

Faculty of Law

A Message from the Dean

On behalf of the UNSW Law Faculty, I extend a warm welcome to you as postgraduate students. An internationally recognised Faculty, our postgraduate students come to us from varied walks of life. They include legal practitioners seeking specialised coursework training, academics pursuing research degrees, and non-lawyers seeking legal and related qualifications complementary to their disciplines. Whatever your legal background or program of study, we are committed to teaching and scholarly excellence within a setting of social responsibility. We aim to ensure your highest satisfaction by extending your educational horizons in the fulfillment of our educational mission as a centre of both academic and professional excellence.

Postgraduate Coursework Programs

The UNSW Law School offers five postgraduate coursework degrees: a Master of Laws, a Graduate Diploma in Law, a Master of Legal Studies, a Graduate Diploma in Legal Studies, and a Master of Law and Management, supported by the Australian Graduate School of Management, the premier management school in Australia.

The postgraduate coursework curriculum provides a legal education in discrete areas of specialisation including: Corporate and Commercial Law; Corporate, Commercial and Taxation Law; Media, Communications and Information Technology Law; International Law; European Union Law; Criminal Justice; Asian and Comparative Law; Financial Services; and Human Rights and Social Justice.

Postgraduate coursework at the UNSW Law School has the specific goal of strengthening the professional knowledge and skills of lawyers and related professionals. As a result, coursework programs often are oriented around the specialised areas of law identified above, and each course contains a significant research component.

Consistent with the career enhancing goals of postgraduate coursework students, LLM and GradDipLaw graduates who have completed a minimum of 24 units of credit from one of the specialisations may elect to have their specialisation noted on their testamur.

In its Tax School (Atax), the Law Faculty offers a Master of Taxation, a Master of International Taxation, a Master of Applied Taxation, a Graduate Diploma in Advanced Taxation and a Graduate Diploma in Taxation Studies. These programs are offered primarily, but not exclusively, through flexible distance education. Over 30 postgraduate courses are available to students throughout the country or located offshore, and the programs offer the most comprehensive range of specialised taxation courses anywhere in the southern hemisphere.

Research Degrees

The UNSW Law Faculty also offers five research degrees under the supervision of leading scholars: the Doctor of Philosophy (Law), Doctor of Philosophy (Taxation), the Doctor of Juridical Science, the Master of Laws and the Master of Taxation.

The Faculty has particular research strengths in Constitutional and Administrative Law, Corporate and Commercial Law, Taxation Law, Criminal Justice and Criminology, European Law and International Law, Japanese Law, Indigenous Law and Human Rights, Information Technology Law, Intellectual Property, Media and Communications Law, Law and Social Theory and Procedure and Evidence.

The Faculty seeks to provide postgraduate research students with an intellectual atmosphere conducive to research. While research students have primary contact with their supervisors, UNSW also provides a collegial setting where research students can exchange ideas with one another and the Faculty at large.

The Faculty also provides research students with a reflective atmosphere in which to develop their ideas. Illustrating that atmosphere are the two new postgraduate rooms in which access is provided to computer work terminals and the opportunity to enjoy quiet, reflective space.

Specialised Research Centres

Both postgraduate coursework and research students have the opportunity to draw upon the services of UNSW's important specialist research centres. These centres include: the Australian Human Rights Centre; the Indigenous Law Centre; the Australasian Legal Information Institute (AustLII); the Baker & McKenzie Cyberspace Law and Policy Centre; the European Law Centre; the Gilbert + Tobin Centre of Public Law; the Financial Services Consumer Policy Centre; the National Pro Bono Resource Centre; and the National Children's Youth Law Centre.

I wish you every success in your postgraduate studies at the UNSW Law Faculty.

Leon Trakman, SJD (Harvard)
Dean and Professor of Law
Faculty of Law

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Faculty of Law

The Faculty of Law comprises the School of Law, Atax (Australian Taxation Studies Program) and various centres and units. Information concerning the School of Law and Atax can be found in the relevant sections below.

Faculty Centres and Units

Australasian Legal Information Institute (AustLII)

The Australasian Legal Information Institute (www.austlii.edu.au) provides free internet access to Australian legal materials and to global legal materials through its WorldLII service.

AustLII is one of the largest sources of legal materials on the net. AustLII publishes public legal information, both primary legal materials

(legislation, treaties and decisions of courts and tribunals) and secondary legal materials created by public bodies for purposes of public access (law reform and royal commission reports etc). AustLII's policy agenda is to convince parliaments, governments, courts, law reform bodies and other public institutions to make legal materials they control available free via the internet.

The AustLII collection contains full-text databases of all Australian legislation and Superior Court decisions. It includes most federal courts (High Court, Federal Court, Family Court, AAT etc) and most significant State and Territory courts and tribunals. AustLII also includes a number of more subject specific databases.

AustLII has provided its software and expertise to assist in the creation of legal information institutes in the South Pacific (www.pacii.org), United Kingdom and Ireland (www.bailii.org), Hong Kong (www.hklii.org) and Canada (www.canlii.org). In cooperation with all these organisations, AustLII has created and runs WorldLII, the World Legal Information Institute (www.worldlii.org). WorldLII is also developing its own databases of decisions of international courts and tribunals. In addition to over 300 legal databases, WorldLII includes the WorldLII Catalogue of over 5,100 different categories into which over 15,000 legal websites are classified.

AustLII and WorldLII provide access to over 700,000 pages of information daily. AustLII's users span the whole community, including educational institutions, the legal profession, business and government.

Through project DIAL, funded by the Asian Development Bank, AustLII has carried out in-country training of government lawyers in Mongolia, China, Vietnam, Indonesia, Pakistan, Cambodia and other countries.

AustLII is operated jointly by the Faculties of Law at the University of Technology, Sydney and UNSW. It is funded by grants averaging \$800,000 per year from sources such as its host universities, the Australian Research Council, Australian Business Ltd, Asian Development Bank, Ausaid, CCH Australia Ltd, the Department of Defence, the Department of Foreign Affairs and Trade and other bodies.

For more information about AustLII, please contact feedback@austlii.edu.au

Australian Human Rights Centre

The Australian Human Rights Centre was established in August 1986. The objectives of the Centre are: to undertake, encourage and facilitate research (including postgraduate research) in the field of human rights; to coordinate and develop courses in the field of human rights including the establishment of cross-faculty teaching linkages; to conduct specialised human rights courses of a continuing education nature for various professional groups; to promote and stimulate informed thinking about human rights and their implications for law and society through excellence in analysis and research; to organise occasional conferences for both specialist and non-specialist groups and assist in similar activity by others; to assist, in association with other relevant bodies, in the dissemination of information about human rights to the broader community; and to collaborate with a variety of bodies and individuals working in the human rights area at the national, regional and international levels.

The Centre publishes the *Australian Journal of Human Rights* and the *Human Rights Defender*. The Centre has promoted the establishment of an Australian Human Rights Information Centre which is setting up a comprehensive database and document collection on human rights.

For further information contact the Director, telephone: (02) 9385 3637.

Baker & McKenzie Cyberspace Law and Policy Centre

The Baker & McKenzie Cyberspace Law and Policy Centre facilitates research, education and public interest advocacy on legal and policy issues concerning transactions in cyberspace. The distinctive aim of the Centre is to assess these frequently technical issues from a public interest perspective.

Core Centre activities include the organisation of conferences and symposia for the public or various professions, the support of research and publications by our research associates and postgraduate research associates, and promotion of awareness of public interest aspects of online and IT issues. Major past conferences topics include 'e-Commerce and Content', 'e-Crime and e-Security', 'International aspects of Internet regulation' and 'e-Authentication'. These dealt with a range of cutting-edge topics such as mechanisms for ensuring trust in online transactions, the extension of privacy rules to the private sector, new legislative initiatives on cyber-crime and Internet censorship, and the resolution of jurisdictional issues in relation to disputes arising out

of cross-national online transactions. The symposia provide a forum for free-ranging discussion between experts about the issues involved. The symposia thus avoid the usual conference format and allow experts a unique opportunity to exchange views.

The Centre is conducting a number of projects with a strong research element. These include: a review of the practical effectiveness of various proposed legal policy and technical solutions to the scourge of 'Spam'; the initiation of the Asia-Pacific Privacy Charter Council to encourage debate about emerging privacy protection in countries in the region, particularly in the light of the limited APEC initiatives in this area; and, in co-operation with Oz NetLaw (the Internet Legal Practice of the Communications Law Centre), 'Making privacy laws work', which examines Australian privacy laws from a complaints and casework perspective. A highlight in this project was the major international conference held in September 2003, "Terrorists and Watchdogs: Privacy and Surveillance 2003".

For more information, see the Centre's website at: www.BakerCyberLawCentre.org

Continuing Legal Education Centre

The Continuing Legal Education Centre (CLE) provides high quality professional education for lawyers and other professionals. CLE provides an important link between the Faculty of Law, the legal profession in Australia and the wider national and international community.

The objectives of the CLE program are:

- to provide programs which meet the legally-related educational needs of professional groups, especially but not limited to, lawyers;
- to develop the image of the Faculty as being in the forefront of legal development in key areas and active in legal criticism by running high quality educational programs in these areas; and
- to derive income from the conduct of programs for the Faculty's purposes.

The range of programs offered includes:

- day-time or evening seminars designed to update the knowledge of legal practitioners and other professionals;
- conferences which provide a forum for discussion of and training in new or developing areas of law and legal practice;
- legal skills and accreditation programs for lawyers and non-lawyers in areas of practice and procedure such as immigration law and legal research;
- short programs that can be accredited to one of three postgraduate legal degrees;
- short programs in substantive law for particular professional groups, including professionals from foreign jurisdictions.

For further information on particular CLE activities please contact the Director, Christopher Lemercier, telephone (02) 9385 3227, fax 9385 3227, website www.cle.unsw.edu.au

Diplomacy Training Program

The Diplomacy Training Program (DTP) is a non-government organisation, having an affiliation with the University through the Faculty of Law. It is physically located within the Faculty and enjoys the close involvement of academic staff in a voluntary capacity, both as trainers and Board Members. The DTP was founded in 1989 by Professor José Ramos Horta, 1996 Nobel Peace Laureate and representative of East Timor at the UN for more than twelve years. The Program provides training in human rights and "people's diplomacy" to non-governmental organisations and other sectors of civil society throughout the Asia-Pacific and indigenous Australia.

In its eleven years of existence, the DTP has developed specialised teaching materials and participatory skill-building methods based upon NGO needs and priorities. It provides an introduction to international human rights standards and procedures, including relevant UN conventions and institutions, and practical skills for human rights education, conflict resolution and good governance. Sessions include lobbying and negotiation, working with the media, NGO strategies and institutional standards.

Since January 1990, the DTP has conducted ten regional training sessions of 3-4 weeks in Bangkok, Manila, Sydney and Darwin, as well as 16 in-country sessions of 1-2 weeks duration in Australia, Fiji, India, Nepal, New Zealand, Sri Lanka, Taiwan and Thailand. Special trainings were designed and conducted with Indigenous Women of Australia before their participation in the Fourth UN World Conference on Women in 1994. To date, the DTP has trained over 600 human rights defenders from 30 countries.

Its board members are Professor Paul Redmond (Chair) (UNSW), Ms Susan Armstrong (UNSW), Ms Olga Havnen (Fred Hollows Foundation), Emeritus Professor Garth Nettheim (UNSW), Dr Sarah Pritchard, Ms Louise Sylvan (Australian Consumers Association), John Pace, Janet Hunt (adjunct Professor, Deakin and former Director of Australian Council for Overseas Aid), Philip Chung (AUSTLII). Professor José Ramos-Horta continues to be a patron of the DTP.

The DTP is independently funded from outside sources. Funders of programs have included: Community Aid Abroad, AusAID, the Canadian International Centre for Human Rights and Democratic Development, the Australian National Council of Churches, the Commonwealth Foundation (London), the Royal Ministry of Foreign Affairs-Norway and the Myer Foundation.

The DTP has close working relations with other NGOs, including the Australian Council for Overseas Aid (Canberra), the Asian Forum for Human Rights and Development (Bangkok), the International Service for Human Rights (Geneva) and the Unrepresented National and People's Organisation (The Hague).

European Law Centre

The European Law Centre was established in 1996. The Centre's objectives are to advance research into, and the graduate study of, European Law and European legal and political institutions particularly with a view to fostering interdisciplinary studies in:

- European community law;
- European comparative law;
- European and comparative human rights;
- European integration;
- the framework of economic, trade and political cooperation between Europe and the Australasian region;
- workable models for regional economic and political cooperation which may be of use in Australia's own region.

For further information contact the Directors: Dr. Adam Czarnota, telephone (02) 9385 2255, and Professor Martin Krygier, telephone (02) 9385 2240.

Financial Services Consumer Policy Centre (FSCPC)

The Financial Services Consumer Policy Centre (FSCPC) is a non-profit research and advocacy organisation. The FSCPC was set up with a grant from the National Consumer Trust Fund. The Centre conducts research and policy advocacy on behalf of low income consumers and other disadvantaged sections of the community. In conjunction with the UNSW Faculty of Law, the FSCPC also teaches a range of courses in the Masters of Law program, including Financial Services Law & Compliance, Superannuation Law and Insurance Law.

The Centre's policy focus is on access issues and the affordability of financial services. Some of the issues which we cover include: unfair and anti-competitive fees and charges; the relationship between the social security system and financial services; superannuation choice; insurance law reform; small business access to banking; and consumer protection in electronic commerce.

For further information phone (02) 9385 1208 or visit www.fscpc.org.au

Gilbert + Tobin Centre of Public Law

The Gilbert + Tobin Centre of Public Law provides a focal point for research into and discussion of important questions of public law for the academic, professional and wider community. The Centre promotes independent ideas and ground breaking research. The Centre is supported by the considerable weight of research and teaching expertise in the area of public law contributed by other members of academic staff of the Faculty.

The Centre has a high profile and an influential role in public debate in the broad domain of public law, a site of change of considerable legal, political and social significance. The work of the Centre is concentrated on specific long and short-term projects. Its projects cover topics such as Bills of Rights, Electoral Law, Public Law Litigation, an Australian Republic, a Treaty between Indigenous and non-Indigenous Australians and the impact of International Law on Australian domestic law.

