



The University of New South Wales

Law

1992  
Faculty Handbook



The University of New South Wales

**Law**

**1992  
Faculty Handbook**

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

Information in this Handbook has been brought up to date as at 4 November 1991, but may be amended without notice by the University Council.

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# Calendar of Dates

The academic year is divided into two sessions, each containing 67 days for teaching. There is a recess of approximately six weeks between the two sessions and there are short recesses of one week within each of the sessions.

Session 1 commences on the Monday nearest 1 March.

## 1992

**Session 1** (67 teaching days)

**Recess:**

**Study Recess:**

**Examinations**

**Midyear Recess:**

**Session 2** (67 teaching days)

**Recess:**

**Study Recess:**

**Examinations**

2 March to 16 March

17 April to 26 April

27 April to 12 June

13 June to 18 June

19 June to 7 July

8 July to 26 July

27 July to 25 September

26 September to 5 October

6 October to 6 November

7 November to 12 November

13 November to 1 December

## 1993

1 March to 8 April

9 April to 18 April

19 April to 11 June

12 June to 17 June

18 June to 6 July

7 July to 25 July

26 July to 24 September

25 September to 4 October

5 October to 5 November

6 November to 11 November

12 November to 30 November

**Faculties other than  
Medicine**

## Important Dates for 1992

### January

W	1	New Year's Day – Public Holiday
F	10	Last day for acceptance of applications by office of the Admissions Section for transfer to another undergraduate course within the University
M	13	Term 1 begins – Medicine IV
M	20	Term 1 begins – Medicine V
M	27	Australia Day – Public Holiday

### February

T	4	Enrolment period begins for new undergraduate students and undergraduate students repeating first year
M	10	Re-enrolment period begins for second and later year undergraduate and graduate students enrolled in formal courses
F	28	Last day for acceptance of enrolment by new and re-enrolling students (Late fee payable thereafter if enrolment approved)

### March

M	2	Session 1 begins – all courses except Medicine IV and V
Su	8	Term 1 ends – Medicine IV
M	9	Term 2 begins – Medicine IV
F	13	Last day applications are accepted from students to enrol in Session 1 or whole year subjects
Su	22	Term 1 ends – Medicine V
M	30	Term 2 begins – Medicine V
T	31	HECS Census Date for Session 1

### April

F	17	Good Friday – Public Holiday Mid-session Recess begins
M	20	Easter Monday – Public Holiday
S	25	Anzac Day – Public Holiday
Su	26	Term 2 ends – Medicine IV Mid-session Recess ends

### May

S	2	May Recess begins – University College, ADFA
M	4	Term 3 begins – Medicine IV
F	8	Term 1 ends – AGSM
T	12	Publication of Provisional Timetable for June examinations
Su	17	May Recess ends – University College, ADFA
W	20	Last day for students to advise of examination clashes
Su	31	Term 2 ends – Medicine V

**June**

<b>M</b>	<b>1</b>	Term 2 begins – AGSM
<b>T</b>	<b>2</b>	Publication of Timetable for June examination
<b>M</b>	<b>8</b>	Queen's Birthday – Public Holiday
<b>T</b>	<b>9</b>	Term 3 begins – Medicine V
<b>F</b>	<b>12</b>	Session 1 ends
<b>S</b>	<b>13</b>	Study Recess begins College of fine Arts Assessment Week begins
<b>Su</b>	<b>14</b>	Term 3 ends – Medicine IV
<b>M</b>	<b>15</b>	Term 4 begins – Medicine IV
<b>Th</b>	<b>18</b>	Study Recess ends
<b>F</b>	<b>19</b>	Examinations begin Session 1 ends – University College, ADFA
<b>S</b>	<b>20</b>	Midyear Recess begins – University College, ADFA College of fine Arts Assessment Week ends
<b>M</b>	<b>22</b>	Examinations begin – University College, ADFA

**July**

<b>T</b>	<b>7</b>	Examinations end
<b>W</b>	<b>8</b>	Midyear Recess begins
<b>S</b>	<b>11</b>	Examinations end – University College, ADFA
<b>Su</b>	<b>19</b>	Midyear Recess ends – University College, ADFA
<b>M</b>	<b>20</b>	Session 2 begins – University College, ADFA
<b>Su</b>	<b>26</b>	Midyear Recess ends
<b>M</b>	<b>27</b>	Session 2 begins

**August**

<b>F</b>	<b>7</b>	Last day applications are accepted from students to enrol in Session 2 subjects. Term 2 ends – AGSM
<b>Su</b>	<b>9</b>	Term 3 and 4 ends – Medicine IV and V
<b>M</b>	<b>17</b>	Term 4 and 5 begins – Medicine IV and V
<b>M</b>	<b>31</b>	HECS Census Day for Session 2. Term 3 begins – AGSM

**September**

<b>F</b>	<b>25</b>	Closing date for applications to the Universities Admission Centre
<b>S</b>	<b>26</b>	Mid-session Recess begins September Recess begins – University College, ADFA

**October**

<b>Su</b>	<b>4</b>	September Recess ends – University College, ADFA
<b>M</b>	<b>5</b>	Labour Day – Public Holiday Mid-session Recess ends
<b>T</b>	<b>6</b>	Publication of provisional timetable for November examinations
<b>W</b>	<b>14</b>	Last day for students to advise of examination clashes
<b>Su</b>	<b>18</b>	Term 4 ends – Medicine V
<b>F</b>	<b>23</b>	Session 2 ends – University College, ADFA
<b>M</b>	<b>26</b>	Examinations begin – University College, ADFA

**November**

<b>F</b>	<b>6</b>	Session 2 ends Term 3 ends – AGSM
<b>S</b>	<b>7</b>	Study Recess begins College of fine Arts Assessment Week begins
<b>Su</b>	<b>8</b>	Term 6 ends – Medicine IV
<b>Th</b>	<b>12</b>	Study Recess ends
<b>F</b>	<b>13</b>	Examinations begin Examinations end – University College, ADFA College of fine Arts Assessment Week ends

**December**

<b>T</b>	<b>1</b>	Examinations end
<b>F</b>	<b>25</b>	Christmas Day – Public Holiday
<b>S</b>	<b>26</b>	Boxing Day – Public Holiday
<b>M</b>	<b>28</b>	Public Holiday

# Staff

*Comprises School of Law.*

## Dean

Professor M. R. Chesterman

## Presiding Member

Associate Professor G. G. Winterton

## Sub Deans

Susan Armstrong

Dr Adrian Brooks

## Senior Administrative Officer

Hugh Neville Stuart Turner

## Administrative Officer

Janet McLean, BBus N.S.W.I.T.

## Administrative Assistants

Aileen Gwentyth Argue, BA N.S.W.

Ethel Sara Gallo, BA N.S.W.

Kerrie Dianne Stone

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## School of Law

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## Associate Professor and Head of School

Michael John Tilbury, LLB Lond., BCL Oxf.,

## Professors of Law

Michael Rainsford Chesterman, BA LLB Syd., LLM Lond.

Yuri Filip Rangimarie Grbich, LLM V.U.W., PhD L.S.E.

Robert Garth Nettheim, AM Tufts, LLB Syd.

Ivan Anthony Shearer, LLM Adel., SJD Northwestern

## Associate Professors

Mark Isaac Aronson, BJuris LLB Monash, DPhil Oxf.

Adrian Suzanne Brooks, BA Qld., LLB PhD A.N.U.

David Bentley Brown, LLB Auck., DipCrim Camb.

Philip Newell Burgess, LLM Well., FTIA

Stephen William Cavanagh, LLB Syd., LLM Lond.

Richard Colin Chisholm BA LLB Syd., BCL Oxf.

Regina Graycar, LLB Adel., LLM Harv.

Patricia Hyndman, LLM Lond., DipEd Br.Col.

Martin Evald John Krygier, BA LLB Syd., PhD A.N.U.

Paul Murray Redmond, BA LLM Syd.

Krishna Mohan Sharma, MA LLM DipLabourLaws Raj., LLM SJD Harv.

David Weisbrot, BA C.U.N.Y., JD Calif.

George Graham Winterton, LLM W.Aust., JSD Colorado

## Senior Lecturers

Salahuddin Ahmed, BA LLB Dhaka, LLM Lond.

Susan Armstrong, BA LLB Syd.

Shenagh Barnes, LLM Syd.

Brian Bromberger, LLB Melb., LLM Penn.

Brian Danesbury Brunton, LLB P.N.G., LLM Monash

Ian Malcolm Cameron, LLM Cant., DipEd Monash, LRSM LTCL Lond.

Kathryn Cronin, BA Qld., PhD Monash, DipLaw Central Lond. Poly.

Sandra Egger, BPsych PhD W.Aust., BLegS Macq.

Arthur Stanley Glass, BA LLB PhD Syd.

Graham William Greenleaf, BA LLB Syd., MACS

Owen David Jessop, BA LLB Syd., PhD A.N.U.

Denis John Harley, BA LLM Syd., LLB Camb.

Jill Barbara Hunter, BA LLB N.S.W., PhD Lond.

Jill McKeough, BA LLB N.S.W., LLM Syd.

Dirk John Meure, LLB Tas., LLM Sheff.

Stanley David Ross, BA C.U.N.Y., MA S.F.State, JD Calif.

Christopher John Rossiter, BA LLB Syd.

Gerard Clyde Rowe, BA LLB MTCP Syd., LLM Yale

George Zdenkowski, BA LLB Syd.



## **Law**

### **Lecturers**

Jennifer Joy Borgen, LLB *N.S.W.*, BSc DipEd *Qld.*  
Doree Jean Boniface, BCom LLB *N.S.W.*  
Keven Hartley Booker, LLB *W.Aust.*  
Mark Allen Buchanan, BA *St. Thomas*, JD *Nebr.*  
Angus David Corbett, BA LLB *Macq.*, LLM *Wisc.*  
Anne Isabel Cossins, BSc LLB *N.S.W.*  
Susan Duncombe, BA *Syd.*, MSc(Ed) *Penn.*, LLB *N.S.W.*  
Brandon Joseph Edgeworth, LLB MA *Sheff.*  
Annette Hasche, LLB *Tueb.Germ.*, LLB *N.S.W.*  
Michael William Hogan, BA LLB *N.S.W.*  
Melinda Jones BA *N.S.W.*, LLB *Melb.*  
Gail Pearson, BA *Qld.*, LLB *N.S.W.*, PhD *I.Nehru*  
Ian Malcolm Ramsay, BA LLB *Macq.*, LLM *Harv.*  
Ross McGregor Ramsay, BA LLB *Macq.*, LLM *Harv.*  
Steven Seidler, BA LLB *Syd.*, LLM *Mich.*  
Peta Ann Dorothy Spender, BA LLB *N.S.W.*  
Prudence Elizabeth Vines, MA *Syd.*, LLB DipEd *N.S.W.*

### **Visiting Professors**

Richard Alexander Bauman, BA LLB *S.A.*, MA *Syd.*, PhD *Witw.*  
The Hon. John Halden Wootten, AC, QC, BA LLB *Syd.*

### **Visiting Fellow**

Suzanne Hoffman, BCom LLB *N.S.W.*

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## **Kingsford Legal Centre**

### **Director**

Simon James Rice, BA LLB MEd *N.S.W.*

### **Solicitor**

Paul Batley, BA LLB *Adel.*, LLM *Lond.*

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## **Continuing Legal Education**

### **Director**

Patrick Gallagher, MCom LLB *N.S.W.*, FCPA, FTIA

## Dean's Letter to New Students

The new students in the Law School in 1992 will be a mixture of school-leavers, graduates from other disciplines, students who have begun but not completed another university course, people who left school some time back and are making a return to a study environment, and indeed law graduates enrolling for a postgraduate degree. For myself and my colleagues on the academic and general staff of the School, it is always a pleasure to welcome a new intake of individuals of richly varying backgrounds. We all hope very much that you enjoy your time at the School and that you find it to be both an intellectually stimulating School and a friendly place in which to spend a significant part of your working life.

Our first students enrolled in 1971 and our first graduation ceremony was held in 1976. So in 1991 we are celebrating our 20th anniversary. This makes us one of the oldest of a comparatively large group of Australian law schools established since the Second World War, though we are far younger than the oldest law school in the country (which recently celebrated its centenary). With about 1200 students and 75 staff (academic and general), we are quite a large school.

During its 20 years of life, the School has managed to acquire an excellent reputation, based in very large measure on the quality of the legal education that our students have received. We have always borne in mind that legal education is not just training for a profession, but should be undertaken with the same spirit of inquiry and the same determination to assess and criticise received wisdom as any other branch of university study.

In our curriculum planning, we consider it significant that law graduates have a much wider range of career options open to them than just the traditional forms of private practice. Along with other law schools, we have been fortunate in being able to secure and maintain acceptance of the principle that lawyers should be educated to degree standard in at least one other discipline as well as law. We can accordingly ensure that law is taught in our School from broader theoretical perspectives than those of law's own internal logic. We are also committed to the principle that there should be a relatively small compulsory core of subjects in the LLB curriculum, and a wide choice of electives.

Another important feature of the Law School is its insistence on active learning. Lectures to huge crowds of students in large lecture halls are virtually unknown. Although resource constraints are compelling us to teach some subjects in classes of 60 or thereabouts, we are keeping this mode of instruction to a minimum, and the bulk of our teaching is done in groups no larger than 40, and sometimes in groups as small as 20. We thus call on students to prepare before classes and participate actively during classes. We are convinced that this is not only the right educational approach for intending lawyers, whose future careers will regularly make demands on their capacity to explain and argue about the law in an articulate way, but also the way to make university education enjoyable for both students and teachers. Even our approach to grading students - which adopts the principle of continuous assessment, not "sudden death" examinations - makes due allowance for oral skills, in that students are in some subjects given the opportunity to be assessed on their capacity to prepare and present an oral legal argument in a hypothetical court case (called a "moot").

Practical skills receive due emphasis in our curriculum. Computer retrieval of legal information is taught in a number of compulsory and elective subjects, elective subjects provide practical training in advocacy skills, and we are the only law school in NSW to offer a clinical subject, in which students, under supervision, handle real cases for the clients of a local legal centre. Our objective is to produce graduates who will be sufficiently well prepared to function as legal professionals into the first half of the 21st century. The Faculty's Continuing Legal Education courses and our new and fast-developing Coursework Masters program continue the process at postgraduate level.

Above all, the School firmly believes that "students matter". In small or medium-sized class groups we can get to know each other as individuals, with first names being used by students in addressing teachers as well as the other way round. Student representatives are actively involved in decision-making by the School and its

committees. The School encourages and supports a range of student-run activities such as a program of distinguished guest speakers, moot competitions, the UNSW Law Journal and the annual despatch of a delegation of students to a week-long convention of Australasian law students. The School also helps students to obtain summer placements before graduation and employment after graduation. Law Library staff are always willing to assist students to locate materials and they conduct our legal research programs.

The Law School is not only a teaching institution. It has a fine reputation for legal research, particularly research aimed to assist the law and legal institutions in meeting community needs and expectations. This involves a critical assessment of the adequacy of existing rules, institutions and processes. Many members of the academic staff have contributed notably to law reform in a variety of ways. Many students have also contributed to such work.

The Law School is a large and busy place with many different activities going on. But we are committed to maintaining the personal touch, above all through the willingness of staff to deal with any questions or difficulties (academic, personal or other) that you may face.

We wish you success and enjoyment in your time here, and we look forward to meeting you and working with you.

**Michael Chesterman**

**Dean**

# Faculty Information

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## Some People Who Can Help You

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If you require advice about enrolment, degree requirements, progression within courses, career advice or any other general faculty matters contact one of the following: Ethel Gallo, Administrative Assistant (Room 1014 Tel: 697 2225) or Kerrie Stone, Administrative Assistant, (Room 1013, Tel: 697 3678).

**Important:** As changes may be made to information provided in this handbook, students should frequently consult the notice boards of the school and the official notice boards of the University.

It is University policy to promote equal opportunity in education (refer to EOE Policy Statement, *The University of New South Wales Calendar* and the *Guide for Students 1992*).

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## Faculty of Law Enrolment Procedures

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All students re-enrolling in 1992 should obtain a copy of the free leaflet *Re-Enrolling 1992* available from School Offices and the office of the Admissions Section. This leaflet provides detailed information on enrolment procedures and fees, enrolment timetables by Faculty and course, enrolment as a miscellaneous student, locations and hours of Cashiers and late enrolments.

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## Law Library

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The Law Library is situated on the eighth and ninth levels of the Library Tower and contains approximately 135,000 volumes. Rob Brian is the Law Librarian, assisted by Peter Siddrko, Librarians Joe Ury, Donald Goodsell, and Lynette Falconer.

During Orientation Week and the first week of session, guided tours of the Law Library are conducted. Since the various courses provided in the Law School require extensive use of the Library and its materials, all students are urged to attend one of these tours. Legal Research and Writing classes assume that students have attended the orientation tour.

The Librarians and the other staff members are always ready to assist readers to make the best use of the Library's collection. Further useful information may be found in the *Library Guide*, which is available from the Library.

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## Professional Associates

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In addition to full-time teaching staff in the Faculty of Law, each year there is a small number of distinguished members of the legal profession in New South Wales who work in close association with full-time teachers. They participate in all aspects of the presentation of courses covered by their professional specialization.



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## Enrolment Photographs

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In order to assist the staff to get to know individual students, new students are required to present a passport-sized photograph when enrolling.

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## Assessment of Student Progress

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Formal examinations are not the only method the Law School will use to assess students. Other methods of assessment include research projects, class participation, essays and moots (mock trials). The staff are always interested to hear what students think are fair methods of assessment.

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## Full-time Status

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Students are reminded that a full-time course program is intended for students who devote the principal part of their available time to their course. Any additional commitment, in the form of paid work, training for sport at a significant level of achievement or voluntary work in community organizations, is bound to have an effect on a student's work. Past experience shows that commitment beyond 10-15 hours per week almost invariably has an adverse effect on student performance and in some cases has led directly to failure.

Students are strongly advised that, if outside commitment of this order is likely to be maintained consistently over a session, the commitment should be discussed in advance with the Sub-Dean and teachers should also be made aware of the circumstances *in advance*. Failure to do this may prejudice the possibility that the outside commitment is taken into account in relation to such matters as extensions of time for written work. It should be noted, however, that it is the individual teachers who determine whether outside commitments should constitute grounds for consideration in meeting the requirements of particular subjects.

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## General Education Requirement

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The University requires that all undergraduate students undertake a structured program in General Education as an integral part of studies for their degree.

Among its objectives, the General Education program provides the opportunity for students to address some of the *key questions* they will face as individuals, citizens and professionals.

The program requires students to undertake studies in three categories of the program:

**CATEGORY A.** An introduction in non-specialist terms to an understanding of the environments in which humans function.

**CATEGORY B.** An introduction to, and a critical reflection upon, the cultural bases of knowledge, belief, language, identity and purpose.

**CATEGORY C.** An introduction to the development, design and responsible management of the systems over which human beings exercise some influence and control. This category is required only of students in four-year professional and honours programs

There are differing requirements for students commencing before, in, and after 1988. Students must complete a program of general education in accordance with the requirements in effect when they commenced their degree program. Students should consult the appropriate course authority or the Centre for Liberal and General Studies in Morven Brown Building, Room G58.

