolment** - 90% of fees and 100% of all compulsory subscriptions refunded;
- **withdrawal from course after the commencement of semester but before 31 March (March Semester) or 31 August (July Semester)** - 50% of fees and 100% of all compulsory subscriptions refunded;
- **withdrawal from course after 31 March (March Semester) or 31 August (July Semester)** - no refund.

Student misconduct

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

- (a) misconduct on the part of a student which is prejudicial to the good order and government of the University or impairs the reasonable freedom of other persons to pursue their studies or research in the University or to participate in the life of the University; and
- (b) refusal by a student to give satisfactory particulars of the student's identity in response to a direction to do so by a prescribed officer, and any other form of wilful disobedience to a reasonable direction of a prescribed officer.

Misconduct can thus cover a very wide range of misbehaviour, from damaging University property to cheating in examinations, for example.

There have been a number of cases of misconduct in the University emerging from the classwork context rather than examinations. These have included students being found guilty of plagiarism in essays and of copying other students' assignments.

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

acknowledge key concepts and ideas which have been rephrased by the student.

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

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

International students

Enrolment

Students from overseas countries are very welcome in the Faculty. If you wish to undertake postgraduate study in the Faculty of Law you should be advised that many of the subjects in the Masters' and Graduate Diploma programs presuppose a common law background and a knowledge of the Australian constitution. Some of the subjects require detailed study and analysis of highly technical and lengthy statutes. The language of instruction is English *and fluency* in spoken *and written* English is essential for all units of study. If 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 Boards (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 Education 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 Assistant, Faculty of Law. If you are accepted for postgraduate study in the Faculty you will be required, under Australian Government regulations, to pay half the annual fee in advance, upon receipt of which the University will issue you with a visa document known as an acceptance advice form. This document should be submitted to the nearest Australian diplomatic mission for visa processing.

Students will be admitted twice a year, for March or July Semester, depending upon the resources in the Faculty, the availability of units of study and the wishes of the student.

The University will provide an orientation program and students will be advised by the University's International Student Services Unit of appropriate dates and times.

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 Margaret Telfer Building, corner of Arundel and Seamer Streets, just across the Parramatta Road footbridge at the University's Camperdown Campus.

The IO has been designated as a drop-in centre for all international students and provides assistance in a variety of ways, ranging from providing information on programs of study in the University to sorting out difficulties with fee payments or visa documentation. It is important that international students keep in contact with the IO and notify them of any change in their enrolment or of any personal circumstance which would affect the maintenance of accurate records, for example, change of address. The IO can be contacted on (02) 9351 4161 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 9.00 am and 5.00 pm Monday to Friday.

Academic year

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

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

Interviews with staff members

If you wish to speak with a member of the academic staff, you may make contact with the member of staff directly (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 home page at <http://www.law.usyd.edu.au/>).

Subscriptions

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

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

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

Sponsorship of postgraduate programs

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

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

The sponsored units of study are:

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.

Postgraduate 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
- 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 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 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.

Administrative Law

6 credit points
Professor Allars

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 and theories of open government, 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.

Advanced Employment Law

6 credit points
Vice President Iain Ross

Co/prerequisite: Labour Law (other than for ILM candidates)

Assessment: class participation (20%), research paper (80%)

This advanced course 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, and having regard to anti-discrimination statutes. The course concludes with an examination of employee privacy.

Advanced Financing Techniques

6 credit points
Ms Haskew (Coordinator). This unit will be taught by a number of practitioners expert in their fields.

Assessment: one exam or 4500w essay, classwork

This unit will assume a general knowledge of corporate finance in Australian law. No other units will formally be a prerequisite. The focus of the unit is on commonly used finance structures and techniques for large financings. Topics include:

- loan syndication;
- takeover finance;
- lending to a trust;
- finance leasing;
- Eurocurrency financing;
- swaps;
- securitisation;
- public/private infrastructure finance;
- joint venture finance and limitation of recourse;
- derivative finance products.

Advanced Forensic Psychiatry

6 credit points
Not offered in 2000
Dr Shea

Prerequisite: Forensic Psychiatry **Quota: 20** **Assessment:** one 5000w research paper, classwork

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 and psychopathy. The unit is a seminar-type unit and all students are expected to read a number of articles each week and be prepared to engage in an in-depth discussion of those articles in class.

Asia Pacific Environmental Law Journal

6 credit points

Professor Boer, Associate Professor Rothwell

Quota: 6. Assessment: country report/case note (70%), editorial work (30%)

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

The unit commences with seminars assessing the development of environmental law in the Asia Pacific region. Specific consideration is given to the development of international, regional, subregional and domestic environmental law throughout the region. The seminars are held over the first 4 weeks of the unit.

Following completion of the seminars, students move into the journal phase of the unit in which they will be engaged in editorial tasks and the research and writing of a Country Report, Case Note or Book Review.

Each student is expected to complete a range of tasks with respect to the Journal, including the following:

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

Aspects of Law and Justice 1 - The General Theories

6 credit points

Not offered in 2000

Dr Birch

Assessment: class presentation (30%) and 5000w essay (70%), or 7500w research essay (100%)

This unit will examine the principal theories of justice developed by contemporary moral philosophy and analytical jurisprudence. These theories will be examined as groundwork for the analysis of legal doctrine undertaken in Aspects of Law and Justice 2. The unit will also examine rational action theory, social choice theory and game theory as alternative frameworks for analysing the nature and function of law.

Aspects of Law and Justice 2 - The Analysis of Legal Doctrine

6 credit points

Not offered in 2000

Dr Birch

Assessment: class presentation (30%) and 5000w essay (70%), or 7500w research essay (100%)

The philosophical analysis of substantive legal doctrine has become a central area of study in contemporary analytical jurisprudence. This unit will examine a number of primary legal doctrines from both the civil and criminal law in the light of this recent scholarship. The aim is to understand the rules and principles of law as the implementation of fundamental theories of justice or rational action theory. Aspects of Law and Justice 1 and 2 are designed to constitute a full year's program but either part may be taken alone.

Aspects of Law and Social Control

6 credit points

Associate Professor Ziegler

Assessment: 6-7000W research paper (100%)

This unit examines the largely diffuse concepts of social control and the functions of law and proposes a more specific approach

to legal theory which incorporates the latest findings of socio-legal research on the social effects of law. As a result of this discussion, a more specific concept of social control and an explanatory assessment of the social effects of law, including its political use, are presented with their theoretical implications for legal and political systems and applied, as examples, to historically and societally varied situations.

Aspects of Legal Reasoning 1

6 credit points

Dr Birch

Assessment: class presentation (30%) and 5000w essay (70%), or 7500w research essay (100%)

This unit will examine the doctrine of precedent from the viewpoint of 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 light of modern semantic and linguistic theory. The implications of computing and information theory for legal knowledge will also be considered.

Aspects of Legal Reasoning 2

6 credit points

Dr Birch

Assessment: class presentation (30%) and 5000w essay (70%), or 7500w research essay (100%)

The unit will examine theories of substantive legal reasons, in particular the role of moral reasons and moral values in legal reasoning. Human rights theory as a source of legal reasons will be considered. The second part of the unit will examine legal reasoning about facts, including issues relating to causation, and the nature of mental events such as belief and intention. The unit will also examine the debates surrounding the application of probability theory to legal reasoning. Legal Reasoning 1 and 2 are designed to constitute a full year's program in legal reasoning but either part may be taken alone.

Australian International Taxation

6 credit points

Mr Burns

Assessment: exam or research essay (70%), class work (30%)

This unit is designed to explore in detail the fundamental principles of Australia's international taxation regime. The unit will examine both the issues of tax design and policy, and the relevant provision in the legislation, cases and rulings. Upon successful completion of the unit, students will have an advanced understanding of the policies underlying Australia's rules for taxing international transactions, as well as a detailed knowledge of the foundation principles of 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, professionalism, community policing, and police powers.

Biodiversity Law

6 credit points

Dr Giraud-Kinley, Mr Preston

Classes: February Semester Intensive **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 to the natural environment. These traditional attitudes can be seen to underlie and mould the international and municipal legal responses to the loss of wildlife species and of biological diversity. These traditional attitudes have been challenged both on moral and legal grounds. The alternative arguments are analysed.

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

Chinese Laws and Chinese Legal Systems (Winter School, Shanghai)

12 credit points

Ms Franklin, Professor Tay

Classes: 5-28 January, 2000, in Shanghai, People's Republic of China **Assessment:** one 3 hr exam in Shanghai and one 8000w essay in February Semester

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 systems, the civil and criminal law system, the legal profession and court system, real property law, foreign investment law and intellectual property law. Students will observe a mediation and will visit a Chinese court to observe a trial.

Classes take place from 5-28 January, 2000, 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 February Semester. For students who are unable to travel to China, the unit is also offered in Sydney.

Students wishing to undertake the unit in Shanghai must apply to the Centre for Asian and Pacific Law in the University of Sydney (CAPLUS) before 30 September, 2000.

The Chinese Legal System and Foreign Investment Law

6 credit points

Not offered in 2000

Professor Tay

Assessment: one 5000w essay, one exam; or two 5000w essays

This unit attempts to provide students with: (1) an understanding of the modern Chinese legal system, its political, cultural and social characteristics as a necessary background for the study of the Chinese foreign investment law regime; (2) knowledge of the Chinese foreign investment law, including foreign related contract law, joint venture law, tax law, intellectual property law, dispute resolution, etc.

This unit is designed for students who are interested not only in practising law in this area, but also in doing business in China and wishing to familiarise themselves with the investment climate, legal structure and business practice in China.

Commercial Equity (Seminar)

6 credit points

Mr Aitken

Assessment: one short research paper; one 2 hr exam; class participation

This unit of study will examine a number of important topics which illustrate the operation of the principles of equity in a modern commercial context. The unit will involve participation in seminar discussion of problems set for each seminar and the reading of requisite material as a background for each seminar. Particular emphasis will be placed on the following areas;

1. trading trusts, lending to trusts, the winding-up of insolvent trusts;

2. the nature of the fiduciary relationship in a commercial context;
3. the rescission of contracts in equity and at common law, and related statutory relief under the Trade Practices Act;
4. the effect in equity of stipulations as to time and the relief against the forfeiture of interests (including in the exercise of options);
5. subrogation and contribution in equity;
6. damages in equity, equitable compensation, causation of loss in equity, and account and related remedies;
7. the interplay between insolvency and equity;
8. restitutionary remedies and the response of equity;
9. modern equitable remedies by way of injunction and specific performance and the practice of the Equity Division of the Supreme Court.

Comparative Competition Law

6 credit points

Dr McMahon, Mr Robertson

Assessment: one research essay (100%)

This unit of study examines competition law from the comparative perspective of laws operating in the United States and European Community. These comparative provisions are important for the understanding of Australian competition laws because Australian courts and regulatory authorities constantly refer to decisions from these jurisdictions for assistance in interpreting the legal and economic base of provisions of the *Trade Practices Act 1974*. The increasing globalisation of markets also demands that Australian lawyers become familiar with the competition provisions of other countries. National regulators are also entering into bilateral and multilateral enforcement agreements to coordinate international investigations of anti-competitive practices which in turn is leading to a uniform approach to the international regulation of competition law matters. Specific topics will be studied within the general themes of the legal framework and institutions, approaches to the regulation of specific anti-competitive conduct and enforcement.

Comparative Corporate Taxation

6 credit points

Professor Vann

Assessment: classwork (30%), examination or essay (70%)

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

The unit will examine:

- theoretical framework and defining entities subject to corporation tax;
- taxation of corporate income where derived;
- taxation of corporate income where distributed;
- treatment of gains/losses on the disposal of shares;
- corporate formation, reorganisation and liquidation;
- international taxation of corporate income.

Comparative Environmental Law

6 credit points

Professor Boer, Ms Lyster, visiting lecturers

Assessment: research paper (80%), class participation (20%)

The unit examines different approaches to environmental law in various constitutional, administrative, political, judicial, social, economic and cultural contexts. It familiarises students with environmental management regimes in a range of developed and developing countries. These countries include the United States, New Zealand, Australia, South Africa, the People's Republic of

China and various Pacific Island jurisdictions. Four topics focus on: Environmental Impact Assessment, Indigenous Peoples, Cultural Heritage Conservation, and the conservation of Biodiversity. The international legal and policy context is referred to throughout the course. The responses of various countries to the obligations undertaken through the United Nations Conference on Environment and Development are a theme of the unit.

Comparative Industrial Law

6 credit points

Not offered in 2000

Professor McCallum

Assessment: one 4000w essay, class participation, take home exam

This unit is aimed at enabling students to compare and contrast Australian labour law with the labour laws of other comparable countries like the United Kingdom, New Zealand, the United States, Canada, Japan, Germany and Sweden. At the beginning of this unit, there is an examination of comparative law methodology, as well as an examination of international labour law, including the International Labour Organisation and other international labour law matters. The unit will focus on how other nations are handling labour law de-regulation and whether any of the approaches are beneficial or burdensome.

Comparative International Tax

6 credit points

Mr Burns

Assessment: classwork (30%), examination or research paper (70%)

Comparative International Taxation consists of a detailed study of the basic principles of international taxation. The unit is taught from a global perspective with the emphasis being on comparative analysis. It is not intended to examine any one country's international tax rules in detail, but rather to identify the core issues in developing international tax rules and study some of the different approaches countries have taken in dealing with these issues. As part of this study, recent trends in international tax rule development will be identified and critiqued. It is intended that students come away from the course with an understanding of the different approaches that countries have taken in the development of their international tax rules.

The main goal of this unit is to provide a detailed understanding of international tax in order to allow a comparative assessment of the Australian income tax system to be made. The comparative framework also provides an opportunity for identifying a broader range of options for taxing income and assessing the appropriateness of the options chose 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 verses net taxation; protecting the source country tax base;
4. Double Tax Treaties ("DTAs") - introduction to DTAs; review of the basic provisions of OECD and UN Model DTAs;
5. International Issues in Tax Administration - information collection; dispute resolution; and collection of tax;
6. Future Developments - future developments in international tax.

Constitutional Theory

6 credit points

Not offered in 2000

Professor Sadurski

Assessment: one class presentation (20%), one 4000w essay (60%), class participation (20%)

The topic of the unit is at the intersection of legal theory, political philosophy and constitutional law. It will address the role that constitutionalism is expected to play in a democratic state, and will explore various constitutional theories. The main focus

will be on theoretical attempts at reconciling commitments to constitutionalism with emphasis on democratic participation: is it paradoxical that a state governed by majority rule withdraws certain areas from collective decision-making? Various theories of constitutional interpretation (including process-based and original-intent theory) and of constitutional judicial review will be explored. The unit will also discuss the question of constitutional charter of rights, different models of judicial review in contemporary constitutionalism, theory of federalism and constitutional separation of powers, the limits of constitutionalism, constitutionalism and the rule of law, constitutionalisation of "direct democracy" (referenda and plebiscites), and the functions of constitutions in transitions to democratic systems.

The unit will follow a seminar format with emphasis on presentation of student papers and class discussion of unit materials.

Consumer Protection Law - Regulation of Unfair Marketing Practices

6 credit points

Not offered in 2000

Professor Harland

Assessment: one exam (60%), one 4000w essay (40%)

This unit involves a critical examination of aspects of recent developments granting special legal protection to consumers and is concerned with the regulation of unfair and deceptive marketing practices. An assessment will be made of the effectiveness of these provisions and their impact on the general law.

The unit may not be taken by any student who has been credited with the previously offered unit, Consumer Protection Law. (This unit is complementary to Consumer Protection Law - Post-Sale Consumer Protection but each unit can be taken independently.)

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.

Consumer Protection Law - Post-Sale Consumer Protection

6 credit points

Professor Harland

Assessment: one exam (60%), one 4000w essay (40%)

This unit involves a critical examination of aspects of recent developments granting special legal protection to consumers. The unit is concerned with aspects of the liability of suppliers of goods and services to consumers, sometimes called 'post-sale' consumer protection. (This unit is complementary to Consumer Protection Law - Regulation of Unfair Marketing Practices, but each unit can be taken independently.) An assessment will be made of the effectiveness of recent legislation in this field, and there will be some emphasis on a comparative approach with

particular reference to a number of relevant European Community Directives.

This unit may not be taken by any student who has been credited with the previously offered unit, Consumer Protection Law

The topics to be covered are:

1. Introduction (the 'consumer' concept and some policy factors leading to consumer protection developments);
2. Outline of terms implied in contracts for the supply of goods and services to consumers;
3. Judicial and legislative control of exclusion clauses;
4. Unconscionable and unfair contracts (control under the general law and by statute);
5. The control of unfair contracts - a comparative viewpoint;
6. The liability of manufacturers:
 - The general law;
 - Statutory liability of manufacturers to consumers (particularly under Trade Practices Act 1974 (Cth), Part V, Division 2 A);
 - 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 IA, with reference to the EC Directive on general product safety);
8. Consumer access to redress.

Contemporary Crime Issues

6 credit points

Associate Professor Cunneen, Associate Professor Stubbs

The unit will focus on the application of theory and policy analysis to a range of crime related issues of topical concern. The unit will pay particular attention to the differential distribution of crime across social groups (gender, race, ethnicity, class etc), both for victims and offenders, and the consequences of such a distribution for theory and policy. The unit will also examine media constructions of crime and criminal justice policy.

Controlled Foreign Companies, Foreign Investment Funds and Transferor Trusts

6 credit points

Not offered in 2000

Mr Burns and part-time lecturers

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

The unit provides an up-to-date account of the taxation of Australian residents in respect of their interest in foreign entities under the controlled foreign company, foreign investment fund and transferor trust regimes. This area of Australia's international tax arrangements has undergone dramatic reform over the last five years. The unit will critically examine the policy underlying the reforms and undertake a comprehensive review of the detail of the rules, including comparative analysis with similar rules in other jurisdictions. The unit will evaluate whether the rules effectively achieve their policy objectives, whether they are susceptible to tax planning and what their effects are on compliance, including compliance costs.

Topics examined will include:

1. Introduction and Background - history and policy of Australia's taxation of residents in respect of their interests in foreign entities;
2. Controlled Foreign Companies - control/substantial shareholder rules; designated jurisdictions; active income test; calculation of attributable income; taxation of dividends; attribution accounts and other records;
3. Foreign Trusts - overview/general principles; foreign discretionary trusts; collective investment vehicles;
4. Foreign Investment Funds - overview/exemptions; calculation of FIF income; distributions; attribution accounts and other records;
5. Interaction among the Offshore Regimes - interactions.