Inquires from people wishing to be involved in these or other projects within the field of public law are welcome, as are inquiries from prospective postgraduate students.

Professor George Williams, the Centre Director, can be contacted on (02) 9385 2259 or george.williams@unsw.edu.au. The Centre's website can be found at www.gtcentre.unsw.edu.au

Indigenous Law Centre

The Indigenous Law Centre was established (originally as the Aboriginal Law Research Unit, then the Aboriginal Law Centre) within the University in 1981. Since its inception, the Centre has made a consistent contribution to the development of scholarship, the appropriate reform of laws and policy, the education of law students and others.

The Centre aims to develop and coordinate research, teaching and the dissemination of information in the multi-disciplinary area of the relationship between indigenous peoples and the law. The Centre has focused largely on the indigenous peoples of Australia but demonstrated an interest also in matters of comparative law and policy.

The Centre has published the *Indigenous Law Bulletin* (previously the *Aboriginal Law Bulletin*) continuously since 1981 and currently produces eight issues per year. The *Australian Indigenous Law Reporter*, a quarterly journal, is edited by the Centre and published by Butterworths Lexis/Nexis.

Staff and associates of the Centre teach both undergraduate and graduate electives in the Faculty of Law. Staff and associates are regularly called up on to give occasional presentations in other faculties and outside the University.

For more information, call the Centre on (02) 9385 2252 or email us at ilc@unsw.edu.au

Kingsford Legal Centre

Kingsford Legal Centre is the Faculty of Law's legal clinic. The Centre provides a clinical teaching program for law students where students are able to analyse the operation of the legal system and lawyer client relationships while working on cases for real clients.

The Centre is one of over 35 community legal centres in NSW and students work with Centre lawyers in acting for members of the local community who cannot afford private legal assistance.

The Centre provides legal advice in a wide variety of matters and takes on cases in areas such as domestic violence, discrimination, housing, wills and estates, employment, family, criminal law and victims' compensation. The Centre assists over 3,000 people a year.

The Centre began operation in 1981. It has five lawyers, one of whom (the Director) is a Senior Lecturer in the Faculty of Law. The Centre is jointly funded by the Faculty of Law and the Community Legal Services Legal Funding Program through the State and Federal Governments and with assistance from Randwick City Council. In addition, the law firm Freehills maintains the permanent secondment of a solicitor's position to the Centre.

The courses LAWS2303 Clinical Legal Experience (Intensive), LAWS2304 Clinical Legal Experience, and LAWS2305 Clinical Program-Employment Law, are electives for later year students. Students can take a course in either session. All courses are available over summer. Students take instructions from clients, prepare necessary documents, undertake legal research and are responsible for preparation of any court hearings. In this way, students can consolidate their study of the law by practical application. Small group classes, daily tutorials and constant consultation with the clinical supervisors who are practising lawyers provide an opportunity for students to analyse both their role as lawyers and the role of law in society. Over 60 volunteer solicitors and barristers participate in public advice sessions in the evenings and provide a legal mentoring scheme for students at the Centre.

All students enrolled in the course LAWS6210 Law Lawyers and Society undertake sessions at the Centre assisting volunteer lawyers in advising clients and completing a file management session.

The Centre is an internationally recognised Centre of excellence in clinical teaching and produces annual *Guides To Australian Clinical Legal Education* and a clinical newsletter.

In its community legal centre function the Centre has been prominent in several areas, particularly anti-discrimination, legal aid and domestic violence. Students are also involved in reform campaigns, policy work and education services to the local community.

For further information contact the Centre: 11 Rainbow Street Kingsford NSW 2032 Australia, telephone (02) 9398 6366, fax (02) 9399 6683, TTY (02) 9314 6430, email legal@unsw.edu.au.

National Children's and Youth Law Centre

The National Children's and Youth Law Centre is a community legal centre which aims to promote the rights and interests of children and young people throughout Australia. The Centre commenced in 1993 as a joint project of the University of New South Wales, the University of Sydney,

and the Public Interest Advocacy Centre. The Centre occupies premises provided by UNSW at 32 Botany Street, Randwick.

The Centre provides free legal advice to children and young people and conducts case work and litigation where the issues are significant to children and young people in Australia. The Centre has a website (www.lawstuff.org.au) which provides legal information to young people on a broad number of issues in an accessible, colourful and approachable format, in addition to an email facility (LawMail) where young people may email the Centre for advice, information or referral from solicitors. *Article Thirteen* (formerly known as *Rights Now*) is a leading journal on young people and law containing news, discussion and debate on a variety of children's legal and rights issues.

For further information contact the Centre: telephone (02) 9398 7488, fax (02) 9398 7416, email cylc@unsw.edu.au, website www.ncylc.org.au

National Pro Bono Resource Centre

The National Pro Bono Resource Centre (NPBRC) was established in August 2002 as an initiative of the Commonwealth Attorney-General. The Centre's main objective is to promote and support high quality pro bono services in Australia. Funded by the Commonwealth Attorney-General's Department, the NPBRC aims to meet its objectives by:

- producing materials and setting up systems which will be of practical assistance to pro bono providers and people and organisations that are likely to benefit from pro bono services;
- investigating, developing and promoting ways of delivering pro bono that provide maximum benefit to disadvantaged communities and individuals;
- promoting discussion and information exchange including through a website (www.nationalprobono.org.au), an e-newsletter and conferences;
- addressing barriers to effective pro bono including advocating changes to the legal system that will facilitate pro bono; and
- undertaking consultation and research that will support the promotion of effective pro bono work.

The NPBRC is located in The White House (Fig Tree Lane, Gate 4 High Street), telephone (02) 9385 7381, email info@nationalprobono.org.au

Social Justice Project

The Social Justice Project grew out of a desire to strengthen the work of a number of the Faculty's centres concerned with issues of social policy, socio-legal studies or which operate in the broad social justice area. These include the Australian Human Rights Centre, Indigenous Law Centre, National Children's and Youth Law Centre, Cyberspace Law and Policy Centre and the Diplomacy Training Program, which is affiliated with the Faculty of Law. The Director of the Project, Professor Julian Disney, AO assists the Centres to pursue opportunities for funding and other initiatives to develop their mission and provide them with access to international networks of utility. He also provides advice to the Dean in relation to other developments that the Faculty may consider to strengthen its research, teaching and community service role in the social justice area.

School of Law

Information and Assistance

Who Can Help?

If you require advice about enrolment, degree requirements, progression within programs or information about course content and requirements, contact the School of Law Student Administration Office, Level 10, Library Tower, telephone (02) 9385 2227.

Please refer to the School of Law homepage for timetables and general information: www.law.unsw.edu.au

For enquiries relating to Atax, please contact the Atax Student Services Office, telephone (02) 9385 9333.

Advanced Standing

The policy of the School of Law is to grant credit for courses which have been successfully completed at postgraduate level in another Faculty of Law where those courses, in the opinion of the School, are equivalent in content and depth to comparable courses at UNSW. Advanced standing for up to 50% of the program may be approved at the discretion of the Associate Dean (Postgraduate). There is an overriding requirement that

at least 50% of the program must be completed within the Law School. Where advanced standing for up to 50% of the program is approved, there is no further right to undertake cross-institutional study.

Computing Information

The School of Law manages a multimedia computer laboratory equipped with 26 PCs for instructional purposes. Research students have access to two dedicated computer workspaces equipped with 21 multimedia computers and printing facilities. The School maintains a World Wide Web server, a CD-ROM server and a document scanning and Character Recognition facility. All students have access to a range of research tools from the computer desktops including email, online and CD-ROM based national and international legal databases, library catalogues and WWW access. For more information, please refer to the booklet 'IT Resources for Students' or visit the Faculty website at www.law.unsw.edu.au

Course Descriptions

Descriptions of courses offered in 2006 can be found in alphabetical order by the course code at the back of this Handbook or in the Online Handbook at www.handbook.unsw.edu.au

Enrolment Procedures

New students are informed of enrolment procedures at the time of offer.

Cross Institutional Studies and Exchange Programs

Students enrolled at UNSW may be permitted to undertake some studies at overseas or interstate institutions ('Cross-Institutional Studies') provided that they are equivalent in content and depth to comparable courses at UNSW. Students must note that the School requires that at least 50% of Law studies be completed at UNSW. Where advanced standing for up to 50% of the program is approved there is no further right to undertake cross-institutional study. Courses undertaken on a cross-institutional basis will be awarded 6 units of credit towards postgraduate Law programs. Students should discuss their plans for cross-institutional studies with the Postgraduate Coordinator.

Professional Associates

In addition to full-time teaching staff in the School of Law, each year there are a small number of distinguished members of the Australian legal profession and international visitors who work in close association with full-time teachers. They participate in all aspects of the presentation of programs covered by their professional specialisation.

Student Representatives

Each year two postgraduate students – one from coursework programs and one from research – are elected to Faculty membership for the following year. Student representatives attend Faculty meetings and sit on various Faculty and School Committees.

The Law Society

The Law Society is the students' body which you automatically join on enrolling as a law student. The administration of the Society consists of the Executive and various committees. Members of the Executive and the committees are your representatives within the School of Law. As such they are there to help with problems that may arise such as assessment. They are also there to ensure that an effective student voice is presented to the School.

The Law Society organises social events, careers events, student publications, competitions and various other activities. The social events include first year law camp, Law Ball, harbour cruise, sports events, intervarsity trivia quiz and regular drinks nights and barbecues. The Law Society publishes a magazine with contributions from students, called *Poetic Justice*; a weekly newsletter within the faculty known as *Innominate*; the *Law Annual*; the *Alternative Law Handbook* and careers guides. The Law Society also runs the internal moot, witness examination, client counselling and negotiation competitions. A speakers' forum with guest speakers from the judiciary, legal practitioners and public figures is held every couple of weeks. The Law Society and the Law Faculty also hold an annual Valedictory Dinner. The Society has officers representing the concerns of international and graduate law students, and is involved in the Australasian Law Students' Association. All students are welcome to be involved.

The Law Society office is Room 1112, telephone (02) 9385 2271, email lawsoc@unsw.edu.au, website www.unswlawsoc.org

Summary of Programs

The University provides facilities for approved students to engage in advanced studies and research in Law leading to the award of higher degrees.

The degree of Doctor of Philosophy (PhD) is available in the Faculty of Law (program 1730). This degree requires the completion of a program of research over a period of at least three years full-time study leading to the preparation of a thesis of not more than 100,000 words. The degree of Doctor of Juridical Science (SJD) (program 1740) requires completion of at least three years of full-time study (one year of coursework and two years of research leading to the preparation of a thesis).

The degree of Master of Laws (LLM) may be undertaken either by coursework (program 9200 – one year full-time study) or by research (program 2440 – a program of research over a period of at least three semesters of full-time study leading to the preparation of a thesis). The degree of Master of Law and Management (MLM) (program 9210) is offered in part-time mode only over a minimum of five semesters in conjunction with the Australian Graduate School of Management.

The Graduate Diploma in Law (GradDip, program 5740) is undertaken by coursework and requires the completion of two sessions of part-time study.

The Master of Legal Studies (MLS) and the Graduate Diploma in Legal Studies (GradDipLS) are coursework programs offered over a minimum of two semesters to non-law professionals. The aim is to provide knowledge, skills and techniques needed to identify legal issues in the workplace. The framework allows for postgraduate law courses to be combined with postgraduate courses drawn from other disciplines. Entry to Legal Studies programs is available in Semester 1 only. Further information is available on the Law Faculty website at www.law.unsw.edu.au

Program Rules and Information – Research Degrees

1730 Doctor of Philosophy

PhD

Typical Duration

4 years

Minimum UOC for Award

144 units of credit

Typical UOC per Session

24 units of credit

Program Description

The Doctor of Philosophy (PhD) degree is offered in all faculties of the University of New South Wales and encourages initiative and originality in research. Candidates should make a significant contribution to knowledge in their field.

As a general guide, the UNSW entry requirements for the degree of Doctor of Philosophy are as follows:

- A candidate for the degree shall have been awarded an appropriate degree of Bachelor with Honours from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution at a level acceptable to the Research Committee of the Faculty.
- Candidates may be admitted to the PhD program after one year's full-time enrolment in a Masters by Research program, with the approval of the Faculty Postgraduate Affairs Committee.
- In exceptional cases an applicant who submits evidence of such other academic and professional qualifications as may be approved by the Committee may be permitted to enrol for the degree.

However, as each faculty manages its own PhD programs, prospective local and international research students should check with the relevant faculty and/or school for specific entry requirements.

English language requirements also apply. Please refer to the UNSW website: www.unsw.edu.au/futureStudents/postgradResearch/res/fsprengreqpolicy.html

Program Objectives and Learning Outcomes

The Doctor of Philosophy (PhD) degree encourages initiative and originality in research. Students will make a significant contribution to knowledge in their field and will be competent to carry out research in their chosen area.

Program Structure

This program involves a minimum of three years full-time study. Students undertake supervised research leading to the production of the thesis.

The length of a doctoral thesis normally should not exceed 100,000 words of text and should be submitted for examination within 4 years of full-time study.

In some faculties advanced coursework is also prescribed.

Academic Rules

Please refer to the PhD Academic Rules in the Arts and Social Sciences section of this Handbook. Law School policy requires that the thesis not exceed 100,000 words.

Further Information

If you are considering applying for a PhD at UNSW you will need to make contact with the relevant school or faculty. This is necessary in order to establish that your research interests and those of the school and faculty are aligned, and that there is a suitable supervisor for your particular area of research.

Prospective students are strongly advised to make contact with potential supervisors before applying for research study at the University.

Please refer to the relevant faculty home page for contact details of schools and departments.

Please refer to the following web-page for further information on how to apply, scholarships, English language requirements, thesis preparation and other research related matters: www.unsw.edu.au/futurestudents/research

1740 Doctor of Juridical Science

SJD

Typical Duration

4 years

Minimum UOC for Award

144 units of credit

Typical UOC per Session

24 units of credit

Program Description

The Doctor of Juridical Science degree provides an opportunity to combine a doctoral thesis with the coursework component of an LLM degree. In addition to the contact with academic staff fostered by the program, SJD students will become part of the mainstream student body of the law school and enjoy the advantages of contact with other committed research students. The degree consists of one-third coursework (equivalent to one year full-time) and two-thirds research (equivalent to two years full-time) which may be in an area encountered by the student while undertaking coursework.