The key questions addressed by the Program are:

### CATEGORY A: The External Context

*Course requirement: 56 hours*

1. How do we, can we, generate wealth? (Australia and the Development of the World Economy) 28 hours
2. How can we, ought we, distribute wealth, status and power? (Human Inequality) 28 hours
3. What steps should we take, and what policies should we adopt, in science and technology? (Science and Civilization) 56 hours
4. What effects do our wealth generating and techno-scientific activities have on the environment? (Ecosystems, Technology and Human Habitation) 28 hours
5. What are the effects of the new mass media of communication? (Mass Media and Communication) 28 hours
6. What are the key social and cultural influences on Australia today? (Australian Society and Culture) 28 hours

The General Education requirement to study subjects in Category A of the General Education Program does not apply to Law students enrolled in a course leading to the award of two degrees in different disciplines.

### CATEGORY B: The Internal Context of Assumptions and Values

*Course requirement: 56 hours*

1. How do we define ourselves in relation to the larger human community? (The Self and Society) 56 hours
2. How do our conceptions of human nature and well being influence both individual and social behaviour? (Changing Conceptions of Human Nature and Well-Being) 28 hours
3. What are the prevailing conceptions of and challenges to human rationality? (The Pursuit of Human Rationality) 28 hours
4. How do language, images and symbols function as means and media of communication (The Use of Language, Images and Symbols) 28 hours
5. What is the impact of the computer on human society and culture? (The Computer: Its Impact, Significance and Uses) 28 hours

6. Which systems of belief and configurations of values are most conducive to the survival and enhancement of the human species and the planet earth? (Beliefs, Values and the Search for Meaning) 28 hours

The Category B requirement is satisfied by Law students through completion of the subjects LAWS8820 Law and Social Theory or LAWS8920 Legal Theory.

### **CATEGORY C: An Introduction to the design and responsible management of the human and planetary future**

The central question to be addressed by students in a systematic and formal way is:

*For what purpose or purposes will I use my intellectual skills, my expertise, or my technological prowess?*

Will these abilities be used, for example.:

- (i) in a creative and innovative way?
- (ii) to widen the circle of human participation in the benefits they bring?
- (iii) to break down the barriers of exclusion and discrimination?
- (iv) to enhance the prospects for survival of the human species?
- (v) to enhance the capacity of the planet earth to sustain life?

In the Law Faculty students satisfy the Category C General Education requirement by completing the subject LAWS6210 Law, Lawyers and Society.

## **Guidelines for Maximum Workload**

The sequence of study for each course is set out in the Faculty handbook. Any student wishing to enrol in extra subjects (law or non-law), in a reduced program or in subjects which do not conform to the normal sequence, must seek prior approval from the Sub-Dean. Permission is given only in exceptional circumstances and on the basis of a written application submitted in advance of the relevant session or sessions outlining all the circumstances.

## **Financial Assistance to Students**

Full time students within the Faculty of Law in need of temporary financial assistance at any time during their studies should be aware of the existence of certain grants and loans sponsored by some Sydney law firms. Students who feel they may need assistance of this type are invited to discuss their requirements on a strictly confidential basis with the Dean.

### **Other financial assistance**

In addition to AUSTUDY financed by the Australian Government other forms of assistance available include short term cash loans and financial assistance to Aboriginal students. Full details appear in the University Calendar. Enquiries should be directed to the office of Student Services, Room G19, the Chancellor.

## **Students With Disabilities**

The University of New South Wales has a policy of equal opportunity in education and seeks wherever possible to ensure maximum participation of students with disabilities.

The University offers a range of assistance: examination support; specialized equipment; educational support; parking provisions; library assistance.

A Resource Guide for students and staff with disabilities and a map showing wheelchair access is available from the Adviser to Students with Disabilities, the EEO Unit, the Library and the Students Union.

It is advisable to make contact with the Adviser to Students with Disabilities prior to, or immediately following enrolment, to discuss your support needs.

The Adviser can be contacted on Tel: 697-5418 or at Building F15 (Careers & Counselling Unit).

## **Prizes**

A number of prizes are awarded annually. A full list appears in the last section of this Handbook. In addition Butterworths Pty Ltd donates a number of book prizes each year.

## **Student Clubs and Societies**

Students have the opportunity of joining a wide range of clubs and societies. Many of these are affiliated with the Students' Union. There are numerous religious, social and cultural clubs and also many sporting clubs which are affiliated with the Sports Association.

Clubs and societies seeking to use the name of the University in their title, or seeking University recognition, must submit their constitution either to the Students' Union or the Sports Association if they wish to be affiliated with either of these bodies, or to the Registrar for approval by the University Council.

### **The University of New South Wales Law Society**

The UNSW Law Society was formed early in 1971 and all law students are automatically members. The committee of the UNSW Law Society organizes academic, social and sporting activities and represents the law students in student affairs. The committee takes office on 1 November each year after an election.

Law students are welcome to contact the Law Society direct or through the pigeon-holes and noticeboard which are located near the Faculty office.

The Law Society Executive in 1992 is:

President  
Vice-President  
Secretary

Treasurer  
Social Director  
Mooting Director  
Poetic Justice Editor

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## Student Members of Faculty

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Each year in October up to six students are elected to membership of Faculty for the following year. All students enrolled in the Faculty are eligible to stand for election and to vote.

Student Members attend Faculty meetings and sit on various Faculty and School Committees.

Student Members of Faculty in 1992 are: Allan Coe, Geoffrey King, Vanessa Lesnie, Baiba Lingeberzins, Ana Stanic, Elvin Tan, Nathan Walsh

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## Kingsford Legal Centre

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Kingsford Legal Centre is a law clinic attached to the Faculty of Law. The Centre provides a clinical teaching environment for law students. The students assist the Centre lawyers to give legal advice and assistance to members of the local community unable to afford private legal assistance.

The Centre began operations in July, 1981. It has 3 lawyers, one of whom (the Director) has the status of a lecturer in the Law Faculty. The Centre is jointly funded by the Faculty of Law and the Legal Aid Commission of N.S.W.

Law students also have the opportunity to work with social work students on placement at the Centre. This interdisciplinary approach is a further means of enabling law students to work in and understand legal processes.

The subject LAWS7210 Clinical Legal Experience, which requires students to work at the Legal Centre, is an elective for later year students; students can take the course in either session or during the summer. Students take instructions from clients, prepare necessary documents, undertake legal research and assist the lawyer responsible for the matter in the preparation of any court hearings. In this way students can consolidate their study of the law by practical application. Small group classes and constant consultation with the lawyers provide an opportunity for students to analyse both their roles as lawyers and the role of law in society.

In its community legal centre function the Centre has been prominent in several areas, particularly anti-discrimination and domestic violence. Centre lawyers, accompanied by students, assist people in police custody at Waverly Local Court one day each week, and take part in a roster at Redfern Local Court for domestic violence matters.

For further information please contact the Director on Tel: 398 6366.

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## The Centre for the Study of Law and Technology

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Since its establishment in 1984, the Centre has undertaken research projects in such areas as the legal implications of electronic funds transfer systems, forensic medicine, expert legal systems and computer aided instruction. Links have been established with comparable centres located in the U.S.A. and in the U.K. and with a Harvard University/ University of Minnesota joint venture on computer teaching of law. The Centre has sponsored seminars on Dispute Resolution, Computers for Lawyers, Computer Insurance, TechnoCrime, and Data Security.

Further information on the Centre and its activities may be obtained from Mr Brian Bromberger (Tel: 697 2231) or Mr Philip Bates (Tel: 697 2584).

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## Aboriginal Law Centre

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Established within the Faculty of Law in 1986 with Professor Garth Nettheim as Chair and the Hon. J.H. Wooten AC, QC as Director. The Centre aims to develop and co-ordinate research, teaching and dissemination of information in the multi-disciplinary area of the relationship between Aboriginal peoples and the law.

The Centre took over the role of the existing Aboriginal Law Research Unit, established in 1981, and continued projects initiated by the Unit.

Some of the objectives of the Centre are:

- to provide a focus for, and to foster research concerning Aboriginal peoples and the law;
- to develop and maintain a specialized collection of materials relating to Aboriginal peoples and the law;
- to achieve publication of the results of research undertaken by individuals working with the Centre or independently of the Centre; to disseminate information concerning Aboriginal peoples and the law to interested individuals and bodies throughout Australia and abroad;
- to organize and participate in conferences and seminars from time to time;
- to encourage the development of curricula and teaching materials in the field of Aboriginal peoples and the law for use in the University of New South Wales and elsewhere.

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## Human Rights Centre

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The 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 co-ordinate and develop subjects in the field of human rights

including the establishment of cross-faculty teaching linkages; to conduct specialized human rights courses of a continuing education nature for various professional groups such as lawyers, judges, police, doctors, school teachers, journalists, human rights workers; 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.

For further information contact the Chair, Dr Damien Grace (Tel: 697 5172).

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## Taxation, Business and Investment Law Research Centre

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The Centre has been founded within the Faculty of Law. Projects examining International Tax, deduction, and Professional Ethics are currently being undertaken. The Centre offers an extensive range of seminars in these areas. New research projects are being developed include the redrafting of the Tax Code and Tax Compliance.

For further information contact the Director, Professor Yuri Grbich Tel: 697 2268).

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## Continuing Legal Education Centre

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Continuing Legal Education (CLE) at UNSW provides high quality professional education programs. CLE has been running in its present form for nearly ten years. It conducted 43 seminar programs in 1990. These were held over one hundred and ten days and involved attendance by a total of almost three thousand practitioners, government officers and other professionals. At the time of writing, it seems clear that 1991 will see similar levels of activity.

Among highlights of recent programs have been an International Tax Conference, held in both Sydney and Melbourne, which provided a valuable contribution to the development of Australia's new international tax rules. A number of weekend workshops looking at Sales Tax, International Tax and Corporate Debt Finance were attended by leading policy makers and practitioners from around Australia. A joint Human Rights workshop with the International Law Association, the International Jurists Commission and the Human Rights Centre was attended by over one hundred members of the legal profession including several judges. A valuable one day workshop *Madness in the Law* provided an in-depth analysis of the current state of the law relating to mental ill health. It was attended by medical practitioners, lawyers, members of the judiciary and other interested parties.

The *Practical Business Tax* series of twenty seminars once again proved a valuable training activity for Sydney tax

practitioners and a large number of members of the Australian Tax Office from locations around Australia.

CLE plays a key part in maintaining UNSW's Law School's reputation as the leading law school in Australia. The breadth and depth of CLE activities will be continued through 1992 and beyond.

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## Commitment to Equal Opportunity in Education

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It is government and University policy not to discriminate against students or prospective students on the grounds of sex, marital status, pregnancy, race, national or ethnic origin, colour, homosexuality, disability or religion. The University has committed itself to course design, curriculum content, classroom environment, assessment procedures and others aspects of campus life which will provide equality of educational opportunity to all students.

The Law Faculty has endorsed the University's policy statement on Equal Opportunity in Education. The University operates a special admission scheme to encourage enrolment from members of disadvantaged groups. Students are encouraged to bring any complaints of discrimination to the Faculty Equal Opportunity Adviser, Ethel Gallo, in the first instance. Questions relating to discrimination are included in the course and teaching performance questionnaires completed by students at the end of most subjects. The Faculty Curriculum and Teaching Committee monitors all course outlines of objectives and assessment strategy on a range of criteria including compliance with EOE policy. A specially constituted School Curriculum Review Committee is currently carrying out a comprehensive curriculum review which includes the issue of compliance with EOE policy. The Faculty is considering other ways in which the University policy might be developed and supported.





## Undergraduate Study

The Faculty of Law enrolled its first students in 1971. The Faculty offers two undergraduate degrees: Bachelor of Laws (LLB) and Bachelor of Jurisprudence (BJuris). The LLB degree is designed as a professional degree which will satisfy the academic requirements for admission to practice. It is offered as part of seven undergraduate combined courses involving full-time study, and leading to the award of two degrees. The LLB degree is offered to students who already possess a first degree as a three-year full-time course. It is also offered as a part-time course which requires six years' study. The BJuris degree is not designed to provide a professional qualification and is offered as a separate degree, or as part of the combined Jurisprudence/Law course.

The Law School is situated on the main university campus and seeks to take full advantage of the opportunities this provides for interdisciplinary study. Law is a system of authority and regulation in society, and must respond to social needs and changes. The rapidly changing and highly sophisticated society of the next half century will call for lawyers who are not merely competent but who are roundly educated men and women, ready to adapt to continuing change, sensitive to social issues, and equipped to deal with an increasingly educated public. The Law School seeks to produce graduates who are ready to take up the challenges, not only of an expanding role for the practitioner, but of the many other occupations where the value of a lawyer's skills is increasingly recognized.

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### Bachelor of Laws

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The Bachelor of Laws degree (whether taken as part of a combined course or separately) is designed to give a student a sound knowledge of a number of areas of law that are fundamental to legal work, a broad conspectus of the legal system as a whole, the experience of working in depth or

specializing in a significant number of areas of choice, and an opportunity to develop certain specific legal skills.

These objectives are reflected in the various elements of the course; but the real development of the student's potential as a lawyer depends as much on the learning situation as on what is learnt. The aim is to keep formal lecturing to a minimum, with students learning from the beginning to find the law for themselves. The main purpose of class contact is to develop the students' capacity to deal with the law after finding it - to interpret it, analyse it, criticize it, see the possibilities of distinction and development, relate it to real problems and use it efficiently and creatively. This requires the active participation of students in sufficiently small groups to allow interaction between the minds of student and teacher, and student and student. A class is normally scheduled over a continuous period of two hours.

Subjects taught in the Law Faculty extend over one or two sessions each of 14 weeks; in either case there is usually some form of examination at the end of a session. However, examinations are only one method of assessing students, as other work undertaken during the year is also taken into account.

On the completion of each law subject a student is allotted a specified number of credit points. To obtain the degree each student must build up at least the required total number, and also satisfy other requirements.

If the combined Commerce/Law, Economics/Law, Science/Law, Engineering/Law, Arts/Law, Social Science/Law or Social Work/Law courses are taken the required total of credit points for Law subjects is 81; in the combined Jurisprudence/Law course (where there are fewer non-Law subjects), it is 93; in the LLB course for graduates or the part-time LLB course, it is 75. In each case compulsory subjects total 45 points, leaving the balance to be made up from elective subjects.

Students who have attended and satisfactorily completed

subjects in a Law School at another recognized university may, on application, receive standing for those subjects provided that their application falls within the University and Faculty rules on advanced standing. Students already enrolled in the Faculty of Law who wish to intercalate a period of study overseas, and who wish to seek advanced standing for law subjects studied, are strongly advised to seek advice from the Sub-Dean well before arrangements for entry to the overseas Law School are finalized.

The relevant Rules are set out separately, and compulsory and elective subjects are listed in Rule 5., appearing later under Rules for Award of Degrees.

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## Bachelor of Jurisprudence

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The Bachelor of Jurisprudence (BJuris), unlike the LLB degree, is not designed to provide a qualification for the professional practice of law. It provides a basic knowledge of law, an opportunity to study selected legal subjects of special interest, and significant study in other faculties of subjects relevant to an understanding of the working of the law. Various combinations of Law subjects and non-Law subjects are possible and a course may be moulded to meet various vocational ends, eg for industrial officers or advocates, public servants, business executives, law librarians.

Teaching methods in law subjects are the same as in the LLB degree course.

The BJuris degree is available as a pass degree in the Jurisprudence/Law course, which combines the most extensive legal education with the study of important related subjects in other faculties. It is also available as a separate course. Requirements for the award of the Bachelor of Jurisprudence degree are listed in rule 10 of the Rules for the Award of Degrees.

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## Qualification as Barrister or Solicitor

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Admission to practise as a barrister or solicitor in New South Wales is controlled by the Supreme Court of New South Wales and is regulated by Rules of Court. Certain information is set out hereunder as background information, but each student desiring to qualify as a barrister or solicitor should make personal inquiries to the Secretary of the Barristers and Solicitors Admission Boards, Supreme Court, Queens Square, Sydney - telephone 230 8713. This officer will be in a position to advise authoritatively as to the requirements relative to a particular case, and supply the relevant forms and information.

The following requirements are particularly drawn to the notice of students. A student desiring to become a barrister must meet certain examination requirements and be admitted as a student-at-law not less than two years before seeking admission to the bar. The examination requirements will be satisfied by possession of the LLB degree of the University.

A student wishing to become a solicitor must meet certain examination requirements, be admitted as a student-at-law not more than six months after the date of commencement of the law course, and attend a six-month full-time practical skills

course at the College of Law. The examination requirements will be satisfied by the possession of the LLB degree of the University. After successful completion of the College of Law course students are admitted as solicitors but are required to complete three years of restricted practice (of which the first twelve months at least must be as an employee solicitor), and to undertake a Continuing Legal Education Office Management Course before being entitled to practise on their own account.

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## College of Law

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The College of Law was established by the Law Society of New South Wales in 1974 at St Leonards. The College is not an alternative to University education in law, ie it does not offer courses satisfying the academic requirements for admission to practise as a solicitor. The College does, however, mark a significant change in the system of professional training of prospective solicitors. Previously the practical component of legal education for student clerks was service under Articles of Clerkship in a legal office; alternatively a graduate in law from the Australian National University, the University of Sydney or the University of New South Wales could serve a twelve-month period of full-time graduate articles. The College of Law course, is a six-month full-time course which is designed to provide the practical training which would otherwise be obtained in practice.

The whole course is related to actual practice as far as possible and covers basic areas of work encountered in legal practice. Students are grouped into 'firms' and work within up-to-date well-equipped 'offices'. They are provided with a variety of practice experiences in a series of legal situations. Each student will proceed to study the material and act on instructions as a member of the firm, under supervision of a tutor who will combine the roles of senior partner and what was formerly called 'master solicitor'. During the course students also attend solicitors' offices, barristers' chambers, government departments, courts of all jurisdictions, registries, and professional offices of all types in order to obtain maximum contact with a lawyer's work outside the office.

Enquiries regarding the College of Law should be addressed to The Director, The College of Law, PO Box 2, St Leonards, NSW 2065.

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## ANU Legal Workshop

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Each year, a course of professional training for the practice of law is conducted at the Australian National University. The course is a six-month full-time course, conducted by the Legal Workshop of the Faculty of Law. Under reciprocal arrangements, graduates of the Legal Workshop will be entitled to be admitted to practise in New South Wales, but they will at first be given only restricted practising certificates in a manner analogous to students completing the course at the College of Law.

Graduates of the University of New South Wales are eligible to apply for admission to courses run by the Workshop.

## Undergraduate Study

## Course Outlines

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**Courses Available**


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The following courses are available:

1. A three-year full-time course leading to the award of the degree of Bachelor of Jurisprudence.
2. A three-year full-time course leading to the award of the degree of Bachelor of Laws; this course is available only to graduates or graduands.
3. A five-year combined course leading to the award of the degrees of Bachelor of Arts and Bachelor of Laws.
4. A five-year combined course leading to the award of the degrees of Bachelor of Arts (Asian Studies) and Bachelor of Laws.
5. A five-year combined course leading to the award of the degrees of Bachelor of Commerce and Bachelor of Laws.
6. A five-year combined course leading to the award of the degrees of Bachelor of Economics and Bachelor of Laws.
7. A five-year combined course leading to the award of the degrees of Bachelor of Jurisprudence and Bachelor of Laws.
8. A five-year combined course leading to the award of the degrees of Bachelor of Science and Bachelor of Laws.
9. A five-year combined course leading to the award of the degrees of Bachelor of Social Science and Bachelor of Laws.
10. A six-year combined course leading to the award of the degrees of Bachelor of Social Work and Bachelor of Laws.
11. A six-year combined course leading to the award of the degrees Bachelor of Engineering and Bachelor of Laws.
12. A six-year part-time course leading to the award of the degree of Bachelor of Laws; this course is only available to graduates and people over 21 who have achieved professional maturity of roughly equivalent nature.