Corporate Fundraising (Seminar)

6 credit points

Justice Austin, Mr Phillips and others

Assessment: classwork (20%), open book exam (80%)

This unit will involve detailed study of the prospectus and continuous disclosure provisions of the Corporations Law, with emphasis on their application to the offer of company shares for

subscription or sale. Attention will be paid to additional relevant legal requirements, for initial public offerings and other raisings, such as those under the Corporations Law and the ASX Listing Rules.

Corporate Takeovers and Reconstructions (Seminar)

6 credit points

Justice Austin, Mr Bednall, Mr Golding, Mr Hartnell, Mr Jolley

Assessment: classwork (20%), open book exam (80%)

This unit will involve detailed study of the requirements of the Corporations Law with respect to takeovers and the acquisition of company shares, and also selected aspects of the law concerning corporate reconstructions where a change of control is involved (including schemes of arrangement, selective reductions of capital and other forms of compulsory acquisition of minority holdings).

Corporate Taxation

6 credit points

Professor Vann

Assessment: exam or research essay (70%), class work (30%)

The unit consists of a detailed examination of the tax rules applied to companies and shareholders in a domestic setting in Australia. The goals of the unit are to develop an understanding of the policies, detailed rules and current practical problems involved in the taxation of companies and shareholders and to explore why different solutions are used for these entities as compared to partnerships and trusts. Upon successful completion of this unit a student should have an advanced understanding of the policies underlying Australia's corporate tax system, as well as a detailed knowledge of technical detail of the rules for the taxation of companies and their shareholders in Australia. (Note that international issues and taxation of other entities are covered in other units.) Particular attention will be given to tax reform.

Topics to be covered are:

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

Crime Research and Policy I

6 credit points

Associate Professor Stubbs

Assessment: one exam (40%), one 3000w essay (40%), one seminar paper (20%)

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

Crime Research and Policy II

6 credit points

Not offered in 2000

Associate Professor Stubbs

Prerequisite: Crime, Research and Policy I

Assessment: one 5000w essay (60%), one book review (40%)

This unit has as its focus a critical analysis of the production of knowledge within the social sciences, and in criminal justice. It examines how 'problems' come to be constituted as subject to criminal justice intervention. Students are required to apply research skills to policy problems in order to appreciate the limitations and potential of any methodology. The relationship (or lack thereof) between crime control policy and research will be explored against the wider background of social policy.

Criminal Justice: Developments in Prevention and Control

6 credit points
Associate Professor Stubbs
Assessment:

This unit investigates various social control perspectives which are particularly directed against crime. Authority structures, control mechanisms and processes of decision making will be critically examined with reference to the development of crime prevention and control strategies. Crime control will be analysed and located within wider visions of social control and criminal justice. Crime prevention and the role of the media in crime control will also be addressed.

Criminal Liability

6 credit points
Mr Coss
Assessment: one class test (20%), one 3000w essay (30%), one take-home 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. This unit is an introduction to criminal law for non-lawyers.

Criminal Procedures

6 credit points
Mr McKillop
Assessment: one exam (60%), 3,000w essay (40%)

This unit examines the main pre-trial and trial procedures in our criminal justice system. It looks at the roles of the principal participants in the system: the police, the prosecutor, the accused, the victim, the judiciary and the jury. The focus of the unit will be the system in New South Wales, but comparisons will be made from the beginning with Continental European criminal justice systems. A persistent concern of the unit will be how the balance between law enforcement and human rights is being struck and how it ought to be struck.

Debt Financing

6 credit points
Ms Haskew (Coordinator) - this unit will be taught by a number of practitioners expert in their fields
Assessment: one exam or 4500w essay, classwork
This unit concentrates on the debt side of corporate finance, with a particular emphasis on security and enforcement rights. Topics include:

- company charges;
- financial covenants;
- the lender/trustee relationship;
- negative pledges;
- guarantees and third party securities;
- subordinated debt;
- set-off;
- aspects of liquidation, receivership, voluntary administration, schemes and debt/equity swaps.

Discrimination in the Workplace

6 credit points
Ms McDermott
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.

Dispute Resolution in Australia

6 credit points
Professor Astor
Assessment: research essay 3000w (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 range of areas of law in Australia will be examined. The reasons for the present resurgence of interest in dispute resolution will be considered, as well as the question 'Who benefits from these developments?' The unit will have a strong theoretical and critical component. The use of ADR will be considered particularly in relation to areas of doctrine in which there are specialist postgraduate programs at Sydney Law School. The unit will therefore be of relevance to a broad range of postgraduate students. This is not a 'skills' unit and students will not be 'trained' as negotiators or mediators. However it will assist practitioners to understand ADR; to advise clients about the utility (or otherwise) or various dispute resolution techniques; to brief clients who participate; to be effective participants in ADR procedures.

Drugs, Drug Policy and the Law

6 credit points
Professor Carney
Assessment: one research paper (65%), one take home examination (25%), class participation 10% (separate weightings for diplomas)

This unit deals with the law relating to drug control policies in Australia, both at State and Federal levels (including international treaties). Background material on the nature and incidence of drug use, pharmacological and medical issues, as well as philosophical, economic, criminological and public policy literature will be considered where relevant.

The unit covers substantive topics from criminal law, civil treatment and welfare law. Topics to be covered will include:

1. The context, including: history of drug policy; State/Federal division of responsibility; nature and incidence of use of substances; international and domestic policy constraints and debates.
2. The law enforcement elements, 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.
3. Civil treatment, including: the history of civil commitment; the civil commitment model; a public health (detoxification) model; non-legislative options.
4. Generic welfare measures, including: income support; accommodation; health services.
5. Overview/summary, including: options and directions for change.

Environmental Dispute Resolution

6 credit points
Ms Lyster, Mr Preston, visiting lecturers
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.

Environmental Economics/Public Sector Policy 1

6 credit points

Professor Apps

Assessment: research paper or exam (80%), problem-based assignments (10%), class presentation (10%)

Environmental Economics is offered as Public Sector Policy I. This unit will present an introduction to the following topics:

- cost-benefit analysis and its application to environmental issues;
- theory and measurement of externalities;
- economics of renewable and non-renewable resources;
- market failures and the objectives of environmental policy;
- inter-generational equity;
- uncertainty and risk;
- environmental regulation; and
- economics of sustainable development.

The aim of the unit is to encourage an interdisciplinary approach to the analysis of environmental law and policy. Emphasis will be given to the development of a broad social welfare approach to environmental policy which fully recognises costs and benefits for future generations.

Environmental Impact Assessment Law

6 credit points

Mr Dunne

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 practise of EIA in Australia.

Environmental Law and Policy

6 credit points

Dr Bates, Professor Boer

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. The unit can also be taken as part of other Master's degrees or Graduate Diplomas.

The unit addresses a number of environmental issues at various levels of analysis; 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. As the basic unit it provides a broad background of the political and economic issues in so far as they are related to the legal issues involved.

Environmental Planning Law

6 credit points

Ms Franklin

Assessment: 7000w essay (70%), problem question (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 (N.S.W.) 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 evalu-

ate 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 Diploma of Environmental Law.

Equity Financing

6 credit points

Ms Haskew (Coordinator) - this unit will be taught by a number of practitioners expert in their fields

Assessment: one exam or 4500w essay, classwork

This unit focuses on equity fund-raising, and in particular on the company law aspects of corporate finance. Please note that equity fund-raising by prospectus is covered in Corporate Fund-raising. Topics include:

- the role of auditors in corporate finance;
- accounts, dividends and the share premium account;
- repurchase and redemption of shares, and reduction of capital;
- regulated financial transactions;
- corporate reconstruction;
- incorporated and unincorporated joint ventures.

Explaining Crime

6 credit points

Associate Professor Cuneen

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.

Explaining Punishment

6 credit points

Associate Professor Cuneen

Assessment: one 4500w essay, one take home exam, classwork

The objective of this unit is to explore punishment and penalty in modern society, particularly through an understanding of the relationship between punishment and social structure and the significance of punishment within the social and political order.

The unit will adopt an interdisciplinary approach which draws on history, law, literature, sociology and criminology. Topics which will be covered include women in prison, juvenile imprisonment, inequality and punishment, privatisation, and the impact of law and order politics on punishment.

Forensic Psychiatry

6 credit points

Dr Shea

Assessment: Graduate Diploma students - one open book exam (60%), one 2000w essay (40%); Masters students - one 5000w research paper

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; psy-

etiologiical profiling; premenstrual dysphoric disorder; dangerousness; treatment methods; and an introduction to the psychiatric defences and the mental health and cognate legislation.

Freedom of Speech and Freedom of Religion

6 credit points

Not offered in 2000

Professor Sadurski

Assessment: oral presentation of the main issues related to a class topic (20%), participation in class discussion (20%), 4000w essay (60%)

The purpose of this unit is to examine the principal philosophical issues in the constitutional protection of freedom of speech and freedom of religion - two freedoms traditionally considered as the paramount individual liberties in a liberal-democratic state. The emphasis will be on theoretical assumptions, arguments and justifications; the illustrations will be taken mainly from Australian, American and Canadian constitutional theory and practice.

The following issues will be discussed in the segment of the unit related to freedom of speech: the meaning of 'speech' (as compared to other forms of expressive conduct) for the purposes of constitutional protection; various rationales for special protection of freedom of speech; the conceptual structure of the free speech principle (in particular: the idea of viewpoint neutralist of legal restrictions); examination of theoretical arguments in suppressing defamatory speech, pornography, racial vilification, incitement to violence, harmful or false advertising etc; freedom of speech in Cyberspace; freedom of the press; contempt of court; copyright and freedom of speech.

The part of the unit concerning freedom of religion will examine the meaning of 'religion' for the purposes of constitutional protection, and the relationship between the principle of non-establishment of religion by the state and the principle of free religious expression.

The unit will follow a seminar format with the emphasis on presentation of student papers and class discussion of unit materials.

Gender, Race and Legal Relations

6 credit points

Associate Professor Cunneen

Assessment: one take-home exam, one 4500w essay, class presentation

This unit provides a theoretical understanding of the concepts of race and gender, and of their relationship to the formulation of the law. The unit utilises both criminological and legal theory approaches to the subject matter. It also provides an understanding of the empirical data on the relationship between race, gender and the administration of the law.

The unit considers in particular Aboriginal and Torres Strait Islander people and people from non-English speaking backgrounds in Australia, and their relationship with Australian legal systems. There is also a strong comparative approach in the unit with reference made to North American, New Zealand and British literature.

Goods and Services Tax (Seminar)

6 credit points

Mr Burns, Justice Hill

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 practise. In assessing Australian proposals comparisons will be drawn between the 2 major models of GST - the Canadian and NZ models, and the sixth 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 subject 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; place of supply; goods and services; value of the consideration; treatment of imports and exports;
- administration of VAT - treatment of input tax; mixed supplies and apportionment;
- special issues - real property; financial institutions; government and non-profit making bodies; agriculture and mining;
- international aspects - obligation for non-residents to register; supplies by non-residents and the reverse charge; exports and imports of goods and services;
- compliance - assessment and collection of Tax.

Government Regulation, Health Policy and Ethics

6 credit points

Professor Allars, Dr Karpin,

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: therapeutic goods regulation; health insurance; pharmaceutical benefits; health policy; resource allocation; ethical theories in law and medicine; human tissue legislation; discipline of health professionals; avenues for dealing with health care complaints, including investigative and adjudicative tribunals, judicial review, royal commissions and inquiries; health consumers; rights and remedies; the ethics of human experimentation; and ethics committees.

Health Care and Professional Liability

6 credit points

Dr Bennett

Assessment: one essay (40%) plus take-home exam (60%), or research essay (100%)

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; procedures for complaints against health professionals; and disciplinary proceedings. Proposals for reform of professional liability will also be evaluated.

Heritage Law

6 credit points

Professor Boer

Assessment: one essay (50%), one problem-based assignment (50%)

This unit focuses on the conservation of natural and cultural heritage, including intangible heritage, underwater heritage, and 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.

Immigration and Labour Law

6 credit points

Dr Crock

Assessment: class participation (10%), 3500w research essay (40%), exam (50%)

This is a specialist unit of study designed to provide students with an opportunity to explore at depth a particular facet of immigration law: that concerning the admission and treatment of non-citizens on grounds of employment or special skills. The unit is designed to be interdisciplinary in its focus. It examines the economic basis to the skilled component of Australia's immigration program, exploring the different theories and practical strategies adopted over the years in the selection of skilled migrants. It also looks in some detail at the various components of the skilled migration, business skills and temporary skills transfer sub-programs.

The aims of the unit are to:

1. analyse the legal framework governing skilled migration in Australia to determine its coherence, fairness and efficiency;
2. analyse the various legal issues facing non-citizens wishing to migrate to Australia on a permanent basis on grounds of employment or business skills;
3. analyse the various legal issues facing employers wishing to sponsor non-citizens as employees on either a temporary or permanent basis;
4. place the development of current laws and policies in their historical and economic context;
5. evaluate the operation of relevant laws and policies so as to determine their coherence, efficiency and fairness;
6. discuss policy issues, including the criteria used in selecting migrants; the access given to administrative review bodies and to the courts for the purpose of challenging adverse decisions; and
7. examine the interrelationship between migration law; labour law, and economic theory in the area of skilled migration.

The unit of study is designed to foster the following skills:

- skills of statutory interpretation and problem-solving, through the study and use in practical situations of the *Migration Act 1958* and its associated Regulations;
- 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; and
- oral and writing skills, through class participation, simulation exercises and the preparation of a major research paper.

Income Transfer Payments (Social Security) Law

6 credit points

Not offered in 2000

Professor Carney

Assessment: one research paper (65%), one take home examination (25%), class participation (10%)

This unit will review the principles and concepts of the law of income security payments in Australia. It covers all the major transfer schemes which provide for pensions, benefits, allowances or fringe benefits. The relationship between income transfer and income taxation, and the intersection with schemes of common law or statutory compensation will be examined. The course will also cover the principles of the law relating to the operation of income and assets test (including 'expenditure tests'), and their relationship with superannuation and retirement income policies. Payments under bilateral international agreement, the portability of Australian payments overseas, the effect of foreign income, and special rules for calculating rates where a person has not been a resident for a sufficient period will be studied, together with rules about debt recovery and administrative review disputes.

Independent Research Project

6 or 12 credit points

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.

Information Rights in Health Care

6 credit points

Dr Bennett

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.

Insolvency Law (Seminar)

6 credit points

Mr Aitken

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 principals of insolvency law - debt subordination and postponement of priorities;
- The position of the receiver and manager; his/her duties and liabilities; the enforcement of security by way of company charge; out of court receivers;
- Equitable intervention and principles in insolvency;
- The question of preferences and settlements in bankruptcy and the new corporate insolvency regime in Section 588 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 new administration provisions for corporate insolvency under Part 5.3 of the Corporations Law;
- Insolvency and matrimonial property;
- Set-off in insolvency;
- Part X; schemes of arrangement; compositions; assignments;
- United States theory on 'common pool' obligations and the economic value of security;
- Cross-border insolvency; new regimes in the UK and Chapter 11 in the United States.

International Business Law

6 credit points

Mr Mackenzie

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.

International Commercial Arbitration

6 credit points

Dr Chukwumerije

The purpose of the unit is to introduce students to international commercial arbitration which is increasingly becoming one of the preferred methods of resolving international commercial disputes. The unit will examine the methodology of international arbitration, the conduct of arbitration proceedings, the challenge of arbitration awards, and the procedure for the recognition and enforcement of arbitral awards. The unit will also consider how arbitrators deal with the tension between fidelity to party autonomy and the need to respect vital juridical interests.

International Dispute Resolution (Seminar)

6 credit points

Professor Joyner, Associate Professor Rothwell

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 resolution of international commercial disputes of a private law character.

International Environmental Law

6 credit points

Associate Professor Rothwell

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. The focus is on law and policy that has been applied to deal with environmental problems in an international and trans-boundary context. 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.

International Human Rights

6 credit points

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.

International Law and Australian Institutions

6 credit points

Associate Professor Rothwell

Assessment: research paper (60%), case note (30%), class participation (10%)

This unit assesses the impact of international law upon Australian institutions after 100 years of Federation. 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 (eg. NSW Land and Environment Court)
- 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 assess 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.

International Law and the Use of Armed Force

6 credit points

Not offered in 2000

Associate Professor Rothwell, Professor Shearer

The purpose of the unit is to survey and analyse the principles of customary international law, and the rules of conventional law, which apply in the case of armed conflict between states. Attention too will be given to internal armed conflict. The role of the United Nations in preventive diplomacy, peace-keeping, peace enforcement, and in the authorisation of the use of collective armed force will be included. Special emphasis will be laid on those principles and rules which limit the methods and means of combat, international humanitarian law, and the conduct of armed conflict at sea. Case studies of the situations in the former Yugoslavia, the Gulf War 1990-91, Cambodia, and Somalia, will be used by way of contemporary illustration.

International Mergers and Acquisitions (Seminar)

6 credit points

Professor Thompson

Assessment: 10,000 w research paper, or essay and exam (to be confirmed).

The unit of study will be taken by Professor Thompson, the George Alexander Madill Professor of Law at Washington University School of Law in the USA. The unit will address mergers and acquisitions with a focus on the international setting and particular attention to transactions in the context of American law. The unit will include a brief overview of financial theory that can explain mergers and a discussion of motives for acquisitions that may grow out of that theory. The remainder of the unit will address corporate and securities law regulation of acquisitions. The transactional settings will include both friendly and hostile acquisitions. A common thread will be to examine the relative roles of directors and shareholders in the different kinds of transactions.

International Trade Regulation

6 credit points

Dr Chukwumerije

The unit is intended to introduce students to the contemporary policy and legal issues in international trade. The unit begins with an examination of the concept of free trade and the international structures that have been created to foster the liberalisation of international trade. It then focuses on the law and practice of the World Trade Organisation (WTO). Topics to be covered include the principles of non-discrimination in the WTO, regulation of unfair trade measures, safeguard measures, regional trading blocs, trade in services, trade-related investment measures, trade and the environment, and dispute resolution under the WTO.

Japanese Law, Society and Public Policy (Seminar)

6 credit points

Dr Schmidt

Assessment: class participation (30%), 7000w research paper (70%)

This unit of study is designed to introduce the Japanese legal system in its historical, cultural, political as well as economic contexts. It aims to provide students with an understanding of Japanese legal traditions and attitudes, practices and ideologies, processes and institutions, and legislation and dispute resolution. The interplay between Japanese law, society and public policy in contemporary Japan will be emphasised through case studies on such topics as civil rights, employment discrimination, industrial policy, environmental movement, administrative guidance, textbooks and education, family succession and inheritance, crime and capital punishment, and wartime compensation.