The SJD is intended to be equivalent to a PhD and therefore one of the highest degrees that a university can award. The degree is intended to prepare candidates for an academic career, or for high level research and policy formulation. While exceeding the requirements of most practising lawyers who wish to undertake a higher degree, the SJD is widely accepted by the profession as an indicator of expertise and original contribution to an area of knowledge as is the case in North America and elsewhere overseas.

The coursework component of the degree is described under the entry for LLM by Coursework. All coursework units must be completed before the commencement of the dissertation. After completion of at least four coursework units, students intending to enrol in the dissertation may submit an outline of a proposed topic to the Associate Dean (Postgraduate). The topic of the dissertation, which may be a development of one or more coursework units, must be nominated by the candidate and approved by the Research Committee of the Faculty of Law. The dissertation must amount to an original contribution to a field of study, and be of publishable quality. It will be assessed by not less than three examiners appointed by the Faculty Research Committee. Assessment is as for other final research degrees, i.e. award / not award / re-submit.

Program Objectives and Learning Outcomes

Please contact the Faculty of Law for information regarding Program Objectives and Learning Outcomes.

Program Structure

Please contact the Faculty of Law for information.

Please refer to Program 9200 (LLM) for a list of Postgraduate Elective Courses for the Doctor of Juridical Science (coursework component).

Academic Rules

Award of the Degree

1. The degree of Doctor of Juridical Science may be awarded by the Council on the recommendation of the Faculty Research Committee of the Faculty of Law (hereinafter referred to as the Committee) to a candidate who after satisfactorily completing a qualifying program comprising 48 units of credit in the LLM by coursework degree has through the submission of a thesis based on his or her research made an original and significant contribution to knowledge in the field of law.

Qualifications

2. (1) A candidate for the degree shall have been awarded an appropriate degree of Bachelor of Laws from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution at a level acceptable to the Committee, and shall have completed the qualifying program to an approved standard. The standard required is an average of 75% or better in the candidate's qualifying program. In addition, a research proposal must be submitted as soon as feasible after completion the qualifying program. Admission to the SJD will be conditional on the viability of the research proposal.

(2) In exceptional cases an applicant who submits evidence of such other academic and professional qualifications as may be approved by the Committee may be permitted to enrol for the degree.

(3) If the Committee is not satisfied with the qualifications submitted by an applicant, the Committee may require the applicant to undergo such assessment or carry out such work as the Committee may prescribe before permitting enrolment.

Enrolment

3. (1) An application to enrol as a candidate for the degree shall be made on the prescribed form which shall be lodged with the Registrar by the advertised due date.

(2) In every case before making the offer of a place the Committee shall be satisfied that initial agreement has been reached between the School and the applicant on the provision of adequate facilities to be prescribed and that these are in accordance with the provisions of the guidelines for promoting postgraduate study within the University.

(3) The candidate shall be enrolled as either a full-time or part-time student.

(4) A full-time candidate will present the thesis for examination no earlier than four academic semesters and no later than six academic semesters from the date of enrolment for the SJD degree (i.e. after completion of the qualifying program) and a part-time candidate will present the thesis no earlier than six academic semesters and no later than ten academic semesters from the date of enrolment, except with the approval of the committee.

(5) The candidate must complete the qualifying program as an internal student; that is at a campus, or other approved facility with which the University is associated. He or she may undertake the research as an internal student or as an external student who is not in attendance at the University except for such periods as may be prescribed by the Committee.

(6) An internal candidate will normally carry out the research on a campus or at a teaching or research facility of the University except that the Committee may permit a candidate to spend a period in the field, within another institution or elsewhere away from the University provided that the work can be supervised in a manner satisfactory to the Committee. In such instances the Committee shall be satisfied that the location and period of time away from the University are necessary to the research program.

(7) The research shall be supervised by a supervisor and where possible a co-supervisor who are members of the academic staff of the School or under other appropriate supervision arrangements approved by the Committee. Normally an external candidate within another organisation or institution will have a co-supervisor at that institution.

Progression

4. The progress of the candidate shall be considered by the Committee following a report from the School in accordance with the procedures established within the School and previously noted by the Committee.

(1) The progress of a candidate during both the qualifying program and the period of research shall be reviewed at least once annually, and as a result of any such review the Committee may cancel enrolment or take such other action as it considers appropriate.

Thesis

5. (1) On completing the program of study a candidate shall submit a thesis which normally would not exceed 70,000 words and which makes an original and significant contribution in the field of law.

(2) The candidate shall give in writing to the Registrar two months notice of intention to submit the thesis.

(3) The thesis shall present an account of the candidate's own research.

(4) Four copies of the thesis shall be presented in a form which complies with the requirements of the University for the preparation and submission of theses for higher degrees.

(5) It shall be understood that the University retains the three copies of the thesis submitted for examination and is free to allow the thesis to be consulted or borrowed. Subject to the provisions of the Copyright Act, 1968, the University may issue the thesis in whole or in part, in photostat or microfilm or other copying medium.

Examination

6. (1) There shall be not fewer than three examiners of the thesis, appointed by the Committee, at least two of whom shall be external to the University unless the Committee is satisfied that this is not practicable.

(2) At the conclusion of the examination each examiner shall submit to the Committee a concise report on the thesis and shall recommend to the Committee that:

(a) The thesis merits the award of the degree, or

(b) The thesis merits the award of the degree subject to minor corrections as listed being made to the satisfaction of the Head of School, or

(c) The thesis requires further work on matters detailed in the examiner's report. Should performance in this further work be to the satisfaction of the Faculty Research Committee, the thesis would merit the award of the degree, or

(d) The thesis does not merit the award of the degree in its present form and further work as described in the examiner's report is required. The revised thesis should be subject to re-examination, or

(e) The thesis does not merit the award of the degree and does not demonstrate that resubmission would be likely to achieve that merit.

(3) If the performance at the further work recommended under (2)(c) above is not to the satisfaction of the Committee, the Committee may permit the candidate to re-present the same thesis and submit to further examination as determined by the Committee within a period specified by it but not exceeding eighteen months.

(4) The Committee shall, after consideration of the examiners' reports and the results of any further work, recommend whether or not the candidate may be awarded the degree. If it is decided that the candidate be not awarded the degree the Committee shall determine whether or not the candidate be permitted to resubmit the thesis after a further period of study and/or research. If the decision of the Committee results non-award of the SJD the candidate may take out a Master of Laws degree on the basis of the coursework completed before the SJD thesis.

Fees

7. A candidate shall pay such fees as may be determined from time to time by the Council.

2440 Master of Laws by Research

LLM

Typical Duration

2 years

Minimum UOC for Award

96 units of credit

Typical UOC per Session

24 units of credit

Program Description

The degree of Master of Laws (LLM) may be undertaken either by coursework (program **9200** - one year full-time study) or by research (program **2440** - a program of research over a period of at least three semesters of full-time study leading to the preparation of a thesis).

Program Objectives and Learning Outcomes

Please contact the Faculty of Law for information regarding Program Objectives and Learning Outcomes.

Program Structure

Please contact the Faculty of Law for information.

Academic Rules

Award of the Degree

1. The degree of Master of Laws by Research may be awarded by the Council on the recommendation of the Faculty Research Committee of the Faculty of Law (hereinafter referred to as the Committee) to a candidate who has demonstrated ability to undertake research by the submission of a thesis embodying the results of an original investigation.

Qualifications

2. (1) A candidate for the degree shall have been awarded an appropriate degree of Bachelor of Laws from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution at a level acceptable to the Committee.

(2) In exceptional cases an applicant who submits evidence of such other academic and professional qualifications as may be approved by the Committee may be permitted to enrol for the degree.

(3) When the Committee is not satisfied with the qualifications submitted by an applicant the Committee may require the applicant, before being permitted to enrol, to undergo such examination or carry out such work as the Committee may prescribe.

Enrolment and Progression

3. (1) An application to enrol as a candidate for the degree shall be made on the prescribed form which shall be lodged with the Registrar by the advertised due date.

(2) In every case before making the offer of a place the Committee shall be satisfied that initial agreement has been reached between the School and the applicant on the topic area, supervision arrangements, provision of adequate facilities and any coursework to be prescribed and that these are in accordance with the provisions of the guidelines for promoting postgraduate study within the University.

(3) The candidate shall be enrolled as either a full-time or part-time student.

(4) A candidate shall be required to undertake an original investigation on an approved topic. The candidate may also be required to undergo such examination and perform such other work as may be prescribed by the Committee.

(5) The research shall be supervised by a supervisor or supervisors who are members of the academic staff of the School, or under other appropriate supervision arrangements approved by the Committee. Normally an external candidate within another organisation or institution will have a co-supervisor at that institution.

(6) Full-time and part-time candidates for the degree shall submit, within one or two semesters of enrolment respectively, a substantial piece of written work forming part of or relating to the approved topic. If this work is unsatisfactory or not forthcoming, the Committee will review the candidate's enrolment. In any case, the progress of a candidate shall be reviewed annually by the Committee following a report by the candidate, the supervisor and the Associate Dean (Research), and as a result of such review the Committee may cancel enrolment or take such other action as it considers appropriate.

(7) No candidate shall be granted the degree until the lapse of three academic semesters in the case of a full-time candidate or four academic semesters in the case of a part-time candidate from the date of enrolment.

(8) The candidate may undertake the research as an internal student, i.e. at a campus or other research facility with which the University is associated, or as an external student not in attendance at the University except for periods as may be prescribed by the Committee.

(9) An internal candidate will normally carry out the research on a campus or at a teaching or research facility of the University except that the Committee may permit a candidate to spend a period in the field, within another institution or elsewhere away from the University provided that the work can be supervised in a manner satisfactory to the Committee. In such instances the Committee shall be satisfied that the location and period of time away from the University are necessary to the research program.

Thesis

4. (1) On completing the program of study a candidate shall submit a thesis embodying the results of the original investigation. The thesis normally would not exceed 70,000 words.

(2) The candidate shall give in writing two months notice of intention to submit the thesis.

(3) The thesis shall present an account of the candidate's own research. In special cases work done conjointly with other persons may be accepted, provided the Committee is satisfied about the extent of the candidate's part in the joint research.

(4) Three copies of the thesis shall be presented in a form which complies with the requirements of the University for the preparation and submission of higher degree theses.

(5) It shall be understood that the University retains the three copies of the thesis submitted for examination and is free to allow the thesis to be consulted or borrowed. Subject to the provisions of the Copyright Act, 1968, the University may issue the thesis in whole or in part, in photostat or microfilm or other copying medium.

Examination

5. (1) There shall be not fewer than two examiners of the thesis, appointed by the Committee, at least one of whom shall be external to the University unless the Committee is satisfied that this is not practicable.

(2) At the conclusion of the examination each examiner shall submit to the Committee a concise report on the merits of the thesis and shall recommend to the Committee that:

(a) the thesis merits the award of the degree; or

(b) the thesis merits the award of the degree subject to minor corrections as listed being made to the satisfaction of the Head of School; or

(c) the thesis requires further work on matters detailed in the examiner's report. Should performance in this further work be to the satisfaction of the Faculty Research Committee, the thesis would merit the award of the degree; or

(d) the thesis does not merit the award of the degree in its present form and further work as described in the examiner's report is required. The revised thesis should be subject to re-examination; or

(e) the thesis does not merit the award of the degree and does not demonstrate that resubmission would be likely to achieve that merit.

(3) If the performance at the further examination recommended under (2)(c) above is not to the satisfaction of the Committee, the Committee may permit the candidate to re-present the same thesis and submit to a further oral, practical or written examination within a period specified by it but not exceeding eighteen months.

(4) The Committee shall, after consideration of the examiners' reports and the reports of any oral or written or practical examination, recommend whether or not the candidate may be awarded the degree. If it is decided that the candidate be not awarded the degree the Committee shall determine whether or not the candidate may resubmit the thesis after a further period of study and/or research.

Fees

6. A candidate shall pay such fees as may be determined from time to time by the Council.

Program Rules and Information – Coursework Degrees

9200 Master of Laws

LLM

Typical Duration

1 year

Minimum UOC for Award

48 units of credit

Typical UOC per Session

24 units of credit

Program Description

The Master of Laws by Coursework offers law graduates an opportunity to study in an organised fashion areas of specialty and greater difficulty than are met within a Bachelor of Laws program, some of which call for advanced interdisciplinary perspectives. Courses offered in the LLM by Coursework program combine a degree of sophistication or technical difficulty in terms of legal content with a substantial consideration of

relevant interdisciplinary aspects of the subject matter and a focus on policy. Each course contains a significant research component. All courses are not necessarily available in any one year.

Program Objectives and Learning Outcomes

Please contact the Faculty of Law for information regarding the Program Objectives and Learning Outcomes.

Program Structure

The LLM by Coursework may be taken full-time in two semesters or part-time in a minimum of three semesters. Students must undertake and satisfactorily complete six semester-long courses or the equivalent. A total of 48 units of credit are required for the award of the degree. Students may elect to complete a major sequence of courses (see below). Postgraduate courses are taught in a variety of formats both during the University's formal academic semesters and over the winter teaching break. While many are taught for two hours per week over a teaching semester, in others the class hours are arranged more intensively to permit students to focus fully on a research project. Some courses of particular interest to students in employment are scheduled in a venue situated in the CBD.

A student may apply to the Associate Dean (Postgraduate) to complete a research paper of about 15,000 words in place of a semester-long course.

A student may apply to the Associate Dean (Postgraduate) for permission to take, as appropriate to the student's overall program, up to 50 per cent of the program from courses offered at postgraduate level by another university or from courses offered by Atax. No student may be permitted to take more than 50 per cent of the program from courses of either type.

Specialisations (Plans)

1. Candidates for the LLM by Coursework may undertake study incorporating a major sequence in any one of the following specialist areas:

- Asian and Comparative Law
- Comparative Law
- Corporate and Commercial Law
- Corporate, Commercial and Taxation Law
- Criminal Justice
- European Union Law
- Financial Services Law (*not offered 2006*)
- Human Rights and Social Justice
- International Law
- Media, Communications and Information Technology Law

2. In order to incorporate a major sequence in the degree a student will be required to obtain no less than 24 of the 48 units of credit required for the award of the degree from the courses allocated to that major sequence. A minimum of 16 UOC must be completed from postgraduate courses offered at UNSW Law School.