Students in courses in the Law Faculty who discover they have made a wrong choice of course within the Faculty should consult the Administrative Officer as soon as possible. It is sometimes possible to effect changes without seriously affecting progress in the new course; the earlier the change can be made the easier the transition.

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**Bachelor of Jurisprudence Degree Course**


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**4720**

**Bachelor of Jurisprudence**

**BJuris**

The Bachelor of Jurisprudence (BJuris) degree course, unlike the LLB degree course, is not designed to provide a qualification for the professional practice of law. It provides a basic knowledge of law, an opportunity to study selected legal subjects of special interest, and significant study in other faculties of subjects relevant to an understanding of the working of the law. Various combinations of Law subjects and non-Law subjects are possible and a course may be moulded to meet various vocational ends, e.g. for industrial officers or advocates, public servants, business executives, law librarians.

Non-Law subjects make up approximately one-third of the course and are selected with regard to their relevance to legal studies.

The main features of the course are as follows:

1. The course is a three-year full-time course leading to the award of the degree of Bachelor of Jurisprudence (BJuris).
2. The Law subjects must include LAWS1120 Legal System – Torts, LAWS7410 Legal Research and Writing 1, LAWS1610



**Criminal Law, LAWS2160 Administrative Law, LAWS1410 Contracts, LAWS7420 Legal Research and Writing 2, LAWS7430 Research Component, and LAWS8320 Legal Theory or LAWS8820 Law and Social Theory\*.**

3. Students are required to obtain the approval of the Faculty of Law for their proposed program of non-Law subjects; the program should provide an integrated pattern of legal and non-legal studies.

4. The non-Law subjects shall include, unless otherwise approved, a major sequence of three years study.

5. Students must satisfy any subject prerequisites (but not general faculty prerequisites) for subjects studied in other faculties. There are no general faculty prerequisites to courses offered by the Faculty of Law but students must study Law subjects in a sequence approved by the Faculty of Law.

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## **Bachelor of Laws Degree Course (Full-time) for Graduates or Graduands**

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### **4790**

#### **Bachelor of Laws**

#### **LLB**

This course enables students who have already completed another degree to obtain the Bachelor of Laws degree (the nature of which has been described earlier in this handbook) by three years' full-time study. The main features of the course are as follows:

1. The course is of three years' full-time study leading to the award of the Bachelor of Laws degree.
2. The course is available to graduates or graduands of another faculty of this or another approved university.
3. There are no subject or faculty prerequisites for entry to the course but students must study Law subjects in an approved sequence.

The following is an approved sequence of subjects for the three-year Bachelor of Laws degree course for graduates; other sequences may be approved in particular cases. Students who commenced their law course before 1984 should consult the Sub-Dean or Administrative Officer to confirm the compulsory subjects which apply to them.

Year 1		Hours per week	
		S1	S2
LAWS1120	Legal System – Torts	4	4
LAWS1410	Contracts	4	4
LAWS1610	Criminal Law	4	4
LAWS2160	Administrative Law		4
LAWS6210	Law, Lawyers and Society	4	
LAWS7410	Legal Research and Writing 1	2	2

### **Year 2**

		Hours per week	
		S1	S2
LAWS1010	Litigation	4	4
LAWS3010	Property and Equity	4	4
LAWS2150	Federal Constitutional Law	4	or 4
LAWS8820	Law and Social Theory or		
LAWS8320	Legal Theory	4	or 4
LAWS7420	Legal Research and Writing 2	1	or 1
LAWS7430	Research Component**		

Law electives to the value of 6 credit points.\*

\* If students wish to specialize by taking advanced electives in the field of business law they are strongly advised to take Business Associations 1 and 2 at this stage of their course.

\*\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

### **Year 3**

Law electives to complete degree requirements.

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## **Combined Arts/Law Course**

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### **4760**

#### **Bachelor of Arts/Bachelor of Laws**

#### **BA LLB**

This course gives students the maximum freedom to follow their interests in the Faculty of Arts and Social Sciences. The Law subjects, while fewer in number than in the Jurisprudence/Law course, satisfy the requirements for the award of the professional LLB degree.

The main features of the combined Arts/Law course are as follows:

1. The course is a five-year full-time combined course leading to the award of the two degrees of Bachelor of Arts and Bachelor of Laws (BA LLB).
2. The first three years of the course include (1) Law subjects totalling at least 32 Law credit points and (2) studies in at least three schools or programs offering Arts subjects, to the value of 72 Arts credit points or more, of which at least 36 must be obtained by the completion of an approved major sequence (some schools require more than 36 credit points) in a school or program, and at least 12 must be Upper Level credit points obtained in other schools or programs. For details of approved major sequences, see Undergraduate Study: Subject Descriptions in the Faculty of Arts and Social Sciences Handbook. Where an Arts/Law student completes a Law subject offered to both Arts and Law students the subject is counted as a Law subject.

3. Students must satisfy the normal prerequisites for entry to the Arts and Social Sciences Faculty, and to individual subjects in that faculty. (Subject prerequisites may be checked from Undergraduate Study: Summary of Subjects in the current Faculty of Arts and Social Sciences Handbook). There are no general faculty prerequisites to courses offered by the Faculty of Law but students must study Law subjects in a sequence approved by the Faculty of Law.

4. A student wishing to take the BA degree course at Honours level is required to assume a heavier workload than that

required for the study of the BA degree course at Pass level, and approval for his or her program must be obtained from the relevant Arts school and the Head of the School of Law. At least one and possibly two additional years of study are required. Alternatively a student may consider first completing the BA degree course at Honours level (4 years) and then seeking admission to the three-year LLB degree course for graduates.

5. The degree of Bachelor of Arts may be awarded where a student has successfully completed all requirements in Law and in Arts for the first three years of the course, or where a student has obtained 108 Law and Arts credit points, provided that the student has obtained at least 72 Arts credit points and satisfies the requirements for the award of the Bachelor of Arts degree.

6. A student who fails to complete the full program may apply for advanced standing in the Faculty of Arts and Social Sciences under Rule 8 of the Faculty of Arts and Social Sciences.

7. The whole of the final two years of the course, as well as part of the first three years, consists of Law subjects.

A typical combined Arts/Law course is set out below. Students who commenced their law course before 1984 should consult the Sub-Dean or Administrative Officer to confirm the compulsory subjects which apply to them. For complete details of Arts subjects students must consult the Faculty of Arts and Social Sciences Handbook.

Year 1	Hours per week	
	S1	S2
Arts School A – 12 Level I credit points		
Arts School B – 12 Level I credit points		
Arts School C – 12 Level I credit points		

LAWS1120	Legal System – Torts	4	4
LAWS7410	Legal Research and Writing 1	2	2

Year 2			
Arts School A – 12 Upper Level credit points			
Arts School B – 12 Upper Level credit points			
LAWS1410	Contracts	4	4
LAWS1610	Criminal Law	4	4

Year 3			
Arts School A – 12 Upper Level credit points			
LAWS 2160	Administrative Law	4	or 4
LAWS6210	Law, Lawyers and Society	4	or 4
LAWS3010	Property and Equity	4	4

Year 4			
LAWS8820	Law and Social Theory or		
LAWS8320	Legal Theory	4	or 4
LAWS2150	Federal Constitutional Law	4	or 4
LAWS1010	Litigation	4	4
LAWS7420	Legal Research and Writing 2	1	or 1
LAWS7430	Research Component*		
Law electives to the value of 12 credit points.			

\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

Year 5			
Law electives to the value of 24 credit points.			

## 4762

### Bachelor of Arts (Asian Studies)/ Bachelor of Laws

#### BA (Asian Studies) LLB

The rules applying to the Bachelor of Arts/ Bachelor of Laws course are also applicable to the Bachelor of Arts (Asian Studies)/ Bachelor of Laws course. Refer Page 14.

For the required 72 Arts credit points students must complete one of the following programs:

#### Program A

- (i) 36 credit points in one of the following languages
  - Chinese
  - Indonesian
  - Japanese
- (ii) 24 credit points in Asia-related subjects prescribed for the Bachelor of Arts (Asian Studies) degree
- (iii) 12 additional credit points in subjects offered by the Faculty of Arts.
- (iv) no more than 36 credit points to be obtained in Level 1 subjects.

#### Program B

- (i) 24 credit points in one of the following languages
  - Chinese
  - Indonesian
  - Japanese
- (ii) 36 credit points in Asia-related subjects prescribed for the Bachelor of Arts (Asian Studies) degree
- (iii) an 12 additional credit points in subjects offered by the Faculty of Arts.
- (iv) no more than 36 credit points to be obtained in Level 1 subjects.

#### Program A

Year 1	Hours per Week	
	S1	S2
12 cp	Asian Language	
12 cp	Asian related subject	
12 cp	Optional subject in the Arts Faculty	
LAWS 1120	Legal System-Torts	4
LAWS 7410	Legal Research and Writing 1	2

Year 2			
12 cp	Asian Language		
12 cp	Asian related subject		
LAWS 1410	Contracts	4	4
LAWS 1610	Criminal Law	4	4

Year 3			
12 cp	Asian Language		
LAWS 6210	Law, Lawyers & Society	4	or 4
LAWS 2160	Administrative Law	4	or 4
LAWS 3010	Property and Equity	4	4

## Law

Year 4		Hours per Week	
LAWS 8820	Law & Social Theory or		
LAWS 8320	Legal Theory	4	or 4
LAWS 2150	Federal Constitutional Law	4	or 4
LAWS 1010	Litigation	4	4
LAWS 7420	Legal Research and Writing 2	1	or 1
LAWS 7430	Research Component		
Law electives to the value of 12 credit points			

**Year 5**  
Law Electives to the value of 24 credit points

\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

### Program B

Year 1		Hours per Week	
		S1	S2
12 cp	Asian related subject		
12 cp	Asian language		
12 cp	Optional subject in the Arts Faculty		
LAWS 1120	Legal System – Torts	4	4
LAWS 7410	Legal Research and Writing 1	2	2

Year 2			
12 cp	Asian Language		
12 cp	Asian related subject		
LAWS 1410	Contracts	4	4
LAWS 1610	Criminal Law	4	4

Year 3			
12 cp	Asian related subject		
LAWS 6210	Law, Lawyers & Society	4	or 4
LAWS 2160	Administrative Law	4	or 4
LAWS 3010	Property and Equity	4	4

Year 4			
LAWS 8820	Law & Social Theory or		
LAWS 8320	Legal Theory	4	or 4
LAWS 2150	Federal Constitutional Law	4	or 4
LAWS 1010	Litigation	4	4
LAWS 7420	Legal Research and Writing 2	1	or 1
LAWS 7430	Research Component		
Law electives to the value of 12 credit points			

**Year 5**  
Law Electives to the value of 24 credit points

\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

for the combined Arts/Law course, although the overall course is probably somewhat heavier, particularly in Year 3.

In Commerce the student may choose one of the five specializations – Accounting, Finance, Information Systems, Industrial Relations or Marketing – and may (and in the Accounting and Finance specializations must) relate the choice of Law electives to the Commerce specialization.

The main features of the combined Commerce/Law and Economics/Law courses are as follows:

1. The courses are of five years' full-time study leading to the award of the two degrees of Bachelor of Commerce (Accounting, Finance, Information Systems, Industrial Relations, or Marketing) and Bachelor of Laws (BCom LLB) and Bachelor of Economics and Bachelor of Laws (BEc LLB).
2. The student must elect to take one of the six courses at the beginning of Year 1. Changes from one Commerce course or the Economics course to another before the beginning of Year 2 may be arranged; enquiries should be made in the first instance to the Administrative Officer, Faculty of Law.
3. Students must satisfy the normal prerequisites for entry to the Commerce and Economics Faculty and to individual subjects in that faculty. There are no general faculty prerequisites to courses offered by the Faculty of Law but students must study Law subjects in a sequence approved by the Faculty of Law.
4. The requirements relating to Honours in the BCom and BEc degree courses are noted at the end of the program for each specialization.
5. Under certain circumstances the degree of Bachelor of Commerce or Bachelor of Economics may be awarded before the completion of the full five-year program, but in any event not before the successful completion of the first three years of the combined course. Full details of these conditions may be obtained from the Commerce and Economics Students' Centre or the Commerce and Economics Handbook. Any student who fails to complete the full combined course program may apply for advanced standing in the Faculty of Commerce and Economics.

Notwithstanding the above regulations, students undertaking the combined Bachelor of Commerce or Bachelor of Economics at Honours level/Bachelor of Laws courses may be awarded the degree of Bachelor of Commerce or Bachelor of Economics at Honours level once they have completed the Honours year and the Commerce or Economics and Law requirements of the first three years of the combined BCom or BEc at Honours level/LLB course.

6. The whole of the final two years of the course, as well as part of the first three years, consists of Law subjects. Students who commenced their law course before 1984 should consult the Sub-Dean or Administrative Officer to confirm the compulsory subjects which apply to them.

## 4730

### Bachelor of Commerce (Accounting, Finance and Systems)/Bachelor of Laws

#### BCom LLB

As for course 4731. Available only to students who enrolled prior to 1986.

## Combined Economics/Law and Commerce/Law Courses

These courses provide an opportunity to obtain two degrees of professional importance to business, administration and commercial law practice. The Law ingredient is the same as

**4731****Bachelor of Commerce (Accounting)/  
Bachelor of Laws****BCom LLB**

Available only to students who enrolled prior to 1989.

**4732****Bachelor of Commerce (Accounting)/  
Bachelor of Laws****BCom LLB**

Year 1		Hours per week*	
		S1	S2
ACCT1501	Accounting and Financial Management 1A	4.5	
ACCT1511	Accounting And Financial Management 1B		4.5
ECON1101	Microeconomics 1	3.5	
ECON1102	Macroeconomics 1		3.5
ECON1202	Quantitative Methods A	5	
ECON1203	Quantitative Methods B		3.5
LAWS1120	Legal System – Torts	4	4
LAWS7410	Legal Research and Writing 1	2	2

\* Laboratory sessions as required are additional to the prescribed hours.

Year 2		Hours per week	
		S1	S2
ACCT2522	Accounting and Financial Management 2A or	4.5	
ACCT2532	Accounting and Financial Management 2A (Honours)	4.5	
ACCT2542	Accounting and Financial Management 2B or		4.5
ACCT2552	Accounting and Financial Management 2B (Honours)		4.5
INFS1602	Computer Information Systems 1	3	
FINS2613	Business Finance 2A		3
LAWS1410	Contracts	4	4
LAWS1610	Criminal Law	4	4

**Year 3**

ACCT3563	Accounting and Financial Management 3A or	4.5	
ACCT3573	Accounting and Financial Management 3A (Honours)	5	
ACCT3583	Accounting and Financial Management 3B or		4.5
ACCT3593	Accounting and Financial Management 3B (Honours)		5
ACCT3708	Auditing or	3	or 3
ACCT3718	Auditing (Honours)	3.5	or 3.5

Economics option to be selected from List A appearing at the end of this section.

LAWS2160	Administrative Law	4	or	4
LAWS6210	Law, Lawyers, and Society	4	or	4
LAWS3010	Property and Equity	4		4

Note: Students who wish to take the BCom degree course at Honours level must consult the Head of the School of Accounting at the end of Year 1.

**Year 4**

LAWS8820	Law and Social Theory or			
LAWS8320	Legal Theory	4	or	4
LAWS2150	Federal Constitutional Law	4	or	4
LAWS1010	Litigation	4		4
LAWS7420	Legal Research and Writing 2	1	or	1
LAWS7430	Research Component †			

Law electives to the value of 12 credit points ‡

**Year 5**

Law electives to the value of 24 credit points. ‡

† Taken after or concurrently with LAWS7420 Legal Research and Writing 2.  
‡ The electives must include LAWS4010 Business Associations 1 and LAWS4020 Business Associations 2, and two other electives are to be selected in the field of business law, unless approval is received to the contrary, which will be given in exceptional circumstances only. The subjects listed below are regarded as 'business law' for this purpose:

LAWS3030	Trusts
LAWS3050	Succession
*LAWS4010 and *LAWS4020	Business Associations 1 and 2
LAWS4030	The Modern Corporation
LAWS4240	Industrial and Intellectual Property
LAWS4260	Regulation of Economic Activity
LAWS4340	Trade Practices
LAWS4350	Insurance Law
*LAWS4370 and *LAWS4380	Commercial Law A and B
LAWS4390	Consumer Protection Law
*LAWS4440	Elements of Income Tax Law
and	
*LAWS4450	Advanced Revenue Law
LAWS4540	International Trade

\* It will be noted that subjects marked with an asterisk must both be taken in order to count as one option.

Under certain circumstances the degree of Bachelor of Commerce may be awarded before the completion of the full five-year program. Details of these conditions may be obtained from the Commerce and Economics Students' Centre or the Commerce and Economics Handbook.

**4735****Bachelor of Commerce (Finance)/Bachelor of  
Laws****BCom LLB**

Year 1		Hours per week*	
		S1	S2
ACCT1501	Accounting and Financial Management 1A	4.5	
ACCT1511	Accounting and Financial Management 1B		4.5
ECON1101	Microeconomics 1	3.5	
ECON1102	Macroeconomics 1		3.5

# Law

		S1	S2
ECON1202	Quantitative Methods A	5	
ECON1203	Quantitative Methods B		3.5
LAWS1120	Legal System - Torts	4	4
LAWS7410	Legal Research and Writing 1	2	2

\* Laboratory sessions as required are additional to the prescribed hours.

Year 2		Hours per week	
FINS2613	Business Finance 2A	3	
ECON2101	Microeconomics 2	4	
ACCT2542	Accounting and Financial Management 2B		4.5
FINS3615	Investments		3
FINS2612	Australian Capital Markets		3
LAWS1410	Contracts	4	4
LAWS1610	Criminal Law	4	4

## Year 3

FINS2614	Applied Corporate Finance	3	
FINS3616	International Business Finance		3
	Option 1*	3	
	Option 2*		3
LAWS2160	Administrative Law	4	or 4
LAWS6210	Law, Lawyers and Society	4	or 4
LAWS3010	Property and Equity	4	4

\*Two options must be chosen from:

FINS3630	Bank Financial Management		
FINS3631	Risk and Insurance		
FINS3632	Regulation in Capital Markets		
FINS3633	Real Estate Finance and Investment		
FINS3634	Lending and Liquidity Management		
FINS3635	Options, Futures and Risk Management Techniques		
FINS3775	Research Methods in Finance		

Note: Students who wish to take the BCom degree at Honours level must take FINS2714 Investments, FINS3715 Applied Corporate Finance, FINS3775 Research Methods in Finance and FINS3716 International Business Finance (Honours) in lieu of the corresponding Pass subjects. Unless they have the permission of the Head of School they must interpolate an honours year in Finance between Years 3 and 4 of the above program.