Judicial Review: Principles, Policy and Procedure

6 credit points

Professor Allars

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 and judicial and administrative procedure are compared. A consistent theme is the development of a critical appreciation of the proper relationship between the judicial and executive branches of government.

This unit is recommended for candidates in the Master of Administrative Law and Policy.

Korean Law (Seminar)

6 credit points

Dr Schmidt

Assessment: class participation (30%), 7000w research paper (70%)

This unit of study is designed to introduce the major features of the laws and the legal system of Korea. Before the background of the dramatic economic and legal changes Korea underwent in recent years, it explores questions such as the role of law in Korea's socio-economic development, in the historical and jurisprudential context. In addition to a brief introduction into the history of modern Korean law, this unit provides a broad survey of Korea's legal system and institutions. Subject areas in the unit include, amongst others, the legal profession, dispute resolution, constitutional, civil and commercial law, with a special emphasis on issues such as trade, intellectual property, or antitrust.

Labour Law

6 credit points

Professor McCallum

Assessment: one 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 rule and the future of labour law in this country. The sources of labour law are examined, and these include the common law, statutes, awards and agreements and international conventions. There is an overview of the employment contract and employment termination. Australian labour deregulation is examined, along with the history and present functions of constitutional issues and of federal and State enterprise bargaining and agreement-making. The unit concludes with a brief examination of the laws on industrial conflict.

Law, Ageing and Disability

6 credit points

Not offered in 2000

Professor Carney

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 are 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 advisers, etc.). Society is making increasing demands on lawyers to provide advice on the range of legal issues confronting aged and disabled people. This unit caters to that need.

Topics to be covered will include:

1. Context for the law, including: demography and trends; socio-medical characteristics of ageing/impairment; ethical context of ageing and disadvantage; the pattern of laws and services.
2. Income security, including: age pensions: the basic framework; assets testing; investment income.
3. Private planning of property /income, including: powers of attorney, enduring powers, warranty provisions; wills/succession; superannuation treatment/retirement incomes policies.
4. Private planning of services, including: special accommodation houses; retirement villages; hostels and nursing homes; disability services (State); disability services (Commonwealth).
6. Public accountability, including: community visitors/advocacy; statutory watch-dog agencies (e.g. Office of Public Advocate); guardianship and Administration Boards; securing legal rights to services (e.g. Disability Review tribunals in California and Victoria).

Law and Legal Culture in Asia and the Pacific

12 credit points

Professor Tay

Assessment: one 5000w essay (50%) and take-home exam (50%), or two 5000w essays (50% each), or, for students completing the research paper requirement as shown in the Resolutions of the Faculty, one long essay (word length to be advised).

The unit will focus on tensions between traditional societies and their social and legal or formal institutions on the one hand and modernising societies and the new social institutions created and developed to meet contemporary needs and values. The class will be asked to examine the characteristics of traditional societies and the institutions, both formal and informal, that are used to help maintain social order and resolve disputes, the conditions under which both society and institutions change and their circumstances leading to the creation of new institutions and the rise of different sets of values. They will then look at how the new institutions and ways of doing things work, question their efficacy and analyse the tensions between the old and new. The class will ask under what conditions would new institutions be successful? What circumstances or conditions militate against the success of new institutions and ways of doing things? How are the old adapted to the new and how does the old govern the new? etc.

The societies that the class will consider are, in the first instance, China, including Hong Kong; Vietnam; Taiwan; Thai-

land; Myanmar; Singapore and Malaysia; the Philippines and Indonesia. If time permits and the knowledge required prevails students may indicate any special society they would like to consider; they may also offer to present papers on those societies.

Law and Society in Indonesia

6 credit points

Dr Ball

Assessment: exam or research essay (70%), classwork (30%)

The unit aims to provide students with:

1. an introduction to the legal system of Indonesia, a country with which Australia has maintained a close relationship and with which increasing cultural and economic links may be expected in the future;
2. an opportunity, through the assessment regime, of acquiring a more detailed understanding of an area of Indonesian law of the student's own choosing; and
3. some general insights into the nature of Islamic law, as Indonesia has the world's largest population of Muslims.

Topics to be covered include Indonesian legal history to 1945; political, social and economic developments since independence; the 'struggle for national law' with particular reference to land law, family law, inheritance law and the law of contract; economic law reform; the roles of 'adat' law (customary law) and Islamic law in Indonesia; and constitutional and legal institutions, with particular reference to courts, lawyers and the administration of justice.

The unit requires no prior knowledge of Indonesia or of any foreign language. Students will find a wealth of material in English on the Indonesian legal system in John Ball, *Indonesian Law at the Crossroads: Commentary and Materials*, 1996 and John Ball, *Bibliography of Material on Indonesian Law in the English Language*, 5th edition, 1996.

Law and Popular Culture

6 credit points

Not offered in 2000

Dr Karpin

Assessment: research essay and class participation.

This unit begins by interrogating the apparently self-evident distinction between law and popular culture. The aim of the unit will be to explore how legal ideas, law, lawyers and legal institutions are circulated through popular cultural images and vice versa. In this unit the focus will be on particular popular cultural sites such as television, cinema, and the print media. This unit will be approached from three perspectives.

The first will consider the way popular cultural representations of the law play a part in developing and disseminating an understanding of the law. The second will look at how certain legal institutions are permeated by the grammar of popular culture. Here we will look at the classic instance of the star on trial but also at the capacity of the trial to generate celebrity status. The third perspective will explore the role of media technologies in the emergence of what might be called 'pop justice'.

Law of the Sea

6 credit points

Not offered in 2000

Associate Professor Rothwell, Professor Shearer

Assessment: essay (60%), take-home exam (40%)

This unit reviews the major areas of the law of the sea in the 1982 UN Convention on the Law of the Sea, additional international conventions and agreements, and current state practice. Each of the major maritime zones are assessed in addition to a specific review of sectorial issues such as navigation rights, and the marine environment. Appropriate reference will be made to Australian law and practice.

Legal Issues in Health Care and Technology

6 credit points

Dr Karpin

Assessment: essay (80%), class paper (20%)

This unit deals with topical issues in the area of health law and ethics. The unit content will change as new issues arise in this rapidly developing area. Initially the unit will focus on the following: law and genetics including an examination of the legal

implications of mapping the human genome, genetic discrimination and the legal uses of genetic information; euthanasia including recent debates surrounding its legalisation in some states; newborns with disabilities, organ donation and living wills. The unit will consider the impact of new technologies and the adequacy of existing legal and ethical responses. In particular we will explore whether existing legal paradigms such as property, tort and contract law provide a framework for addressing the new concerns that arise.

Legal Research I

6 credit points

Professor Carney

Assessment: one essay 4-6000w (60%), one critical analysis of another student's research strategy essay (30%), class participation(10%)

The primary goal of this unit is to develop skills in undertaking a significant piece of legal research at levels of sophistication suitable for examination (in case of thesis candidates), and/or publication. At the conclusion of the unit it is anticipated that members of the class will be able to conceptualise the issues to be researched; will be able to locate relevant legal and other materials (using both hard copy and electronic bibliographic aids); will be able to place and sustain an argument (a 'thesis'); and will be able to assess both the quality of that work and to judge the merits of other approaches to planning such research.

It is expected that students will become familiar with using comparative materials (both within the federation and international), and will gain a working familiarity with relevant research techniques of other disciplines in the social sciences. The unit aims to encourage debate about the respective merits of different approaches, ethical issues, and the hallmarks of 'quality' research.

Legal Research II

6 credit points

Professor Carney

Assessment: preparation of an approved 'foundation chapter' (70%), class participation (30%)

The unit will cover the following topics:

- higher degree research: students, supervisors and the faculty
- refining your thesis: lessons from the strategy
- developing/ locating your thesis: lessons from the strategy
- comparative law techniques
- using international law materials
- using historical materials/methods
- conceptualising and researching the law in action
- narratives, interviews, case-studies and other 'selective' forms of analysis
- quantitative research methods: common pitfalls
- quantitative research methods: forms of presentation and analysis
- current problems in research and presentation
- current problems II
- overview and review

Legal Research III

6 credit points

Dr Magnusson

While this unit will be tailored to the needs of 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 or approximately 40 minutes with the remainder of the time devoted to discussion, comment and feedback. The seminar will be 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.

Maritime Law

6 credit points

Justice Carruthers, Mr S Palassis and guest lecturers

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, application of the Trade Practices Act, and admiralty jurisdiction. In conclusion the unit looks at both Australian and international law dealing with salvage and wreck.

Modern Corporate Governance

6 credit points

Associate Professor Hill

The unit will explore a number of issues concerning the corporation and its participants, raised in contemporary corporate governance debate. Issues discussed will include the structure of corporate groups, institutional investors as 'players in the game of corporate governance', the role of employees in the modern public corporation, international developments in director and executive officer remuneration practices, and criminal liability of the corporation and its officers. These issues will be analysed against the backdrop of different models of the corporation adopted in corporate theory.

Natural Resources Law

6 credit points

Not offered in 2000

Professor Boer

Assessment: essay (50%), class paper (30%), class participation (20%)

This unit examines the conflicts over the use and conservation of natural resources and how they can be resolved through legal and other mechanisms. Commonwealth-State arrangements regarding topics such as forestry, mining, agriculture, water use, national parks, Aboriginal land rights, fisheries and tourism are selectively examined.

The unit aims to familiarise students with the debate over resource management in Australia, and the role of various governmental sectors in this debate. In pursuing the theme of ecologically sustainable development, the unit indicates the need for different economic sectors to generate individual strategies, both legal and other, to meet governmental, private sector and conservation group concerns.

New Income Tax System

6 credit points

Professor Vann

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

Note: new description to follow

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 in recent years, recent legislation and cases will be given prominence. In particular, the unit will focus on the tax legislation and drafts produced by the Tax Law Improvement Project.

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 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 cas-

- es; tax avoidance and anti-avoidance legislation; redrafting the tax legislation: the Tax Law Improvement Project (TLIP).
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; public policy and income tax rules.

Policing Australian Society

6 credit points

Assoc. Prof. Findlay

This unit traces the development of civil policing in Australia. Policy is viewed both within and beyond the state. Certain unique features of contemporary police practice are highlighted and critical consideration is given to the community framework within which the police now operate. Current issues in policy are discussed and debated in a context of justice, and the inextricable connection with policing. The principle themes of the course are: concepts of policing; the history and contemporary philosophy of policing, and current issues in the institutions and processes of policing in Australia. The topics around which the seminars are constructed juxtapose crucial features of police-work such as discretion, accountability, culture and authority, against contemporary challenges such as malpractice, professionalism, community policing, and police powers.

Pollution Law

6 credit points

Dr Bates, Ms Franklin

Assessment: 5000w essay (50%), take-home examination (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.

Privacy, Surveillance and Fair Information Practices

6 credit points

Dr Magnusson

Assessment: one research essay 6000w (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 recent proposals for the extension of data protection legislation to the private sector. Other topics include the issuing of unique personal identifiers, 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 three sectors.

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 telco sector. Current topics considered will include: calling line identification, unsolicited communications and direct marketing, encryption policy (Australian and international) and the "information super-highway". The unit will also consider the financial services sector (issues include smart cards, electronic commerce, money laundering), and the health sector (non-disclosure legislation, medical networking, genetic privacy, and HIV/AIDS).

Protection of the Antarctic Environment

6 credit points

Not offered in 2000

Associate Professor Rothwell

Assessment: research paper (80%), class participation (20%)

This unit examines the various international instruments developed under the 1959 Antarctic Treaty to protect the Antarctic environment and the surrounding southern oceans. Particular emphasis is given to the 1980 Convention for Conservation of Antarctic Marine Living Resources and the 1991 Madrid Protocol on Antarctic Environmental Protection. Attention is also given to the application of municipal law by claimant and non-claimant states to their Antarctic personnel concerning scientific activities which have an environmental impact.

This unit is a specialised unit which will flow on from the unit International Environmental Law. In aiming to provide a detailed examination of the regime of legal protection of Antarctica and the Southern Ocean, the unit will be of particular interest to those working on the ecological and political issues connected with the exploitation and conservation of both living and non-living resources.

Public Sector Policy I

6 credit points

Professor Apps

Assessment: research paper or exam (80%), problem-based assignments (10%), class presentation (10%)

The unit outlines the role of government in a market economy and examines the effects of a range of public sector policies within the framework of modern welfare economies. The first part of the unit introduces microeconomics theory and its application to policy evaluation. Topics covered include the concept of competitive markets, the fundamental theorems of welfare economics, consumer theory, labour supply and inter-temporal choice, theory of the firm, efficiency and social welfare, economics of information and uncertainty, principal-agent problems, market failure, and the theory of second best. The unit also provides an overview of empirical methodologies used in assessing policy reforms.

Topics in public policy which are examined include the taxation of income and consumption, selected government expenditure programs, social security, cost-benefit analysis of public projects, environmental externalities, user charges and public utility pricing.

The aim of the unit is to provide an understanding of the objectives of government intervention in the economy and of analytical modelling approaches and empirical methodologies used in the analysis of the social and economic effects of policy.

Public Sector Policy II

6 credit points

Not offered in 2000

Professor Apps

Assessment: research paper (80%), problem-based assignments (10%), class presentation (10%)

The unit examines selected public issues within the analytical framework of modern welfare economics and with reference to the results of empirical research. Particular attention is given to empirical evidence on the performance of private markets, the social and economic effects of market failure, and the need for government intervention in response to market failure in a wide range of areas. Topics covered include:

- empirical analysis of reforms to the tax-benefit system;

- economics of uncertainty and information; adverse selection and moral hazard;
- social security and social insurance;
- case studies of insurance programs: health and retirement incomes;
- labour market reforms and market failure;
- capital market failure: child care, education and housing as case studies;
- economics of regulation; and
- agency theory: applications in the economics of corporate governance and control.

The aim of the unit is to provide an understanding of the objectives of policy as defined in welfare economics and to encourage the acquisition of analytical and technical skills in the evaluation of policy reforms.

Refugee Law

6 credit points

Dr Crock

Assessment: class participation (10%), 2000w case study (30%), 4500w 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; and
- 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 Labour Law, as well as other offerings in the Masters of International Law and the Masters of Administrative Law and Policy.

Regulation of Collective Investments

6 credit points

Ms Kingsford-Smith

Assessment: class paper (30%), 7000w research essay (70%)

This unit studies the regulation of the market for collective investments in Australia and the main institutions which offer investments in Australia, namely superannuation schemes, unit trusts and life insurance linked investment funds.

The unit will introduce the student to the institutions and practices of the market for collective investments. The unit will then consider some of the literature from economics and finance which explains the functions of the market in collective investments, its operation and why it may require regulation. The rest of the course will be spent considering the nature of the regulation of collective investment and its creation, and the most important regulatory techniques adopted e.g. prudential controls, disclosure, control of business form, and the regulation of intermediaries.

The unit will give special attention to areas of developing regulatory policy such as, the convergence of institutions and products offered as collective investments, the regulation of investment policy, the single "responsibility entity" debate, and the influence of the federal government's retirement incomes policy on collective investments.

Although the effects of taxation on the regulation of these institutions will be mentioned occasionally during the course, there will be no systematic consideration of tax issues in this course. For this candidates should consult the course descrip-

tions for Taxation of Superannuation and Insurance, which is offered by this faculty.

Regulation of Derivatives Products and Markets

6 credit points

Mr Currie

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

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" or "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 to securities markets and other financial markets.

The unit aims to introduce the 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 product and market delineation. Australian exchange-market regulation will then be examined, as will the regulation of OTC markets in Australia, and likely reforms in this area.

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; and
- 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, then relationship to regional and global markets, and the likely direction of regulatory reform.

Reproduction and the Law

6 credit points

Not offered in 2000

Dr Bennett, Dr Karpin

Assessment: class presentation and paper (20%), essay (80%)

This unit considers legal issues relating to reproduction. Topics to be covered in the unit include: wrongful birth, prenatal injury, wrongful life, abortion, the rights of the foetus, reproductive technology (including legal regulation, eligibility for treatment, access to information, research using embryos, surrogacy), sterilisation and intellectual disability. The unit will aim to situate the legal issues within their broader social context and reading materials will be interdisciplinary and comparative in nature. Student participation in class discussion will be expected.

Restitution for Ineffective Contracts

6 credit points

Prof. Carter

Prerequisite: Restitution for Unjust Enrichment **Assessment:** one essay (25%), one exam (75%)

This unit aims to provide a detailed examination of the concept of unjust enrichment in the context of one of the most important topics in the law of restitution, the receipt of benefits under an ineffective contract. The unit also provides an opportunity for students to develop their understanding of the law of contract and its relationship with the law of restitution: the unit will build on both undergraduate units in contract law and the postgraduate unit in Restitution for Unjust Enrichment. Topics include:

1. Unjust Enrichment;
2. Relevant claims and bases such as quantum meruit, total failure of consideration, acceptance of benefit;
3. Inherently ineffective contracts;
4. Contracts discharged for breach or repudiation;
5. Contracts discharged without breach;
6. Contracts rescinded or set aside;

7. Valuation and adjustment;

8. Defences.

Restitution for Unjust Enrichment

6 credit points

Professor Carter

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 flowing wrongs such as tort, breach of contract and breaches of fiduciary duties. Both personal and proprietary claims will be considered. The expansion of the law of unjust enrichment has required a principled development of appropriate defences and the operation and availability of defences such as good consideration and change of position will be analysed. Restitution in the particular context of ineffective contracts is the subject of a separate unit following this unit.

Securities Regulation (Seminar)

6 credit points

Mr Black

Assessment: assignment or essay (30%) plus final essay (70%), or 10,000 w essay (100%).

Stamp Duties

6 credit points

Justice Hill

Assessment: exam (60%), class assignment (40%)

The object of this unit is to consider in detail the application of the stamp duties legislation to various commercial transactions. Particular attention will be paid to the provisions of the current redrafting of the Stamp Duties laws of the Australian States. Upon successful completion of this unit a student should have an advanced understanding of the foundational principles underlying the operation of the State stamp duties laws and detailed knowledge of the application of stamp duties to a variety of common commercial transactions.

The unit will examine the Stamp Duties legislation and the application of the provisions of those acts to various property, contractual and trust situations commonly encountered in practice.