3. In the case of the Corporate, Commercial and Taxation Law Specialisation candidates are required to complete 16UOC from the courses nominated in the Corporate and Commercial Law Stream and a minimum of 12UOC from courses offered in Taxation.

4. From time to time the allocation of courses to major sequences may be altered.

5. The Associate Dean (Postgraduate) may when considering it appropriate authorise the inclusion of a Special Elective within, or the deletion of a Special Elective from among, the courses allocated to a major sequence.

6. The Associate Dean (Postgraduate) may when considering it appropriate approve as part of an individual student's major sequence a course or courses taken by that student on a cross-institutional basis.

7. Where a special case is made, or where an individual student's assessment program for the course concerned is tailored specifically to issues relevant to a major sequence, the Associate Dean may approve a course not otherwise allocated to a major sequence as part of that student's major sequence.

8. The Research Thesis course may be counted towards the units of credit required for a major sequence where, in the opinion of the Associate Dean, the subject matter of the thesis topic concerned is substantially related to the specialist area of the major sequence.

9. When a student completes the LLM by Coursework incorporating a major sequence as above, the student's academic transcript will identify the major sequence and the courses which constitute it and the student's

testamur will contain the words 'Master of Laws specialising in... (the major sequence completed)' or words to like effect.

Academic Rules

Award of the Degree

1. The degree of Master of Laws by Coursework may be awarded by the Council to a candidate who has satisfactorily completed a program of advanced study.

Qualifications

2. (1) A candidate for the degree shall have been awarded an appropriate degree of Bachelor of Laws from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution at a level acceptable to the Faculty Education Committee of the Faculty of Law (hereinafter referred to as the Committee).

(2) In exceptional cases an applicant who submits evidence of such other academic and professional qualifications as may be approved by the Committee may be permitted to enrol for the degree.

(3) When the Committee is not satisfied with the qualifications submitted by an applicant the Committee may require the applicant, before being permitted to enrol, to undergo such examination or carry out such work as the Committee may prescribe.

Enrolment and Progression

3. (1) An application to enrol as a candidate for the degree shall be lodged with the Registrar by the advertised due date.

(2) A candidate for the degree shall be required to undertake such formal courses and pass such assessment as is prescribed.

(3) The progress of a candidate shall be reviewed at least once annually by the Committee and as a result of its review the Committee may cancel enrolment or take such other action as it considers appropriate.

(4) No candidate shall be awarded the degree until the lapse of two academic semesters from the date of enrolment in the case of a full-time candidate or three semesters in the case of a part-time candidate. The maximum period of candidature shall be three academic semesters from the date of enrolment for a full-time candidate and six semesters for a part-time candidate. In special cases an extension of these times may be granted by the Committee.

Postgraduate Elective Courses

The following electives are available for credit towards the Master of Laws degree by Coursework (LLM), the Doctor of Juridical Science (coursework component) (SJD), the Master of Law and Management degree (MLM), and the Graduate Diploma in Law (GradDip).

8 unit of credit (UOC) courses:

LAWS4133	Advanced Asian and Comparative Law (Tutorial)	(8 UOC)
LAWS4136	Advanced Chinese Law (Tutorial)	(8 UOC)
LAWS4027	Advanced Debt Capital Markets	(8 UOC)
LAWS9989	Advanced International Trade Law	(8 UOC)
LAWS4081	Advanced Issues in International Law	(8 UOC)
LAWS3049	Advanced Issues in Torts	(8 UOC)
LAWS4132	Advanced Japanese Law (Tutorial)	(8 UOC)
LAWS9194	Animal Law	(8 UOC)
LAWS4120	Asian and Comparative Law	(8 UOC)
LAWS4271	Australian Legal System	(8 UOC)
LAWS4026	Banking and Finance Law	(8 UOC)
LAWS4135	Chinese Law and Economy	(8 UOC)
LAWS4134	Chinese Law in Context	(8 UOC)
LAWS4023	Commercial Contracts	(8 UOC)
LAWS9994	Commercial Fraud	(8 UOC)
LAWS4025	Commercial Property Transactions	(8 UOC)
LAWS4291	Comparative Constitutional Law	(8 UOC)
LAWS3009	Comparative Criminal Justice:	(8 UOC)
LAWS4019	Competition Law	(8 UOC)
LAWS4156	Constitutionalism in the European Union	(8 UOC)
LAWS4181	Contemporary Issues in International Human Rights	(8 UOC)
LAWS3091	Corporate Control Transactions	(8 UOC)
LAWS4028	Corporate Governance	(8 UOC)
LAWS3095	Corporate Insolvency	(8 UOC)
LAWS3008	Criminal Justice System	(8 UOC)
LAWS3037	Data Surveillance and Information Privacy Law	(8 UOC)
LAWS3033	Defamation, Privacy & Media	(8 UOC)
LAWS3093	Derivatives Regulation	(8 UOC)
LAWS3035	Developing Computer Applications to Law	(8 UOC)
LAWS3044	Electronic Commerce Law and Practice	(8 UOC)

LAWS4188	Environmental Issues in the WTO	(8 UOC)
LAWS4152	EU: Economic & Trade Law	(8 UOC)
LAWS4151	European Union: Institutions and Legal Systems	(8 UOC)
LAWS4191	Feminist Perspectives on Law and Human Rights	(8 UOC)
LAWS9997	Financial Services Law and Compliance	(8 UOC)
LAWS7003	Global Issues in Competition Policy	(8 UOC)
LAWS4084	History and Theory of International Law	(8 UOC)
LAWS4184	Human Rights in International Trade	(8 UOC)
LAWS4292	Human Rights under the Australian Constitution	(8 UOC)
LAWS3080	Insurance Law	(8 UOC)
LAWS4017	Intellectual Property: Regulation and Policy	(8 UOC)
LAWS9993	International Business Trans.	(8 UOC)
LAWS7004	International Child Law	(8 UOC)
LAWS4083	International Commercial Arbitration	(8 UOC)
LAWS4016	International Context of Intellectual Property	(8 UOC)
LAWS9991	International Criminal Law	(8 UOC)
LAWS9119	International Environmental Law	(8 UOC)
LAWS4091	International Law of Equality and Discrimination	(8 UOC)
LAWS8549	International Organisations	(8 UOC)
LAWS4182	International Aspects of Social Justice	(8 UOC)
LAWS9972	International Trade Law	(8 UOC)
LAWS4187	International Trade Law: Environment & Development	(8 UOC)
LAWS3040	Internet Content Regulation	(8 UOC)
LAWS9977	Internet Governance	(8 UOC)
LAWS3029	Issues in Broadcasting Regulation	(8 UOC)
LAWS9190	Issues in Immigration Law	(8 UOC)
LAWS4021	Issues in Intellectual Property	(8 UOC)
LAWS4131	Japanese Law and Language (Tutorial)	(8 UOC)
LAWS4128	Japanese Law and Politics	(8 UOC)
LAWS4129	Japanese Law and Society	(8 UOC)
LAWS4130	Japanese Law and the Economy	(8 UOC)
LAWS4127	Japanese Law in Context	(8 UOC)
LAWS4034	Law and Valuation	(8 UOC)
LAWS3039	Law and Internet Cultures	(8 UOC)
LAWS4290	Law, Constitutionalism and Cultural Difference	(8 UOC)
LAWS4088	Law of Armed Conflict	(8 UOC)
LAWS4086	Law of the Sea	(8 UOC)
LAWS4087	Legal Regulation of the Use of Force	(8 UOC)
LAWS4212	Native Title Law, Policy and Practice	(8 UOC)
LAWS4200	Occupational Health and Safety Law	(8 UOC)
LAWS4150	Parliaments, Politics & Legislation	(8 UOC)
LAWS4082	Peaceful Settlement of International Disputes	(8 UOC)
LAWS3006	Policing	(8 UOC)
LAWS9980	Principled Negotiations	(8 UOC)
LAWS3090	Principles of Australian Corporations Law	(8 UOC)
LAWS4190	Refugee Law	(8 UOC)
LAWS3088	Regulation of Online Investing	(8 UOC)
LAWS4423	Research Thesis: 8 UOC	(8 UOC)
LAWS4036	Restitution and Unjust Enrichment Law	(8 UOC)
LAWS4037	Securitisation	(8 UOC)
LAWS3092	Securities and Financial Markets Regulation	(8 UOC)
LAWS3083	Sports Sponsorship & Marketing	(8 UOC)
LAWS4120	Themes in Asian and Comparative Law	(8 UOC)
LAWS4189	Transnational Business and Human Rights	(8 UOC)
LAWS4035	Water Rights Law	(8 UOC)

4 unit of credit (UOC) courses:

LAWS4183	Aspects of International Governance	(4 UOC)
LAWS3042	Censorship and Free Speech	(4 UOC)
LAWS3041	Contempt and the Media	(4 UOC)
LAWS4092	Issues in Discrimination Law	(4 UOC)
LAWS3082	Risk Management in Sport	(4 UOC)
LAWS4335	Studies in Contemp Legal & Social Theory – Jürgen Habermas I	(4 UOC)
LAWS4336	Studies in Contemp Legal & Social Theory – Jürgen Habermas II	(4 UOC)

Legal Studies core courses:

LAWS4272	Australian Legal System and Process	(8 UOC)
LAWS4029	Elements of Contract	(4 UOC)
LAWS4273	Introduction to Property Law	(4 UOC)
LAWS4274	Introduction to Public Law	(4 UOC)
LAWS4430	Research and Writing in a Legal Environment	(4 UOC)

Legal Studies courses

LAWS4032	Construction Law for Non-Lawyers	(8 UOC)
LAWS3089	Corporate Law and Regulation	(8 UOC)
LAWS4031	Discharge of Contracts	(8 UOC)

9210 Master of Law and Management**MLM****Typical Duration**

2.5 years

Minimum UOC for Award

60 units of credit

Typical UOC per Session

24 units of credit

Program Description

The Master of Law and Management by coursework is a specially designed Masters degree which provides advanced study in the disciplines of law and management. Participants will be able to establish or reinforce a legal specialisation whilst acquiring or consolidating an understanding of the functional areas of management.

The degree is primarily directed towards three target groups. First, practitioners who have management responsibilities in a firm. Second, lawyers dealing with corporations who need advanced legal knowledge and a solid understanding of the language and core concepts of management. Third, practising managers in industry who seek to broaden both their management and legal expertise.

The MLM is offered by the Faculty of Law supported by the Australian Graduate School of Management (AGSM).

Program Objectives and Learning Outcomes

Please contact the Faculty of Law for information regarding the Program Objectives and Learning Outcomes.

Program Structure

A minimum of three courses (24 units of credit) must be drawn from the choice offered by Law and Atax and a minimum of four core management courses from the AGSM. The Law courses include most of those listed for the LLM. Atax courses are listed in the relevant section of this Handbook. All courses will not necessarily be available in any one year.

The AGSM compulsory courses for the MLM are: Managing People and Organisations; Marketing Management; Economics in Management Practice; and Corporate Finance. A further two courses may be selected from: Data Analysis and Statistical Modelling for Business; Accounting and Financial Management; Managerial Skills; Managing Change; and IT and Organisational Performance.

The Law courses will normally be taught in the evening. Many courses are available in alternative formats both during the academic sessions and over the summer and winter teaching break. The AGSM courses are available in four locations in the Sydney CBD and in five other major city venues interstate (participants may attend these synchronised classes if travelling). Atax courses are available by distance learning with audio-conferences scheduled to suit busy professionals. Most classes are between 1.5 and 2 hours in duration and some courses are offered in a Sydney CBD location. Please consult the Atax website for timetables. In addition, the AGSM courses have on average two half-day Saturday workshops. Both the AGSM and Atax courses are supported by comprehensive open learning self-directed study materials. For AGSM courses no other study resources need be obtained.

A total of 60 units of credit are required for the award of the degree. The MLM by coursework is offered part-time only over a minimum of five semesters.

In relation to law courses, students may apply to the Associate Dean (Postgraduate) for permission to take, as appropriate, one or two single-semester courses (or the equivalent in year-long courses) offered at postgraduate level by another university.

Please refer to the program entry for 9200 Master of Laws (LLM) for a list of Postgraduate Elective Courses.

Academic Rules**Award of the Degree**

1. The degree of Master of Law and Management may be awarded by the council to a candidate who has satisfactorily completed a program

of advanced study approved by the Faculty Education Committees of the Faculty of Law and the Australian Graduate School of Management (hereinafter referred to as the Committees).

Qualifications

2. (1) Applicants for enrolment in the degree shall have been awarded an appropriate degree of Bachelor from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution at a level acceptable to the Committees.

(2) Applicants shall in addition have had a minimum of two years' relevant work experience.

(3) In exceptional cases an applicant who submits evidence of such other academic and professional qualifications as may be approved by the Committees may be permitted to enrol for the degree.

(4) If the Committees are not satisfied with the qualifications submitted by an applicant the Committees may require the applicant to undergo such assessment or carry out such work as the Committees may prescribe, before permitting enrolment.

Enrolment and Progression

3. (1) An application to enrol as a candidate for the degree shall be lodged with the Registrar by the advertised due date.

(2) A candidate for the degree shall be required to undertake such formal courses and pass such assessment as is prescribed by the Committees.

(3) The progress of a candidate during the period of candidature shall be reviewed at least once annually, and as a result of any such review the Committees may cancel enrolment or take such other action as they consider appropriate.

(4) No candidate shall be awarded the degree until the lapse of four academic semesters from the date of enrolment. The maximum period of candidature shall be nine academic semesters from the date of enrolment. In special cases an extension of these times may be granted by the Committees.

9220 Master of Legal Studies (MLS)**Typical Duration**

1 year

Minimum UOC for Award

48 units of credit

Typical UOC per Session

24 units of credit

Program Description

The Master of Legal Studies is a coursework program offered to professionals with a non-law background. The program is specifically designed to provide an understanding of the law within the area of expertise of the candidate. Courses offered in the MLS program combine a degree of sophistication or technical difficulty in terms of legal content with a substantial consideration of relevant interdisciplinary aspects of the subject matter and a focus on policy. Each course contains a significant research component. All courses are not necessarily available in any one year.

The MLS allows cross-disciplinary study in postgraduate courses from other UNSW faculties enabling students to advance their professional skills while acquiring knowledge of the law.