## Year 4

LAWS8820	Law and Social Theory or		
LAWS8320	Legal Theory	4	or 4
LAWS2150	Federal Constitutional Law	4	or 4
LAWS1010	Litigation	4	4
LAWS7420	Legal Research and Writing 2	1	or 1
LAWS7430	Research Component **		

Law electives to the value of 12 credit points. \*\*\*

\*\*Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

Year 5		Hours per week
Law electives to the value of 24 credit points. ***		
*** The electives must include:		
LAWS3030	Trusts	
LAWS4010	Business Associations 1	
LAWS4020	Business Associations 2	
LAWS4370	Commercial Law A	
LAWS4380	Commercial Law B	

Under certain circumstances the degree of Bachelor of Commerce may be awarded before the completion of the full program. Details of these conditions may be obtained from the Commerce and Economics Students' Centre or the Commerce and Economics Faculty Handbook.

## 4736

## Bachelor of Commerce (Information Systems)/Bachelor of Laws

### BCom LLB

Year 1		Hours per week*	
		S1	S2
ACCT1501	Accounting and Financial Management 1A	4.5	
ACCT1511	Accounting and Financial Management 1B		4.5
ECON1101	Microeconomics 1	3	
INFS1602	Computer Information Systems 1		3
ECON1202	Quantitative Methods A	5	
ECON1203	Quantitative Methods B		3.5
LAWS1120	Legal System - Torts	4	4
LAWS7410	Legal Research and Writing 1	2	2

## Year 2

		S1	S2
ECON1102	Macroeconomics 1		3
INFS2603	Computer Information Systems 2		3
	Economics option to be selected from List A appearing at the end of this section.		3-4
ACCT2522	Accounting and Financial Management 2A	4.5	
INFS2609	Computer Information Systems Technology	3	
LAWS1410	Contracts	4	4
LAWS6210	Law, Lawyers and Society	4	

Year 3		Hours per week*	
INFS3605	Information Systems Implementation	3	
INFS3607	Distributed Computer Systems		3
INFS3608	Database Systems	3	
INFS3611	Information Systems Development **		
LAWS1610	Criminal Law	4	4
LAWS3010	Property and Equity	4	4
LAWS4620	Computer Applications to Law **		

Note: Students who wish to take the BCom degree at Honours level must interpolate an Honours year between Years 3 and 4 of the above program, except that, with the permission of the Head of School, a student may enrol in an Honours year at a later stage.

Year 4		S1	S2
LAWS2160	Administrative Law	4	
LAWS8820	Law and Social Theory or		
LAWS8320	Legal Theory	4	or 4
LAWS2150	Federal Constitution Law		4
LAWS1010	Litigation	4	4
LAWS7420	Legal Research and Writing 2	1	or 1
LAWS7430	Research Component ††		

Law electives to the value of 9 credit points.

#### Year 5

Law electives to the value of 24 credit points.

\* Laboratory sessions as required are additional to the prescribed hours.

\*\*These subjects are taken concurrently as a composite subject.

††Taken after or concurrently with LAWS7420 Legal Research Writing 2.

## 4740

### Bachelor of Commerce (Economics)/

### Bachelor of Laws

#### BCom LLB

Available only to students who enrolled prior to 1989.

Year 2		Hours per week*	
		S1	S2
ECON2101	Microeconomics 2	4	
ECON2102	Macroeconomics 2		4
ECON2206	Quantitative Economic Techniques A	3	
	Economics option chosen from the list in Rule 17, Commerce and Economics Handbook	3	
LAWS1410	Contracts	4	4
LAWS1610	Criminal Law	4	4

Year 3		Hours per week*	
		S1	S2
ECON3101	Microeconomics 3	4	
ECON2207	Quantitative Economic Techniques B‡		3
ECON3102	Macroeconomics 3		4
	Economics option to be chosen from the list in Rule 17, Commerce and Economics Handbook	3	
LAWS2160	Administrative Law	4	or 4
LAWS6210	Law, Lawyers and Society	4	or 4
LAWS3010	Property and Equity	4	4

‡ Students may, with the permission of the Head of the Department of Economics, substitute an option from the list in Rule 17, for Quantitative Economic Techniques B.

Note: Students who wish to take the BCom degree at Honours level should consult the Head of the Department of Economics at the end of Year 1.

Year 4		S1	S2
LAWS8820	Law and Social Theory or		
LAWS8320	Legal Theory	4	or 4
LAWS2150	Federal Constitution Law	4	or 4
LAWS1010	Litigation	4	4
LAWS7420	Legal Research and Writing 2	1	or 1
LAWS7430	Research Component*		

Law electives to the value of 12 credit points.

\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

#### Year 5

Law electives to the value of 24 credit points.

Under certain circumstances the degree of Bachelor of Commerce may be awarded before the completion of the full five year program. Details of these conditions may be obtained from the Commerce and Economics Students' Centre or the Commerce and Economics Faculty Handbook.

## 4745

### Bachelor of Economics/Bachelor of Laws BEc LLB

Year 1		Hours per week*	
		S1	S2
ACCT1501	Accounting and Financial Management 1A	4.5	
ACCT1511	Accounting and Financial Management 1B		4.5
ECON1101	Microeconomics 1	3.5	
ECON1102	Macroeconomics 1		3.5
ECON1202	Quantitative Methods A	5	
ECON1203	Quantitative Methods B		3.5
LAWS1120	Legal System - Torts	4	4
LAWS7410	Legal Research and Writing 1	2	2

\* Laboratory sessions as required are additional to the prescribed hours.

## Law

Year 2		Hours per week		Year 4		Hours per week	
ECON2101	Microeconomics 2	4				S1	S2
ECON2102	Macroeconomics 2		4	LAWS8820	Law and Social Theory		
ECON2206	Quantitative Economic Techniques A	3			or		
ECON2313	Australian Economic Development in the 20th Century		3	LAWS8320	Legal Theory	4	or 4
	or			LAWS1250	Federal Constitutional Law	4	or 4
ECON2207	Quantitative Economics Techniques B		3	LAWS1010	Litigation	4	4
LAWS1410	Contracts	4	4	LAWS7420	Legal Research and Writing 2	1	or 1
LAWS1610	Criminal Law	4	4	LAWS7430	Research Component**		

Law electives to the value of 12 credit points.

\*\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

Year 3		S1	S2
ECON3101	Microeconomics 3	4	
ECON3102	Macroeconomics 3		4
ECON3103	Monetary Economics A and	3.5	
ECON3104	Monetary Economics B or		3.5
ECON3105	Public Economics A and	3.5	
ECON3106	Public Economics B or		3.5
ECON3107	Labour Economics A and	3.5	
ECON3108	Labour Economics B or		3.5
ECON3109	Economic Growth & Development A and	3.5	
ECON3110	Economic Growth & Development B or		3.5
ECON3201	Mathematical Economics A and	3	
ECON3202	Mathematical Economics B or		3
ECON3203	Econometrics A and	3	
ECON3204	Econometrics B		3
LAWS2160	Administrative Law	4	or 4
LAWS6210	Law, Lawyers and Society	4	or 4
LAWS3010	Property and Equity	4	4

Note: Students who wish to take the BEc degree at Honours level should take ECON2121 in lieu of ECON2101 and ECON2122 in lieu of ECON2102 in second year. They must take ECON2207 in second session of second year. In third year, they must take ECON3122 in lieu of ECON3102 and ECON3121 in lieu of ECON3101. In fourth year, they must take ECON4121 and ECON4122 and ECON3114 plus two other economics subjects in combination as listed above. They must also enrol in ECON4127 and submit a thesis on a topic approved by the Head of the School of Economics, and enrol in ECON4126 Thesis Seminar.

## Year 5

Law electives to the value of 12 credit points.

Under certain circumstances the degree of Bachelor of Economics may be awarded before the completion of the full five year program. Details of these conditions may be obtained from the Commerce and Economics Students' Centre or the Commerce and Economics Faculty Handbook.

## 4750

## Bachelor of Commerce (Industrial Relations)/Bachelor of Laws

## BCom LLB

Year 1		Hours per week*	
		S1	S2
ACCT1501	Accounting and Financial Management 1A	4.5	
ACCT1511	Accounting and Financial Management 1B		4.5
ECON1101	Microeconomics 1	3.5	
ECON1102	Macroeconomics 1		3.5
ECON1202	Quantitative Methods A	5	
ECON1203	Quantitative Methods B		3.5
LAWS1120	Legal System - Torts	4	4
LAWS7410	Legal Research and Writing 1	2	2

## Year 2

IROB1701	Industrial Relations 1A	3.5	
IROB2703	Industrial Relations 2A	3.5	
IROB2704	Industrial Relations 2B		3.5
	Option - a subject other than a Law subject to be chosen from the list in Rule 22., Commerce and Economics Handbook		3
LAWS1410	Contracts	4	4
LAWS1610	Criminal Law	4	4

Year 3		Hours per week	
IROB3705	Industrial Relations 3A	3.5	
ECON2104	Applied Macroeconomics	3.5	or 3.5
IROB3706	Industrial Relations 3B		3.5
IROB2711	Labour Market Economics	3	
LAWS2160	Administrative Law	4	or 4
LAWS6210	Law, Lawyers and Society	4	or 4
LAWS3010	Property and Equity	4	4

*Note:* Students who wish to take the BCom degree course at Honours level must take IROB3707 Industrial Relations Research Methods and Thesis Workshop and must interpolate an Honours year between Years 3 and 4 of the above program, except that with the permission of the Head of School of Industrial Relations and Organizational Behaviour a student may take an Honours year at a later stage.

#### Year 4

LAWS8820	Law and Social Theory	or	
LAWS8320	Legal Theory	4	or 4
LAWS2150	Federal Constitutional Law	4	or 4
LAWS1010	Litigation	4	4
LAWS7420	Legal Research and Writing 2	1	or 1
LAWS7430	Research Component **		

Law electives to the value of 12 credit points.

#### Year 5

Law electives to the value of 24 credit points.

\* Laboratory sessions as required are additional to the prescribed hours.

\*\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

Under certain circumstances the degree of Bachelor of Commerce may be awarded before the completion of the full five year program. Details of these conditions may be obtained from the Commerce and Economics Students' Centre or the Commerce and Economics Faculty Handbook.

## 4710

### Bachelor of Commerce (Marketing)/

### Bachelor of Laws

#### BCom LLB

Year 1		Hours per week	
		S1	S2
ACCT1501	Accounting and Financial Management 1A	4.5	
ACCT1511	Accounting and Financial Management 1B		4.5
ECON1101	Microeconomics 1	3.5	
ECON1102	Macroeconomics 1		3.5
ECON1202	Quantitative Methods A	5	
ECON1203	Quantitative Methods B		3.5
LAWS1120	Legal System – Torts	4	4
LAWS7410	Legal Research and Writing 1	2	2

Year 2		Hours per week	
		S1	S2
MARK2012	Marketing Fundamentals	4	
MARK2032	Consumer Behaviour A	4	
ECON2101	Microeconomics 2	4	
ECON2103	Applied Microeconomics	3.5	or 3.5
MARK2052	Marketing Research		4
MARK2042	Consumer Behaviour B		4
LAWS1410	Contracts	4	4
LAWS1610	Criminal Law	4	4

#### Year 3

ECON2102	Macroeconomics 2 or	4	
ECON2104	Applied Macroeconomics	3.5	3.5
MARK3073	Brand Management	4	
MARK3093	Corporate Policy and Marketing Strategy		4
MARK3083	Strategic Marketing and Management		4
LAWS2160	Administrative Law	4	or 4
LAWS6210	Law, Lawyers and Society	4	or 4
LAWS3010	Property and Equity	4	4

*Note:* Students who wish to take the BCom degree course at Honours level must consult with the Head of School at the end of Year 1.

#### Year 4

LAWS8820	Law and Social Theory	or	
LAWS8320	Legal Theory	4	or 4
LAWS2150	Federal Constitutional Law	4	or 4
LAWS1010	Litigation	4	4
LAWS7420	Legal Research and Writing 2	1	or 1
LAWS7430	Research Component†		

Law electives to the value of 12 credit points.

#### Year 5

Law electives to the value of 24 credit points.

† Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

Under certain circumstances the degree of Bachelor of Commerce may be awarded before the completion of the full five year program. Details of these conditions may be obtained from the Commerce and Economics Students' Centre or the Commerce and Economics Faculty Handbook.

#### List A

ECOH2301	Management and Business Development
ECOH2313	Australian Economic Development in the 20th Century
ECON2101	Microeconomics 2
ECON2102	Macroeconomics 2
ECON2103	Applied Microeconomics
ECON2104	Applied Macroeconomics
ECON2109	Economics of Natural Resources
ECON2127	Environmental Economics and Cost-Benefit Analysis



ECON2166	Japanese Economic Policy
ECON2206	Quantitative Economic Techniques A
ECON2208	Introduction to Operations Research
ECON2209	Business Econometrics and Forecasting
ECON3112	The Newly Industrializing Economies of East Asia
ECON3113	Economic Development of the ASEAN Countries

## Combined Jurisprudence/Law Course

4780

### Bachelor of Jurisprudence/Bachelor of Laws

#### BJuris LLB

This course offers the most extensive legal education. Non-law subjects make up approximately one sixth of the combined course and are selected with regard to their relevance to legal studies.

The main features of the combined Jurisprudence/Law course are as follows:

1. The course is a five-year full-time combined course leading to the award of the two degrees of Bachelor of Jurisprudence and Bachelor of Laws (BJuris LLB).
2. The first three years of the course include non-Law subjects together with Law subjects totalling 45 credit points.
3. Students are required to obtain the approval of the Faculty of Law for their proposed program of non-Law subjects, with an indication of Law electives they intend to study.

#### Non-Law requirements

(1) The non-Law subjects contribute to the development of the student's capacity as a lawyer and to a more complete understanding of the law. Subjects which have been approved for this purpose are Economics, Economic History, Political Science, Sociology, Philosophy, History, Accountancy, Psychology and Industrial Relations. A student may apply for special approval for another subject.

(2) One sequence of subjects is studied through to third-year level and another for one year.

4. Students must satisfy any subject prerequisites (but not general faculty prerequisites) for subjects studied in other faculties. There are no general faculty prerequisites to courses offered by the Faculty of Law but students must study Law subjects in a sequence approved by the Faculty of Law.

5. The whole of the final two years of the course, as well as part of the first three years, consists of Law subjects.

6. The degree of Bachelor of Jurisprudence may be awarded after successful completion of all subjects and units prescribed for the first three years of the course.

A typical structure of a Jurisprudence/Law course is set out below. Students who commenced their course before 1984 should consult the Sub-Dean or Administrative Officer to confirm the compulsory subjects which apply to them.

Subject A represents a major sequence of three years' study in one of the subjects listed in para 3.(1) above; subject B

represents a subject studied at first-year level only from these subjects. Students are strongly advised to consult the Arts and Commerce Faculty Handbooks before completing enrolment or re-enrolment details.

Year 1	Hours per week	
	S1	S2
Non-law subject A-1		
Non-law subject B-1		
LAWS1120 Legal System – Torts	4	4
LAWS1410 Contracts	4	4
LAWS7410 Legal Research and Writing 1	2	2

#### Year 2

Non-law subject A-2		
LAWS1610 Criminal Law	4	4
LAWS2160 Administrative Law	4	or 4
LAWS6210 Law, Lawyers and Society	4	or 4
LAWS3010 Property and Equity	4	4

#### Year 3

Non-law subject A-3		
LAWS8820 Law and Social Theory or		
LAWS8320 Legal Theory	4	or 4
LAWS2150 Federal Constitutional Law	4	or 4
LAWS1010 Litigation	4	4
LAWS7420 Legal Research and Writing 2	1	or 1
LAWS7430 Research Component*		

\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

#### Years 4 and 5

Elective law subjects to complete LLB degree requirements.

## Combined Science/Law Course

4770

### Bachelor of Science/Bachelor of Laws

#### BSc LLB

This course gives the students the maximum freedom to follow their interests in the subjects controlled by the Board of Studies in Science and Mathematics. The Law component is the same as for the combined Arts/Law course although the overall course is probably somewhat heavier, particularly in Years 2 and 3.

The main features of the combined Science/Law course are as follows:

1. The course is a five-year full-time combined course leading to the award of the two degrees of Bachelor of Science and Bachelor of Laws (BSc LLB).

2. The first three years of the course include at least 18 units in the Science course together with Law subjects totalling at least 32 credit points. The remaining two years of the course comprise Law subjects totalling at least 49 credit points.

3. The 18 Science course units must contain no more than 8 Level I units of which 2 must be Mathematics 1 and at least 4 Level III units which must be chosen from related disciplines.

4. Students must satisfy the normal prerequisites for entry to the Board of Studies in Science and Mathematics and to individual subjects there.

There are no general faculty prerequisites to courses offered by the Faculty of Law but students must study Law subjects in a sequence approved by the Faculty of Law.

5. Students desiring to enrol in the BSc degree course at Honours level are not able to complete the course in five years and must obtain approval from the Faculty of Law and the Board of Studies in Science and Mathematics for their programs. With the approval of the relevant school and of the Head of the School of Law, a student may follow a standard Honours program in the Science course which can be completed by an additional year of study. Alternatively the student may consider first completing a BSc degree course at Honours level (4 years) and then seeking admission to the three-year LLB degree course for graduates.

6. The degree of Bachelor of Science is not awarded until the completion of the full five-year program, but any student who fails to complete the full program may apply for advanced standing in the Board of Studies in Science and Mathematics. Students contemplating enrolling in this course should consult fully with the Board of Studies in Science and Mathematics and with the School of Law before enrolment.

A typical structure of a combined Science/Law course is set out below. Subject to timetable restrictions, the full range of Science programs is available to Law students. Students who commenced their law course before 1984 should consult the Sub-Dean or Administrative Officer to confirm the compulsory subjects which apply to them.

Year 1	Hours per week	
	S1	S2
Six Level I Science units, two of which must be Mathematics 1		
LAWS1120 Legal System – Torts	4	4
LAWS7410 Legal Research and Writing 1	2	2
<b>Year 2</b>		
Six Science units**		
LAWS1410 Contracts	4	4
LAWS1610 Criminal Law	4	4
<b>Year 3</b>		
Six Science units**		
LAWS2160 Administrative Law	4	or 4
LAWS6210 Law, Lawyers and Society	4	or 4
LAWS3010 Property and Equity	4	4
<b>Year 4</b>		
LAWS8820 Law and Social Theory or		
LAWS8320 Legal Theory	4	or 4
LAWS2150 Federal Constitutional Law	4	or 4
LAWS1010 Litigation	4	4
LAWS7420 Legal Research and Writing 2	1	or 1
LAWS7430 Research Component*		

Law electives to the value of 12 credit points.

## Year 5

Law electives to the value of 24 credit points.

\*Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

\*\*See entry in Sciences Handbook.

## Combined Social Science/Law Course

### 4761

### Bachelor of Social Science/Bachelor of Laws

#### BSocSc LLB

This course provides an opportunity to obtain two degrees of professional importance to the public sector, community service, business and law practice. In addition, the student has the option to work towards a research career in a variety of disciplines.

The main features of the combined Social Science/Law course are as follows:

1. The course is of five years full-time study leading to the award of the two degrees of Bachelor of Social Science and Bachelor of Laws (BSocSc LLB).

2. Students must satisfy the normal prerequisites for entry to the Arts and Social Sciences Faculty, and to individual subjects in that Faculty. (Subject prerequisites may be checked from Undergraduate Study: Summary of Subjects in the current Faculty of Arts and Social Sciences Handbook). There are no general Faculty prerequisites to courses offered by the Faculty of Law but students must study Law subjects in a sequence approved by the Faculty of Law.