Sustainable Development Law in China & Australia

12 credit points

Professor Boer, Ms Franklin, Ms Lyster, Chinese lecturers

Assessment: 12-15,000w research paper submitted in February Semester 2001 (100%)

This 12-credit point unit comprises an intensive series of lectures and field trips in Beijing and Wuhan, People's Republic of China, followed by supervised research. The unit is 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 October/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 at Tsinghua University, Beijing, before embarking on a study of Chinese environmental law. The environmental law component is taught at the Research Institute of Environmental Law at Wuhan University. In Beijing, students are introduced to the China Environment Protection Authority and State Land Administration. Unit assessment takes place in Sydney in February Semester of the following year.

Taxation

The units in taxation for 2000 are:

- Australian International Taxation
- Comparative Corporate Taxation
- Comparative International Tax
- Corporate Taxation
- Goods and Services Tax (Seminar)
- New Income Tax System
- Stamp Duties
- Tax Administration
- Tax Law in Asia and the Pacific (Seminar)
- Tax Treaties
- Taxation and Social Policy
- Taxation of Business and Investment Income
- Taxation of Financial Institutions and Financial Transactions
- Taxation of Partnerships and Trusts
- Taxation of Superannuation
- UK International Taxation (Seminar)

Units are also available through the Consortium of Australian Tax Schools.

Unit descriptions are listed alphabetically.

These units are available in the Master of Laws, Master of Taxation, Doctor of Juridical Studies and Graduate Diploma of Law.

There follows a table of equivalences across units since 1990. Where students have undertaken one of the units in a previous form, they cannot take the current equivalent unit again for credit. The numbers in brackets indicate the weighting in unit values or credit points of the units.

Tax Administration

6 credit points

Professor Woellner

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.

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;
- international tax enforcement.

Tax Law in Asia and the Pacific (Seminar)

6 credit points

Mr Burns

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

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

Upon successful completion of this unit the student should have:

- a thorough grasp of the basic foundations upon which the tax systems of the countries are built;
 - an understanding of the tax treatment of key types of income likely to be earned by foreign investors, and how this treatment compares with their treatment in Australia.
- Principal topics examined in the unit include:
- legal considerations influencing investment in Asia;
 - principal features of the domestic tax systems, including tax rules for foreign investors and investment incentives;
 - tax administration in Asia.

Tax Litigation

6 credit points

Not offered in 2000

Mr Hamilton

Assessment: exam or research essay (70%), classwork (30%)

The object of this unit is to analyse the process of tax litigation in Australia as it is currently undertaken, including in relation to State revenue laws. The unit will examine the differing roles of the various professions involved in tax litigation, as well as the role of the judiciary. The unit will consider the various steps and strategic decisions involved in preparing and conducting a tax dispute in the various available forums including the AAT and Federal Court. Upon successful completion of this unit a student should have an advanced understanding of the procedural rules underlying the resolution of tax disputes as well as a sound understanding of the strategic choices common in disputes between taxpayers and the tax administration.

- Introduction; avoiding litigation; negotiated arrangements and settlements.
- Commissioner's information gathering powers; search warrants; privilege.
- Challenging assessment; objections; collateral attacks on assessment.
- Appeals.
- Pre-trial practice; information gathering.
- The Hearing.
- Special classes of case; discretions.

Taxation unit equivalences since 1990

1990	1994	2000
Taxation Law 1 (2)	Taxation of Advanced Commercial System (2)	Australian Income Tax System (6cp) Taxation of Business and Investment Income (6cp) Taxation of Remuneration (6cp)
Taxation Law 2A (1)	Taxation of Non-corporate Intermediaries (1)	Taxation of Partnerships & Trusts (6cp)
Taxation Law 2B (1)	Corporate Taxation (1)	Corporate Taxation (6cp)
Taxation Law 2C (1)	Taxation of Australian Industry	Taxation of Australian Industry (6cp)
Taxation Law 3 (2)	Taxation of International Transactions (2)	Australian International Transactions (6cp) Australian Tax Treaties (6cp)
Taxation Law 4 (2)	Sales Tax and State Taxes (2)	Stamp Duties (6cp)

- Appeals to Federal, Full Federal and High Court.
- Recovery of Tax.
- Mareva injunctions; Anton Pillar orders; injunctions against the Commissioner; administrative law remedies
- Taxation prosecutions, penalties and orders.

Tax Treaties

6 credit points

Mr Burns

Assessment:

This seminar has three main goals:

- to study the policy, history and provisions of the *Model Tax Convention on Income and on Capital* (as explained in the accompanying Commentaries) developed by the Organisation for Economic Co-operation and Development (OECD) as updated in 1997 (the OECD Model);
- in the light of the OECD Model to consider in detail a selection of Australia's tax treaties with particular focus on the treatment of business and investment income flowing between Australia and major trading partners (UK, US and Vietnam), and the potential impact of tax reform on Australia's treaty policy; and
- to become familiar with the international tax rules on inbound investment of one of Australia's major trading partners (the US) as part of a case study on the interaction of the domestic laws of treaty partners and the tax treaty between them.

In every country, the concentration naturally tends to be on tax treaties between that country and other countries, rather than the Model underlying all such treaties. In the result there is often little understanding of the role that international organisations play in the development of international taxation, of the large body of shared experience in the application of tax treaties, and of tax treaty policies of other countries. The first goal seeks to bridge this gap in the context of increasing globalisation of world economies.

The Australian treaties selected for study are representative of the three distinct groups into which Australia's treaties fall: pre 1970 (UK treaty) before Australia joined the OECD; 1970-1985 (US treaty) prior to the Labor government tax reform which required reformulation of some treaty policies; and 1986 to present (Vietnam) representing Australia's current position. The treaties are also representative of traditional trading partners with which there are now substantial two-way flows of business and investment, and newer markets in the region where Australia is predominantly a source of direct foreign investment and trade. It is likely that current tax treaty policy will be affected by the present tax reform so treaty policy will also be evaluated in the light of the Report of the Review of Business Taxation.

To fully appreciate the operation of tax treaties, it is necessary to have regard to the tax laws of the treaty partners and the way they interact, as tax treaties seek to reconcile overlapping domestic law claims to tax jurisdiction and to permit enforcement of tax laws across national borders. This appreciation requires a knowledge of the domestic tax laws of both countries as they impact on international transactions and of the effect on those laws of the tax treaty between the countries. The third goal addresses this aspect of the practical operation of tax treaties.

The seminar will cover the following topics:

1. Policy and history of the OECD Model and tax treaties based on it
2. Tax treaty interpretation, scope and definitions
3. Business income and the concept of permanent establishment
4. Attribution of profits to permanent establishments and transfer pricing
5. Income from immovable (real) property, international transport and capital gains
6. Dividends and interest
7. Royalties and high value professional services
8. Employment, entertainment and pensions
9. Relief of double taxation
10. Entities and tax treaties: companies and partnerships
11. Entities and tax treaties: trusts and collective investment vehicles
12. Administrative co-operation under tax treaties

13. US domestic rules for inbound transactions
14. US treaty application to inbound investment
15. Does US need tax treaties: savings clause, treaty shopping and non-discrimination

Taxation and Social Policy

6 credit points

Professor Apps

Assessment: research essay (80%), problem based assignments (10%), class presentation (10%)

The object of this unit is to examine alternative tax-transfer policies within the analytical framework of modern welfare economics. The aim is to provide an overview of the social objective of taxation and of the tax problem when the design and implementation of policy options are subject to recognised constraints. This unit is taught together with Public Sector Policy 1.

Topics covered include:

- the specification of social objectives
- tax incidence
- economic efficiency and incentive effects
- distributional criteria for tax policy
- taxation of labour supply, consumption taxes and the taxation of savings
- the tax rate structure, negative taxation and welfare programs
- social security and insurance
- retirement incomes policy
- optimal taxation and tax reform

Differences between legal concepts of income, the Haig-Simons definition of income and the approach to tax problems in public economics are highlighted.

Taxation of Business and Investment Income

6 credit points

Professor Vann

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 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; preserving and 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; principal place or 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.

Taxation of Financial Institutions and Financial Transactions

6 credit points

Mr O'Donnell

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

This unit will analyse the current law on taxation of financial transactions and institutions in Australia. Common forms of innovative financial instruments will be examined including forward and futures contracts, derivatives instruments, various forms of corporate financing including preference share financing, convertible notes and leasing. Domestic and selected withholding tax issues will be examined. The unit will explore in detail impending proposals for the reform of the taxation of financial transactions. The taxation of banks and other financial institutions will also be examined including branches of foreign banks. Upon successful completion of this unit a student should have an advanced understanding of the technical rules underlying the taxation of financial institutions and certain specified financial transactions.

The unit covers:

- characterisation (capital/revenue);
- derivation and incurrence;

- general principles applicable to financial institutions;
- funding and debt related derivatives;
- foreign exchange and forex derivatives;
- preference share financing;
- leasing;
- selected withholding tax issues;
- branches of foreign banks;
- overseas comparisons.

Taxation of Partnerships and Trusts

6 credit points

Professor Vann

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 those entities (and their owners) taxed on a look-through and/or proxy basis, including partnerships, corporate limited partnerships, trusts, unit trusts, deceased estates, corporate unit trusts and public trading trusts. The goals of the unit are to develop a detailed understanding of the policies, technical rules and practical problems involved in the taxation of these arrangements and to explore why different solutions are used for these entities as compared with companies and shareholders. Upon successful completion of this unit a student should have an advanced understanding of the technical rules underlying the taxation of partnerships and trusts in a variety of forms and in a variety of commercial situations.

(Note that international issues raised by partnerships and trusts are considered in Australian International Taxation and in greater detail in the unit Controlled Foreign Companies, Foreign Investment Funds and Transfer Trusts.)

The unit covers:

- the problems of taxing entities;
- problems of taxing entities partnerships and trusts contrasted with companies;
- classification of entities for tax purposes;
- taxation of partners;
- taxation of trusts other than unit trusts and their beneficiaries;
- taxation of unit trusts and their beneficiaries;
- taxation of limited partnerships.

Taxation of Remuneration

6 credit points

Not offered in 2000

Classes: February Semester Intensive **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. Upon successful completion of this unit a student should have an advanced understanding of the technical rules underlying the taxation remuneration derived in a variety of forms.

The unit covers:

- income tax issues of remuneration;
- employee deductions;
- substantiation;
- fringe benefits tax;
- employee share schemes;
- retirement planning;
- taxation of expatriate employees.

Taxation of Superannuation

6 credit points

Ms Black, Mr Carter

Assessment: classwork (30%), examination or research paper (70%)

Note: new description to follow

The unit consists of a detailed examination of the effects of income taxation on the superannuation and insurance industries. Students who complete the unit will possess a detailed under-

standing of the policies, technical rules and current practical problems involved in the taxation of superannuation and insurance, through the analysis of specific problems discussed in each of the seminars.

Topics covered include:

- the Superannuation Industry (Supervision) Act: introduction to the policy and regulatory framework;
- taxation of superannuation: overview of policy and legislative framework;
- superannuation contributions: SGC, award, employment, contracting, deductions, rebates;
- taxation of superannuation funds: part IX of the *ITAA*;
- reasonable benefit limits;
- taxation of eligible termination payments;
- taxation of pensions and annuities;
- taxation of general insurers;
- taxation of life insurance: overview of policy and practice, general principles;
- taxation of life insurance: specific issues;
- taxation of life company stakeholders: shareholders, policy holders.

The Legal System of the European Union

6 credit points

Ms McNaughton

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.

Theories of International Law

6 credit points

Not offered in 2000

Mr Opeskin

Assessment: classwork (25%), exam or research paper (75%)

This unit aims to introduce students to the principal schools of thought relating to the theory of international law; to encourage a critical evaluation of those theories; and to investigate the ways in which the various theories inform contemporary issues and debates in international law.

The unit is divided into three parts. Part 1 examines the major jurisprudential schools in international law from the modern origins of international law in the 16th century to the present day. The topics examined in this part may include some or all of the following: natural law, positivism, sociological approaches, the policy-science approach of McDougal and Lasswell, critical legal theory, feminism and non-Western approaches to international law. Part 2 examines the relationship between international law and other disciplines, in particular international relations and international ethics. In these topics we examine whether law affects the behaviour of states, and whether there exists a system of international morality. Finally, Part 3 examines the modern state from several perspectives, each designed to focus on the moral and legal relevance of state boundaries. In particular, the unit examines the modern state as a territorial entity, exercising control over a defined population, and regulating the flow of resources across state boundaries.

Students are encouraged to examine the manner in which the various theoretical issues inform current debates in international law. To this end, a familiarity with international law and an interest in international affairs is desirable.

Theory of the Family in Law and Society

6 credit points

Associate Professor Ziegert

Assessment:

This unit is designed as a specialised introduction into comparative sociological and socio-legal research in the areas of family studies, family law and sociology of law which incorporates the latest research findings in these areas. The lectures will introduce the student to the basic sociological and comparative law concepts as they relate to the social organisation of both family systems and legal systems. Students are invited to choose their own research topics in the area which will be presented for discussion in class.

Trade and Commerce in European Law

6 credit points

Ms McNaughton

Co/prerequisite: none stipulated, but maximum benefit accrues from taking The Legal System of the European Union first

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.

Trade Union Law

6 credit points

Not offered in 2000

Professor McCallum

Co/prerequisite: Labour Law (other than for LLM candidates)

Assessment: one 4000w essay, class participation, one take home examination

This unit of study examines the law relating to industrial organisation which includes trade unions and employers' associations. As there is much more law on trade unions, these latter bodies will be the primary focus of this study. There will be an examination of trade union theory; the history of trade union regulation; registration under arbitration statutes; dual legal personality issues; trade union rules; trade union expulsions; trade union elections and amalgamations; and trade union accounts. There will be an analysis of freedom of association, and of the regimes of voluntary trade unionism law which now cover this continent. The ultimate question which will be posed is what role should the law play in the regulation of these bodies.

UK International Taxation (Seminar)

6 credit points

Water Law

6 credit points

Professor Boer, Ms Lyster

Assessment:

This unit of study examines the law and policy of ecologically sustainable management of water resources by reference to three principal themes: the ecologically sustainable allocation and use of water, as well as the provision of water to consumers in an ecologically sustainable manner. The unit is interdisciplinary, including legal, scientific and economic analysis of these themes. The legal analysis includes a discussion of: international principles of water law: the legal and constitutional implica-

tions of the re-allocation of rights to use water in an ecologically sustainable manner; the use of water to generate electricity; the implications of allocation and use for Indigenous peoples; the regulation of water pollution; and the corporatisation and privatisation of utilities that provide water to consumers. Case studies from a number of jurisdictions are used to explore these themes.

Workplace Bargaining

6 credit-points

Not offered in 2000

Mr Bennett, Mr Bridgeford

Co/prerequisite: Labour Law **Assessment:** one essay (70%), exam(30%)

This advanced unit examines what may be best described as the collective aspects of labour law. This unit of study covers unregistered agreements; the use of the federal labour power; other heads of constitutional power including the corporations power; enterprise bargaining under federal and New South Wales law; Australian Workplace Agreements; and the laws concerning industrial disputes which include common law torts, industrial statutory provisions and Trade Practices Act remedies.

Work Safety

6 credit points

Professor McCallum

Co/prerequisite: Labour Law **Assessment:** one 4000w essay, class participation, take-home exam

This unit of study is on occupational health and safety law. Its main focus is upon the Occupational Health and Safety Act 1983 (NSW), its federal and state counterparts and the relevant case law. An examination is also made of the history of safety regulation; the failure of the common law to reduce accidents; the Robens reforms; the employee and employer duties; and safety management systems.

Young People, Crime and the Law

6 credit points

Associate Professor Cunneen

Assessment: one 4500w essay, one take home exam, class presentation

This unit of study 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.

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

Level 8 Law School Library

Level 11 Staff offices; Institute of Criminology; Sydney Law Review; Continuing Legal Education

Level 12 Dean's Office; Head, Department of Law; Student Administration; Personnel; Finance; staff offices

Level 13 Staff Common Room; Department of Jurisprudence; staff offices

Level 14 Squash courts.

[Subject to approval, a new structure for the Faculty of Law will be implemented in 1999 and thus some of the information above may change.]

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 hlibrary@law.usyd.edu.au.

Sydney Law Review

The Faculty of Law has its own legal journal, the *Sydney Law Review*, which was established in 1953. All the pre-press work on the Review is performed by the Faculty through its External Relations Unit. It is then published by the Law Book Company Ltd on behalf of the Faculty.

For the first twenty years the general editorship of the Review was the responsibility of senior members of the full-time academic staff. From 1974 until 1990, the Editorial Committee consisted entirely of students. It was then resolved that the Review would be published quarterly, beginning in 1991. A Faculty Editorial Board was established. This is assisted by a Board of Student Editors comprising students enrolled in the Law Review option. One issue per year is devoted to discussion on a particular theme, with solicited contributions.

The Review is a refereed journal. Submissions from staff and visiting academics are always welcomed and can be given to the Review's Coordinator. A Sydney Law Review Style Guide can be obtained from the Coordinator by phoning (02) 9351 0284

The Allen Allen and Hemsley Visiting Fellowship

The Allen Allen and Hemsley Visiting Fellowship was established in 1984 by an offer from Messrs Allen Allen and Hemsley, Solicitors, to provide funds for the appointment on an annual basis of a distinguished lawyer to the Department of Law. Holders of the Fellowship have been:

1985 Professor D.G.T. Williams, Rouse Ball, Professor of English, Cambridge University

1986 Professor R.M. Buxbaum, University of California at Berkeley

1987 Dr J.W. Harris, Keble College, Oxford University

1988 Professor Denis Galligan, University of Southampton

1989 Professor Misao Tatsuta, Kyoto University

1990 Professor Ewoud Hondius, University of Utrecht

1991 Professor Norbert Reich, University of Bremen

1992 Professor George Hay, Cornell University

1993 Professor Friedrich Juenger, University of California

1994 Professor Rose Bird, former Chief Justice of California

1995 Professor Ian Dennis, University College London

1996 Professor F. Monroe Price, Benjamin N. Cardozo School of Law, Yeshiva University

The fellowship is presently under review.

Centre for Asian and Pacific Law

The Centre for Asian and Pacific Law (CAPLUS) is a centre within the University of Sydney. Established in November 1993, it draws on the expertise and experience of the Faculty of Law and other faculties and institutions within the University with related interests. It also collaborates with government departments and bodies, legal and other professional organisations and institutions with shared objectives.

The functions of the Centre are:

- to promote knowledge in and understanding of the laws, legal systems, constitutions, legal culture and business laws of the countries of Asia and the Pacific;
- to provide a source of information on legal developments in the Asian and Pacific region and in Australia;
- to make reciprocal contacts with scholars and lawyers;
- to arrange exchange programs for students, scholars and lawyers from both regions;
- to provide specialised courses for students, scholars and lawyers from the Asian and Pacific region to study different aspects of law; and
- to publish and circulate work on the laws, legal systems, legal and constitutional developments, updates of business and commercial laws of these countries.