Research Thesis Options are not permitted in the MLS other than in exceptional circumstances. Candidates wishing to include a Research Thesis course within their program should contact the Postgraduate Co-ordinator.

Completion of the MLS by formal coursework will not lead to a professional qualification of legal practice.

Program Objectives and Learning Outcomes

Please contact the Faculty of Law for information regarding the Program Objectives and Learning Outcomes.

Program Structure

The following core courses in postgraduate law are mandatory and must be completed prior to enrolment in postgraduate law electives:

LAWS4272	Australian Legal System and Process	(8 UOC)
LAWS4029	Elements of Contract	(4 UOC)
LAWS4273	Introduction to Property Law	(4 UOC)
LAWS4274	Introduction to Public Law	(4 UOC)
LAWS4430	Research and Writing in a Legal Environment	(4 UOC)

The MLS may be taken full-time in two semesters or part-time in a minimum of three semesters. Students must undertake and satisfactorily complete six single-semester courses or the equivalent. A total of 48 units of credit are required for the award of the degree. Postgraduate law courses are taught in a variety of formats both during the University's formal academic semesters and over the winter teaching break. While many are taught for two hours per week over a teaching semester, in others the class hours are arranged more intensively to permit students to focus fully on a research project. Some courses of particular interest to students in employment are scheduled in a venue situated in the CBD.

A student may apply to the Associate Dean (Postgraduate) for permission to take, as appropriate to the student's overall program, up to 50 per cent of the program from courses offered at postgraduate level by another UNSW faculty, another university or from courses offered by Atax. No student may be permitted to take more than 50 per cent of the program from courses of either type.

Academic Rules

Award of the Degree

1. The degree of Master of Legal Studies may be awarded by the Council to a candidate who has satisfactorily completed a program of advanced study.

Qualifications

2. (1) A candidate for the degree shall have been awarded an appropriate degree of Bachelor from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution at a level acceptable to the Faculty Education Committee of the Faculty of Law (hereinafter referred to as the Committee).

(2) In exceptional cases an applicant who submits evidence of such other academic and professional qualifications as may be approved by the Committee may be permitted to enrol for the degree.

(3) When the Committee is not satisfied with the qualifications submitted by an applicant the Committee may require the applicant, before being permitted to enrol, to undergo such examination or carry out such work as the Committee may prescribe.

Enrolment and Progression

3. (1) An application to enrol as a candidate for the degree shall be made on the prescribed form which shall be lodged with the Registrar by the advertised due date. Entry to the program is available in Semester 1 only.

(2) A candidate for the degree shall be required to undertake such formal courses and pass such assessment as is prescribed.

(3) The progress of a candidate shall be subject to the approval of the Associate Dean (Postgraduate) and will be reviewed at least once annually by the Committee. As a result of its review the Committee may cancel enrolment or take such other action as it considers appropriate.

(4) No candidate shall be awarded the degree until the lapse of two academic semesters from the date of enrolment in the case of a full-time candidate or three semesters in the case of a part-time candidate. The maximum period of candidature shall be three academic semesters from the date of enrolment for a full-time candidate and six semesters for a part-time candidate. In special cases an extension of these times may be granted by the Committee.

5740 Graduate Diploma in Law

GradDip

Typical Duration

0.7 years

Minimum UOC for Award

32 units of credit

Typical UOC per Session

24 units of credit

Program Description

The Graduate Diploma in Law by formal coursework offers law graduates the opportunity of advanced graduate study in law either generally or within specialised areas without undertaking a full Master of Laws degree.

Courses within the program are also available to students enrolled in the Master of Laws degree. There is no difference between the Graduate Diploma and the Master of Laws by formal coursework degree in terms of the content and depth with which particular courses are studied - the

Graduate Diploma merely requires completion of fewer courses than would be required for a Master of Laws degree. Courses combine a degree of sophistication or technical difficulty in terms of legal content with a substantial consideration of relevant interdisciplinary aspects of the subject matter and a focus on policy.

Program Objectives and Learning Outcomes

Please contact the Faculty of Law for information regarding Program Objectives and Learning Outcomes.

Program Structure

The Graduate Diploma may be completed in two semesters. Students must undertake and satisfactorily complete four semester-long courses or the equivalent. A total of 32 units of credit are required for the award of the diploma. Students may elect to complete a major sequence of courses. All courses will not necessarily be available in any one year.

A student may apply to the Associate Dean (Postgraduate) to complete a research paper of about 15,000 words in place of one semester-long course.

A student may apply to the Associate Dean (Postgraduate) for permission to take, as appropriate to the student's overall program, up to 50 per cent of the program from courses offered at postgraduate level by another university or from courses offered by Atax. No student may be permitted to take more than 50 per cent of the program from courses of either type.

Specialisations

1. Candidates may undertake study incorporating a major sequence in any one of the following specialist areas:

- Asian and Comparative Law
- Comparative Law
- Corporate and Commercial Law
- Corporate, Commercial and Taxation Law
- Criminal Justice
- European Union Law
- Financial Services Law (*not offered 2006*)
- Human Rights and Social Justice
- International Law
- Media, Communications and Information Technology Law

2. In order to incorporate a major sequence in the degree a student will be required to obtain no less than 24 of the 32 units of credit required for the award of the degree from the courses allocated to that major sequence. A minimum of 16 UOC must be completed from postgraduate courses offered at UNSW Law School.

3. In the case of the Corporate, Commercial and Taxation Law Specialisation candidates are required to complete 16UOC from the courses nominated in the Corporate and Commercial Law Stream and a minimum of 12 UOC from courses offered in Taxation.

4. From time to time the allocation of courses to major sequences may be altered.

5. The Associate Dean (Postgraduate) may when considering it appropriate authorise the inclusion of a Special Elective within, or the deletion of a Special Elective from among, the courses allocated to a major sequence.

6. The Associate Dean (Postgraduate) may when considering it appropriate approve as part of an individual student's major sequence a course or courses taken by that student on a cross-institutional basis.

7. Where a special case is made, or where an individual student's assessment program for the course concerned is tailored specifically to issues relevant to a major sequence, the Associate Dean (Postgraduate) may approve a course not otherwise allocated to a major sequence as part of that student's major sequence.

8. Research Thesis courses may be counted towards the units of credit required for a major sequence where, in the opinion of the Associate Dean (Postgraduate), the subject matter of the thesis topic concerned is substantially related to the specialist area of the major sequence.

9. When a student completes the Graduate Diploma in Law incorporating a major sequence as above, the student's academic transcript will identify the major sequence and the courses which constitute it and the student's testamur will contain the words 'Graduate Diploma in Law specialising in... (the major sequence completed)' or words to like effect.

Please refer to the program entry for 9200 Master of Laws (LLM) for a list of Postgraduate Elective Courses.

Academic Rules

Award of the Degree

1. A Graduate Diploma may be awarded by the Council to a candidate who has satisfactorily completed an approved program of study.

Qualifications

2. (1) A candidate for the Diploma shall have been awarded an appropriate degree of Bachelor of Laws from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution, at a level acceptable to the Faculty Education Committee of the Faculty of Law (hereinafter referred to as the Committee).

(2) An applicant who submits evidence of such other academic and professional attainment, as may be approved by the Committee, may be permitted to enrol for the Diploma.

(3) If the Committee is not satisfied with the qualification submitted by an applicant the Committee may require the applicant to undergo such assessment or carry out such work as the Committee may prescribe, before permitting enrolment.

Enrolment and Progression

3. (1) An application to enrol as a candidate for the diploma shall be made on the prescribed form which shall be lodged with the Registrar by the advertised due date.

(2) A candidate for the diploma shall be required to undertake the courses, and pass any assessment, prescribed.

(3) The progress of a candidate shall be reviewed by the end of two semesters by the Committee and as a result of its review the Committee may cancel the enrolment or take such other action as it considers appropriate.

(4) The normal duration of the program is two academic semesters from the date of enrolment in the case of a full-time candidate or four semesters in the case of a part-time candidate. In special circumstances a variation of these times may be approved by the Head of School.

5750 Graduate Diploma in Legal Studies

GradDipLS

Typical Duration

0.7 years

Minimum UOC for Award

32 units of credit

Typical UOC per Session

24 units of credit

Program Description

The Graduate Diploma in Legal Studies by formal coursework offers the opportunity of study in law for non-law professionals.

Courses within the program are also available to students enrolled in the Master of Legal Studies (MLS). There is no difference between the Graduate Diploma and the MLS degree in terms of the content and depth with which particular courses are studied. The Graduate Diploma merely requires completion of fewer courses than would be required for an MLS degree. Courses combine a degree of sophistication or technical difficulty in terms of legal content with a substantial consideration of relevant interdisciplinary aspects of the subject matter and a focus on policy. Candidates must complete the core courses prior to enrolment in postgraduate law electives.

Research Thesis Options are not permitted in the Graduate Diploma other than in exceptional circumstances. Candidates wishing to include a Research Thesis course within their program should contact the Postgraduate Co-ordinator.

Completion of the Graduate Diploma by formal coursework will not lead to a professional qualification of legal practice.

Program Objectives and Learning Outcomes

Please contact the Faculty of Law for information regarding Program Objectives and Learning Outcomes.

Program Structure

The Graduate Diploma may be completed in two semesters. Students must undertake and satisfactorily complete four single-semester courses or the equivalent. A total of 32 units of credit are required for the award of the diploma. All courses will not necessarily be available in any one year.

The following core courses in postgraduate law are mandatory and must be completed prior to enrolment in postgraduate law electives:

LAWS4272	Australian Legal System and Process	(8 UOC)
LAWS4029	Elements of Contract	(4 UOC)
LAWS4273	Introduction to Property Law	(4 UOC)
LAWS4274	Introduction to Public Law	(4 UOC)
LAWS4430	Research and Writing in a Legal Environment	(4 UOC)

A student may apply to the Associate Dean (Postgraduate) for permission to take, as appropriate to the student's overall program, up to 50 per cent of the program from courses offered at postgraduate level by another UNSW faculty, another university or from courses offered by Atax. No student may be permitted to take more than 50 per cent of the program from courses of either type.

Academic Rules

Award of the Degree

1. A Graduate Diploma may be awarded by the Council to a candidate who has satisfactorily completed an approved program of study.

Qualifications

2. (1) A candidate for the Diploma shall have been awarded an appropriate degree of Bachelor from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution, at a level acceptable to the Faculty Education Committee of the Faculty of Law (hereinafter referred to as the Committee).

(2) An applicant who submits evidence of such other academic and professional attainment, as may be approved by the Committee, may be permitted to enrol for the Diploma.

(3) If the Committee is not satisfied with the qualification submitted by an applicant the Committee may require the applicant to undergo such assessment or carry out such work as the Committee may prescribe, before permitting enrolment.

Enrolment and Progression

3. (1) An application to enrol as a candidate for the diploma shall be lodged with the Registrar by the advertised due date. Entry to the program is available in Semester 1 only.

(2) A candidate for the diploma shall be required to undertake the courses, and pass any assessment, prescribed.

(3) The progress of a candidate shall be subject to the approval of the Associate Dean (Postgraduate) and will be reviewed at the end of two semesters by the Committee. As a result of its review the Committee may cancel enrolment or take such other action as it considers appropriate.

(4) The normal duration of the program is two academic semesters from the date of enrolment in the case of a full-time candidate or four semesters in the case of part-time candidate. In special circumstances a variation of these times may be approved by the Head of School.

Atax (Australian Taxation Studies Program)

Information and Assistance

Atax delivers tax education across Australia and overseas. It aims to educate tax professionals from all sectors of the tax profession – accounting and legal majors, the tax groups of large and medium sized corporations, smaller accounting and law firms and the Australian Taxation Office, Federal Treasury, State Government Treasury Departments and Revenue Offices. The programs we offer have been developed through intensive consultation with a wide range of experts with interests in the accounting and legal professions and within UNSW.

Who Can Help?

General correspondence and telephone enquiries relating to Student and Program Administration should be directed to:

Atax Student Services Office

Tel: (02) 9385 9333

Email: atax@unsw.edu.au

Fax: (02) 9385 9380

Postal Address:

Atax

The University of New South Wales

UNSW Sydney NSW 2052

AUSTRALIA

Academic or general staff contact details may be found in the *Atax Student Guide* or on the Atax website: www.atax.unsw.edu.au/contact

Academic Support

A range of different academic support services is provided by Atax through the Academic Support Coordinator. These include support packages on general study skills, basic grammar and writing skills and advanced tax research and writing skills.

Atax recognises students come to the program from a broad range of backgrounds. We are responsive to the diverse needs of students and provide both formal and informal academic support options.

Two audio conferences are conducted each semester for new students. These are intended for new students, although continuing students are also welcome to participate. These Audio Conferences provide an opportunity for students to discuss general study skills and examination preparation issues in a relatively informal environment. Students are also encouraged to refer to the UNSW Learning Centre (www.lc.unsw.edu.au) and the *Atax Student Guide*.

The Academic Support Coordinator is regularly available for informal consultation and can direct students to appropriate resources and services. Additional support services are provided through the UNSW Learning Centre and other units. The Atax Academic Support Coordinator is the primary contact person for students seeking access to such services. The Student Services Office is able to provide contact details.

Library Support

The Atax library staff can help you to utilise online library resources and access hard copy reference materials. Atax's library team has a strong commitment to helping students achieve their professional and academic goals. If you have difficulty in accessing or operating online resources, our staff will provide you with telephone support that will enable you to access additional reference materials. Additional information may be found in the *Atax Student Guide* in the 'Library Guide' section. Also refer to Atax Library Online at www.atax.unsw.edu.au or contact the Atax library staff directly: Librarian, telephone (02) 9385 9327 or Library Assistant, telephone (02) 9385 9312.

Enrolment Procedures

Enrolment procedures for Atax programs vary slightly from conventional mode programs. Closing dates for enrolment are usually earlier and students should refer to information distributed by the Atax Student Services and the Atax website prior to the commencement of each semester.

Sources of Information

It is important that students familiarise themselves with various documents and sources of information available. These include the Atax website (www.atax.unsw.edu.au) and the *Atax Student Guide*.

Atax Website

You can access the Atax website at www.atax.unsw.edu.au. In addition to general information about Atax, program and course information is available. The website also includes details of conferences and special events, links to individual lecturers' web pages, continuing education opportunities, relevant research links and Atax Library Online.