3. The first three years of the course include:

(1) Law subjects totalling at least 32 Law credit points; (2) the Bachelor of Social Science core program totalling 48 Social Science credit points; and (3) an approved major sequence in the Faculty of Arts and Social Sciences of at least 36 Arts credit points (some schools require more than 36 credit points). The major sequence must be taken in one of the following schools: Computer Science, Economic History, Economics, Geography, History, Industrial Relations and Organizational Behaviour, Mathematics, Philosophy, Political Science, Psychology, Science and Technology Studies, Sociology, Spanish and Latin American Studies (History).

4. The degree of Bachelor of Social Science may be awarded where a student has successfully completed all requirements in Law, Arts and Social Science for the first three years of the combined course.

5. A student who fails to complete the full program may apply for advanced standing in the Faculty of Arts and Social Sciences under Rule 8 of the Faculty of Arts and Social Sciences.

6. The whole of the final two years of the course, as well as part of the first three years, consists of Law subjects.

7. A student wishing to take the BSocSc degree course at Honours level should consult with the Co-ordinator of the BSocSc degree course before commencing the 4th year of the combined program.

The structure of the combined Social Science/Law course is set out below. For complete details of Social Science and Arts

subjects students must consult the Faculty of Arts and Social Sciences Handbook.

Year 1		Hours per week	
		S1	S2
SLSP1000	Introduction to Social Science, and Policy	4	
SLSP1001	Introduction to Computer Applications and Quantitative Methods		4
Arts subject - 12 Level 1 credit points**			
LAWS1120	Legal System – Torts	4	4
LAWS1610	Criminal Law	4	4
LAWS7410	Legal Research and Writing 1	2	2
Year 2			
SLSP2000	Social and Economic Theory and Policy	3	
SLSP2001	Research Methods and Statistical Applications	3	
SLSP2002	Social Science and Policy Case Studies		3
Arts subject – 12 Upper Level credit points**			
LAWS1410	Contracts	4	4
LAWS6210	Law, Lawyers and Society		4
Year 3			
		S1	S2
SLSP3000	Advanced Research Methods	3	
SLSP3001	Advanced Statistics and Computing	3	
SLSP3002	Social Science and Policy Project		3
SLSP3003	Internship Program (Optional)		
Arts subject – 12 Upper Level credit points**			
LAWS2160	Administrative Law		4
LAWS3010	Property and Equity	4	4
Year 4			
LAWS2150	Federal Constitutional Law	4	or 4
LAWS8820	Law and Social Theory	4	or 4
LAWS1010	Litigation	4	4
LAWS7420	Legal Research and Writing 2	1	or 1
LAWS7430	Research Component*		
Law electives to the value of 12 credit points			
Year 5			
Law electives to the value of 24 credit points			

\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2  
\*\* A major sequence of at least 36 Arts credit points (some schools require more than 36 credit points).

Combined Social Work/Law Course

4785  
Bachelor of Social Work/Bachelor of Laws  
BSW LLB

This unique and challenging six-year full-time course qualifies students for the professional practice of both social work and law. In the first four years, core social work and legal subjects are combined, while in the final two years students are able to choose from a wide range of specialized electives in both professional disciplines. The final social work field placement is undertaken in a legal setting.

Graduates will be equipped with the knowledge and skills to work in a variety of emerging areas which require an understanding of the law, social work theory and practice and a commitment to social justice. Such areas include consumer protection, tenancy obligations and entitlements, land rights, child custody and family property disputes, social security and welfare rights.

The main features of the combined Social Work/Law course are as follows:

- 1. The course is a six-year full-time combined course leading to the award of the two degrees of Bachelor of Social Work and Bachelor of Laws (BSW LLB).
- 2. There are no general course prerequisites for the Social Work course but students must study Social Work subjects in a sequence approved by the Faculty of Professional Studies.  
  
There are no general faculty prerequisites to courses offered by the Faculty of Law but students must study Law subjects in a sequence approved by the Faculty of Law.
- 3. The degree of Bachelor of Social Work is not awarded until the completion of the full six-year program, but any student who fails to complete the full program may apply for advanced standing in the Faculty of Professional Studies Social Work degree course. Alternatively a student may apply for advanced standing in the Faculty of Law Jurisprudence degree course.

The structure of the combined Social Work/Law course is set out below. For complete details of Social Work subjects students must consult the Faculty of Professional Studies handbook.

Year 1		Hours per week	
		S1	S2
SOCW8193	Social Work Practice 1 – Bridging Course *	4	
12.001	Psychology 1	5	5
SOCI1230	Introduction to Australian Society	3	3
SOCW8253	Social Welfare 1	2	2
LAWS1120	Legal System – Torts	4	4
LAWS7410	Legal Research and Writing 1	2	2

Year 2		Hours per week	
SOCW8203	Human Behaviour 1	3	3
SOCW8211	Social and Behavioural Science 1	2	
SOCW8232	Research Methods 1		3
SOCW8293	Social Work Practice 2	3	2
SOCW8282	Social Work Practice – First Placement (45 days) **		
LAWS1410	Contracts	4	4
LAWS6210	Law, Lawyers and Society	4	

Year 3			
SOCW8303	Human Behaviour 2	3	3
SOCW8353	Social Welfare 2	2.5	4
SOCW8342	Social Philosophy 1		2
LAWS1610	Criminal Law	4	4
LAWS3010	Property and Equity	4	4
LAWS2160	Administrative Law	4	

Year 4			
SOCW8312	Social and Behavioural Science 2		2
SOCW8393	Social Work Practice 3	4	4
SOCW8381	Social Work Practice – 2nd Placement (45 days) **		
SOCW8453	Social Welfare 3	4	
LAWS1010	Litigation	4	4
LAWS2150	Federal Constitutional Law		4
LAWS7420	Legal Research and Writing 2	1	
LAWS7430	Research Component†		
LAWS8320	Legal Theory or		
LAWS8820	Law and Social Theory		4

Year 5			
SOCW8493	Social Work Practice 4 – Electives	3	
SOCW8482	Social Work Practice – Final Placement (60 days) ** ‡		
LAWS7210	Clinical Legal Experience ‡		
Law electives to the value of 12 credit points		12	4

Year 6			
SOCW8493	Social Work Practice 4 – Electives		4
Law electives to the value of 21 credit points		16	12

\* Students may need to attend the Bridging Course two weeks before the commencement of Session 1.

\*\* All fieldwork placements commence with a 2 or 3 week block (5 days per week) and continue on either 2 or 3 days per week during session time.

† Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

‡ These subjects are taken concurrently. The Social Work placement is served at Kingsford Legal Centre.

## Combined Civil Engineering/Law Course

### 4775

### Bachelor of Civil Engineering

### Bachelor of Laws BE LLB

### Combined Engineering/Law Course

This course will provide students with professional qualifications in areas of very great importance to the community. The course will prove attractive to students who have in mind a career involving construction developments. Most large construction projects raise a formidable range of legal issues, and there appears to be a need for highly qualified personnel who are able to understand both the engineering and the legal dimensions of such projects, both in Australia and overseas.

1. The course is a six year full-time combined course leading to the award of the two degrees of Bachelor of Engineering and Bachelor of Laws (BE LLB).

2. Students must satisfy the normal prerequisites for entry to the Faculty of Engineering and to individual subjects in that faculty. Students must study Civil Engineering subjects in a sequence approved by the Faculty of Engineering. There are no general faculty prerequisites to courses offered by the Faculty of Law but students must study law subjects in a sequence approved by the Faculty of Law.

3. The combined Civil Engineering/Law course is set out below.

Year 1		Hours per week	
		S1	S2
PHYS1989	Physics 1 CE	4	3
CHEM1808	Chemistry 1 CE	0	6
CIVL1106	Computing and Graphics	3	3
CIVL1203	Engineering Mechanics 1	4	4
CIVL1301	Civil Engineering Practice	3	2
MATH1032	Mathematics	6	6
GEOL5112	Geology for Civil Engineers	3	0
		23	24

Year 2		S1	S2
CIVL2106	Systems Engineering	2	3
CIVL2203	Engineering Mechanics 2	4	4
CIVL2301	Engineering Construction	2	2
CIVL2402	Materials Engineering 1	4	4
CIVL2505	Hydraulics 1	2	2
MATH2009	Engineering Mathematics 2	4	4
MATH2869	Statistics SC	2	0
SURV0441	Surveying for Engineers	0	4.5
SURV0491	Survey Camp*	0	0(3)
LAWS1120	Legal System Torts	4	4
LAWS7410	Legal Research & Writing 1	2	2
		26	29.5
			(+3)

\* Students are required to attend a one week Survey Camp which is equivalent to class contact hours per week in Session 2.

# Law

Year 3		Hours per week	
CIVL3106	Engineering Computations	2	2
CIVL3203	Structural Analysis	3	3
CIVL3303	Structural Design	4	4
CIVL3402	Geotechnical Engineering 1	3	3
CIVL3505	Hydraulics 2	3	3
CIVL3601	Engineering Management 1	2	2
CIVL3705	Water Resources	3	3
CIVL3804	Transport Engineering	2	2
LAWS1410	Contracts	4	4
		26	26

Year 4			
CIVL4006	Industrial Training	0	0
CIVL4203	Structural Engineering	4	0
CIVL4306**	Engineering & the Environment	4**	0
CIVL4502	Geotechnical Engineering 2	3	0
CIVL4605	Water Supply & Wastewater Disposal	3	0
CIVL4704	Highway & Pavement Engineering	3	0
LAWS1610	Criminal Law	4	4
LAWS2160	Administrative Law	0	4
LAWS3010	Property and Equity	4	4
LAWS9410**	Environmental Law	**	0

Plus one of the following five elective majors:

CIVL4811	Construction Major*	0	9
CIVL4822	Geotechnical Major	0	9
CIVL4833	Structures Major	0	9
CIVL4844	Transport Major	0	9
CIVL4855	Water Major	0	9
		25	21

\*\*These subjects are taken concurrently.

Year 5			
		S1	S2
LAWS1010	Litigation	4	4
LAWS8320	Legal Theory or	4	or 4
LAWS8820	Law & Social Theory	4	or 4
LAWS2150	Federal Constitutional Law	4	or 4
LAWS6210	Law Lawyers & Society	4	or 4
LAWS7420	Legal Research and Writing 2	1	
LAWS7430	Research Component	***	

Law electives to value 9 credit points			
		17	16

Year 6			
Law electives to value 24 credit points			
		16	16

\*Students are required to attend a one week construction camp.

\*\*These subjects are taken concurrently.

\*\*\*Research Component is taken in conjunction with or after.

## Honours

The degree of Bachelor of Engineering may be conferred as a Pass degree or as an Honours degree.

There are two classes of Honours, Class I, and Class II in two divisions, and the award and grade of Honours are made in recognition of superior performance throughout the course with a greater weighting on subjects in the later years.

## Bachelor of Laws Degree Course (Part-time)

### 4790

### Bachelor of Laws

#### LLB

The part-time course is only available to graduates and people over 23 who have achieved professional maturity of roughly equivalent nature. The course is not available to people who proceed direct from the Higher School Certificate. The course is a six year part-time course leading to the award of the degree of Bachelor of Laws (LLB) and satisfies academic requirements for admission to practice. It involves attendance at the Kensington campus on two afternoons a week from 2 pm during the academic year.

The subjects of the LLB degree course are set out in Rule 5, appearing later under Rules for Award of Degrees. However, it will not be possible to provide the full range of electives at times convenient to part-time students.

Students must complete law subjects (including compulsory subjects) carrying 75 credit points. An approved sequence of subjects for the part-time course is set out below.

Students who commenced their law course before 1984 should consult the Sub-Dean or Administrative Officer to confirm the compulsory subjects which apply to them.

Year 1		Hours per week	
		S1	S2
LAWS1120	Legal System – Torts	4	4
LAWS1410	Contracts	4	4
LAWS7410	Legal Research and Writing 1	2	2

Year 2			
LAWS1610	Criminal Law	4	4
LAWS2160	Administrative Law	4	or 4
LAWS6210	Law, Lawyers and Society	4	or 4

Year 3			
		S1	S2
LAWS1010	Litigation	4	4
LAWS3010	Property and Equity	4	4

Year 4			
LAWS8820	Law and Social Theory or		
LAWS8320	Legal Theory	4	or 4
LAWS2150	Federal Constitutional Law	4	or 4
LAWS7420	Legal Research and Writing 2	1	or 1
LAWS7430	Research Component*		

Law electives to the value of 6 credit points\*\*

## **Years 5 and 6**

**Elective law subjects to complete LLB requirements.**

\* Taken after or concurrently with LAWS7420 Legal Research and Writing 2.

\*\* If students wish to specialize by taking advanced electives in the field of business law they are strongly advised to take Business Associations 1 and 2 at this stage of their course.



## Undergraduate Study

# Subject Descriptions

## Identification of Subjects

A subject is defined by the Academic Board as 'a unit of instruction approved by the University as being a discrete part of the requirements for a course offered by the University'.

Each approved subject of the University is identified by a sequence of eight characters, consisting of a four character alphabetical prefix which identifies the organizational unit responsible for administering the subject, and a four digit numeric suffix identifies the subject.

Subject identifiers are approved by the Registrar and the system of allocation is based on the following guidelines:

1. The authority offering the subject, normally a School of the University, is indicated by the four character alphabetical prefix.
2. Each subject identifier is unique and is not used for more than one subject title.
3. Subject numbers which have previously been used are not used for new subject titles.

Subjects taught are listed in full in the handbook of the faculty or board of studies responsible for the particular course within which the subjects are taken. Subject descriptions are contained in the appropriate section in the handbooks.

Appropriate subjects for each school appear at the end of each school section.

The identifying alphabetical prefixes for each organizational unit are set out on the following pages.

Servicing Subjects are those taught by a school or department outside its own faculty. Their subject descriptions are published in the handbook of the faculty which originates the subject and are also published in the handbook of the faculty in which the subject is taught. The following pages contain descriptions for most of the subjects offered for the courses described in this

book, the exception being General Education subjects. For General Education subjects see the Centre for Liberal and General Studies Handbook which is available free of charge.

### HSC Exam Prerequisites

Subjects which require prerequisites for enrolment in terms of the HSC Examination percentile range, refer to the 1978 and subsequent Examinations.

Candidates for enrolment who obtained the HSC in previous years or hold other high school matriculation should check with the appropriate school on what matriculation status is required for admission to a subject.

### Information Key

The following is the key to the information which may be supplied about each subject:

S1 Session 1, S2 Session 2  
 F Session 1 *plus* Session 2, ie full year  
 S1 or S2 Session 1 or Session 2, ie choice of either session  
 SS single session, but which session taught is not known at the time of publication  
 CCH class contact hours  
 P/T part-time  
 L Lecture, followed by hours per week  
 T Laboratory/tutorial, followed by hours per week  
 wks weeks of duration  
 hpw hours per week  
 C credit points or Credit units  
 CR Credit level  
 DN Distinction  
 HD High Distinction  
 X External



Prefix	Organizational unit	Faculty
ABIO	School of Applied Bioeconomics	Applied Science
ACCT	School of Accounting	Commerce & Economics
ACHM	Department of Chemistry	University College
ACMA	Department of Civil Engineering	University College
ACSC	Department of Computer Science	University College
ADSC	Australian Defence Studies Centre	University College
AECM	Department of Economics & Management	University College
AELE	Department of Electrical Engineering	University College
AENG	Department of English	University College
AERO	Aerospace Engineering	Engineering
AGOC	Department of Geography & Oceanography	University College
AHIS	Department of History	University College
AINT	University College (Interdisciplinary)	University College
AMAT	Department of Mathematics	University College
AMEC	Department of Mechanical Engineering	University College
ANAT	School of Anatomy	Medicine
APHY	Department of Physics	University College
APOL	Department of Politics	University College
APSC	Faculty of Applied Science	Applied Science
APSE	Faculty of Applied Science	Applied Science
ARCH	School of Architecture	Architecture
ARTS	Faculty of Arts and Social Sciences	Arts and Social Sciences
ASIA	Asian Studies	Arts and Social Sciences
ATAX	Board of Studies in Taxation	
AUST	Australian Studies	Arts and Social Sciences
BIOC	School of Biochemistry	Biological & Behavioural Sciences
BIOM	Centre for Biomedical Engineering	Engineering
BIOS	School of Biological Science	Biological & Behavioural Sciences
BIOT	Department of Biotechnology	Applied Science
BLDG	School of Building	Architecture
BSSM	Board of Studies in Science & Mathematics	
CEIC	School of Chemical Engineering & Industrial Chemistry	Applied Science
CHEM	School of Chemistry	Science
CHEN	Department of Chemical Engineering	Applied Science
CHIN	Chinese	Arts and Social Sciences
CIVL	School of Civil Engineering	Engineering
CMED	School of Community Medicine	Medicine
COFA	College of Fine Arts	
COMM	Faculty of Commerce and Economics	Commerce & Economics
COMP	School of Computer Science and Engineering	Engineering
ECOH	Department of Economic History	Commerce & Economics
ECON	School of Economics, Departments of Economics and Econometrics	Commerce & Economics
EDST	School of Education Studies	Professional Studies

Prefix	Organizational unit	Faculty
ELEC	School of Electrical Engineering	Engineering
ENGL	School of English	Arts and Social Sciences
EURO	European Studies	Arts and Social Sciences
EXPA	School of Arts and Music Education	Professional Studies
FIBR	School of Fibre Science & Technology	Applied Science
FILM	Department of Theatre and Film Studies	Arts and Social Sciences
FINS	School of Banking & Finance	Commerce & Economics
FOOD	Department of Food Science and Technology	Applied Science
FREN	School of French	Arts and Social Sciences
FUEL	Department of Fuel Technology	Applied Science
GENS	Centre for Liberal & General Studies	
GEOG	School of Geography	Applied Science
GEOL	Department of Applied Geology	Applied Science
GERS	Department of German Studies	Arts and Social Sciences
GREK	Modern Greek	Arts and Social Sciences
GSBE	Graduate School of the Built Environment	Architecture
HEAL	School of Health Services Management	Professional Studies
HIST	School of History	Arts and Social Sciences
HOSP	School of Marketing	Commerce & Economics
IDES	Department of Industrial Design	Architecture
INDA	Industrial Arts	Architecture
INDC	Department of Industrial Chemistry	Applied Science
INDO	Indonesian	Arts and Social Sciences
INFS	School of Information Systems	Commerce & Economics
INTD	Interdisciplinary Studies	Arts and Social Sciences
IROB	School of Industrial Relations & Organizational Behaviour	Commerce & Economics
JAPN	Asian Studies Unit	Commerce & Economics
KCME	Key Centre for Mines	Applied Science
LAND	School of Landscape Architecture	Architecture
LAWS	School of Law	Law
LEGT	Department of Legal Studies & Taxation	Commerce & Economics
LING	Linguistics	Arts and Social Sciences
LIBS	School of Librarianship	Professional Studies
MANF	Manufacturing Management	Engineering
MARK	School of Marketing	Commerce & Economics
MATH	School of Mathematics	Science
MATS	School of Materials Science and Engineering	Applied Science
MDCN	School of Medicine	Medicine
MDSG	Medicine Surgery Clinical Studies	Medicine
MECH	School of Mechanical and Manufacturing Engineering	Engineering
MEED	School of Medical Education	Medicine
MFAC	Medical Faculty (Administration)	Medicine

<b>Prefix</b>	<b>Organizational unit</b>	<b>Faculty</b>
MICR	School of Microbiology	Biological & Behavioural Sciences
MINE	Department of Mining Engineering	Applied Science
MNGT	Australian Graduate School of Management	
MSCI	Board of Studies in Science and Mathematics	Board of Studies
MUSI	Department of Music	Arts and Social Sciences
NAVL	Naval Architecture	Engineering
OBST	School of Obstetrics & Gynaecology	Medicine
OCEA	Faculty of Science	Science
OPTM	School of Optometry	Science
PAED	School of Paediatrics	Medicine
PATH	School of Pathology	Medicine
PDCS	Professional Development Centre	Professional Studies
PHIL	School of Philosophy	Arts and Social Sciences
PHPH	School of Physiology & Pharmacology	Medicine
PHYS	School of Physics	Science
PLAN	School of Town Planning	Architecture
POLS	School of Political Science	Arts and Social Sciences
POLY	Department of Polymer Science	Applied Science
PROF	Faculty of Professional Studies	Professional Studies
PSCY	School of Psychiatry	Medicine
PSYC	School of Psychology	Biological & Behavioural Sciences
PTRL	Department of Petroleum Engineering Studies	Applied Science
REMO	Centre for Remote Sensing	Engineering
RUSS	Department of Russian Studies	Arts and Social Sciences
SAFE	Department of Safety Science	Applied Science
SCTS\	School of Science & Technology Studies	Arts and Social Sciences
HPST		
SLSP	Department of Social Science & Policy	Arts and Social Sciences
SLST	School of Sport & Leisure Studies	Professional Studies
SOCI	School of Sociology	Arts and Social Sciences
SOCW	School of Social Work	Professional Studies
SPAN	Spanish & Latin American Studies	Arts and Social Sciences
SURG	School of Surgery	Medicine
SURV	School of Surveying	Engineering
TEDG	School of Teacher Education (graduate)	Professional Studies
TEED	School of Teacher Education (undergraduate)	Professional Studies
TESL	TESOL	Arts and Social Sciences
TEXT	Department of Textile Technology	Applied Science
THFI	Department of Theatre and Film Studies	Arts and Social Sciences
THST	Department of Theatre and Film Studies	Arts and Social Sciences
USOM	School of Mines	Applied Science
WOMS	Women Studies	Arts and Social Sciences
WOOL	Department of Wool & Animal Science	Applied Science

## School of Law

### LAWS1010 Litigation

F Hpw4 C6

An introduction to issues and problems in three areas:

*Civil procedure*: focus on selected topics - parties to an action; pleadings and the discovery and exchange of information. Supreme Court Rules are examined to determine the extent to which they facilitate just, accurate and speedy resolution of disputes.