Since its inception, the Centre has been very active in providing intensive general introductory and specialised courses in law to various countries in the East Asian regions, especially Vietnam and the People's Republic of China, seminars and conferences, in Australia and outside. It has received and is receiving senior academics, scholars and officials as well as younger scholars and judicial personnel, for short and long term research projects and study/fieldwork tours.

It has undertaken to prepare for publication in Australia and Europe 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*.

Institute of Criminology

The Institute of Criminology is a centre established by the Senate of the University within the Department of Law. The aims of the Institute include research, teaching and public education in criminology and criminal justice policy. Its principal areas of activity involve:

- teaching criminology at the undergraduate and postgraduate level;
- publishing the journal *Current Issues in Criminal Justice*, a monograph series, occasional papers, seminar and conference proceedings and other relevant information;
- organising public and in-house seminars on topics of contemporary concern in criminal justice;
- providing service and information to its many corporate, individual and student members;
- coordinating and presenting a wide range of applied and theoretical research initiatives;
- and disseminating current information through CRIMNET, an electronic noticeboard.

Staff associated with the Institute have a wide range of research interests and expertise, including Aboriginal people and the criminal justice system, juvenile justice, policing, violence against women, jury system, feminist and critical criminology, child abuse, hate crime, drug policy and comparative criminology. They have worked as consultants for government departments, statutory authorities and royal commissions.

The Institute has an Advisory Committee chaired by the Chief Justice of NSW and a Management Committee chaired by the Dean of the Faculty of Law.

Australian Centre for Environmental Law

The Australian Centre for Environmental Law (ACEL) was established in 1992 as a collaborative arrangement between the law faculties of the University of Sydney, the University of Adelaide and the Australian National University.

ACEL supports the undergraduate and postgraduate program in Environmental Law offered through the Faculty of Law. The Master of Environmental Law comprises eight units of study by coursework. A limited number of relevant subjects can be taken from other Faculties and, with approval, subjects from Master's programs at the University of Adelaide and the Australian National University can be credited to the Master of Environmental Law. ACEL (Sydney) specialises in Environmental Law research in the Asian and Pacific region. ACEL maintains close links with other related institutions, relevant industry and conservation groups and with lawyers practising in the field in Australia and overseas.

ACEL also has links with a number of environmental law centres, including the Centre for Environmental Legal Studies, Pace University, New York; the Asia Pacific Centre for Environmental Law at the National University of Singapore; the Indonesian Centre for Environmental Law in Jakarta; the Centre for Environmental Education, Research and Advocacy, at the National Law School of India, Bangalore; and the Foundation in Environmental Law and Development in London.

The Centre hosts a library of Environmental and Natural Resources Law materials from all over Australia, as well as from many countries in the Asia-Pacific, Europe and North America. The library is administered by a librarian, Ms Jillian Murphy, and is open to all undergraduate and postgraduate students in Environmental Law.

Staff members involved in the Environmental Law program are:

- Professor Ben Boer - Asia Pacific Environmental Law; Asia Pacific Environmental Law Journal; Comparative Environmental Law; Environmental Law; Environmental Law and Policy; Heritage Law; Natural Resources Law.
- Mr Bernard Dunne, Lecturer - Environmental Law; Environmental Impact Assessment Law.
- Mr Brian Preston, Part-time Lecturer and Barrister - Environmental Dispute Resolution; Biodiversity Law.
- Dr Gerry Bates, Senior Lecturer - Pollution Law; Environmental Planning Law; Sustainable Development Law in China and Australia.
- Professor Patricia Apps - Environmental Economics.
- Ms Nicola Franklin, Senior Lecturer - Local Government Law; Sustainable Development Law in China and Australia.
- Associate Professor Don Rothwell - Asia Pacific Environmental Law; Asia Pacific Environmental Law Journal; International Environment Law; Protection of the Antarctic Environment.
- Ms Rosemary Lyster, Lecturer - Comparative Environmental Law; Environmental Dispute Resolution; Asia Pacific Environmental Law; Sustainable Development law in China and Australia.

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, (Ph: 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 2, Margaret Telfer Building, K07, 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.

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.

Additional requirements to practise as a lawyer

Additional requirements must be met before a Law graduate can practise as a lawyer in New South Wales, such as the completion of a practical legal training course. Information on these requirements may be obtained from the Legal Practitioners Admission Board.

While the University's degrees have wide recognition overseas, international students should make their own enquiries as to whether the LLB degree will permit them to be admitted as lawyers in their own countries after further examination and/or practical training.

Overseas graduates in law

It is not possible for overseas graduates in law to qualify for admission to legal practice in New South Wales by undertaking postgraduate law studies at the University of Sydney. Requalification would be required by one of the methods referred to above, although it is likely that some credit would be given for earlier legal studies. Overseas graduates interested in undertaking postgraduate law studies for some purpose other than admission to practice should seek an appointment with the Associate Dean (Postgraduate) or the Faculty's Student Administration 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 Sydney Law School students to study abroad are rapidly expanding. University of Sydney Student Exchange Agreements allow students to study abroad and receive full credit towards their LLB degree.

There are two types of student exchange programs available.

The first is the *University-wide programs* which are open to students from all faculties. Students who have completed at least one year of full-time study at the University of Sydney, have at least a Credit average in their studies at the time of application, have at least another year of full-time studies to complete and have the funds to support a year on exchange, are eligible to apply to participate in these programs. At present, there are exchange programs with universities in the United States, Japan and Korea. Information about these programs may be obtained from the International Office, Level 2, Margaret Telfer Building (just over the footbridge across Parramatta Road), phone (02) 9351 4161. It should be noted that while credit is given for study undertaken, the actual marks received are not converted in Sydney University equivalent marks for the purpose of calculation of WAMs.

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

in New York. Under these agreements Sydney Law students may enrol as full-time non-degree students. Units completed at these universities will be credited to the students' Sydney LLB degrees. Applicants must 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. Sydney students will continue to pay tuition (at present their HECS liability) and other charges (such as student union fees) to the University of Sydney. Sydney students will be responsible for payment of their travel costs and living expenses. Information regarding application dates will be posted on Levels 2, 4 & 12 of the Law School. Students selected for these Faculty-specific exchanges will receive credit for work undertaken and marks received will be converted to the University of Sydney equivalent for the purpose of calculation of WAMs.

Staff

Dean

Jeremy Webber, BA *UBC* LLB BCL *McGill* LLM *York*

Pro-Deans

Staff Development

Hilary Astor, B*Tech*(Law) PhD *Brunei*

Teaching Programs

Patrick N Parkinson, MA *Oxf*. LLM *III*

Associate Deans

Undergraduate

Graeme Coss, GradDipInf&LibStud *Curtin* LLB LLM (Semester 1)

David J Harland, BCL *Oxf* BA LLB (Semester 2)

Postgraduate

Donald R Rothwell, BA LLB *Qld* LLM *Alta* MA *Calg* PhD (Coursework, Semester 1)

Belinda Bennett, BEc LLB *Macq* LLM *SJD Wise* (Coursework, Semester 2)

Julie Stubbs, BA *W'gong* MA *Tor* (Research)

Academic staff

Margaret Allars, DPhil *Oxf* BA LLB, Professor

Ross Anderson, LLM *Lond* LLB, Senior Lecturer

Patricia Apps, BArch *NSW Med Yale* PhD *Camb*, ARAIA, Professor in Public Economics in Law (Personal Chair)

Craig Arnott, BA LLB *Qld* BCL PhD *Oxf*, Lecturer

Hilary Astor, B*Tech*(Law) PhD *Brunei*, Abbott Tout Professor of Litigation and Dispute Resolution

Rosalind Atherton, PhD *NSW AmasAAMEB* BALLB, Associate Professor

John Ball, DipLaw Ox/DipComparLegalStud *Camb* BALLB PhD, Senior Lecturer

Belinda Bennett, BEc LLB *Macq* LLM *SJD Wise*, Senior Lecturer

Joanna Bird, BCL *Oxf* BA LLB, Lecturer (fractional)

Bernhard W Boer, BA LLB *Melb*, Professor in Environmental Law (Personal Chair)

Lee Burns, BCom LLB *NSW LLM*, Senior Lecturer (fractional)

Peter Butt, BA LLM, 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)

Okezie Chukwumerije, LLB *Benin* LLM *UBC* DJur *York*, Senior Lecturer

Graeme Coss, GradDipInf&LibStud *Curtin* LLB LLM, Lecturer

Mary Crock, BA LLB PhD *Melb*, Senior Lecturer

Christopher Cunneen, BA DipEd *NSW MA*, Associate Professor

Catherine Dauvergne, BA MA *Carleton* LLB *UBC*, Lecturer

Bernard Dunne, BA LLB *Macq*, Lecturer

Mark J Findlay, BA LLB *ANU* DipCrim MSc *Edin* LLM, Associate Professor

Nicola E Franklin, BA *Natal* LLB *Natal & Camb*

DipComparLegalStud *Camb*, Senior Lecturer

David Fraser, LLB *Laval* LLB *Dal* LLM *Yale*, Senior Lecturer

Saul Fridman, LLB *W Ontario* BCL *Oxf*, Senior Lecturer

Reg Graycar, LLB *Adel* LLM *Han'*, Dunhill Madden Butler Professor of Women and the Law

David J Harland, BCL *Oxf* BA LLB, Challis Professor

Peter Harris, LLB *Qld* LLM PhD *Camb*, Senior Lecturer

Jennifer G Hill, BCL *Oxf* BA LLB, Associate Professor

Isabel Karpin, LLM *Han*> JSD *Columbia* BA LLB, Senior Lecturer

Miranda Kaye, BA *Camb* BCL *Oxf*, Lecturer

Dimity Kingsford Smith, LLM *Lond* BA LLB, Senior Lecturer

Patricia Loughlan, BA LLM *Tor* PhD, Senior Lecturer

Rosemary Lyster, BA LLM *Natal*, Lecturer

Therese MacDermott, BA LLB *Qld* BCL *Oxf*, Senior Lecturer (fractional)

Roger Magnusson, BA, LLB *ANU* PhD *Melb*, Senior Lecturer

Desmond Manderson, BA, LLB *ANU DCL McGill*, Senior Lecturer

Ron McCallum, B Jur LLB *Monash* LLM *Qu* Blake Dawson Waldron Professor of Industrial Law (fractional)

Les McCrimmon, BA LLB *Alta* LLM *Qld*, Senior Lecturer

Barbara McDonald, LLM *Lond* BA LLB, Senior Lecturer

Bron A McKillop, LLM *Harv* BA LLB BEc, Senior Lecturer

Kathryn E McMahon, LLB *UNSW BEc* LLM PhD, Senior Lecturer

Jenni Millbank, LLM *UBC BALLB*, Lecturer

Brian Opeskin, BCom LLB *UNSW BCL Oxf*, Senior Lecturer

Patrick N Parkinson, MA *Oxf* LLM *III*, Associate Professor

Elizabeth Peden, PhD *Camb BALLB*, Lecturer

Helen Rhoades, LLM *Melb*, Level A Academic (fractional)

Joellen Riley, BCL *Oxf* LLB MA DipEd, Lecturer

Donald R Rothwell, BA LLB *Qld* LLM *Alta* MA *Calg* PhD, Associate Professor

Wojciech Sadurski, DrJur *Warsaw*, Professor of Legal Philosophy (Personal Chair)

Petra Schmidt, MA (Japanese & Chinese Studies, Law)

Marburg PhD *Hamburg* U2000 Postdoctoral Fellow, Level A Academic

Ivan Shearer, AM, LLM *Adel* SJD *Northwestern*, Challis Professor of International Law

Diane Skapinker, BComm LLB *Witw* LLM, Associate Professor (fractional)

Julie Stubbs, BA *W'gong* MA *Tor*, Associate Professor

Jane Swanton, LLM *Lond* BA LLB, Associate Professor

Alice Erh-Soon Tay, AM, PhD *ANU* HonLLD *Edin*, Challis Professor of Jurisprudence (fractional)

Richard J Vann, BA LLB *Qld* BCL *Oxf*, Professor

Jeremy Webber, BAUBCLLLB BCL *McGill* LLM *York*, Dean of the Faculty

David Weisbrot, BA *CUNY JD Calif*, Professor

Shelley Wright, BA LLB *Alta* LLM *Lond*, Senior Lecturer

K Alex Ziegert, DPhil *Mün*, Associate Professor

Challis Lecturers

The Hon Justice Arthur R Emmett, BA LLM (Challis Lecturer in Roman Law)

The Hon. Justice D Graham Hill, LLM *Han* BA LLB (Challis Lecturer in Taxation) (*Stamp Duties*)

The Hon Justice Roderick P Meagher, BA LLB (Challis Lecturer in Equity)

Peter B Shea, BHA GradDip(HealthAdmin) *UNSW BA* DipEnvStud MEnvPlan *Macq* MB BS BD MPH DipCrim DPM *RANZCP*, *FRANZCP*, *FRACMA*, *FAIM*, *FAPPHM*, *FACLM*, *AFCHSE*(Challis Lecturer in Forensic Psychiatry) (*Forensic Psychiatry*), (*Advanced Forensic Psychiatry*)

Lecturers (Part-time)

The Hon Justice Robert Austin, D.Phil *Oxf* BA LLM (*Corporate Takeovers and Reconstruction*), (*Corporate Fundraising*)

Gery Bates, LLB(Hons) PhD *Birm* (*Environmental Planning Law, Pollution Law*)

Christopher Birch, BA LLB PhD (*Aspects of Legal Reasoning*)

Roger Hamilton, *BAANULLM York* (*Tax Litigation*)

Rosalind Haskew, BEc LLB *ANU (Corporate Finance)*
 The Hon Justice John R F Lehane, BA LLM (*Equity*)
 Angus Mackenzie, BA LLM *MBA Melb (International Business Law)*
 Stephen Odgers, BA LLB *ANU LLM 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

Nancy Dolan-Brown

Student Administration

Christopher Peek, GradDip(HealthAdmin) *UNSW BA*, (Manager)

Undergraduate

Natasha De Zilva, BA *MPhil*

Katie Collins, BA *Tas*

Postgraduate

Sue Ng, BA *UWSW*.

Taliessin Rees

Administrative Assistant

Matthew Ware

Counter Officer

Andrew Duffield

Finance and Administrative Services

Mark Molloy, BA *Macq* G Dip *JNI*, CPA, (Manager)

Christine Tsang, MCom *UNSW*

Ana Fairall, BA (Welfare) *UWS*

Jenny-Lee Heylin, BSc

Gavin Gould, BA *UNSW*

Katrina Thomas

External Relations

Shona Smith, BA LLB GradDip(MuseumStud), (Manager)

Pauline Moore, (Alumni and Promotions Coordinator)

Joanna Howse, (Sydney Law Review Coordinator)

CLE

Jennifer Liftman, BA *UNE*, Dip Crim

Personnel and Academic Support Services

Patricia Manley, (Manager)

Joel Butler, BA (fractional)

Gail Bruton (fractional)

Maria-Luisa Byrne (fractional)

Mary Haswell, BA (fractional)

Rosemary Maltos

Bridget Nguyen-Ngoc

Frances Smithard (fractional)

Computer Systems

Peter Ni, BSc *Beijing Union MCSAcademia Sinica, China*

MIT *Beijing* (Manager)

Patrick Lui, BSc (Computing) *UWS*

Law Library

Margaret McAleese, BA LLB *ANU* DipLib *UNSW* (Law Librarian)

Carolyn Kearney, DipLib *UNSW* MA DipLaw (Reader Services Librarian)

Sue Cohen, BA DipLaw *UNSW* (Technical Services Librarian)

Grant Wheeler, BA DipIM *UNSW* (Circulation)

Frances Stark, BA DipLib *UNSW* (Monographs)

Michelle Daly, BA (Interlibrary Loans)

Sue Olsen, BA DipEd *Macq* (Serials)

Carina Tran, AssocDipArts(Libraray Practice) *SIT* (Serials)

Walid Dadoun, BA *MEd Cairo* (Closed Reserve)

Marie Chan, DipEd DipFM *UNSW* (Serials)

Alexandra Parkes, AssocDipBus&Microcomputing Systems (Computer Support)

Rebecca Lorien, BA (Admin)

Marie Wong, AssocDipArts(Library Practice) *SIT* (Binding)

Ross Dickinson, BA (Shelving Supervisor)

Centres

Institute of Criminology

Director

Associate Professor Julie Stubbs, BA *W'gong* MA *Tor*

Deputy Director

Associate Professor Mark J Findlay, BA LLB *ANU* DipCrim

MSc *Edin.* LLM

Administrative Assistant

Australian Centre for Environmental Law - Sydney

Acting Director

To be appointed

Librarian

Jillian Murphy, BAppSc (Information) *UTS* (fractional)

Administrative Assistant

Centre for Asian and Pacific Law in the University of Sydney

Director

Associate Professor K Alex Ziegert, DPhil *Mun*

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.