Atax Student Guide

The *Atax Student Guide* provides ready access to the basics of Atax administration and contains other study resource materials. This guide provides an essential reference point for the Atax student, with contact lists, administration information, calendar of events, assessment procedures and a Library Guide. The Student Guide is a concise, one-stop source of information for the majority of your needs as an Atax student. Information will also be updated by way of the Atax website.

Orientation

Orientation sessions for new students are usually held in most Australian cities prior to the commencement of each semester. Study Materials will be dispatched to students prior to Orientation. Orientation serves both academic and administrative purposes, as well as giving students the opportunity to meet lecturers and fellow students.

It is expected that all new students will attend their local Orientation.

Delivery modes

Courses in the Atax postgraduate programs can be studied via flexible distance study, in face to face classes or intensive classes. Assessment remains the same for all modes of delivery. Students will be able to choose the delivery mode that suits best. All Atax students will receive a set of Study Materials for each course they are enrolled in and have access to Web Course Tools (WebCT). WebCT is a web-based site to

complement Atax's teaching resources - Study Materials, past examination papers, feedback, discussion forums and online links are available from this site.

Flexible Distance

This mode of study utilises a combination of Audio Conferences, Regional Classes and WebCT, allowing study from anywhere in Australia or overseas. For each course there are usually five Audio Conferences per session and students are encouraged to attend. These Audio Conferences are held at Atax's Learning Centres located in metropolitan and regional centres throughout Australia. There is also a one-day Regional Class for most courses and these are usually held in metropolitan centres across the country during Weeks 9 or 10 of the session.

Students may find the learning environment differs significantly from traditional campus-based study. Students should refer to the *Atax Student Guide* (provided with Study Materials) or visit www.atax.unsw.edu.au for full information regarding facilities available:

- Study Materials
- Audio Conferences
- Web Course Tools (WebCT)
- Regional Classes*
- Learning Centre
- Informal Study Groups

* a one-day face to face class held in capital cities across Australia

Face-to-face weekly classes

Atax offers face-to-face evening classes in Sydney's CBD for a selection of postgraduate courses. The classes are held at AGSM, Level 6, 1 O'Connell Street, Sydney between 6.00 pm and 8.00 pm on a weekday evening (depending on course selected). Class sizes are limited to a maximum of 40 students, so students are assured of a quality educational experience.

Students studying via this mode are provided with Study Materials, but do not attend Audio Conferences or Regional Classes. Students are required to maintain a minimum 80% attendance rate. Further information on the courses on offer in this mode is available on the Atax website: www.atax.unsw.edu.au/students/facetoface.htm

Intensive Courses

Some Atax courses can also be studied face to face via Intensive mode. Intensive classes enable students to complete the required coursework for the course in five days. These classes are held at Atax UNSW. Classes will normally run from 9.30 - 5.00 pm. For information on courses offered and dates, please refer to the Atax website at www.atax.unsw.edu.au/students/facetoface.htm

Summary of Programs

Program Titles and Codes

Program code: **1745**

Program Title: **Doctor of Philosophy**

Qualification abbreviation: **PhD**

Program code: **2455**

Program title: **Master of Taxation by Research**

Qualification abbreviation: **MTax (Research)**

Program code: **9250**

Program title: **Master of Taxation**

Qualification abbreviation: **MTax**

Program code: **9255**

Program title: **Master of International Taxation**

Qualification abbreviation: **MIntTax**

Program code: **9260**

Program title: **Master of Applied Taxation**

Qualification abbreviation: **MAppTax**

Program code: **5540**

Program title: **Graduate Diploma in Advanced Taxation**

Qualification abbreviation: **GradDipAdvTax**

Program code: **5541**

Program title: **Graduate Diploma in Taxation Studies**

Qualification abbreviation: **GradDipTaxStud**

Program code: **6066**

Program title: **Postgraduate Non-Award Course (Single Course Study)**

Program code: **6067**

Program title: **Postgraduate Cross-Institutional Course**

Program code: **6256**
 Program title: **Postgraduate Non-Award Course** (Single Course Study)
 – ATO Sponsored

Program code: **6258**
 Program title: **Postgraduate Cross-Institutional Course** – ATO
 Sponsored

Program code: **6894**
 Program title: **Postgraduate Qualifying**

Course Codes

A course number (identifier) in the UNSW system is formed from two principal elements:

- a four letter prefix indicating the Course Disciplinary Area designated by the code (e.g. ATAX)
- a four digit code. The first two numbers indicate the program to which it belongs and the second two numbers indicate the course.

The following is a key to understanding the various course numbering codes used in the following sections on program information:

ATAX01**	Graduate Diploma in Taxation Studies courses – parallels some ATAX00** courses
ATAX03**	Graduate Diploma in Advanced Taxation courses – mostly parallel ATAX04** courses
ATAX04**	Masters courses

Course Availability

Prior to the commencement of each semester, course availability is included as part of the enrolment/re-enrolment information pack. Course descriptions for courses offered in 2006 can be found in alphabetical order by the course code at the back of this Handbook.

Program Completion

There is no University-wide rule requiring students to complete a program within a specified period of time. Atax will not usually recognise courses as part of a degree program where those courses are more than eight years old. Thus a postgraduate program should ordinarily be completed within 8 years of commencement. It is also the accepted practice for the University to notify students if they are not progressing satisfactorily. Please refer to the section on 'Academic Standing' in the *General University Rules and Student Information* section earlier in this Handbook.

Overview of Programs

The postgraduate coursework programs currently offered by Atax are the Master of Taxation, Master of International Taxation, Master of Applied Taxation, Graduate Diploma in Advanced Taxation and Graduate Diploma in Taxation Studies. Two postgraduate programs by research are also available: the PhD program which requires the completion of a supervised thesis (approximately 100,000 words) and the Master of Taxation by Research (proposed new program for 2006).

Atax serves the whole tax profession. In the context of recent and continuing fundamental changes to the Australian taxation system, experienced practitioners require the thorough upgrading of their skills and knowledge provided by postgraduate studies. Atax provides access to tax education to students across Australia, and provides mobility advantages for the many students who move around Australia or overseas in their jobs.

The Atax postgraduate tax programs build on the foundation provided by undergraduate study. Atax offers advanced postgraduate tax programs for existing taxation specialists with degrees in law or commerce and for graduates of the Atax undergraduate tax program. Entrants from other disciplines are offered a Graduate Diploma in Taxation Studies to bring them up to similar standards in core areas, consistent with tight time constraints, as Bachelor of Taxation graduates. The Masters programs and Graduate Diploma in Advanced Taxation program offer exposure to the more advanced aspects of the discipline and a critical understanding of the Australian tax system. The Masters programs emphasise skills in sustained self-directed writing, including relevant research skills. The Master of Applied Taxation is designed for Chartered Accountants who are regularly faced with tax issues in their professional work. In addition to developing research skills, the program focuses on specific studies in taxation in a business context.

Student Workload

Part-time students will normally complete one or two courses per semester. Full-time students will normally complete four courses per semester. 'Full-time' students are defined as having a load of 0.75 or more (0.375 per

semester). Each semester is 14 weeks in duration. Contact will vary from course to course. As a rough guide, students can expect to spend at least 12 hours per week studying each course.

In special circumstances with approval from the program convenor, a heavier load could be taken. That would depend to some extent on the student's prior academic record.

Program Rules and Information – Research Programs

1745 Doctor of Philosophy

PhD

Atax currently offers a Doctor of Philosophy (PhD) program. This postgraduate degree can be completed over a minimum of three years full time study or five to eight years part time study. The program requires an integrated piece of research that culminates in the submission of a thesis of approximately 100,000 words on an area that is related to taxation as a key discipline. The work must be an original and significant contribution to the knowledge in a specific area of taxation.

Interested candidates should contact the Atax PhD coordinator in relation to any questions about entry qualifications, PhD research topics and potential Atax supervisors.

2455 Master of Taxation by Research

MTax (Research)

Typical Duration

1.5 years full-time

Minimum UOC for Award

72 units of credit

Typical UOC per Session

24 units of credit

Program Description

This program is designed as a first step to advanced research in taxation. It is particularly suitable for those students who ultimately plan to undertake a PhD in taxation. Graduates who have been awarded an appropriate degree of Bachelor in taxation; law; or commerce; and with a taxation component, from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution at an average mark of Credit (65%) or better are eligible to apply for admission to the program.

The program consists of a coursework component and a major dissertation. Candidates can only commence writing their dissertations after successfully completing the coursework component. Some parts of the coursework component are currently delivered in external mode (distance education) only, whereas the dissertation can be done in either internal or external mode. Candidates can study full-time or part-time or a mixture of both.

Admission Requirements

Graduates who have been awarded an appropriate degree of Bachelor in taxation, law or commerce, and with a taxation component, from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution at an average mark of Credit (65%) or better are eligible to apply for admission to the program.

In exceptional cases, an applicant who submits evidence of such other academic and professional qualifications as may be approved by an Admissions Committee established by the Faculty of Law, may be permitted to enrol for the degree. If the Committee is not satisfied with the qualifications submitted by the applicant, it may require the applicant to undergo such assessment or carry out such work as the Committee may prescribe, before permitting enrolment.

Program Objectives and Learning Outcomes

The main objectives of the Master of Taxation by Research are:

- to provide a formal academic link between the Bachelor Degree of Taxation (or similar degrees) and the PhD Degree in Taxation;
- to provide students with a range of technical knowledge and research skills in order to successfully conduct postgraduate research in taxation; and
- to provide students with an opportunity to undertake in-depth research in an appropriate taxation topic of their choice.

Program Structure

Coursework component (24 units of credit):

Students must complete three compulsory courses:

ATAX0400	Research Methods in Taxation	(6 UOC)
ATAX0401	Tax Policy	(6 UOC)
ATAX0492	Dissertation Proposal	(6 UOC)

plus any 6 unit of credit elective course approved by the Program convener (provided that candidates satisfy the prerequisites, if any, of the elective course).

Dissertation (48 units of credit)

In addition, students must also complete:

ATAX0490	Dissertation Full-time or	(48 UOC)
ATAX0491	Dissertation Part-time	(48 UOC)

The dissertation must be an original investigation in taxation not exceeding 50,000 words. It would typically be more limited in scope and in the degree of originality than a PhD thesis.

The research shall be supervised by a supervisor or supervisors who are members of the academic staff of Atax, or under other appropriate supervision arrangements approved by the Atax Assessment Committee

The progress of a candidate shall be reviewed annually by the Committee and as a result of such review the Committee may cancel enrolment or take such other action as it considers appropriate.

No candidate shall be granted the degree until the lapse of three academic semesters in the case of a full-time candidate or four academic semesters in the case of a part-time candidate from the date of enrolment.

The candidate shall give in writing two months notice of intention to submit the dissertation.

The dissertation shall present an account of the candidate's own research. In special cases work done conjointly with other persons may be accepted, provided the Committee is satisfied about the extent of the candidate's part in the joint research.

Three copies of the dissertation shall be presented in a form which complies with the requirements of the University for the preparation and submission of higher degree theses.

It shall be understood that the University retains the three copies of the dissertation submitted for examination and is free to allow the dissertation to be consulted or borrowed. Subject to the provisions of the Copyright Act, 1968, the University may issue the dissertation in whole or in part, in photostat or microfilm or other copying medium.

Academic Rules

Assessment Policy

To pass a course in the coursework component candidates must obtain:

1. 50% or more of the total marks available in the course and
2. a minimum of 40% in the final examination in the course

Assessment for Dissertation

1. There shall be not fewer than two examiners of the dissertation, appointed by the Committee.
2. At the conclusion of the examination each examiner shall submit to the Committee a concise report on the merits of the dissertation and shall recommend to the Committee that:
 - (a) the dissertation merits the award of the degree; or
 - (b) the dissertation merits the award of the degree subject to minor corrections as listed being made to the satisfaction of the Director of Atax; or
 - (c) the dissertation requires further work on matters detailed in the examiner's report. Should performance in this further work be to the satisfaction of the Committee, the dissertation would merit the award of the degree; or
 - (d) the dissertation does not merit the award of the degree in its present form and further work as described in the examiner's report is required. The revised dissertation should be subject to re-examination; or
 - (e) the dissertation does not merit the award of the degree and does not demonstrate that resubmission would be likely to achieve that merit.
3. If the performance at the further examination recommended under 2(c) above is not to the satisfaction of the Committee, the Committee may permit the candidate to re-present the same dissertation and submit to a further oral, practical or written examination within a period specified by it but not exceeding eighteen months.

4. The Committee shall, after consideration of the examiners' reports and the reports of any oral or written or practical examination, recommend whether or not the candidate may be awarded the degree. If it is decided that the candidate be not awarded the degree the Committee shall determine whether or not the candidate may resubmit the dissertation after a further period of study and/or research.

Exemption Policy

Admission with Advanced Standing: Students accepted for enrolment into the Master of Taxation by Research may apply for advanced standing by applying to the Atax Student Services Office. The policy and Advanced Standing/Exemption application is located on the Atax website at www.atax.unsw.edu.au/study/pgradexemptions - click on the relevant program to locate the appropriate policy statement and application form.

Articulation of studies from the Master of Taxation (Research) to the PhD program

After successfully completing the coursework component, candidates with an overall average of 70% or more in the Dissertation Proposal may apply for admission into the PhD program in taxation.

Program Rules and Information – Coursework Programs

9250 Master of Taxation

MTax

Typical Duration

1 year full-time

Minimum UOC for Award

48 units of credit

Typical UOC per Session

24 units of credit

Program Description

The principal objective of the Master of Taxation degree is to develop an advanced taxation knowledge base and advanced professional skills in taxation. The Master of Taxation can be studied over one full-time year with four courses per semester or two part-time years with two courses per semester.

The Master of Taxation program comprises eight courses, including one compulsory course. The remaining seven courses may be chosen from the prescribed list of elective courses. Assessment in at least four courses (designated ATAX04##) includes a research paper entailing sustained application of analytical skills and is assessed at not less than 40% of the marks in each course (weights vary according to particular course, but this is a standard). Assessment in Masters by coursework generally emphasises analysis and sustained writing in current problem areas and constructive contributions to the professional debate on key problems. This requires students to engage in sustained application of analytical skills and writing in their primary areas of advanced work and encourages them to add to the body of knowledge and critical understanding in such areas.