*Criminal procedure*: the law and related issues associated with arrest, the use of warrants, police searches, interrogation and the formulation of pleadings. Comparisons drawn between the civil and criminal pre-trial processes.

*Evidence*: a basic understanding of the legal and philosophical principles related to the presentation of evidence in court. In particular, examination of the rules designed to protect the accused at trial; the rule against hearsay evidence; the use of expert evidence; the treatment of unreliable evidence and some analysis of the philosophy of proof and probability theory.

The effect of pre-trial procedures on the final outcome at trial highlighted.

### LAWS1120 Legal System – Torts

F Hpw4 C6

*The legal significance of the arrival of the British in Australia; the principal institutions of the legal system, particularly the courts, the legislature, and the executive arms of government; the judiciary; the legal profession; their history, roles, interrelationships, operation and techniques; general constitutional principles and institutions; the notion and consequences of federalism; Bill of Rights proposals; precedent and statutory interpretation, practice and theory; sources of Australian law, including the past and present status of Aboriginal customary law; origins of the common law; classifications within the common law; jurisdiction of Australian courts; the development of compensation law, with particular reference to workers' compensation and occupational health and safety; modern statutory compensation schemes; the rules and concepts of the law of torts, their origins, growth, operation and limitations; tort law protection from assault, injury and death; negligence; interests in another's life and services; false and misleading statements affecting economic interests; loss distribution; employers' liability; occupiers' liability; causation; remoteness of damage; product liability; interference with interests in land; interference with personal liberty. Some of these topics are dealt with in outline only.*

### LAWS1410 Contracts

F Hpw4 C6

This course examines the nature of contractual obligations and how parties make and break contracts.

Topics include: how contracts are formed and the necessary elements of a validly constituted contract; express and implied terms of a contract and how such terms are imported into the contract; how courts interpret the terms of a contract; the consequences where a contract is induced by misrepresentation, mistake or unconscionability; exemption clauses; estoppel and contract; contracts which are illegal under statute or contrary to public policy; remedies for breach of contract and the damages payable for such breach.

Students are encouraged to examine the role of contract law from an historical and contemporary standpoint.

### LAWS1610 Criminal Law

F Hpw4 C6

The principles of criminal law and criminal liability. Aims to: promote and refine research and social policy analysis skills; develop a rigorous analytic and socially oriented approach to the study of criminal law; investigate the constitution of concepts like *crime*, *criminal* and *criminal law*; question traditional approaches which assume a unified set of general principles; suggest an approach to criminal law as a number of diverse fields of regulation; acknowledge the importance of forms of regulation outside the criminal law; examine empirical material on the actual operation of the N.S.W. criminal process such as court statistics and a court observation exercise; examine the substantive rules developed in selected criminal offence areas; stress the importance and relevance of criminal law in an understanding of law, even (and especially) for those who do not intend to practise in the area. Topics include: the phenomenon of crime, the criminal process, criminal responsibility, homicide offences, public order offences, drug offences, offences against the person, offences of dishonest acquisition, general defences, complicity, conspiracy, sentencing and penal practices.

### LAWS2150 Federal Constitutional Law

S1 S2 Hpw4 C3

Federal constitutional law, stressing the legislative and judicial powers of the Commonwealth and the judicial interpretation by the High Court of the extent of those powers, in particular: trade and commerce, external affairs, corporations, appropriation, grants and taxation powers, family law and industrial law powers, inconsistency of Commonwealth and State laws, freedom of interstate trade and commerce, excise and implied limitations on Commonwealth and State powers. Techniques and approaches adopted by the High Court in interpreting the Australian Constitution, and occasionally, federal executive power.

Further study of constitutional law may be undertaken in LAWS2100 The High Court of Australia.

### LAWS2160 Administrative Law

S1 S2 Hpw4 C3

Principles and procedures for review of administrative action. *Topics*: relations between different agencies of government (legislative, administrative, judicial); delegated legislation; judicial power; the Ombudsman; the Administrative Appeals Tribunal; principles of judicial review (denial of natural justice, going beyond power, error of law); procedures for judicial review; the Administrative Decisions (Judicial Review) Act, 1977 (Cth.).

### LAWS3010 Property and Equity

F Hpw4 C6

The basic principles of the law of property, transcending the traditional boundaries of real and personal property. For reasons of time and convenience, most topics are those usually considered in the context of "real property".

Enquiry into the meaning of the concepts of property and the purposes that are or ought to be fulfilled by the law of property. Some of the traditional concepts and classifications adopted by the common law in the content of the study of fixtures. *Topics*: possession as a proprietary interest in land and goods; some basic concepts such as seisin and title; the fragmentation

of proprietary interests, including the doctrines of tenure and estates; an introduction to future interests; the development of legal and equitable interests, including a comparative treatment of their nature, extent and sphere of enforceability and an introduction to trusts; legal and equitable remedies; the statutory regulation of proprietary interests in land, including an examination of the Torrens and deeds registration systems; co-ownership; an introduction to security interests; the acquisition of proprietary interests; the alienability of interests including trusts for sale; commercial transactions involving leasehold estates in land and bailment of goods.

#### **LAWS6210 Law, Lawyers and Society S1 S2 Hpw4 C3**

1. The lawyer-client relationship, including who exercises control and the lawyers' duties to accept work, to keep client confidences, to act competently and to avoid conflicts of interest; the social implications of lawyers' professional behaviour. 2. The adversary system of litigation and the lawyers' role therein, both generally and specifically as defence counsel and as prosecutor in criminal cases. 3. The structure of the profession and methods of regulation including discussion of the concept of professionalism, control of admission, discipline generally and conducting court specifically; selection and control of the judiciary. 4. Issues relating to the delivery of legal services, including advertising and solicitation by lawyers, specialization in lawyers' practice, the structure and availability of legal aid, the regulation of lawyers' fees, the extent of the lawyers' monopoly and the role of non-lawyers in delivering legal services.

#### **LAWS7410 Legal Research and Writing 1 S2 Hpw2 C2**

The literature, both legal and non-legal, relevant to the law in Australia. The contents of a law library, how it works and is ordered and how lawyers go about using it to find the law. Practice in handling the principal legal materials in the law library, notably law reports, collections of statutes, digests and material on law reform. An introduction to case analysis and statutory interpretation. An introduction to the use of computerized legal research methods. The methods and objectives of legal and empirical research.

#### **LAWS7420 Legal Research and Writing 2 S1 Hpw2 C1**

A revision of legal research skills acquired in LAWS741 Legal Research and Writing 1, particularly the use of Australian digests, law reform materials and indexes to legal periodicals. Practice in ascertaining delegated legislation, in using English, Commonwealth and US digests and in tracing recent amendments to case-law, statutes and regulations. Further instruction on the use of computers for retrieval of legal materials.

#### **LAWS7430 Research Component**

This subject must be taken either concurrently with or after LAWS7420 Legal Research and Writing 2, though students are advised where possible to complete Legal Research and Writing 2 first so that they have a command of the relevant research techniques. Students are required to write an essay or present an argument in a moot, on the basis that their performance in conducting research carefully and thoroughly for the essay or moot is assessed by the subject teacher on a pass-fail basis. This assessment of the quality of the research will be made in addition to a separate assessment, in the

normal fashion, of the standard of an essay or moot performance for the purposes of awarding a mark in the subject as a whole. The subject to which this requirement applies will be chosen by the student, and all subjects offered in the Law School are *prima facie* available to Research Component students for this purpose. Where for compelling reason no provision for a suitable essay or moot is or can be made in a program of assessment of a particular subject, the teacher of that subject may ask the student to select another subject. There is no formal teaching in LAWS7430 Research Component and no credit points are awarded for it. It is compulsory for all students except those taking one or more of the Research Thesis electives (LAWS6510, LAWS6520, LAWS6530).

#### **LAWS8320 Legal Theory S1 S2 Hpw4 C3**

Introduction to theoretical questions which underline the practical workings of the law. Three different though overlapping questions are addressed: questions about the nature of legal interpretation/reasoning in the context of questions about the nature of law; moral and evaluative questions about the operations of law in general, and about particular legal activities. *Topics:* the character and aims of legal theory; the nature of adjudication and legal interpretation and their significance for an understanding of law; Legal Positivists' and Natural Lawyers' accounts of the nature of law and the relationship of law to morals; evaluation of punishment, of the ideal of the Rule of Law and of laws designed to redistribute social goods and other areas of legal intervention into social life.

#### **LAWS8820 Law and Social Theory S1 S2 Hpw4 C3**

Examination of common assumptions about law, about society, and about the relationships between law, legal institutions and social ordering. The nature of social ordering and the place of law in that ordering, the extent to which different areas of law contain implicit social theories, and the importance which social theorists have attached to law in their explanations of social structure and social change. *First section:* Common assumptions about the nature and social role of law are discussed in the light of the work of writers in the law and society movement. *Third section:* Law is examined as a way of conceiving and talking about social relations, as embodying social theories. The rule of law is considered as a general rationale of law and in the context of selected areas of law: contract, crime and administrative law. *Second section:* The work of major social theorists (Marx, Weber, Durkheim and Foucault) and the implications of their work for law are discussed.

LAWS8320 and LAWS8820 form part of the compulsory core of the LLB and BJuris degree courses with respect to students who entered the Faculty in 1981 or later. Students are required to take one of these two subjects to fulfil compulsory requirements and are permitted to take the other as an elective.

#### **Electives \***

##### **Prerequisites for Elective Subjects**

The Faculty has decided not to impose an elaborate set of subject prerequisites and co-requisites. The Faculty in effect prefers to maintain a flexible attitude toward admission to

particular subjects and to the variety of pre-law study backgrounds of its many students.

As the elective program is of its nature an advanced stage of the various courses, teachers plan their subjects and their teaching and assessment strategies on the general assumption that students entering any particular elective have completed LAWS1120 Legal System – Torts, LAWS7410 Legal Research and Writing 1, LAWS1610 Criminal Law, LAWS1410 Contracts, LAWS2160 Administrative Law and LAWS3010 Property and Equity.

Elective subjects for which specific prerequisites or co-requisites have been set are:

<i>Subject</i>	<i>Prerequisite</i>
Trial Process	Litigation
Advanced Criminal Law	Criminal Law Litigation (co-requisite)
The Law, Procedures and Practice of Parliament	Federal Constitutional Law
Succession	Property and Equity
Business Associations 2	Business Associations 1
The Law of Banking	Commercial Law B
Advanced Revenue Law	Elements of Income Tax Law

Students in any doubt about their preparedness for any particular elective subject should be certain to speak to the Sub-Dean well in advance of seeking enrolment in that subject.

\* Students should note that it may not be possible to offer all electives as listed. Up-to-date information is contained in re-enrolment details issued to each student at the end of each year and in timetables published several weeks before the next academic year. The number of students who can be taken into any elective depends on the number of teachers available.

## **LAWS1020 Trial Process** **SS Hpw4 C3**

*Prerequisite: LAWS1010.*

An advocacy training course concerned with the procedural and practical aspects of trial litigation and focusing on the role of the lawyer. Preparation of cases for trial, from initial investigation to final submission. Major emphasis is given to developing skills of interviewing, collecting facts, examining and cross-examining witnesses, and addressing judge and jury.

Begins with a series of practice exercises simulating real life litigation problems and students initially play all the courtroom roles: lawyer, witness, orderly and judge. Concludes with a series of mock trials derived from actual cases and presided over by judges and barristers. Civil, criminal and administrative law matters are covered. All exercises and trials are videoed for subsequent student viewing and critique.

## **LAWS1030 Remedies** **SS Hpw4 C3**

A study of the principal private-law remedies evolved by the common law and by equity. The course analyses the nominate remedies of Australian law by reference to the remedial goals of the legal system, namely compensation, restitution, punishment and coercion. The relationship between the

various remedies is also explored, as are the ways in which remedies are enforced in practice.

## **LAWS1040 Evidence and Advocacy** **SS Hpw 4 C3**

This course is designed to follow and expand upon the compulsory *Litigation* course. Students are therefore expected to know the fundamentals of evidence and trial procedure.

*Evidence and Advocacy* concentrates on certain select themes in the law of evidence and is designed to allow a hands-on approach to learning evidence law and developing expertise in trial practice and procedure. The course is not a replacement for the *Trial Process* course.

The advocacy component will involve students preparing a trial brief for trial. This work will largely be undertaken in groups both in and out of class. Effectively, students will be learning what US advocacy writers' term, "case theory". This is the pre-trial preparation of examination-in-chief, cross-examination, opening and closing addresses for particular trial scenarios.

The evidence component will concentrate on particular themes, chosen for either their topicality or their relationship to the advocacy exercises. It is anticipated that a new Evidence Bill will be introduced in the NSW Parliament shortly and the course will necessarily involve an examination of this important new legislation.

*Classes:* two 2 hour classes per week involving group exercises and class discussion based on readings from materials and the course text, Aronson, Hunter, Weinberg, *Litigation: Evidence and Procedure*, (4th edn., B'worths, 1988).

*Assessment:* will be finalised following discussions in the first introductory class. It is expected that students will have the option of completing an end of session exam and/or a research essay. All students will be required to complete certain compulsory class exercises.

## **LAWS1450 Advanced Studies in Torts** **SS Hpw4 C3**

A consideration at an advanced level of the legal concepts which determine which interests are protected, what conduct is regarded as socially unreasonable and when a court will afford a remedy in the form of an action for damages. The course places emphasis on a basic grounding in areas of tort law which, although rarely included in the curricula of basic torts courses, provide an important part of the protection which the legal system affords certain vital and highly valued interests. In addition students will pursue in greater detail and at a more advanced level some areas of study included in the basic torts program.

Focus is placed on the protection of relational interests, although other matters may be discussed. Topics may include: defamation and other actionable communications, privacy, false imprisonment, malicious prosecution, negligent infliction of economic loss, intentional infliction of economic loss, survival and extinction of causes of action, products liability and nuisance.

**LAWS1490 Advanced Criminal Law SS Hpw4 C3***Prerequisite: LAWS1610. Co-requisite: LAWS1010*

Builds upon the introduction to criminal law and process in the compulsory core curriculum. Examines such matters as white collar and corporate crime; gaming and betting regulation; legal pluralism and criminal responsibility; "quasi-criminal" proceedings, such as children's courts, visiting justice hearings, mental health review tribunals, habitual criminal and inebriates hearings, and selected domestic tribunals, such as sporting disciplinary bodies; codification of the criminal law and the emergence of an Australian criminal code; comparative criminal law, particularly focusing on North America and Pacific Islands developments; and current issues in criminal justice administration. Also emphasises practical legal skills, such as legislative drafting and statutory interpretation, and where practicable there may be a limited clinical component.

**LAWS1510 Family Law SS Hpw4 C3**

The legislative and constitutional background to family law in Australia, the structure of the Family Court of Australia, including the place of counselling within the court, the establishment of formal family relationships including the regulation of marriage and the approach of the law to informal family relationships; adoption; state intervention into the family relationship including the withdrawal of children from parental custody and the protection of family members against violence.

The problems created by the breakdown of marriage and other family relationships require close reference to the principles established by the Family Law Act concerning divorce, custody and the settlement of financial disputes. A study of the Act includes an examination of the role of lawyers and others in the process of dissolution and reorganization of families. The subject encourages students to assess the actual impact of the law, and to work with interdisciplinary materials.

**LAWS1550 Law and Gender SS Hpw4 C3**

Examines the complex role played by legal rules and practices in the construction and maintenance of inequality between women and men. Introduces students to feminist jurisprudence and significant debates within it, including the multiple meanings of 'equality' (for example, the sameness/difference debate and critiques of it); the public/private dichotomy; and the ways in which 'black letter' law inherently reflects a gendered perspective. In addition to the broad theoretical material, topics covered may include the three-part system by which women have access to financial support: viz, paid work, dependence on men, and dependence on the state; injuries to women and the ways in which women are distinctively harmed; the legal construction and regulation of women's connection with others: as wives, mothers etc; strategies for change (is the practice of law, in particular the adversary system, the only alternative for dealing with disputes; would gender neutral legal language change a gender-specific world?).

**LAWS1620 Families and Finances SS Hpw4 C3**

A foundation for legal practice and a critical examination of the operation of the legal system in a particular area. There is room for some variation in topics according to the interests of the teacher and students, but in general the topics covered are:

1. Matrimonial property and maintenance disputes concentrating on issues not explored in depth in LAWS1510 Family Law, eg problems of enforcement, drafting maintenance agreements, involvement of third parties in family disputes.
2. Social security arrangements in so far as they relate to the family, eg widows' pensions, supporting parents' benefits, relationship of these to Family Law Act proceedings.
3. Taxation issues, specifically related to breakdown of the family, but including some analysis of taxation policy in relation to the family.
4. Family provision (formerly 'testator's family maintenance').
5. Bankruptcy in so far as it relates to a competition between the creditors and the bankrupt's family.
6. The legal framework for the public and private support of children.
7. Superannuation arrangements affecting families.

Relationship between the systems of family law, taxation, social security and testator's family maintenance. Broader policy questions, such as those identified in the Finer Report (UK), the Hamblay Report (Australia) and other studies including an analysis of community property regimes and an assessment of their suitability for Australia.