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	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
Bill Wallace Memorial Prize*	500	Proficiency in Sales Tax and State Taxes, or equivalent
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 (6)	subscriptions	(a) Proficiency in law units in year 1 of GradLLB (b) Proficiency in law units in year 1 of Combined Law (c) Proficiency in law units in year 2 of Combined Law (d) Proficiency in law units in year 3 of Combined Law (e) Proficiency in law units in penultimate year of the LLB (f) Proficiency in law units in final 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
Corrs Chambers Westgarth Scholarships	to 2000	Academic merit, financial need and personal circumstances
Dudley Williams Prize	110	Honours graduand placed 2nd in order of merit
E.D. Roper Memorial Prizes (2)	220 each	Two students showing greatest proficiency in Equity and Corporate Law
E.M. Mitchell Prize	60	Proficiency in Contracts
Earle Page Constitutional Prize	175	Essay on approved topic of constitutional, political or administrative interest
Edward John Culey Prize	100	Awarded for proficiency in Real Property and Equity
George and Matilda Harris Scholarships*		
I	2500	Proficiency in Law II
IIA	1250	Proficiency in 2nd year of 3-year course
IIB	1250	Proficiency in 3rd year of 5-year course
Ivan Roberts Scholarship	5000	Most distinguished graduate in the Bachelor of Laws
J.H. McClemens Memorial Prize No. I	200	Proficiency in Criminology
John Geddes Prize	40	Proficiency in Equity
John George Dalley Prizes		
IA	400	Proficiency in final year of combined program
IB	400	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
Justice Stanley Vere Toose Memorial Prize	70	Proficiency in Family Law
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
Michael Harmer and Associates People Management Law Prizes	500	Proficiency in Anti-Discrimination Law
	500	Proficiency in Employment and Industrial Law
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
Nancy Gordon Smith Prizes	100	To first 5 candidates for LLB who obtain honours for at graduation
New South Wales Justices' Association Prize	250	Proficiency in Administrative Law
New South Wales Women Justices' Association Prize	50	Proficiency in Family Law
Permanent Trustee Company of NSW Ltd Prizes (2)	500	Proficiency in Conveyancing
	500	Proficiency in Succession
Peter Paterson Prize	50	Best student contribution in the Sydney Law Review
Phillips Fox John F. Mant Memorial Scholarship	1000	Academic merit and financial need

Prize or scholarship	Value \$	Awarded for
Phillips Fox John L. Smithers Memorial Scholarship	500	Academic merit and extracurricular achievements
Pitt Cobbett Prizes	30	Proficiency in Administrative Law
	30	Proficiency in Constitutional Law
	30	Proficiency in International Law
Pitt Cobbett Scholarship	to 1000	Financial need and academic merit
Playfair Prize in Migration Law	250	Proficiency in Migration Law
R.G. 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)
Tress Cocks and Maddox Centenary Scholarship	2000	Academic merit, financial need and personal circumstances
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*		
IA	50	Proficiency in 1st year of course for candidates not taking combined course
IB	50	Proficiency in Legal Institutions, Constitutional Law, Administrative Law, Torts, Contracts and Criminal Law by a combined law student
II	100	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
Australian Institute of Company Directors Master of Environmental Law Prize	1000	Most proficient candidate(s) for the degree of Master of Environmental Law
Cooke, Cooke, Coughlan, Godfrey and Littlejohn Scholarship	varies	For a USyd law graduate to pursue advanced study at USyd (value is 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)
Freehill, Hollingdale and Page Prize*	200	Master of Laws by coursework candidate who is most proficient in the unit of study Public Company Finance
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 at the annual postgraduate examinations in the subject Jurisprudence
J.H. McClemens Memorial Prize in Criminology No 2	150	Master of Laws or Master of Criminology candidate who has achieved the highest aggregate mark in four 6-credit-point units of study in the area of Criminology
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	varies	For full-time candidates in Doctoral or Master's awards (value is APAT 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 1999 the value is \$16,135

‡ In 1999 the value is 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 Pauline Moore, Alumni and Promotions Coordinator, External Relations Division, 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, which provide lunch hour food for thought.

The Society runs the mooting programs for both senior and junior mooters. In addition to the internal competition, the H.V. Evatt Moot is held annually between the University of New South Wales and the University of Sydney.

There is also an Australian wide Family Law Mooting Competition and the world wide Jessup International Law Mooting Competition. A team of students from Sydney University won the competition in 1996.

ALSA

The Society is a member of ALSA (the Australasian Law Students' Association). This holds its annual conferences in the half-yearly break, with an intervarsity mooting competition, witness examination competition, student papers and legal seminars as its primary focus. Sydney University has always performed admirably in these competitions.

Publications

The Society publishes its own annual journal *Blackacre* which contains a variety of articles, ranging from the humorous to the historical. SULS also publishes a fortnightly newsletter called *Hearsay* which provides students with regular information about upcoming social events, lectures and interesting legal snippets. *Polemic* is a sociolegal journal also published by SULS which has a vast range of contributors from all facets of the legal profession.

Second-hand bookshop

SULS organises a bookswap in each semester which provides students with a forum in which to sell and buy second hand text books.

Location

The Society represents all law students. Members of the Executive may be contacted on Level 5 of the Law School or by phoning (02) 9351 0204.

Sydney Campus Undergraduate Law Society

The Sydney Campus Undergraduate Law Society (SCULS) is a Faculty society similar to, but separate from, SULS. Its role is to represent the interests and enhance the university life of all combined law students attending classes on the Camperdown (Main) Campus. Students in their first, second or third year of combined law are members. The large majority of SCULS funding is provided by Union and SRC grants.

The day to day functioning of SCULS is the responsibility of student representatives. Any member is eligible to stand for election. Three representatives from each of first, second and third year are elected at the beginning of each year. These representatives subsequently elect the Executive which is comprised of a President, two Vice Presidents, Honorary Treasurer and Honorary Secretary.

Activities

SCULS' primary focus is the social well-being of its members. Typically it provides an outlet for academic pressures by providing regular social functions like beer and pizza lunches, trivia nights, champagne breakfasts and harbour cruises. However, the exact role and choice of activity depends largely on student ideas and the choice of direction taken by the Executive.

SCULS works with SULS to promote law student's interests. This may involve discussion and debate with

university administration, the Faculty of Law, the Union and the SRC. In recent years much energy has been expended in a successful attempt to more tightly bind the relationship between SCULS, SULS and the Faculty of Law.

Location

The most accessible point of contact with SCULS is through the elected representatives from each year. In 1996 the Faculty of Law provided office space for SCULS in Room 313 of the Old Teachers' College. This space is shared with the Faculty of Law Student Administration Division. SCULS 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.

General University information

See also the Glossary for administrative information relating to particular terms.

Admissions 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

The Admissions Office is responsible for overseeing the distribution of offers of 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 3611 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.

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 Dentistry, 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.

Careers information

Courses and Careers Unit
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
<http://www.careers.usyd.edu.au>

Provides careers information and advice, and help in finding course-related employment both while you're studying and when you commence your career.

Continuing Education

Centre for Continuing Education
Mackie Building, K01
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 2585
Fax: (02) 9351 5022
Email: info@cce.usyd.edu.au
<http://www.usyd.edu.au/cce>

Bridging courses; Study skills courses; essay writing courses.

Co-op Bookshop

Sydney University Sports and Aquatic Centre, G09
The University of Sydney
NSW 2006 Australia

Phone: (02) 9351 3705 or (02) 9351 2807
Fax: (02) 9660 5256
Email: sydu@mail.coop-bookshop.com.au
<http://www.coop-bookshop.com.au>

Sells textbooks, reference books, general books and software. Special order services available.

Enrolment and pre-enrolment

Students entering first year

Details of the enrolment procedures will be sent with the UAC Offer of Enrolment. Enrolment takes place at a specific time and date, depending on your surname and the Faculty in which you are enrolling, but is usually within the last 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. 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

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

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.

Fees

Fees Office
Margaret Telfer Building, K07
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 5222
Fax: (02) 9351 4202

For information on how to pay, where to pay, and if payments have been received.

Graduations

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
Email: k.fizzell@records.usyd.edu.au

(Grievances) Appeals

Many decisions about academic and non-academic matters are made each year and you may consider that a particular decision affecting your candidature for a degree or other activities at the University may not have taken into account all the relevant matters. In some cases the by-laws or resolutions of the Senate (see Calendar Volume 1) specifically provide for a right of appeal against particular decisions; for example, there is provision for appeal against academic decisions, disciplinary decisions and exclusion after failure.

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 <http://www.usyd.edu.au/su/planning/policy/index.htm>.

General university information

If you wish to seek assistance or advice regarding an appeal, contact: SRC, Level 1, Wentworth Building, G01, The University of Sydney, NSW 2006. Phone +61 2 9660 5222. Parking appeals should be addressed to the Manager, Campus Services.

Health Services

Provides full general practitioner services and emergency medical care to the University community.

Email: Director@unihealth.usyd.edu.au
<http://www.unihealth.usyd.edu.au/>

University Health Centre (Wentworth)

Level 3, Wentworth Building, G01
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 3484
Fax: (02) 9351 4110

University Health Centre (Holme)

Ground Floor, Holme Building, A09
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 4095
Fax: (02) 9351 4338

HECS

Student Centre
Ground Floor, Carslaw Building, F07
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 2086, (02) 9351 5659, (02) 9351 5062
Fax: (02) 9351 5081

International Student Centre

International Office

Level 2, Margaret Telfer Building, K07
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 4161, (02) 9351 4079
Fax: (02) 9351 4013
Email: info@io.usyd.edu.au, reception@io.usyd.edu.au
http://www.usyd.edu.au/homepage/exterel/internat/int_student_centre.html

Provides assistance with application, admission and enrolment procedures for international students.

International Student Services Unit

Level 2, Margaret Telfer Building
The University of Sydney, K07
NSW 2006 Australia
Phone: (02) 9351 4749
Fax: (02) 9351 4013

Email: info@issu.usyd.edu.au
<http://www.usyd.edu.au/su/issu/>

Provides an advisory and counselling service to international students.

Koori Centre

Ground Floor, A22 Old Teachers' College
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 2046 General Enquiries
(02) 9351 7003 Liaison Officer
(02) 9351 7073 Student Counsellor
Fax: (02) 9351 6923

Email: adminoff@koori.usyd.edu.au
<http://www.koori.usyd.edu.au/>

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 Educations for ATSI students. Indigenous Studies Unit: aims to increase the awareness of Indigenous Australian issues through courses across the University.

Language Centre

Level 2, Christopher Brennan Building, A18
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 2371
Fax: (02) 9351 4724

Email: Langcent.enquiries@language.usyd.edu.au
<http://www.arts.usyd.edu.au/langcent>

Provides self-access course materials in over 100 languages; beginners and intermediate courses in Spanish language and Culture; beginners and advanced courses in Celtic languages and cultures.

Library

Fisher Library, F03
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 2993 Enquiries/Information Desk
(02) 9351 3711 Library Hours
(02) 9351 7273 Borrowers' Cards
(02) 9351 6692 Holds Enquiries
(02) 9351 7277 Inter-library Loans
(02) 9351 2265 Loans, overdues enquiries
Fax: (02) 9351 2890 Administration
(02) 9351 7278 Renewals

Email: fishinf@hbrary.usyd.edu.au (gen enquiries)
loaneng@library.usyd.edu.au (loan enquiries)
reqill@library.usyd.edu.au (inter-library loans)
<http://www.library.usyd.edu.au>

In addition to Fisher Library, there are over 20 branch and departmental libraries. Branch and departmental libraries should be contacted direct.

Mathematics Learning Centre

Fourth floor, Room 455, Carslaw, F07
The University of Sydney
NSW 2006 Australia
Phone: (02) 9351 4061
Fax: (02) 9351 5797

Email: MLC@mail.usyd.edu.au
<http://www.usyd.edu.au/su/mlc/>

Runs bridging courses in Mathematics at the beginning of the academic year (fees apply), and provides on-going support during the year through individual assistance and small group tutorials.

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 and Freedom of Information

The NSW Freedom of Information (FOI) Act 1989 provides the public with a legally enforceable right of access to University documents, subject to particular exemptions. The Act also enables individuals to ensure that information held about them is accurate, up-to-date, and complete. The University has a number of policies permitting access by individuals to information about themselves without recourse to the Freedom of Information Act.

The University necessarily accumulates a great deal of information on individuals; within the University, access to this is restricted to staff who need the information to carry out their duties. As regards external requests for personal information, it is current policy that the University will disclose information to a third party if the subject of the information has consented in writing to the disclosure, or if the University has a legal obligation to respond to a request, including a subpoena, and the request is in the appropriate written form.

The University's Privacy Policy is to be reviewed in the light of the recent NSW Privacy and Personal Information Protection Act. Enquiries should be directed to the: Freedom of Information Coordinator and Privacy Officer c/- Archives, Main Quadrangle, A14
 Phone: (02) 9351 4263
 Fax: (02) 9351 7304
 Email: trobinso@mail.usyd.edu.au
<http://www.usyd.edu.au/su/foi>

Scholarships

Research and Scholarships Office
 Room K4.01, Main Quadrangle, A14
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 3250
 Fax: (02) 9351 3256
 Email: scholars@reschols.usyd.edu.au
<http://www.usyd.edu.au/su/reschols/scholarships>
 The Sydney Conservatorium of Music administers all awards designated exclusively for Conservatorium students.

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 identification cards

In 1999 the University incorporated a photograph into the student identification 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 organisations

Students' Representative Council

Level 1, Wentworth Building, G01
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9660 5222
 (02) 9660 4756 Secondhand Bookshop
 Fax: (02) 9660 4260
 Email: postmaster@src.usyd.edu.au
<http://www.sec.usyd.edu.au>

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
<http://www.usu.usyd.edu.au/>

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.

Sydney University Sports Union

University Sports and Aquatic Centre, G09
 The University of Sydney
 NSW 2006 Australia

Phone: (02) 9351 4960
 Fax: (02) 9351 4962
 Email: sports_union@susu.usyd.edu.au
 Services, facilities and clubs for sport, recreation and fitness.

Women's Sports Association

Sports Centre, A30
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9660 6355, (02) 9351 2057
 Fax: (02) 9660 0921
 Email: secretary@suwsa.usyd.edu.au
<http://www.usyd.edu.au/su/suwsa/welcome.html>
 Provides for students, predominantly women, to participate in sport and recreation through the provision of facilities, courses and personnel.

Student Services

<http://www.usyd.edu.au/su/stuserv/>

Accommodation Service

Level 7, Education Building, A35
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 3312
 Fax: (02) 9351 8262
 Email: accomm@stuserv.usyd.edu.au
<http://www.usyd.edu.au/su/accom/>

Casual Employment Service

Level 4, Holme Building, A09
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9552 2589
 Fax: (02) 9552 4713
 Email: ces@stuserv.usyd.edu.au
http://www.usyd.edu.au/su/cas_emp/

Counselling Service

Level 7, Education Building, A35
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 2228
 Fax: (02) 9351 7055
 Email: lpoerio@mail.usyd.edu.au
www.usyd.edu.au/su/counsel/

Disability and Welfare Services

Level 7, Education Building, A35
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 4554
 Fax: (02) 9351 7055
 Email: cstuckin@mail.usyd.edu.au
<http://www.usyd.edu.au/su/disability/>

Financial Assistance

Level 7, Education Building, A35
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 2416
 Fax: (02) 9351 7055
 Email: psweet@mail.usyd.edu.au
http://www.usyd.edu.au/su/fm_assist

Learning Assistance Centre

Level 7, Education Building, A35
 The University of Sydney
 NSW 2006 Australia
 Phone: (02) 9351 3853
 Fax: (02) 9351 4865
 Email: lac@stuserv.usyd.edu.au
<http://www.usyd.edu.au/su/lac/>
 Holds free workshops to assist undergraduate and postgraduate students wanting to improve their academic writing and communication skills at university.

Glossary

This glossary both defines terms in common use in the University and gives some useful administrative information.

Enrolment and general terms

Academic year

The period during which teaching takes place, from March to November. The academic year is divided into two semesters.

Advanced standing

(See also: Credit) Recognition of previous experience or studies, meaning that the candidate has satisfied the entry requirements for a unit. Advanced standing does not reduce the number of credit points required to complete the degree course.

Associate Diploma

The undergraduate award granted following successful completion of Associate Diploma course requirements. An Associate Diploma course usually requires less study than a Diploma course.

Assumed knowledge

The level of knowledge expected for entry to a Unit of Study. Unlike prerequisites, levels of assumed knowledge are not compulsory for entry to a Unit. Students who do not have the assumed knowledge may, however, be at a considerable disadvantage and may consider completing a bridging course prior to enrolment. Contact the Learning Assistance Centre, Mathematics Learning Centre, Language Centre or Centre for Continuing Education for further information.

Bachelor's degree

The highest undergraduate award offered at the University of Sydney (other undergraduate awards are Associate Diploma and Diploma). A Bachelor's degree course normally requires three or four years of full-time study (or the part-time equivalent).

Campus

The grounds on which the University is situated. There are eleven campuses of the University of Sydney: Burren Street (Australian Graduate School of Management), Camperdown and Darlington ('Main campus'), Camden (Agriculture and Veterinary Science), Conservatorium (Sydney Conservatorium of Music), Cumberland (Health Sciences and Nursing), Mallett Street (Nursing), Orange Agricultural College, Rozelle (Sydney College of the Arts), St James (Law) and Surry Hills (Dentistry).

Chancellor

(See also: Vice-Chancellor) The non-resident head of the University.

Combined degree course

A program consisting of two degree courses taken together, which usually requires less time than if the courses were taken separately.

Core

(See also: Elective/Option) A Unit of Study that is compulsory for the course or subject area.

Corequisite

A Unit of Study that must be taken with a given Unit. If a corequisite is not successfully completed, it becomes a prerequisite for further study in that subject area.

Course

A complete degree or diploma program.

Credit

(See also: Advanced standing) Recognition of previous studies or studies completed at another institution. If credit is granted then the number of credit points required for completion of the degree course is reduced.

Credit point

A measure of value indicating the contribution each Unit of Study provides towards meeting course completion requirements stated as total credit point value.

Dean

The head of a faculty.

Deferment of enrolment

People who have not previously attended a recognised tertiary institution are normally able to defer commencement of their candidature for one year. Applications are handled by the Admissions Office of the University. Application for deferment must be made during the UAC enrolment week at the 'Deferment' desk in MacLaurin Hall and be accompanied by the 'offer of enrolment' card.

Degree

The award conferred following successful completion of a degree course (for example Bachelor's degree or Master's degree).

Department/School

The academic unit responsible for teaching in a given subject area.

Diploma

The award granted following successful completion of Diploma course requirements. A Diploma course usually requires less study than a degree course. Graduate Diploma courses are for graduates only.

Doctorate

(See also: PhD) The Doctorate and the PhD are the highest awards available at the University of Sydney. A Doctorate course normally involves research and coursework; the candidate submits a thesis that is an original contribution to the field of study. Entry to a Doctorate course often requires completion of a Master's degree course. Note that the Doctorate course is not available in all Departments of the University of Sydney.

Elective/Option

(See also: Core) A Unit of Study that may be taken towards, but is not compulsory for, a course or subject area.

Enrolment

The process whereby an applicant officially accepts the offer of a place in a particular course. If UAC application is successful, an 'offer of enrolment' card is mailed to the applicant, along with instructions for enrolment. In most cases, the applicant must attend the University on a particular enrolment day or, if unable to attend, must appoint somebody to enrol on his or her behalf. Units of Study (for March Semester or whole of First Year) must be nominated on enrolment day. Academic records and HECS liability calculations are based on the enrolment details, so students must ensure that the Faculty holds correct enrolment information (see also: Variation of enrolment).

Entry requirement

The level of knowledge and/or experience required for entry to a particular Unit of Study.

Faculty

The administrative unit responsible for overseeing satisfactory progress during a degree or diploma course.

Full-time

A study load usually defined in terms of HECS weighting of at least 0.375 each semester.