Admission Requirements

Direct entry to the Master of Taxation is normally open to graduates in taxation, law or commerce of equivalent standing and content to corresponding UNSW qualifications. Candidates should be able to demonstrate an average mark of Credit (65%) or better, in their prior taxation, law or commerce degrees.

Candidates for the Master of Taxation with Commerce or Law qualifications which are not at the required level, standard or content, shall complete such postgraduate qualifying courses as the Board of Studies in Taxation determines. The program code for the Postgraduate Qualifying program is 6894. This requirement is designed to deal particularly with Commerce graduates who have not completed basic commercial law and company law and Law graduates without basic accounting and economics as part of their undergraduate study. The Board of Studies in Taxation shall determine whether candidates with lower level academic qualifications and/or professional experience in taxation may be admitted directly or with such prerequisites as the Board determines.

All candidates for the Master of Taxation shall have completed a university level program in the basic elements of Australian income taxation or demonstrate equivalent academic and/or practical experience.

Exemptions or credit may be granted for up to 12 units of credit (two courses). Refer to 'Exemption Policy' below.

Specialist Professional Accreditation

The Master of Taxation has been approved by CPA Australia for specialist taxation accreditation.

Students who are members of CPA Australia, The Institute of Chartered Accountants in Australia (ICAA), and qualified lawyers may have both Award and Non-Award study with Atax recognised towards their Continuing Professional Development (CPD), Continuing Professional Education (CPE) and Continuing Legal Education (CLE) membership requirements respectively.

Program Objectives and Learning Outcomes

Please contact Atax, Faculty of Law for information regarding Program Objectives and Learning Outcomes.

Program Structure

Complete the following compulsory course:

ATAX0401 Tax Policy (6 UOC)

Select seven elective courses:

ATAX0400	Research Methods in Taxation	(6 UOC)
ATAX0403	Taxation of Corporations	(6 UOC)
ATAX0404	Asia Pacific Tax Regimes	(6 UOC)
ATAX0405	Taxation of Trusts	(6 UOC)
ATAX0406	Tax Administration Process	(6 UOC)
ATAX0407	Taxation of Corporate Finance	(6 UOC)
ATAX0408	International Tax: Anti-Avoidance	(6 UOC)
ATAX0410	Taxation of Superannuation	(6 UOC)
ATAX0411	Taxation of Capital Gains	(6 UOC)
ATAX0414	Selected Problems in Stamp Duty	(6 UOC)
ATAX0415	Taxation of Industry and Technology	(6 UOC)
ATAX0416	Current Research Problems in Taxation	(6 UOC)
ATAX0417	International Financial Centres	(6 UOC)
ATAX0418	Consolidations and Group Structures	(6 UOC)
ATAX0420	Principles of Australian International Tax	(6 UOC)
ATAX0421	Taxation of Structured Finance	(6 UOC)
ATAX0422	GST: Design and Structure	(6 UOC)
ATAX0423	Principles of GST Law	(6 UOC)
ATAX0424	GST: Complex Issues and Planning	(6 UOC)
ATAX0425	Taxation of Employee Remuneration	(6 UOC)
ATAX0426	Taxation and Investment Regulation in China	(6 UOC)
ATAX0427	Tax Strategies in Financial Planning	(6 UOC)
ATAX0428	Foundations in International Taxation	(6 UOC)
ATAX0429	International Tax Research	(6 UOC)
ATAX0434	Specific Tax Jurisdiction: Europe	(6 UOC)
ATAX0435	Specific Tax Jurisdictions: North America	(6 UOC)
ATAX0436	Specific Tax Jurisdictions: Asia	(6 UOC)
ATAX0437	Double Tax Agreements	(6 UOC)
ATAX0438	Tax Risk Management	(6 UOC)
ATAX0455	Taxation of Property Transactions	(6 UOC)

Academic Rules

Assessment Policy

To pass a course candidates for the Master of Taxation must obtain:

- 50% or more of the total marks available in the course and
- a minimum of 40% in the final examination in the course

Exemption Policy

Admission with Advanced Standing: Students accepted for enrolment into the Master of Taxation, may apply for advanced standing by applying to the Atax Student Services Office. The policy is located on the Atax website at www.atax.unsw.edu.au/study/pgradexemptions.htm - click on the relevant program to locate the appropriate policy statement.

9255 Master of International Taxation

MIIntTax

Typical Duration

1 year full-time

Minimum UOC for Award

48 units of credit

Typical UOC per Session

24 units of credit

Program Description

The principal objective of the Master of International Taxation degree is to develop a basic and advanced international taxation knowledge base and

advanced professional skills in the practical application of international tax knowledge. The Master of International Taxation can be studied over one full-time year with four courses per semester or two part-time years with two courses per semester.

The Master of International Taxation program comprises eight courses, a minimum of five of these courses must be taken from the international stream of courses. One of these courses, Tax Policy, is a compulsory course that can be studied in either Session 1 or Session 2. Assessment in at least four courses (designated ATAX04##) includes a research paper entailing sustained application of analytical skills and is assessed at not less than 40% of the marks in each course (weights vary according to particular course, but this is a standard). Assessment in Masters by coursework generally emphasises analysis and sustained writing in current problem areas, addressing topics that reflect the professional interests of students, which allows students to make constructive contributions to the professional debate on key problems. This requires students to engage in sustained application of analytical skills and writing in their primary areas of advanced work and encourages them to add to the body of knowledge and critical understanding in such areas.

Admission Requirements

Direct entry to the Master of International Taxation is normally open to graduates in taxation, law or commerce of equivalent standing and content to corresponding UNSW qualifications. Candidates should be able to demonstrate an average mark of Credit (65%) or better, in their prior taxation, law or commerce degrees.

Candidates for the Master of International Taxation with Commerce or Law qualifications which are not at the required level, standard or content, shall complete such postgraduate qualifying courses as the Board of Studies in Taxation determines. The program code for the Postgraduate Qualifying program is 6894. This requirement is designed to deal particularly with Commerce graduates who have not completed basic commercial law and company law, and Law graduates without basic accounting and economics as part of their undergraduate training. The Board of Studies in Taxation shall determine whether candidates with lower level academic qualifications and/or professional experience in taxation may be admitted directly or with such prerequisites as the Board determines.

All candidates for the Master of International Taxation shall have completed a university level program in the basic elements of Australian income taxation or demonstrate equivalent academic and/or practical experience.

Exemptions or credit may be granted for up to 12 units of credit (two courses). Refer to 'Exemption Policy' below.

Continuing Professional Development

Students who are members of CPA Australia, The Institute of Chartered Accountants in Australia (ICAA), and qualified lawyers may have both Award and Non-Award study with Atax recognised towards their Continuing Professional Development (CPD), Continuing Professional Education (CPE) and Continuing Legal Education (CLE) membership requirements respectively.

Program Objectives and Learning Outcomes

The main objectives of the Master of International Taxation are:

- To provide study programs that meet the developmental requirements of international tax professionals in the private and government sectors in Australia and throughout the Asia Pacific region;
- To provide a SE Asia and Pacific Rim focus to the study of international taxation regimes and policies;
- To provide depth of study and research opportunities in international and comparative taxation.

Program Structure

Students must choose eight courses from the following lists.

Select a minimum of five courses from the International stream below.

Complete the following compulsory **International stream** course:

ATAX0401 Tax Policy (6 UOC)

Select a minimum of four courses from the remaining **International stream** courses below:

ATAX0404	Asia Pacific Tax Regimes	(6 UOC)
ATAX0408	International Tax: Anti-Avoidance	(6 UOC)
ATAX0417	International Financial Centres	(6 UOC)
ATAX0420	Principles of Australian International Tax	(6 UOC)
ATAX0422	GST: Design and Structure	(6 UOC)
ATAX0426	Taxation and Investment Regulation in China	(6 UOC)

ATAX0428	Foundations in International Taxation	(6 UOC)
ATAX0434	Specific Tax Jurisdictions: Europe	(6 UOC)
ATAX0435	Specific Tax Jurisdictions: North America	(6 UOC)
ATAX0436	Specific Tax Jurisdictions: Asia	(6 UOC)
ATAX0437	Double Tax Agreements	(6 UOC)
ATAX0429	International Tax Research	(6 UOC)

Select a maximum of three courses from the General stream below.

ATAX0400	Research Methods in Taxation	(6 UOC)
ATAX0403	Taxation of Corporations	(6 UOC)
ATAX0405	Taxation of Trusts	(6 UOC)
ATAX0406	Tax Administration Process	(6 UOC)
ATAX0407	Taxation of Corporate Finance	(6 UOC)
ATAX0410	Taxation of Superannuation	(6 UOC)
ATAX0411	Taxation of Capital Gains	(6 UOC)
ATAX0414	Selected Problems in Stamp Duty	(6 UOC)
ATAX0415	Taxation of Industry and Technology	(6 UOC)
ATAX0416	Current Research Problems in Taxation	(6 UOC)
ATAX0418	Consolidations and Group Structures	(6 UOC)
ATAX0421	Taxation of Structured Finance	(6 UOC)
ATAX0423	Principles of GST Law	(6 UOC)
ATAX0424	GST: Complex Issues and Planning	(6 UOC)
ATAX0425	Taxation of Employee Remuneration	(6 UOC)
ATAX0427	Tax Strategies in Financial Planning	(6 UOC)
ATAX0438	Tax Risk Management	(6 UOC)
ATAX0455	Taxation of Property Transactions	(6 UOC)

Academic Rules

Assessment Policy

To pass a course candidates for the Master of International Taxation must obtain:

50% or more of the total marks available in the course and a minimum of 40% in the final examination in the course

Exemption Policy

Admission with Advanced Standing: Students accepted for enrolment into the Master of International Taxation, may apply for advanced standing by applying to the Atax Student Services Office. The policy and Advanced Standing/Exemption application is located on the Atax website at www.atax.unsw.edu.au/study/pgradexemptions - click on the relevant program to locate the appropriate policy statement and application form.

9260 Master of Applied Taxation

MAppTax

Typical Duration

1 year full-time

Minimum UOC for Award

48 units of credit

Typical UOC per Session

24 units of credit

Program Description

The principal objective of the Master of Applied Taxation is to provide a taxation study program that meets the developmental requirements of chartered accountants in private and government sectors in Australia and throughout the Asia-Pacific region. The program also aims to provide study and research opportunities in respect of taxation and business.

The elective component of the Master of Applied Taxation can be studied on a full-time basis with four courses in one semester or on a part-time basis with two courses per semester. The program consists of four compulsory courses studied in the Graduate Diploma CA program and four electives from the prescribed list. Assessment of the elective courses involves the submission of a research paper and an examination.

Admission Requirements

Direct entry to the Master of Applied Taxation is normally open to graduates in taxation, law or commerce of equivalent standing and content to corresponding UNSW qualifications. Candidates should be able to demonstrate an average mark of Credit (65%) or better, in their prior taxation, law or commerce degrees.

Candidate must also have completed the four compulsory courses of Graduate Diploma CA from the ICAA CA program. In addition, the level of achievement acquired in the Graduate Diploma CA and any other postgraduate courses, and relevant experiences are taken into account.

In certain cases candidates for the Master of Applied Taxation may be regarded as lacking Commerce or Law qualifications which are at the required level, standard or content. In such cases, Atax may require candidates to complete postgraduate qualifying courses. The program code for the Postgraduate Qualifying program is 6894. The requirement of a qualifying program may be imposed even in cases where the candidate holds the Graduate Diploma CA.

Program Objectives and Learning Outcomes

Please contact Atax, Faculty of Law for information regarding Program Objectives and Learning Outcomes.

Program Structure

The Master of Applied Taxation consists of:

Four compulsory courses (courses from ICAA program):

ICAA Mod 2	Financial Reporting and Assurance
ICAA Mod 3	Taxation and Financial Reporting
ICAA Mod 4	Strategic Business Management
ICAA Mod 5	Final Integrative

Four elective courses:

ATAX0401	Tax Policy	(6 UOC)
ATAX0403	Taxation of Corporations	(6 UOC)
ATAX0404	Asia Pacific Tax Regimes	(6 UOC)
ATAX0405	Taxation of Trusts	(6 UOC)
ATAX0406	Tax Administration Process	(6 UOC)
ATAX0407	Taxation of Corporate Finance	(6 UOC)
ATAX0408	International Tax: Anti-Avoidance	(6 UOC)
ATAX0410	Taxation of Superannuation	(6 UOC)
ATAX0411	Taxation of Capital Gains	(6 UOC)
ATAX0414	Selected Problems in Stamp Duty	(6 UOC)
ATAX0415	Taxation of Industry and Technology	(6 UOC)
ATAX0417	International Financial Centres	(6 UOC)
ATAX0418	Consolidations and Group Structures	(6 UOC)
ATAX0420	Principles of Australian International Tax	(6 UOC)
ATAX0421	Taxation of Structured Finance	(6 UOC)
ATAX0422	GST: Design and Structure	(6 UOC)
ATAX0423	Principles of GST Law	(6 UOC)
ATAX0424	GST: Complex Issues and Planning	(6 UOC)
ATAX0425	Taxation of Employee Remuneration	(6 UOC)
ATAX0426	Taxation and Investment Regulation in China	(6 UOC)
ATAX0427	Tax Strategies in Financial Planning	(6 UOC)
ATAX0428	Foundations in International Taxation	(6 UOC)
ATAX0434	Specific Tax Jurisdictions: Europe	(6 UOC)
ATAX0435	Specific Tax Jurisdictions: North America	(6 UOC)
ATAX0436	Specific Tax Jurisdictions: Asia	(6 UOC)
ATAX0437	Double Tax Agreements	(6 UOC)
ATAX0438	Tax Risk Management	(6 UOC)
ATAX0455	Taxation of Property Transactions	(6 UOC)

Academic Rules

Assessment Policy

Assessment of compulsory courses (Graduate Diploma CA program) - this assessment is governed by the requirements of the Institute of Chartered Accountants.

To pass the elective (Atax) courses, candidates for the Master of Applied Taxation must obtain:

- 50% or more of the total marks available in the course and,
- a minimum of 40% in the final examination in the course

To graduate with the Master of Applied Taxation, a candidate must satisfy the requirements for the award of the degree of Graduate Diploma CA and complete the four elective (Atax) courses.