Students who have completed LAWS1620 Families and Finances are not permitted to take this subject for credit.

It is desirable that students have completed LAWS1510 Family Law.

**LAWS1630 Children and the Law SS Hpw4 C3**

Aspects of children's law not dealt with in LAWS151 Family Law and aspects of practice relating to children, such as the role of children's legal representatives in children's courts and in other courts and tribunals. The present law in Australia is considered as well as the historical development of laws relating to children, proposed reforms, and comparative material from other countries. The materials draw on disciplines other than law (such as sociology, child development theory) so that legal developments can be related to the position of children in society and different perspectives on their rights and interests. The subject is intended both for students who are interested in legal practice relating to children, and those who wish to broaden their understanding of the legal system by a critical examination of how it operates in what is a controversial and rapidly changing area.

There may be some variation in the topics to be covered, according to the interests of the particular teacher and students, but in general the subject deals with guardianship and the rights and responsibilities of parents, the concept of children's rights; child welfare laws; the application of the criminal law to children and the jurisdiction and procedures in children's courts; education; foster care, and other forms of alternative care.

Students who have completed LAWS1630 Children and the Law are not permitted to take this subject for credit.

It is desirable that students have completed LAWS1510 Family Law.

**LAWS1720 Crime and Society SS Hpw4 C3**

Some of the issues arising from the relationship of crime to society. Crime as a dividing practice in the construction of normality. A critical history of traditional and current accounts of crime and delinquency. The subject is non-disciplinary and is sourced from a variety of literatures. Topics may include: the dramatization of evil and the politics of social control; a short

history of delinquency and its psychological and sociological explanations; theories of conformity and alienation; crime and discipline; women, crime and powerlessness; crime and the powerful; police crime and corporate crime.

**LAWS1730 The Criminal Justice System SS Hpw4 C3**

The operation and main institutions of the criminal justice system. The materials are socio-legal in orientation; they emphasise process rather than legal rules. Historical and contemporary issues are examined within their broader political context. In examining various forms of discretionary decision-making in the criminal process an attempt is made to identify practices specific to class, race and gender. Topics covered from year to year vary according to current inquiries, campaigns and controversies.

*Topics:* reporting crime, criminal statistics, media approaches to crime, popular cultural perspectives, the historical emergence and development of the police, police discretion, contemporary developments in policing, private and political police, deaths in custody, inquests, policing of particular groups, public order policing, criminal violence, plea bargaining, police interrogation methods and reform proposals, miscarriages of justice, and reform in the criminal justice system.

**LAWS1740 Penology SS Hpw4 C3**

A critical interdisciplinary subject involving historical, sociological, political and legal materials. *Topics include:* an examination of the field of penal practices, the origins and development of prisons; the legal regulation of prisons; attempts to litigate prisoners' rights, NSW legislation relating to prisons and conditional release and the NSW Royal Commission into Prisons. The emphasis on different topics may vary from year to year.

**LAWS1810 Law and Medicine SS Hpw4 C3**

Selected problems of a medico-legal nature presented in a way which enables the lawyer to handle legal problems of another discipline. *Topics:* typical medical case management both by the practitioner and hospital, problems of disability evaluation and rehabilitation, the application of forensic sciences to the settlement of disputes, the doctor as an expert witness, regulation and liability of those engaged in the health professions, public health regulation, medico-moral problems such as abortion and sterilization, legal problems of addition and issues which arise as a result of innovations in medicine such as human experimentation, transplantation and anatomical gifts and the operation of the Mental Health Act.

Students who have completed LAWS1810 Law and Medicine are not permitted to take this subject for credit.

**LAWS2100 The High Court of Australia SS Hpw4 C3**

The role of the High Court of Australia as a legal, political and social institution in the framework of Australian government. *Topics include:* the relationship of the High Court to the other institutions of government; the relationship of the Court to other courts within the judicial system; the historical development of the Court and its distinctive features through different periods of that development; the Court's composition and internal working, its style of legal reasoning, its contribution to the development of distinctively Australian law in selected areas

and the place of its individual members in the Australian judicial tradition. The subject is divided broadly into four parts. 1. The structure and operation of the Court; 2. the Court's role and record in public law; 3. the Court's role and record in private law; and 4. an analysis, building on the earlier part, of issues relating to the judicial process in the Court. About half of the subject is based on discussion of prepared materials, and the other half on research essays by each student presented to the class in the style of a seminar.

**LAWS2210 Advanced Administrative Law SS Hpw4 C3**

Builds upon the administrative law topics covered in the compulsory part of the curriculum. Content varies from year to year because of the need to deal with contemporary problems, and a corpus of law which is ever more subject to reform both by legislation and by judicial decision-making. In some areas a comparative approach is taken to expose the many solutions possible in the search for administrative justice. The core of the subject is in the fields of judicial and tribunal review of administrative action. Particular attention (amounting to over half of the subject) is given to federal administrative law and freedom of information. Topics may also include contracts and torts of the Crown and other public authorities; ombudsmen; delegated legislation; and public corporations.

**LAWS2230 Communications Law SS Hpw4 C3**

The statutory and common law controls over mass media and telecommunications in Australia. Matters likely to engage the skills of lawyers rather than pure theoretical analysis or law for journalists. Among the general legal issues considered in the particular communications context are: legal provision for technological change; licensing law and policy; regulation of corporate control; and self regulation. Topics may be roughly divided into three main groups: 1. Regulation of telecommunications and radiocommunications, including satellite communications. 2. Electronic media: the regulation of commercial, national and public broadcasting sectors, including, for commercial broadcasters, issues of licensing, and ownership and control; and, for all broadcasters, issues of content control and self regulation. 3. Restrictions on the content of all media, including the law of defamation and contempt, and control of content for the press.

**LAWS2240 Mining Law SS Hpw4 C3**

The framework of regulation for mining in Australia and the possible legal structures that might be used in establishing a natural resources project. The legal questions that arise in the financing of such a project. The subject focuses on New South Wales which, like other States, has extensive legislation relating to the mining industry. This entails, however, substantial treatment of federal regulation in the areas of foreign investment, export control, exchange control, Aborigines, uranium and offshore exploration and mining. Constitutional problems arising from the Federal/State relationship. The revenue, environmental and international trade aspects of minerals projects in Australia. Policy questions raised by these matters.

**LAWS2420 Local Government Law SS Hpw4 C3**

Local government as a particular example of the role of government in general in providing public goods; policy questions such as the optimal size of local jurisdictions in terms

of efficiency and political responsibility, and legal and administrative comparisons with specialist statutory authorities such as county councils and central government departments and corporations; the law governing formal structure of local authorities, elections, servants, meetings, control of corruption; the range of council powers and duties in providing local public goods and the rules which govern their provision by compulsory acquisition, revenue raising by rating (including land valuation), and the management of public property, introduction to councils' role in land use and environmental control through subdivision, zoning, building and public health regulation and the licensing system in this area; aspects of remedial law special to local government, actions by and against councils, with some emphasis on council liability in tort.

Students who have completed LAWS2420 Local Government Law are not permitted to take this subject for credit.

#### **LAWS2620 Human Rights Law SS Hpw4 C3**

Study of measures developed for the protection of human rights within Australia and other jurisdictions and in international law, and the growing links between Australian and international human rights law. *Topics include:* the promotion of human rights in historical perspective; the constitutional status of human rights in Australian law; the moral and legal effect of international instruments such as the Universal Declaration of Human Rights; the human rights provisions in the UN Charter; the 1966 Covenants (on Economic Social and Cultural Rights, and on Civil and Political Rights) and their implementation in Australia; the evolution of new international human rights conventions, principles and processes; the regional mechanisms for the protection of human rights, Australian human rights legislation and the work of particular Australian agencies such as the Human Rights and Equal Opportunities Commission and State anti-discrimination bodies; alternative strategies for encouraging compliance with human rights law.

#### **LAWS2700 The Law, Procedures and Practice of Parliament SS Hpw4 C3**

*Prerequisite:* LAWS2150

An examination of the Australian parliamentary systems, State and Federal, and of the Acts, Regulations, Standing Orders, practices and conventions which govern: candidacy for parliament; parliamentary elections; the organization of parliamentary business; the legislative process; parliamentary privilege; contempt of parliament; the disciplinary powers of the parliament; the officers of the parliament; the offices of the parliament. Other topics dealt with include: a brief introduction to legislative drafting, the relationship of the UK Parliament and Australian parliaments and a brief comparison of the Westminster system and other parliamentary systems.

#### **LAWS2800 Australian Immigration Law and Practice SS Hpw4 C3**

Examines Australian immigration law and practice. Focus is on the role of law in immigration selection and control - the developing concept of citizenship and alienage and exclusion principles and practices. Looks at different legal models of selection and control - 'free movement' systems, explicit exclusion models and models exerting control after entry on

'illegal immigrants'. *Topics include:* freedom of movement, residence and citizenship, entry for migrants, and the temporary resident's admission and stay under international obligation, illegal entry, compliance functions - the detention and removal of illegal immigrants, the immigration appeal system. Course assessment can include a clinical component - students undertake case or advice work in conjunction with Kingsford Legal Centre.

#### **LAWS3020 Advanced Property and Equity SS Hpw4 C3**

Explores in detail important equitable principles governing the creation, transfer and priority of interests in property, both real and personal. *Topics include:* the nature of fraud in equity; fiduciary relationships; undue influence; penalties and forfeiture. The course also considers equity's characteristic response to problems of injustice and unfairness as exemplified by the development, (as institutions and/or remedial devices,) of constructive trusts, proprietary estoppel and contractual licences. The distinction between notions of property and contract is studied, particularly in relation to recent developments in the law of leases and with emphasis on the implications for commercial lessees. Covenants governing the use of land at common law and in equity are studied in relation to general law and Torrens Title land.

#### **LAWS3030 Trusts S1 S2 Hpw4 C3**

The nature, history and classification of trusts; the use of trusts in modern law; social control through trusts; express private trusts; purpose trusts; discretionary and protective trusts; the creation and variation of private trusts; trusts in commerce; resulting and constructive trusts; charitable and public trusts; the significance of charitable status; powers and duties of trustees.

A useful introduction to LAWS3050 Succession which develops a number of themes which are raised by a consideration of the law of trusts.

#### **LAWS3050 Succession S1 S2 Hpw4 C3**

*Prerequisite:* LAWS3010

The law governing succession to property on death including the rules relating to wills, administration of assets, family provision and intestate succession. Equitable doctrines relating to the law of wills and administration of estates, including construction of wills, marshalling, satisfaction, ademption, and *donationes mortis causa*. Although the rules of equity constitute a theme common to this subject and LAWS3020 and LAWS3030, there is no significant overlap. Students interested in both the law of trusts and the law of succession should do both LAWS3030 and LAWS3050; in that event it is preferable to do LAWS3030 first.

#### **LAWS3210 Conveyancing and Land Transactions S1 S2 Hpw4 C3**

The law of vendor and purchaser with special emphasis on the standard form contract of sale of land in use in New South Wales. Aims to benefit those intending to practise at the bar in the property and equity area as well as those who will be involved with conveyancing work as solicitors. *Topics:* whether a binding contract of sale exists, auction contracts; vendor disclosure and anti-gazumping legislation, the requirements of the Statute of Frauds, exchange of contracts, proper



preparation of the contract of sale, detailed examination of the standard Law Society approved contract of sale, old system conveyancing, Strata Title conveyancing, the law concerning notices to complete and other remedies available to vendor and purchaser.

#### **LAWS3410 Environmental Law SS Hpw4 C3**

This subject examines environmental law in both a theoretical and a practical sense. From the theoretical point of view, environmental law is considered through interdisciplinary perspectives in a policy setting. The non-legal perspectives in terms of which environmental law is considered include ecology, economics and philosophy. The practical orientation of the course is toward developing an understanding of the legal framework for environmental decision making in Australia, particularly in N.S.W. Topics to be covered include the Relevance of Ecology to Environmental Law, Environmental Ethics, Environmental Economics, International Environmental Law, Commonwealth Powers with respect to the Environment, a range of Commonwealth and NSW legislation relating to the environment, and different legal techniques for enhancing protection of the environment (eg. regulation through the criminal law, through traditional common law techniques such as nuisance and private covenants, through economic incentive schemes, and through systems of consents and licenses). Alternative Dispute Resolution techniques will also be examined.

Attention is also paid to: (1) the part played by political and administrative discretion in the field of environmental decision-making, with some emphasis on the tensions which exist between various levels and arms of government; (2) The role of public participation in the decision making process; and (3) environmental law in other countries, particularly the U.S.

Students are encouraged to take an interest in topical environmental issues.

#### **LAWS4010 Business Associations 1 S1 S2 Hpw4 C3**

An introduction to a number of important legal and theoretical aspects of the operation of business companies. In addition, there is a brief overview of partnership law.

The company law component of the subject falls into two parts. The first deals with the process and incidents of incorporation. The topics dealt with in this part include the derivation of the modern company; an introduction to the regulatory structures for companies and the securities industry in Australia; the formation of the company; the privileged position of the private company; an introduction to the corporate constitution, organs and capital; promoters' duties; pre-incorporation contracts; the separate personality of the corporation (and its exceptions); corporate liability in crime.

The balance of the subject is concerned with the structure and governance of the company. It examines the corporate organs (the board of directors and the general meeting) and the division of corporate powers between them; the duties and liabilities of directors and other officers; the remedies available to shareholders for the enforcement of directors' duties and protection against oppression or over-reaching by controllers.

While much of this company law doctrine is equally applicable to the large company as to the small enterprise, the subject stresses the problems, processes and transactions typically encountered by small incorporated business.

Students are advised to complete LAWS3010 Property and Equity before undertaking Business Associations 1.

#### **LAWS4020 Business Associations 2 S2 Hpw4 C3**

*Prerequisite: LAWS4010.*

Areas of company law and securities regulation not covered in LAWS4010 Business Associations 1, and particularly those of relevance to larger companies. Students who wish to complete a comprehensive study of company law and securities regulation are advised to take this subject in addition to LAWS4010.

The subject deals with topics within the fields of corporate finance and securities regulation (including the regulation of takeovers). Topics studied will be drawn from the following: (1) corporate finance including classes of shares, company accounts and audit, the protection of share capital, and the law of dividends; (2) securities markets and their regulation including insider trading and other market abuse, and the hearing and investigative powers of the Australian Securities Commission; (3) public issues of corporate securities including philosophies of new issue regulation, listing and quotation, prospectus requirements, liability for prospectus contents, and prescribed interests; (4) the regulation of takeovers; (5) corporate insolvency.

#### **LAWS4030 The Modern Corporation SS Hpw4 C3**

Examines on a comparative basis selected issues in law and social policy arising from the modern emergence of the large business corporation as a dominant institution in western economies. The object is to develop a critical understanding of corporate structures and operations and of regulatory systems.

The central theme concerns corporate control and governance. Topics include: 1. the distribution of corporate ownership and control - modern patterns and their significance; 2. institutional share ownership - recent developments and control implications; 3. the regulation of financial intermediaries; 4. networks of influence - inter-company and business-government interlocks; 5. legal responses to the separation of corporate ownership and control with particular reference to the identification and transfer of corporate control; 6. structure, process and function in the public company board of directors; 7. corporate social responsibility; 8. industrial democracy; 9. employee participation in corporate capital formation; 10. state intervention in business - industrial strategy, corporatism and managerial prerogatives; and 11. the regulation of multi-national enterprise.

Students who have completed LAWS4030 The Modern Corporation are not permitted to take this subject.

#### **LAWS4240 Industrial and Intellectual Property S1 S2 Hpw4 C3**

Areas of the law relating to concepts of intangible property including the law of patents, trademarks, trade designs, copyright, confidentiality, passing off and the protection of business reputation.

#### **LAWS4260 Regulation of Economic Activity SS Hpw4 C3**

Theories, economics and politics of regulation. The role of competition policy; the case of exemption. Regulation v

self-regulation. Regulatory reform. Selected case studies in economic regulation.

**LAWS4340 Trade Practices** S1 S2 Hpw4 C3

Analyses the competitive process and the extent to which departures from competition should be regulated. Focus is put on the Trade Practices Act and the decisions of the Trade Practices Commission, the Trade Practices Tribunal and the Federal Court thereunder. Comparative US, English and EEC decisions in the trade practices area are considered.

**LAWS4350 Insurance Law** SS Hpw4 C3

Basic principles of insurance law. *Topics:* 1. *Principles of insurance law*; insurable interest, indemnity, good faith, subrogation, contribution; 2. *Insurance contracts*: formation, warranties and conditions, cover, claims, brokers and agents; 3. The changes effected by the relevant legislation and the residual problems.

**LAWS4370 Commercial Law A** S1 S2 Hpw4 C3

Aims, with LAWS4380 Commercial Law B, to provide an introduction to principal areas of commercial law of relevance to legal practice. *Topics:* 1. the law on sale of goods; 2. an introduction to consumer protection; 3. an introduction to the law on consumer credit. Students wishing to complete an introductory study of commercial law are advised to take LAWS4380 Commercial Law B. More advanced study of consumer protection is available in LAWS4390 Consumer Protection Law. Other areas of commercial law are dealt with in LAWS454 International Trade and LAWS4800 The Law of Banking.

**LAWS4380 Commercial Law B** S1 S2 Hpw4 C3

Aims, with LAWS4370 Commercial Law A, to provide an introduction to principal areas of commercial law of relevance to legal practice. *Topics:* 1. *negotiable instruments*, including a study of commercial bills against the background of a description of the operation of the commercial bills and money markets; 2. *secured transactions*. Students are introduced to the law on securities over personal property including priorities. Reference is made to credit arrangements in use in the distribution and sale of goods and services; 3. *introduction to law of bankruptcy*.

This subject may be studied on its own but students wishing to complete an introductory study of commercial law are advised to take LAWS4370 Commercial Law A as well. Other areas of commercial law are dealt with in LAWS4390 Consumer Protection Law, LAWS4540 International Trade and LAWS4800 The Law of Banking.

**LAWS4390 Consumer Protection Law** SS Hpw4 C3

Legislative strategies for the protection of consumers and the effect of this legislation upon marketers. The following protective strategies are considered: regulation of consumer contracts; the regulation of advertising and sales promotion; the imposition of informational requirements on persons dealing with consumers; the promulgation of standards with which goods and services have to comply; the licensing of persons dealing with consumers; the establishment of statutory funds against which consumers can claim; the creation of consumer tribunals and the establishment of

consumer protection bureaux.

**LAWS4440 Elements of Income Tax Law** S1 S2 Hpw4 C3

1. Introduction: the policies served by taxation with particular reference to distributional and economic objectives; the uniform tax system: the structure of the current Income Tax Assessment Act and its administration. 2. A critical analysis of the principal concepts of the law of income taxation and the taxation of capital gains and fringe benefits; the law on income and deductions as applicable to individuals; the trading stock provisions and tax accounting; concepts of residence and source. 3. The judicial interpretation of taxing statutes; policy questions concerning tax avoidance.

**LAWS4450 Advanced Revenue Law** S2 Hpw4 C3

*Prerequisite:* LAWS4440.

Areas of income tax introduced in LAWS4440 Elements of Income Tax Law in greater depth. Several areas of income tax law and other revenue law not touched on in the earlier subject. *Topics:* 1. taxation of partnerships, trusts and companies, including capital gains tax; 2. assignment of income; 3. tax avoidance and evasion - analysis of general, and specific, anti-avoidance legislation and penalties legislation; 4. an introduction to aspects of international tax including some international tax agreements; 5. tax decision-making and review in the context of a mass decision making process.