Intermediate

Faculty of Science: Second-year level.

Junior

First-year level.

Glossary

Laboratory practical

See: Practical.

Lecture

(See also: Tutorial) A class given to a large group of students, during which the lecturer speaks or presents audiovisual material and students take notes.

Major

The subject area(s) in which a student specialises at Senior level. Students usually specialise in one (single major) or two (double major) subject areas. The major is usually recorded on the testamur.

Master's degree

A postgraduate award. Master's degree courses may be offered by coursework, research only or a combination of coursework and research. Entry to the course often requires completion of an Honours year at undergraduate level.

Mature age

A category of Special Admission applicants who are 21 years or older on 1 March of the year in which they want to study and who do not have the high school qualifications normally required for entry into a course.

Minor

Subject areas in which a student studies, but does not specialise at Senior level.

Orientation period

'O Week' takes place during the week prior to lectures in March semester. During O Week, students can join various clubs, societies and organisations, register for courses with Departments and take part in activities provided by the University of Sydney Union.

Part-time

A study load usually defined in terms of HECS weighting of less than 0.375 each semester.

PhD

(See also: Doctorate) The Doctor of Philosophy (PhD) and other Doctorate awards are the highest awards available at the University of Sydney. A PhD course is normally purely research-based; the candidate submits a thesis that is an original contribution to the field of study. Entry to a PhD course often requires completion of a Master's degree course. Note that the PhD course is available in most Departments of the University of Sydney.

Postgraduate

The term used to describe a course leading to an award such as Graduate Diploma, Master's degree or PhD, which usually requires prior completion of a relevant undergraduate degree (or diploma) course. A 'postgraduate' is a student enrolled in such a course.

Practical

Similar to a tutorial, during which experiments or other relevant applied activities are carried out.

Prerequisite

A Unit of Study that must be taken prior to entry to a given Unit.

Prohibition

A Unit of Study that cannot be taken with a given Unit.

Recommended reading

Reading material that is suggested but not compulsory for a Unit of Study.

Registrar

The head of the administrative divisions of the University.

Registration

In addition to enrolling (with the Faculty) in Units of Study, students must register with the Department responsible for teaching each Unit. This is normally done during the Orientation period (O' Week). Note that unlike enrolment, registration is not a formal record of Units attempted by the student.

Resolutions of Senate

Regulations determined by the Senate of the University of Sydney that pertain to degree and diploma course requirements and other academic matters.

School

Similar to a large Department, otherwise a grouping of Departments.

Semester

A period of 14 weeks during which teaching takes place. There are two semesters each year for most faculties. Semesters are named by the month in which they start, typically 'March' and 'July'

Senior

Second-year level or higher.

Faculty of Science: third-year level.

Special Admission

Certain categories of applicants, such as mature-age applicants, students who have experienced educational disadvantage or Aboriginal or Torres Strait Islander applicants, may apply for admission to the University under one of several Special Admission schemes. Contact the Special Admissions office for further information.

Subject area

One or more Units of Study that comprise a particular field of study (eg Japanese or Chemistry).

Textbook

Reading material that the student is expected to own.

Tutorial

(See also: Lecture) A small class consisting of a tutor and up to about 25 students, during which concepts raised in lectures are discussed in detail and may be supplemented with readings, demonstrations and presentations.

UAI

The University Admissions Index (UAI) is the numerical expression of a student's performance in the NSW Higher School Certificate (HSC), which takes into account both assessment and examination results.

UAI cut-off

The UAI of the last student admitted to a course. Some courses have a minimum UAI as an entry requirement.

Undergraduate

The term used to describe a course leading to a diploma or Bachelor's degree. An 'undergraduate' is a student enrolled in such a course.

Unit of Study

A stand-alone component of a degree or diploma course that is recordable on the academic transcript.

Universities Admissions Centre (UAC)

The organisation that processes applications for most NSW undergraduate university and TAFE courses.

Variation of enrolment

The process whereby students officially notify the Faculty of changes regarding the Units of Study they are attending. This must be done by a certain deadline in each semester, to avoid penalties such as 'discontinued' results on the academic transcript (see: Results) or unnecessary HECS charges.

Vice-Chancellor

(See also: Chancellor) The administrative head of the whole University, including academic and administrative divisions.

Costs

Bursary

A sum given to a student who has limited resources or is experiencing financial hardship, ranging from \$100 to \$1000.

Fees (full-fee undergraduate/postgraduate)

Tuition, examination or other fees payable to the University by an enrolled or enrolling student in connection with a course of study or attendance at the University and includes fees payable in respect of the granting of a degree, diploma, associate diploma or other award. It does not include annual

subscription to organisations such as the Union or SRC, or fees payable in respect of residential accommodation.

HECS

All Australian undergraduate students are currently required to contribute to the cost of tertiary education through the Higher Education Contribution Scheme (HECS), which is administered under the Higher Education Funding Act 1988. Under HECS students pay for part of the cost of their higher education and the Commonwealth pays the rest. The amount payable is determined by the units of study a student chooses to undertake in the case of coursework awards, or the attendance (full-time or part-time) in the case of research students.

Prize

Matriculation, undergraduate and postgraduate funding automatically awarded on academic results in courses, yearly examinations or on the recommendation of the Head of Department. There are also prizes for essay writing and composition by anonymous application. Prize values range from \$100 to \$6250.

Scholarship

Matriculation and undergraduate funding by application awarded on UAI results for students enrolling in the first year of a degree course. Postgraduate funding for full-time candidates enrolled in a research degree course with scholarship conditions and benefits varying according to specific awards. The intention is to encourage and support scholarship at the University in general or in targeted areas.

Assessment, Examination, Satisfactory Progress and Graduation

Academic transcript/record

The official record of results for each student (see: Results).

Appeal

The process whereby a student may raise objections regarding results, Faculty decisions or other academic matters.

Assessment

(See also: Examination) The appraisal of a student's ability throughout the semester, by various means such as essays, practical reports or presentations, which counts towards the final mark or grade.

Candidate

Someone studying for a degree or diploma. The term may also be used to describe someone sitting for an examination.

Examination

(See also: Assessment) The appraisal of a student's ability, usually at the end of semester. Most examinations take place on campus under strictly supervised conditions but some Units make use of take-home or open-book examinations.

Exclusion

A ruling by the Faculty, which declares the student ineligible for further enrolment for reasons such as lack of satisfactory progress. Students who wish to re-enrol must show good cause why they should be allowed to re-enrol (see: Show cause and Satisfactory progress).

Grievances

See Appeals.

Grade

A category into which a student's final mark falls (see: Results).

Graduand

A person who has fulfilled the requirements of a degree but is yet to graduate.

Graduate

(See also: Postgraduate) A person who has graduated. Also a term used to describe a course leading to an award such as Master's degree or PhD or a student enrolled in such a course.

Graduation

The ceremony during which degrees are conferred and diplomas awarded.

Honours degree

A Bachelor's degree for which extra work (course work and/or thesis) has been completed, usually requiring an extra year of study.

Mark

(See also: Grade) The numerical result of assessments and/or examinations for a Unit of Study, which may be converted to a grade.

Pass degree

A Bachelor's degree.

Re-enrolment

The process by which continuing students enrol in Units of Study.

Results

The official statement of the student's performance in each Unit of Study attempted, as recorded on the academic transcript, usually expressed as a grade:

High Distinction

A mark of 85% and above

Distinction

A mark of 75-84%

Credit

A mark of 65-74%

Pass

A mark of 50-64%

Pass (Concessional)

A mark of 46-49%. The student is deemed to have completed unit requirements but may not necessarily proceed to the next level.

Fail

A mark of less than 50%

Withdrawn

This is the same as if the candidate had not enrolled in the course concerned. Although the University has a record of the withdrawal, the course and result will not appear on the official academic transcript. There is no HECS liability either. In order to have a course recorded as 'withdrawn', notice must be given by the candidate to the Faculty office on or before the deadline. Refer to the section on degree regulations.

Discontinued with Permission

This does not count as an attempt at the particular course, but does appear on the candidate's academic record. A candidate may have enrolment recorded as 'discontinued with permission' where: (1) notice is given to the faculty office on or before the deadline or; (2) after the deadline, evidence is produced of serious illness or misadventure. Refer to the section on degree regulations for deadlines. Discontinuation with permission does not mean that the student's progress is considered to be satisfactory.

Discontinued

This counts as an unsuccessful attempt at the course concerned and appears on the candidate's academic record. Where notice is given after the deadline for 'discontinued with permission' but before the last day of lectures for the course, the result is 'Disc.'. Refer to the section on degree regulations for deadlines.

Absent Fail

If the candidate misses the deadline for 'discontinued' and does not sit the final exam, the result is 'absent fail'.

Satisfactory progress

A minimum standard of performance required for continuation of enrolment. Senate resolutions rule that if a student fails or discontinues a year of candidature or a Unit of Study more than once then he or she is ineligible for re-enrolment (see: Exclusion and Show cause). Note that some faculties may have alternative or additional requirements for satisfactory progress.

Show cause

The Faculty may require a student to show good cause why he or she may be allowed to continue in the degree or diploma

Glossary

course, where requirements for satisfactory progress have not been met (see: Exclusion and Satisfactory progress).

Special consideration

The process whereby enrolled students who have experienced significant educational disadvantage may have their assessment deadlines or grades revised.

Study Vacation (Stuvac)

The week prior to the examination period in each semester, during which no classes are held.

Supplementary examination

An extra or alternative examination taken by a student who has experienced significant educational disadvantage during semester or the examination period. Note that some faculties do not offer supplementary examinations (see also: Special consideration).

Suspension of candidature

A complete break in the studies of an enrolled student, usually for a period of one year. Applications are handled by the Faculty office. (Those wishing to postpone commencement of a course need to apply for deferment, see: Deferment of enrolment).

Testamur

The document given to the graduand at graduation.

Thesis

A substantial piece of written work (sometimes called a dissertation) by a student, normally a candidate for an Honours degree or a higher award (such as Master's degree or PhD).

Weighted Average Mark (WAM)

A numerical expression of a student's performance throughout his or her degree program, usually assigning more 'weight' to Senior or Honours years. Note that the WAM calculation may differ for purposes such as eligibility for various scholarships and will vary from faculty to faculty.

Index

A

Accommodation Service, 69, 79
Administrative Law, 48
Administrative Law LAWS 2002, 7
Advanced Administrative Law LAWS 3006, 10
Advanced Constitutional Law LAWS 3027, 10
Advanced Contracts LAWS 3007, 10
Advanced Corporate Law LAWS 3008, 11
Advanced Employment Law, 48
Advanced Financing Techniques, 48
Advanced Forensic Psychiatry, 48
Advanced Public International Law LAWS 3009, 11
Advanced Torts LAWS 3051, 11
Advocacy, Interviewing and Negotiation LAWS 3011, 11
Anti-Discrimination Law LAWS 3012, 11
Appeals, 77
Asia Pacific Environmental Law Journal, 49
Asian Pacific Taxation, 63
Aspects of Law and Justice 1 The General Theories, 49
Aspects of Law and Justice 2 The Analysis of Legal, 49
Aspects of Law and Social Control (Jurisprudence), 49
Aspects of Legal Reasoning 1 (Jurisprudence), 49
Aspects of Legal Reasoning 2 (Jurisprudence), 49
Australian Centre for Environmental Law, 68
Australian Income Tax System, 60
Australian International Taxation, 49
B
Banking and Financial Instruments (Seminar) LAWS 310, 11
Biodiversity Law, 49
Bookshop (Co-op), 77
Business Taxation LAWS 3013, 12
C
Careers Centre, 69
careers information, 77
Casual Employment Service, 69
Centre for Asian and Pacific Law, 67
Chinese Laws and Chinese Legal Systems, 50
Chinese Laws and Chinese Legal Systems LAWS 3014, 12
Clinical Environmental Law LAWS 3018, 12
combined Law degrees, 3
Commonwealth Government Assistance, 69
Comparative Competition Law, 50
Comparative Constitutionalism JURS 3003, 12
Comparative Corporate Taxation, 50
Comparative Environmental Law, 50
Comparative Industrial Law, 51
Comparative International Tax, 51
Comparative Law JURS 3007, 12
Competition Law LAWS 3016, 13
Constitutional Theory (Jurisprudence), 51
Consumer Protection Law Post-Sale Consumer Protect, 51
Consumer Protection Law Regulation of Unfair Marke, 51
Contemporary Analytical Jurisprudence JURS 3002, 13
Contemporary Crime Issues, 52
Contracts LAWS 1002, 7
Controlled Foreign Companies, Foreign Investment Fun, 52
Conveyancing LAWS 3017, 13
Corporate Fundraising (Seminar), 52
Corporate Law LAWS 2003, 7
Corporate Taxation, 52
Counselling Service, 68, 79
credit transfer, 28
Crime Control, 53
Crime Research and Policy I, 52
Crime Research and Policy n, 52
Criminal Law LAWS 1003, 7
Criminal Liability, 53
Criminal Procedures, 53
Criminology LAWS 3020, 13
Critical Legal Studies LAWS 3021, 13

D

Debt Financing, 53
Disability and Welfare Services, 79
Disability Services, 69
discontinuation, 29
Discrimination in the Workplace, 53
Dispute Resolution in Australia, 53
Dispute Resolution LAWS 3022, 13
Doctor of Juridical Studies, 34
Doctor of Laws, 33
Doctor of Philosophy, 33
Drugs, Drug Policy and the Law, 53

E

employment, 69
Employment and Industrial Law LAWS 3023, 13
Employment, Casual, 79
Enrolment and pre-enrolment, 77
enrolment, confirmation of, 29
enrolment, cross-institutional, 48
Environmental Dispute Resolution, 53
Environmental Economics/Public Sector Policy 1, 54
Environmental Impact Assessment Law, 54
Environmental Law and Policy, 54
Environmental Law LAWS 3024, 14
Environmental Planning Law, 54
Equity Financing, 54
Equity LAWS 2004, 7
European Union Law I (Jurisprudence), 65
European Union Law II (Jurisprudence), 66
Examinations and Exclusions Office, 77
exchanges, overseas student, 69
Executive, 74
Explaining Crime, 54
External Placement Program LAWS 3025, 14

F

Family Law LAWS 3026, 14
Federal Constitutional Law LAWS 1004, 8
Federal Constitutional Law LAWS 3000, 8
fee refund policy, 46
fees, 47
Fees Office, 77
Financial Assistance, 79
Financial Assistance Office, 69
Forensic Psychiatry, 54
Freedom of Information, 78
Freedom of Speech and Freedom of Religion, 55
G
Gender, Race and Legal Relations, 55
Goods and Services Tax (Seminar), 55
Government Regulation, Health Policy and Ethics, 55
Graduate Law degree, 3
Graduations office, 77
Grievances, 77

H

Health Care and Professional Liability, 55
Health Services, 78
Heritage Law, 55
honours, 28

I

Income Transfer Payments (Social Security) Law, 56
Independent Research Project, 56
Independent Research Project LAWS 3030, 14
Independent Research Project LAWS 3031, 14
Indigenous People and the Law LAWS 3005, 14
Information Rights in Health Care, 56
Insolvency Law (Seminar), 56
Institute of Criminology, 68
Intellectual Property LAWS 3033, 15
International Business Law, 57
International Commercial Arbitration, 57
International Environmental Law, 57
International Human Rights, 57
International Human Rights Law LAWS 3034, 15
International Law and Australian Institutions, 57
International Law and the Use of Armed Force, 57
Internationa] Law LAWS 2005, 8
International Office, 78
International Student Services Unit, 78
International students, 46

Index

International Students Centre, 47
International Trade Regulation, 57
International/Comparative Jurisprudence JURS 3006, 15

J

Jessup International Law Moot LAWS 3035, 15
Judicial Review: Principles, Policy and Procedure, 58
JURS 3001 Sociological Jurisprudence, 19
JURS 3002 Contemporary Analytical Jurisprudence, 13
JURS 3003 Comparative Constitutionalism, 12
JURS 3004 Post-Communist Law and Legal Theory, 17
JURS 3005 Philosophy of Human Rights, 17
JURS 3006 International/Comparative Jurisprudence, 15
JURS 3007 Comparative Law, 12
JURS 3008 Law and Social Justice, 16
Juvenile Justice, 66

K

Koori Centre, 78

L

Labour Law, 58
Language Centre, 78
Law, Ageing and Disability, 58
Law and Commercial Transactions LAWS 3064, 15
Law and Discourse (Seminar) LAWS 3103, 15
Law and Economics LAWS 3036, 15
Law and Gender LAWS 3037, 16
Law and Legal Culture in Asia and the Pacific (Juris, 58
Law and Popular Culture, 59
Law and Social Justice JURS 3008, 16
Law and Society in Indonesia, 59
Law, Communications, Culture and Global Economies LA, 16
Law, Lawyers and Justice in Australian Society LAWS, 8
Law of the Sea, 59
LAWS 1000 Legal Institutions, 9
LAWS 1001 Law, Lawyers and Justice in Australian Soc, 8
LAWS 1002 Contracts, 7
LAWS 1003 Criminal Law, 7
LAWS 1004 Federal Constitutional Law, 8
LAWS 1005 Torts, 10
LAWS 1006 Legal Institutions, 8
LAWS 1007 Law, Lawyers and Justice in Australian Soc, 8
LAWS 1008 Legal Research, 9
LAWS 1009 Legal Writing, 9
LAWS 2002 Administrative Law, 7
LAWS 2003 Corporate Law, 7
LAWS 2004 Equity, 7
LAWS 2005 International Law, 8
LAWS 2006 Litigation, 9
LAWS 2007 Real Property, 9
LAWS 2201 Personal Property, 9
LAWS 3000 Federal Constitutional Law, 8
LAWS 3001 Torts, 10
LAWS 3005 Indigenous People and the Law, 14
LAWS 3006 Advanced Administrative Law, 10
LAWS 3007 Advanced Contracts, 10
LAWS 3008 Advanced Corporate Law, 11
LAWS 3009 Advanced Public International Law, 11
LAWS 3011 Advocacy, Interviewing and Negotiation, 11
LAWS 3012 Anti-Discrimination Law, 11
LAWS 3013 Business Taxation, 12
LAWS 3014 Chinese Laws and Chinese Legal Systems, 12
LAWS 3015 Private International Law, 18
LAWS 3016 Competition Law, 13
LAWS 3017 Conveyancing, 13
LAWS 3018 Clinical Environmental Law, 12
LAWS 3020 Criminology, 13
LAWS 3021 Critical Legal Studies, 13
LAWS 3022 Dispute Resolution, 13
LAWS 3023 Employment and Industrial Law, 13
LAWS 3024 Environmental Law, 14
LAWS 3025 External Placement Program, 14
LAWS 3026 Family Law, 14
LAWS 3027 Advanced Constitutional Law, 10
LAWS 3029 The Holocaust, Moral Responsibility and the, 14
LAWS 3030 Independent Research Project, 14
LAWS 3031 Independent Research Project, 14
LAWS 3033 Intellectual Property, 15
LAWS 3034 International Human Rights Law, 15
LAWS 3035 Jessup International Law Moot, 15
LAWS 3036 Law and Economics, 15
LAWS 3037 Law and Gender, 16
LAWS 3039 Law, Communications, Culture and Global Ec, 16