Exemption Policy

No advanced standing for Atax courses is available in the Master of Applied Taxation program. Four Atax courses and the Graduate Diploma CA must be completed for the award of the degree.

Transfer from the Master of Applied Taxation to the Master of Taxation or Master of International Taxation

1. Students who have commenced but not completed the Master of Applied Taxation and wish to convert to the Master of Taxation or Master of International Taxation are required to:

- complete the balance of the eight courses (less those for which Advanced Standing has already been granted), to fulfill the requirements of the Master of Taxation or Master of International Taxation. This must

include a minimum of four courses within the ATAX04## series. These courses must include ATAX0401 Tax Policy.

(b) For students transferring to the Master of International Taxation only: complete a minimum of five courses from the International stream

2. A student wishing to apply to transfer from the Master of Applied Taxation to the Master of Taxation or Master of International Taxation must submit a written application to Atax. This should be done by the start of the semester in which they would like the transfer to be effective. A 'Transfer' form must be used (available via the Atax website at www.atax.unsw.edu.au/students/forms)

3. Students who have completed and been awarded the Master of Applied Taxation must apply for admission to the Master of Taxation or Master of International Taxation program and will be eligible for exemption for up to two courses, each worth six units of credit. Students must not select courses for the Master of Taxation or Master of International Taxation that have already been completed and credited to the Master of Applied Taxation. Information and application forms for admission to the Master of Taxation and Master of International Taxation are available at www.atax.unsw.edu.au

5540 Graduate Diploma in Advanced Taxation

GradDipAdvTax

Typical Duration

1 year full-time

Minimum UOC for Award

36 units of credit

Typical UOC per Session

24 units of credit

Program Description

The Graduate Diploma in Advanced Taxation, while broadly similar in its objectives and course content to the Masters programs, is less onerous in its entry requirements and does not require sustained writing in some courses for completion. It concentrates on advanced specialist professional training in taxation. The Graduate Diploma in Advanced Taxation is based on six courses and can be studied over one full-time year with three courses per semester or 1.5 part-time years with two courses per semester.

While the Graduate Diploma in Advanced Taxation offers many of the same courses as those in the Masters programs, it does not involve the requirement, (part of the Master of Taxation and Master of International regulations), that assessment in at least four of those courses is based on a project entailing sustained application of analytical skills. Taking this and the lesser number of courses into account, the Graduate Diploma in Advanced Taxation has a different emphasis and involves somewhere in excess of half the work-load of the Master of Taxation.

Courses for the Graduate Diploma in Advanced Taxation, though similar in content to Masters courses, are separately designated ATAX03** and are assessed in a different way. Typically, Masters courses require a substantial written paper involving sustained analysis and an examination, while Graduate Diploma in Advanced Taxation courses involve two written assignments and an examination.

Admission Requirements

Direct entry to the Graduate Diploma in Advanced Taxation is normally open to graduates in taxation, law, business, economics or commerce of equivalent standing and content to corresponding UNSW qualifications.

Candidates for the Graduate Diploma in Advanced Taxation with Commerce, Business, Economics or Law qualifications which are not at the required level, standard or content, shall complete postgraduate qualifying courses as the Board of Studies in Taxation determines. The program code for the Postgraduate Qualifying program is 6894. The Board of Studies in Taxation shall determine whether candidates with lower level academic qualifications and/or professional experience in taxation may be admitted directly or with such prerequisites as the Board determines.

Formal entry requirements to the Graduate Diploma in Advanced Taxation are similar to those of the Master of Taxation, though not at the same standard. All candidates for the Graduate Diploma in Advanced Taxation must have completed a university level program in the basic elements of income taxation or equivalent.

Specialist Professional Accreditation

The Graduate Diploma in Advanced Taxation have been approved by CPA Australia for specialist taxation accreditation.

Students who are members of CPA Australia, The Institute of Chartered Accountants in Australia (ICAA), and qualified lawyers may have both Award and Non-Award study with Atax recognised towards their Continuing Professional Development (CPD), Continuing Professional Education (CPE) and Continuing Legal Education (CLE) membership requirements respectively.

Program Objectives and Learning Outcomes

Please contact Atax, Faculty of Law for information regarding Program Objectives and Learning Outcomes.

Program Structure

The Graduate Diploma in Advanced Taxation consists of 6 elective courses from the ATAX03** range of courses.

Selection of Courses

Complete six of the following elective courses:

ATAX0301	Tax Policy (restricted entry only)	(6 UOC)
ATAX0303	Taxation of Corporations	(6 UOC)
ATAX0304	Asia Pacific Tax Regimes	(6 UOC)
ATAX0305	Taxation of Trusts	(6 UOC)
ATAX0306	Tax Administration Process	(6 UOC)
ATAX0307	Taxation of Corporate Finance	(6 UOC)
ATAX0308	International Tax: Anti-Avoidance	(6 UOC)
ATAX0310	Taxation of Superannuation	(6 UOC)
ATAX0311	Taxation of Capital Gains	(6 UOC)
ATAX0314	Selected Problems in Stamp Duty	(6 UOC)
ATAX0315	Taxation of Industry and Technology	(6 UOC)
ATAX0317	International Financial Centres	(6 UOC)
ATAX0318	Consolidations and Group Structures	(6 UOC)
ATAX0320	Principles of Australian International Tax	(6 UOC)
ATAX0321	Taxation of Structured Finance	(6 UOC)
ATAX0322	GST: Design and Structure	(6 UOC)
ATAX0323	Principles of GST Law	(6 UOC)
ATAX0324	GST: Complex Issues and Planning	(6 UOC)
ATAX0325	Taxation of Employee Remuneration	(6 UOC)
ATAX0326	Taxation and Investment Regulation in China	(6 UOC)
ATAX0327	Tax Strategies in Financial Planning	(6 UOC)
ATAX0328	Foundations in International Taxation	(6 UOC)
ATAX0334	Specific Tax Jurisdictions: Europe	(6 UOC)
ATAX0335	Specific Tax Jurisdictions: North America	(6 UOC)
ATAX0336	Specific Tax Jurisdictions: Asia	(6 UOC)
ATAX0337	Double Tax Agreements	(6 UOC)
ATAX0338	Tax Risk Management	(6 UOC)
ATAX0355	Taxation of Property Transactions	(6 UOC)

Academic Rules

Assessment Policy

In order to pass a course, candidates for the Graduate Diploma in Advanced Taxation must obtain:

1. 50% or more of the total marks available in the course and,
2. a minimum of 40% in the final examination in the course.

Exemption Policy

Admission with Advanced Standing: Students accepted for enrolment into the Graduate Diploma in Advanced Taxation, may apply for advanced standing by applying to the Atax Student Services Office. The policy is located on the Atax website at www.atax.unsw.edu.au/study/pgradexemptions.htm - click on the relevant program to locate the appropriate policy statement.

Articulation of studies from the Graduate Diploma in Advanced Taxation to the Master of Taxation or the Master of International Taxation

1. Students who have commenced but not completed the Graduate Diploma in Advanced Taxation and wish to articulate to the Master of Taxation or Master of International Taxation, are required to:

- (a) complete a minimum of two courses in Graduate Diploma in Advanced Taxation mode;
- (b) have achieved an acceptable academic standard as determined by the Board of Studies; this will normally be a mark of at least 65% (Credit) on average in the courses completed but this may vary to suit individual circumstances.

(c) complete the balance of eight courses (less those for which Advanced Standing has already been granted), including a minimum of four courses within the ATAX04** series of courses, which must include ATAX0401 Tax Policy if it has not already been completed in ATAX0301 Tax Policy.

(d) For students articulating to the Master of International Taxation only: complete a minimum of five courses from the International stream

Students must not select courses for the Master of Taxation or Master of International Taxation that they have already completed as Graduate Diploma in Advanced Taxation courses or as courses in another Atax program.

2. A student wishing to apply to articulate from the Graduate Diploma in Advanced Taxation to the Master of Taxation or Master of International Taxation must submit a written application to Atax by the start of the semester in which they would like the transfer to be effective. An 'Articulation of Studies in Atax Program' form must be used (available via the Atax website at www.atax.unsw.edu.au/students/forms/Articulation_of_Studies.pdf)

3. Students who have completed and been awarded the Graduate Diploma in Advanced Taxation must apply for admission to the Master of Taxation or Master of International Taxation and will be eligible for exemption for up to two courses, each worth six units of credit. Students must not select courses for the Master of Taxation or Master of International Taxation that have already been completed and credited to the Graduate Diploma in Advanced Taxation. Information and application forms for admission to the Master of Taxation and Master of International Taxation are available at www.atax.unsw.edu.au

5541 Graduate Diploma in Taxation Studies

GradDipTaxStud

Typical Duration

1.5 years full-time

Minimum UOC for Award

60 units of credit

Typical UOC per Session

24 units of credit

Program Description

The Graduate Diploma in Taxation Studies offers students courses similar to those in the Bachelor of Taxation. It is designed to cover only core aspects of taxation, accounting, economics and law. The Graduate Diploma in Taxation Studies consists of ten courses studied over 2.5 part-time years or 1.5 full-time years.

Courses are similar in content to courses offered for the Bachelor of Taxation. They are separately designated so that, in appropriate cases, the content and method of assessment in courses may be varied by the Board of Studies in Taxation.

In no case shall a student gain a Graduate Diploma in Taxation Studies by completing fewer than eight courses. Where the student is granted three or more credits for courses completed for other degrees, the student shall be required to choose additional courses towards credit for the degree, as approved by the Board of Studies in Taxation, from a list of Bachelor of Taxation and Graduate Diploma in Advanced Taxation courses.

Admission Requirements

Entry to the Graduate Diploma in Taxation Studies is open to students holding an Australian Bachelors degree, or overseas equivalent, in any discipline. Students with degrees in commerce or law are likely to find the Master of Taxation, Master of International Taxation or the Graduate Diploma in Advanced Taxation more appropriate programs of study. Entry to the program is competitive, based purely on merit.

Program Objectives and Learning Outcomes

The Graduate Diploma in Taxation Studies has two objectives:

1. To prepare graduates from disciplines other than tax, law or commerce for work in the taxation industry by giving them core training in taxation and basic component disciplines. It is not designed to gain professional accounting admission.
2. To prepare students for admission to the Master of Taxation (if they attain suitable grades) or the Graduate Diploma in Advanced Taxation.

Program Structure

The Graduate Diploma in Taxation Studies consists of 10 compulsory courses:

ATAX0100	Principles of Australian Taxation Law	(6 UOC)
ATAX0103	Microeconomics and the Australian Tax System	(6 UOC)
ATAX0104	Framework of Commercial Law	(6 UOC)

ATAX0105	Accounting 1	(6 UOC)
ATAX0106	Tax Administration	(6 UOC)
ATAX0108	Principles of Capital Gains Taxation	(6 UOC)
ATAX0113	Taxation of Companies, Trusts and Partnerships	(6 UOC)
ATAX0116	Critical Perspectives and Ethics	(6 UOC)
ATAX0117	Tax Accounting Systems	(6 UOC)
ATAX0123	Principles of GST Law	(6 UOC)

Please note that, where courses are run in tandem with the Bachelor of Taxation (ATAX00**), the prerequisites and corequisites applying to parallel Bachelor of Taxation courses do not apply to the Graduate Diploma in Taxation Studies courses.

Academic Rules

Assessment Policy

In order to pass a course, candidates for the Graduate Diploma in Taxation Studies must obtain:

1. 50% or more of the total marks available in the course and,
2. a minimum of 40% in the final examination in the course.

Exemption Policy

Admission with Advanced Standing: Students accepted for enrolment into the Graduate Diploma in Taxation Studies, may apply for advanced standing by writing to the Atax Student Services Office. The policy is located on the Atax website at www.atax.unsw.edu.au/study/pgradexemptions.htm - click on the relevant program to locate the appropriate policy statement.

Non-Award (Single Course), Cross-Institutional and Cross-Group (Faculty) Enrolments

Introduction and Overview

Non-Award enrolments are enrolments in courses or a sequence of courses, which do not lead to nor (usually) count towards a formal award of UNSW.

Non-Award study with Atax may also count towards Continuing Professional Education (CPE), Continuing Professional Development (CPD) and Continuing Legal Education (CLE) requirements for Chartered Accountants, Certified Practising Accountants and lawyers respectively.

There are several categories of Non-Award enrolment:

1. **Voluntary course enrolment** – where the student is taking the course either out of interest or to develop professional competence in an area of specialisation.
2. **Cross-Institutional enrolment** – where the student enrolls in a UNSW course for credit towards an award at another tertiary institution, at which the student is concurrently enrolled.
3. **Cross-Group enrolment** – where a student from another Group (Faculty) of UNSW applies to study an Atax course. Written confirmation is required from the other Group to the effect that the course will be credited towards the award.
4. Where an Atax student wishes to enrol in a course at another institution for credit towards their UNSW award, any such courses would have to be of similar content and level to the corresponding Atax course and specific reasons for the request are required. Atax will normally approve this type of enrolment in special circumstances only. Students would be required to complete the normal enrolment procedure at UNSW in order to have the course credited towards their degree.

Cross-Institutional Enrolment Procedures

Procedures for the Atax student entering into a Cross-Institutional scheme are as follows:

1. Forward full details of the course, including unit of credit value, assessment and content, to the Atax Student Services Office. Outline why you consider the circumstances to be special and indicate the Atax course for which it would be substituted.
2. Your application will then be considered and you will receive written advice regarding its success or otherwise.
3. Make an application to the host institution, presenting approval from Atax (check with the host institution for appropriate procedures).
4. Notify Atax of acceptance by the host institution
5. Forward a certified copy of the official result (mark and grade) from the course studied at the host institution to Atax once the course assessment has been finalised.

Cross-Group Enrolment Procedures

Students intending to:

- add/vary Atax courses to/in a program of study from another Group or school within UNSW *or*
- add/vary courses from another Group or school within UNSW, to an Atax program;

are strongly advised to contact the Atax Student Services Office so transition arrangements can be effected smoothly. You must ascertain the availability of particular courses and the semesters in which they will be offered. You should arrange for your program authority to provide written approval that the Cross-Group course will be credited to your award program. Also arrangements for delivery/collection of Study Materials and associated support need to be communicated.

Students based in the Law School in UNSW are regarded as falling within these arrangements.