LAWS 3045 Migration Law, 17
LAWS 3046 Medical Law, 17
LAWS 3047 Personal Taxation, 17
LAWS 3048 Policing Crime and Society, 17
LAWS 3049 Regulation of Financial Markets, 18
LAWS 3051 Advanced Torts, 11
LAWS 3052 Roman Law, 18
LAWS 3055 Social Security Law, 18
LAWS 3056 Succession, 19
LAWS 3057 Sydney Law Review, 19
LAWS 3059 Media Law, 16
LAWS 3062 Product Liability Law, 18
LAWS 3064 Law and Commercial Transactions, 15
LAWS 3065 Legal Theories of State and Membership, 16
LAWS 3101 Banking and Financial Instruments (Seminar, 11
LAWS 3103 Law and Discourse (Seminar), 15
Learning Assistance Centre, 69, 79
Legal Institutions LAWS 1000, 9
Legal Institutions LAWS 1006, 8
Legal Issues in Health Care and Technology, 59
Legal Research I, 59
Legal Research n, 59
Legal Research III, 59
Legal Research LAWS 1008, 9
Legal Theories of State and Membership LAWS 3065, 16
Legal Writing LAWS 1009, 9
Library (Fisher), 78
Library (Law), 67
library, Broadway campus, 5
Litigation LAWS 2006, 9

M

Maritime Law, 60
Masters! Degrees, 36
Mathematics Learning Centre, 78
Media Law LAWS 3059, 16
Medical Law LAWS 3046, 17
Migration Law LAWS 3045, 17
Modern Corporate Governance, 60

N

Natural Resources Law, 60

O

overseas graduates in law, 69

P

Personal Property LAWS 2201, 9
Personal Taxation LAWS 3047, 17
Philosophy of Human Rights JURS 3005, 17
Policing Crime and Society LAWS 3048, 17
Pollution Law, 60
Post-Communist Law and Legal Theory JURS 3004, 17
Privacy and Freedom of Information, 78
Privacy, Surveillance and Fair Information Practices, 60
Private International Law LAWS 3015, 18
Product Liability Law LAWS 3062, 18
Protection of the Antarctic Environment, 61
Public Sector Policy I, 61
Public Sector Policy II, 61

Q

qualifications, obtaining, 69

R

Real Property LAWS 2007, 9
reassessment, 28
Regulation of Collective Investments, 61
Regulation of Derivatives Products and Markets, 62
Regulation of Financial Markets LAWS 3049, 18
Reproduction and the Law, 62
Research and Scholarships Office, 79
Resolutions of the Faculty, 35, 37
resolutions of the Senate, 29
Restitution for Unjust Enrichment, 62
Roman Law LAWS 3052, 18

S

scholarships and prizes, 71
Scholarships Office, 79
Securities Regulation (Seminar), 62
seminars, 48
Sentencing and Punishment, 54
Services, Student, 79

Social Security Law LAWS 3055, 18
Sociological Jurisprudence JURS 3001, 19
Sports Union, 79
Sports, Women's Association, 79
Stamp Duties (Seminar), 62
Student Centre, 79
student identification cards, 79
Students' Representative Council, 79
Succession LAWS 3056, 19
Sustainable Development Law in China & Australia(Sem), 62
Sydney Law Review LAWS 3057, 19
Sydney University Law Graduates! Association, 74
Sydney University Law Society, 74

T

Takeovers and Reconstructions (Seminar), 52
Tax Administration, 63
Tax Litigation (Seminar), 63
Taxation, 63
Taxation and Social Policy, 64
Taxation of Business and Investment Income, 64
Taxation of Financial Institutions and Financial Tra, 64
Taxation of Partnerships and Trusts, 65
Taxation of Remuneration, 65
Taxation of Superannuation and Insurance, 65
The Chinese Legal System and Foreign Investment Law, 50
The Holocaust, Moral Responsibility and the Rule of Law, 14
Theories of International Law, 65
Theory of the Family in Law and Society (Jurisprudence), 66
Torts LAWS 1005, 10
Torts LAWS 3001, 10
Trade Union Law, 66

U

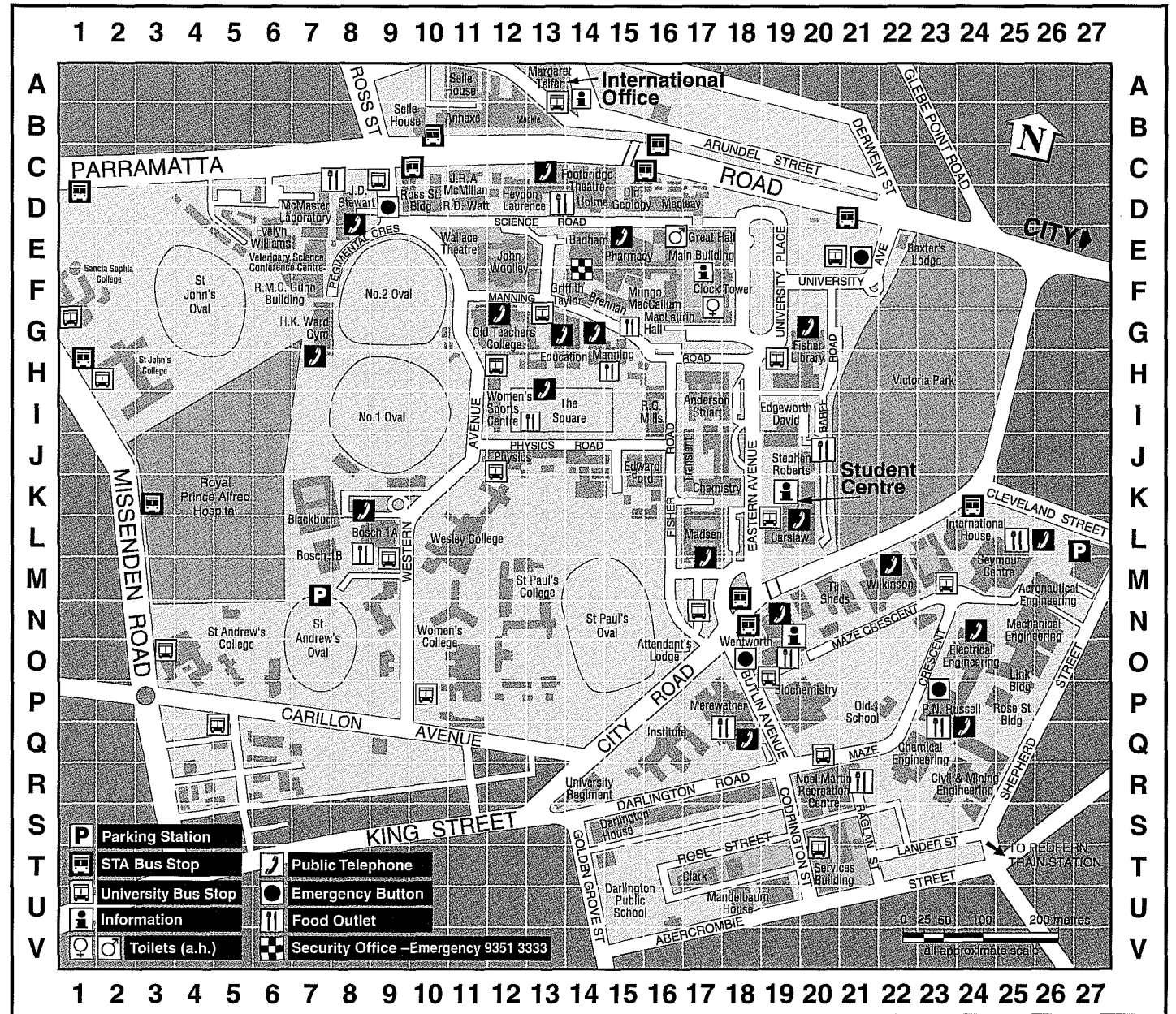
Union, University of Sydney, 79
University of Sydney Union, 79

W

weighted average marks, 4
withdrawal, 29
Work Safety, 66
Workplace Bargaining, 66

University of Sydney Directory

- Academic & Executive Services 16E
- Accounting 17P
- Accommodation Service 13G
- Administrative Policy & Strategic Planning Div'n 16E
- Administrative Support Services Division 16E
- Aeronautical Engineering 26M
- Agricultural Chemistry & Soil Science 10D
- Agricultural Economics HD
- Agriculture Faculty Office 11C
- Australian Graduate School of Management Burren St
- Alma Street Glasshouse 23N
- Alumni Relations 16E
- Anaesthesia 7K
- Anderson Stuart Bldg 17I
- Anatomy & Histology 17I
- Ancient History & Classics 16F
- Animal Health **Camden**
- Animal Science 7F
- Anthropology 16F
- Archaeology 16F
- Architectural & Design Science 22M
- Architecture, Dept & Faculty Office 22M
- Architecture, Planning & Allied Arts 22M
- Archives 19H
- Art History & Theory 15I
- Art Workshop 20M
- Arts Faculty Office 16F
- Asset Management 13A
- Asian Studies 14F
- Attendant's Lodge 160
- Badham Bldg & Library 14E
- Banks see Financial institutions
- Baxter's Lodge 22E
- Behavioural & Social Sciences in Nursing Mallett St
- Behavioural Science **Cumberland**
- Behavioural Sciences in Medicine 7K
- Biochemistry 20P
- Biological Sciences 15D
- Biomedical Science **Cumberland**
- Blackburn Bldg 7K
- Bookshops
 - Medical 7K
 - SRC Secondhand 19N
 - University Co-operative 21R
- Bosch 1A (lecture theatres) 8L
- Bosch IB Bldg 7M
- Brennan, C, Bldg 15F
- Budget Office 16E
- Business Liaison Office 12E
- Business Services 19U
- Campus Services 20T
- Careers Centre 13B
- Carlsaw Bldg 19L
- Cashiers 13A



Central Services **20T**
 Central Records Office **16E**
 Centre for English Teaching **Mallett St**
 Centre for Teaching & Learning **19L**
 Chancellor's Committee Shop **17F**
 Chaplains' Centre **10G**
 Chemical Engineering **22Q**
 Chemistry **17K**
 Child Care
 Boundary Lane **16U**
 Carillon Avenue **9Q**
 Laurel Tree House (Glebe) **16B**
 Union (Darlington) **21S**
 Civil & Mining Engineering **24R**
 Clark Bldg **17T**
 Clinical Nursing **Mallett St**
 Clinical Ophthalmology & Eye Health **Sydney Eye Hospital**
 Clock Tower **17F**
 Clinical Trials **Mallett St**
 Communication Disorders **Cumberland**
 Community & Mental Health Nursing **Cumberland**
 Community Health **Cumberland**
 Community Medicine **15K**
 Computer Sales
 Computer Sales & Service **23U**
 Computer Shop **21R**
 Computer Science, Basser Dept **17L**
 Continuing Education, Centre for **13B**
 Copleson Postgraduate Medical Institute **9K**
 Copy Centre **21R**
 Counselling Service **13G**
 Crop Sciences **13F**
 Darlington House **14S**
 Dentistry Faculty Office & Dental Studies **Surry Hills**
 Development Office **16E**
 Disability Services **13G**
 Econometrics **17P**
 Economic History **17P**
 Economics, Dept & Faculty Office **17P**
 Edgeworth David Bldg **19J**
 Education Bldg & Faculty Office **13G**
 Educational Development & Evaluation **15K**
 Educational Psychology, Literacies & Learning **13G**
 Edward Ford Bldg **15K**
 Electrical Engineering **240**
 Employment Service, Casual **14C**
 Engineering Faculty Office **250**
 English **12E**
 Equal Employment Opportunity Unit **13A**
 Evelyn Williams Bldg **6E**
 Experimental Medicine **7K**
 External Relations Division **16E**
 Facilities Planning, Office of **20T**
 Family & Community Health in Nursing **Mallett St**
 Financial institutions
 Commonwealth Bank **14D**

Credit Union **14D**
 National Australia Bank **15E, 19N**
 Finance, Dept of **16Q**
 Financial Management & Reporting **13A**
 Financial Services Division **13A**
 Financial Systems Development **13A**
 Fine Arts (Art History & Theory) **15I**
 Fisher Library **19G**
 Footbridge Theatre **14C**
 French Studies **15F**
 Garage, University **21T**
 Gender Studies **16G**
 General Practice **Westmead Hospital**
 Geography **16Q**
 Geology & Geophysics **19J**
 Germanic Studies **15F**
 Government & Public Administration **17P**
 Great Hall **18E**
 Greek, Modern **14F**
 Griffith Taylor Bldg **14F**
 Gunn, R. M. C., Bldg **7F**
 Health Information Management **Cumberland**
 Health Sciences Faculty Office **Cumberland**
 Health Service (Holme, Wentworth Bldg) **14C, 19N**
 History **15G**
 History & Philosophy of Science **19L**
 Holme Bldg **14D**
 Industrial Relations, Dept of **16Q**
 Infectious Diseases **7K**
 Information Technology Services **19U**
 Institute Bldg **16Q**
 International Office, International Student Services **13A**
 International House **23L**
 International Preparation Program **13B**
 Italian **15I**
 Jurisprudence **St James**
 Koori Centre **12G**
 Law Dept & Faculty Office **StJames**
 Learning Assistance Centre **13G**
 Life Sciences in Nursing **Mallett St**
 Linguistics **16J**
 Link Bldg **250**
 Lost Property **14F**
 Mackie Bldg **13B**
 MacLaurin Hall **16G**
 Macleay Bldg & Museum **16D**
 Madsen Bldg **17L**
 Mail Room (Internal) **20T**
 Main Bldg **17F**
 Management Studies **Burren St**
 Mandelbaum House **18U**
 Manning House **14H**
 Margaret Telfer Bldg **13A**
 Marketing, Dept of **16Q**
 Marketing & Publications **16E**
 Mathematics & Statistics **19L**
 McMaster Bldg **7D**

McMillan, J. R. A., Bldg **11C**
 Mechanical & Aeronautical Engineering Bldg **25N**
 Mechanical Engineering **25N**
 Media Office **16E**
 Medical Radiation Technology **Cumberland**
 Medicine, Dept of **7K**
 Medicine, Faculty of **15K**
 Merewether Bldg **17P**
 Microbiology **20P**
 Mills, R. C., Bldg **16I**
 Mungo MacCallum Bldg **15G**
 Music, Dept of **24M**
 Nicholson Museum **16G**
 Nursing Therapeutics **Cumberland**
 Obstetrics & Gynaecology **9K**
 Occupational Therapy **Cumberland**
 Old Geology Bldg **15D**
 Old School Bldg **21P**
 Old Teachers' College Bldg **12G**
 Operations Accounting **13A**
 Orange Agricultural College **Orange Agricultural College Campus**
 Orthotics **Cumberland**
 Paediatrics & Child Health **New Children's Hospital**
 Pathology **7K**
 Personnel Services **13A**
 Pharmacology **7L**
 Pharmacy **15E**
 Philosophy **17G**
 Photowise Imaging **20T**
 Physics **13J**
 Physiology **17I**
 Physiotherapy **Cumberland**
 Planning Support Office **16E**
 Post Office **15E**
 Printing Services, University **20T**
 Professional Studies **13G**
 Properties & Investments **13A**
 Prospective Students Unit **12B**
 Psychological Medicine **4K**
 Psychology **14F**
 Purchasing **13A**
 Publications Office **16E**
 Public Health & Community Medicine **15K**
 Quadrangle **17F**
 Queen Elizabeth II Research Institute **9K**
 Regiment, University **14R**
 Religion, School of Studies in **12E**
 Research & Scholarships **16E**
 Revenue Services **13A**
 Risk Management **13A**
 Rose Street Bldg **24P**
 Ross Street Bldg **10D**
 Russell, Peter Nicol, Bldg **23P**
 St Andrew's College **50**
 St John's College **3H**
 St Paul's College **12N**

Sancta Sophia College IF
 Science Faculty Office **19L**
 Security & Bldg Services **14F**
 Selle House **10B**
 Semitic Studies **17F**
 Senate Room **17E**
 Services Bldg **20T**
 Seymour Theatre Centre **24M**
 Shepherd St Parking Station **27M**
 Sir Hermann Black Gallery **19N**
 Social, Policy & Curriculum Studies **13G**
 Social Work & Social Policy **15I**
 Sociology **15I**
 Solicitor, University **16E**
 Sports
 Aquatic Centre **20R**
 Noel Martin Recreation Centre **20R**
 Sports Union **7G**
 Tennis courts **20E**
 Ward, H. K., Gymnasium **7G**
 Women's Sports Association **12I**
 Statistics Unit **16E**
 Stephen Roberts Theatre **20J**
 Stewart, J. D., Bldg **8E**
 Student Centre **19L**
 Student Services **13G**
 SRC **19N**
 SUPRA **4R**
 Surgery **7K**
 Sydney College of the Arts **Rozelle**
 Sydney Conservatorium of Music **Conservatorium**
 Tin Sheds Gallery **20M**
 Trades & Grounds Services **20T**
 Traffic Office **14F**
 Transient Bldg **16J**
 Union, University of Sydney **19N**
 Unistaff **19U**
 University Art Collection **19H**
 University of Sydney Club **15G**
 Veterinary Anatomy & Pathology **7E**
 Veterinary Clinic **6E**
 Veterinary Clinical Sciences **6E**
 Veterinary Science Conference Centre **7F**
 Veterinary Science Faculty Office **8D**
 Vice-Chancellor's Office **16E**
 Visual Arts **Rozelle**
 Wallace Theatre **HE**
 War Memorial Gallery **17E**
 Watt, R. D., Bldg **HD**
 Wentworth Bldg **19N**
 Wesley College **11L**
 Western Avenue Underground Parking Station **8N**
 Wilkinson Bldg **22M**
 Women's College **HO**
 Woolley Bldg, John **12E**
 Yeoman Bedell's Office **17E**
 Zoology **12D**