Students should have completed LAWS4010 Business Associations 1 or be taking that course concurrently with LAWS4450.

**LAWS4540 International Trade Law** SS Hpw4 C3

A study of the Legal Environment of the International Trade Transaction, consisting of the role and structure of International Legal and Economic Institutions, national government regulation affecting trade, and the "private" law of the international transaction itself. The course begins by exploring the International Trade Regime including the General Agreement on Tariffs and Trade, the International Monetary Fund and the World Bank. Structural and Transactional aspects of international trade follow including Foreign Direct Investment regulation, Methods and Forms of international trade and investment (eg. Joint Ventures), protection of Intellectual Property, Licensing and Technology Transfers, Import/Export Transactions, Customs, Tariffs and International Payments (eg. Letters of Credit). International Commercial Dispute Resolution is also covered. The course concludes with Selected Current Issues in Trade Policy and Ethical and Social Responsibility (eg. Protectionism, Antidumping, Agricultural Trade, New International Economic Order, Ecocodevelopment, and MNC's and International Codes of Conduct).

There are no prerequisites for this course, however students may find that having taken or taking concurrently, Public International Law, Business Associations 1 and Commercial Law would prove to be particularly helpful.

**LAWS 4610 Information Technology Law** SS Hpw4 C3

This 'computer law' course examines the law governing the use of computing and data communications technologies. The main topics are property in computerised data and software,

'computer crime', data communications law (telecommunications regulation concerning data), data protection and privacy, tortious and other civil liability for software and databases, evidentiary problems, and computerised commercial transactions, including electronic funds transfer systems (EFTS) and electronic document interchange (EDI). The social and legal importance of the 'wired society', the interconnection of computers by telecommunications, is examined in the light of theories of 'post industrial society'. No prior computing knowledge is required, and no computer use is required during the course. Computing and data communications concepts are explained where necessary.

**LAWS4620 Computer Applications to Law** **SS Hpw4 C3**

A 'hands-on' introduction to the uses lawyers can make of computer technology, including expert systems (systems that give legal 'advice'), hypertext, free-text retrieval and automated document generation. The strengths and limitations of each technology are assessed in light of the particular needs of legal reasoning, source materials and practice. Examples of the practical uses of each technology are demonstrated and considered critically, including litigation support systems, sentencing systems and systems for advice on government benefits.

Students will design and create their own legal databases, hypertext, document generators and expert systems using programs provided. Prior computer knowledge is not required, but some experience in the use of microcomputers, and particularly word processing, would be an advantage.

**LAWS4800 The Law of Banking** **SS Hpw4 C3**  
*Prerequisite: LAWS4380*

The law and practice of domestic and international banking. Topics vary from year to year but include: the regulation of banking, particular aspects of the banker/customer relationship, modern payment systems, domestic and international financing.

**LAWS5000 The Law of Employment** **S1 S2 Hpw4 C3**

A branch of the law which treats persons in their capacity as workers. The employer-employee relationship with particular attention to the individual contract of employment on which that relationship rests, the legal concept of an 'employee', incidents of the employment relationship, the mutual rights and duties of the employer and the employee; the rights and obligations of public employees; incidents of the employment relationship as regards third parties, the employer's liability to third parties, the employee's liability to third parties and the liability of third parties towards the employment relationship; the termination of the relationship with particular reference to the discharge of the contract of employment by performance, by notice and for cause and the remedies for wrongful termination; the relationship between an individual contract of employment and the relevant Award or Industrial Agreement, the usual matters dealt with in Awards and Agreements with particular emphasis on job security and personal grievances; social security aspects of employment, the legislation which is designed to protect wages, hours and various leave entitlements; legislation with respect to Anti-Discrimination; programs for

Equal Employment Opportunity and Affirmative Action.

**LAWS5020 Occupational Health and Safety Law** **S1 S2 Hpw4 C3**

The law relating to compensation for work-related injuries and disabilities and to the regulation of safety standards in workplaces. *Topics include:* the employer's common law duty of care; the common law duty of care of manufacturers of products for use at work; the development and application of workers' compensation schemes; comprehensive no-fault compensation schemes and inquiries relating thereto in their application to occupational injuries and disabilities; existing protective legislation in Australia; a comparative survey of protective legislation in other countries and its effectiveness; individual rights under protective legislation; regulation of occupational safety and health under compulsory arbitration schemes; management and union initiatives in the fields of occupational safety and health; new problems in occupational safety and health.

**LAWS5030 Industrial Law** **SS Hpw4 C3**

Analysis of the legislation, commonwealth and state, which regulates the activities of trade and industrial unions including their internal administration; the common law relevant to trade unions and industrial disputes; the legislation, commonwealth and state, governing the conduct of industrial disputes; practical aspects of dispute settlement in Australian industrial relations systems.

**LAWS6010 Law Journal** **C3**

A student may be deemed, on the recommendation of the Dean and the Faculty Advisers to the Law Journal, to have satisfactorily completed this course on the basis of work done as an editor of the University of New South Wales Law Journal.

**LAWS6410 Legal History** **SS Hpw4 C3**

The theme of this subject is the rule of law. It examines the role played by law and legal institutions in the division of political power, and falls into three parts: 1. the struggles between the courts, the parliament and the monarchy in seventeenth century England, with special attention to the conflict between Sir Edward Coke and James I, the English Civil War and the Glorious Revolution; 2. the political consolidations of eighteenth century England with special attention to Blackstone, as well as to the assessments of modern historians like E.P. Thompson and Douglas Hay; 3. the reception of legal ideas into the penal colony of New South Wales. The role played by rule of law in the political formation of a new society.

**LAWS6510 Research Thesis: two-session elective \*** **C6**

**LAWS6520 Research Thesis: one-session elective \*** **S1 C3**

**LAWS6530 Research Thesis: one-session elective \*** **S2 C3**

A Research Thesis project shall be approved by the School of Law if: 1. a clearly defined project is presented; a thesis topic may be approved initially or at some subsequent stage. In the

case of a group project a statement on the proposed division of work between members of the group must also be approved. 2. the student has an academic background in legal study sufficient to handle the subject matter of the thesis in an adequate manner (an average mark of 65 percent in previous Law subjects is normally required). 3. adequate supervision is available; supervision may be conjoint but at least one supervisor must be a full-time member of academic staff.

The School of Law may approve a Research Thesis but will initially limit its approval to a 3 credit point project. A student who has received approval for a 3 credit point project may be given subsequent approval to have his or her project transferred to a 6 credit point project (LAWS6510). Similarly a student who has received approval for a 6 credit point project (LAWS6510) may be given retrospective approval for transfer to a 3 credit point project.

### Thesis

The thesis must be typed on A4 bond paper and two copies must be prepared in a cover (spring back folder or bound). References may appear at the foot of each page or at the end of each chapter. As a general rule the thesis shall be a maximum of 12,000 words for a one session project or 20,000 words for a two session project.

### Examination

Two examiners, one of whom may be the supervisor, shall be appointed for each thesis by the School of Law. The final date for submission of the thesis shall be the last day of session for which the candidate is registered for the thesis or such other date as the examiners may agree.

Examiners may require a candidate or group of candidates to attend an oral examination on the subject matter of the thesis; examiners may require a thesis to be re-submitted under such conditions as the examiners may determine.

*\* These electives permit selected students to obtain credit for approved research projects undertaken individually or in groups. No student shall be permitted to obtain more than 6 credit points in any combination of the subjects LAWS6510, LAWS6520, LAWS6530.*

### LAWS6820 Social Security Law SS Hpw4 C3

The role of the state in the provision of community resources, in particular in the redistribution of taxation revenue through the income maintenance system, and the role of law in the redistribution process. The major focus is an examination of the law, policy and practices of the Australian Social Security system. Other matters covered include: an examination of the causes and extent of poverty in Australia; the role of the state in the alleviation of poverty; the relationship between the Social Security Act (Cth) and other Commonwealth and State laws, such as the Income Tax Assessment Act 1936 (Cth); the Family Law Act 1975 (Cth) and common law and statutory compensation systems; the role of law in effecting social change in general and redistribution in particular. Some of these topics will be dealt with in outline only.

### LAWS6830 Housing Law SS Hpw4 C3

This course treats tenancy law, practice and procedure with emphasis on the position of the occupier of residential premises and with particular reference to the Residential

Tenancies Act. In addition, attention will be given to housing policies, provision of government housing (with special attention to disadvantaged persons), practical problems and ways and means to take advantage of resources offered by government departments, alternatives to traditional homelessness strategies and tenancy law reform.

### LAWS6910 Discrimination and the Law SS Hpw4 C3

Discrimination in its legal, social, economic and political aspects. The philosophical foundations of anti-discrimination policies, discriminatory patterns in society, and the way the law helps to perpetuate such patterns. Legal mechanisms and agencies, particularly those in Australia, which seek to end or control discrimination, and in particular the principles and doctrines which are applicable in this area of law, with attention to the relevance of statistics as a means of proving discrimination in actions seeking private remedies and in the design and management of general administrative programs for affirmative action. For purposes of illustration, discrimination on the ground of sex is stressed, but other grounds are also considered (race, age, sexual preference, marital status, religion, political opinion, family status, national origin, intellectual and physical handicap, colour).

### LAWS6920 Aborigines and the Law SS Hpw4 C3

Legal issues that have particular application to Aboriginal people. *Topics include:* questions of definition and identity, sovereignty, land rights, legislative power, recognition of Aboriginal law, criminal justice issues, Aboriginal legal aid, the use of civil law, aspects of anti-discrimination and human rights legislation, relevant principles and procedures in international law, and proposals for a Treaty. Reference is made to comparative law materials from comparable countries such as Canada, USA, New Zealand. Reference is also made to anthropological and other non-legal material.

### LAWS 7200 Clinical Legal Experience (Intensive) S1 S2 Hpw16 C6

*Prerequisite/Corequisite: LAWS1010 and LAWS6210*

Clinical legal education takes students out of the classroom and places them in a law practice. This is to enable students to analyse the effect of law in practice, and to engender in students an appreciation of the ethical, social and practical complexity of the legal system. Students are required to attend the Faculty's clinic, Kingsford Legal Centre, two full days a week. The clinic is a community legal centre which provides a legal service to the local community. Students manage clients' files under the supervision of experienced solicitors. This involves the interviewing and counselling of clients, and the research, drafting and preparation necessary to resolve legal difficulties by litigation or alternative means.

In addition to two days' attendance, students may be asked to attend some evening advice sessions during which they interview people attending for legal advice from the solicitors. A daily meeting and a weekly class provide an opportunity for discussion and analysis of students' experiences, and for instruction in legal procedure and skills. There are regular opportunities to attend Court.

The subject is offered in both teaching sessions and over the summer vacation. A student who has enrolled in and who has passed or failed LAWS7210 Clinical Legal Experience may not

enrol in this subject without the approval of the teacher. It is suggested that the subject not be done in the final session of a student's studies, as the subject may enable students to put further studies into a social and practical perspective.

#### **LAWS7210 Clinical Legal Experience S1 S2 Hpw6 C3**

Clinical legal education takes students out of the classroom and places them in a law practice. This is both to enable students to analyse the effect of law in practice, and to engender in students an appreciation of the ethical, social and practical complexity of the legal system. Students are required to attend the Faculty's clinic, the Kingsford Legal Centre, one full day a week. The clinic is a community legal centre which provides a free legal service to the local community. Students work on client files under the supervision of experienced solicitors. This involves the interviewing and counselling of clients, and the research, drafting and preparation necessary to resolve legal difficulties either by negotiation or litigation.

Students are also required to attend a number of evening advice sessions during which they interview people attending for legal advice from the solicitors. A weekly class provides an opportunity for discussion and analysis of the students' experiences, and for instruction in legal procedure and skills. There are also regular opportunities to attend court.

The subject is offered in both teaching sessions and over the summer vacation. It is recommended that the subject not be done in the final session of a student's studies, as the subject may enable students to put further studies into a social and practical perspective.

#### **LAWS8200 Economic Analysis of Law SS Hpw4 C3**

The use of concepts of economics as a means of evaluating the appropriateness of legal rules. The concepts drawn from microeconomic theory and public economics (dealt with at a comparatively elementary level) are used to analyse existing and hypothetical legal rules within selected areas of law, such as property, tort, contract, constitutional law, environmental law, trade practices and business regulation, consumer protection and crime. Prior training in economics is not essential for students taking the course.

Students who have completed LAWS8200 Economic Analysis of Law are not permitted to take this subject for credit.

#### **LAWS8320 Legal Theory S1 S2 Hpw4 C3**

For details, see LAWS8320 Legal Theory earlier in this section.

#### **LAWS8410 Comparative Law SS Hpw4 C3**

Some of the principal legal systems of the world, and the advantages in looking at legal problems from a perspective broader than that of one's own legal system. Three parts: 1. an introduction to the Modern Civil Law, Roman, Hindu, Islamic and Marxist legal systems, wherever possible comparing them with the Common Law system, and with each other. The history and uses of Comparative Law, and a discussion of the manner in which the Civil Law and Common Law systems have interacted with the others, and with each other; 2. a more detailed study of the Civil Law system, through the medium of criminal law and administrative law in Europe, especially France, against the background of the common law; 3. student-led seminars examining, comparatively, topics of

world-wide concern, eg consumer protection, the role of the corporation in modern society, protection of civil liberties, judicial review of administration action, and environmental protection.

#### **LAWS8420 Pacific Islands Legal Systems SS Hpw4 C3**

Change, conflict and continuity in indigenous legal systems of the Pacific Islands (as well as other parts of the Third World) against the background of colonialism, 'modernization', and economic underdevelopment. Particular nations looked at include Papua New Guinea, Fiji, Vanuatu, the Solomon Islands, New Caledonia, French Polynesia, Western Samoa, Tonga, Kiribati, the Federated States of Micronesia, Belau and the Marshall Islands. *Topics include:* the political status of Pacific Island entities and their constitutional development; theories relating to legal 'development'; the role of law courts and the legal profession in changing society; the nature of traditional society, colonialism, and social and economic change; the nature of customary law and dispute settlement and its integration with imported Western law and legal institutions; changing family law, land law and notions of criminal responsibility; theories of economic underdevelopment; international law problems facing Pacific Island nations; issues of ideology and gender. By developing an appreciation of the theoretical and practical problems arising from the attempted imposition, or adoption, of Western legal concepts and institutions in non Western countries, it is hoped that students will develop a more flexible, enquiring and critical attitude towards the legal institutions of their own society.

#### **LAWS8430 Introduction to Roman Law S1**

The law of Ancient Rome presented so as to illustrate the following: (a) how laws emerged to meet the needs of a developing society, (b) how law reform in the more developed stages of that society adapted to changing social, political and economical conditions, (c) aspects of Roman Law which are especially meaningful to students who are being trained in a Common Law system, (d) Roman law concepts which form the basis of modern Civil Law systems and today play a key role in the European Economic Community.

*Historical topics:* Equity as an instrument of law reform; the opinions of those learned in the law; legislation; codification; and the Reception of Roman law in Modern Europe. *Substantive topics:* Family law with special reference to marriage and divorce; property with special reference to possession, ownership and servitudes (easements); testamentary succession; trusts; contract with special reference to stipulation, sale, lease, partnership (including corporate personality); delict (torts); criminal law with special reference to jury-courts.

There are no prerequisites and no special knowledge of Latin is required other than the usual legal tags.

#### **LAWS8440 Roman Law in Medieval and Modern Europe S2 Hpw4 C3**

The interaction between law and society is strikingly illustrated by the evolution of Civil Law in Medieval and Modern Europe. The subject proceeds from the Germanic invasions of Western Europe over the 4th and subsequent centuries, and the impact on the law of both invaders and invaded. It then turns to the 'rediscovery' of Roman Law in Europe in the 11th and

subsequent centuries and the gradual absorption of Roman Law into the legal systems of the German Empire, France, Spain, Italy and Scotland. The culmination is the Reception of Roman Law in those countries, followed by the Napoleonic Code and its offshoots which reincorporated Roman Law in a codified form but with the basic principles fully preserved.

#### **LAWS8450 Japanese Law**

**SS Hpw4 C3**

An introduction to the Japanese legal system from a comparative perspective. Japanese law in its historical, cultural, political and international context. Topics include: premodern law and traditions; the reception of German law and common law influence after World War II; the legal profession including foreign lawyers in Japan; the dispute resolution process, administration of justice, civil procedure; judicial reasoning and the impact of precedent; the constitution and judicial review; administrative law (administrative guidance); issues in tort law and in contract law; overview of company law; conflicts of law.

#### **LAWS8530 Public International Law**

**SS Hpw4 C3**

Principles of public international law. The nature and sources of international law, the relationship between international law and domestic law, international agreements, territorial and maritime jurisdiction, recognition of states and governments, immunities, international litigation, the use of force, and the role of the United Nations in international law.

Students who have completed LAWS8510 International Law 1 are not permitted to take this subject for credit.

#### **LAWS8570 International Humanitarian Law**

**SS Hpw4 C3**

The inter-relationship and operation of international human rights law and the humanitarian laws of war and the international law relating to the protection of refugees. In these rapidly evolving areas of international law and practice, a rare opportunity is provided to study law in the making.

*Laws Relating to Armed Conflicts:* the four 1949 Geneva Conventions and their historical antecedents: the role of the Red Cross: the protecting powers system; extension of humanitarian law to guerilla warfare; 1977 Protocols additional to the Geneva Convention; the laws of Hague; laws concerning the manufacture, stockpiling and employment of chemical, bacteriological and biological weapons; problems of enforcement of humanitarian law; the role of the UN; relationship to military law in Australia. *The Law Relating to Refugees:* the history of refugee law; problems of definition and eligibility status; admission and asylum; expulsion and non-refoulement; the role of the UNHCR; rescue of refugees at sea; principles of international solidarity and burden-sharing and the mass movements of people: comparative approaches of ASEAN countries; the OAU and Europe: Australian immigration law.

Students who have completed LAWS8572 International Humanitarian Law are not permitted to take this subject for credit.

#### **LAWS8610 Conflict of Laws**

**SS Hpw4 C3**

The Conflict of Laws or Private International Law is a species of private law which deals with problems involving a foreign or an interstate element. The introduction of that foreign or

interstate element necessitates an examination by a New South Wales court of three main issues: 1. Whether or not the court has jurisdiction to deal with the problem, and even if it does, whether or not it will assume jurisdiction. 2. If it has assumed jurisdiction the court must then ask itself what is the most appropriate law to apply to the problem before it. 3. Or, the court may have to decide whether or not to recognize and enforce a judgment of a foreign court or the court of another state. Those problems which involve interstate elements may be affected by provisions of the Commonwealth Constitution or by some federal legislation. Failing that, the solution to these interstate problems may call for an approach that is different to the solution of international problems simply on the basis that we are dealing with States of the same Commonwealth.

For the purposes of this subject the solutions that courts and legislatures have offered to such problems are examined in a few selected areas such as family law, contracts, torts and property. Wherever possible, emphasis is placed on the development of more appropriate solutions to these problems.

#### **LAWS8820 Law and Social Theory**

**S1 S2 Hpw4 C3**

For details, see LAWS8820 Law and Social Theory earlier in this section.

#### **LAWS9000 Special Elective A Special Elective B**

**C3**

**C3**

Designed especially to enable visiting teachers with special interests in teaching or research to teach subjects not normally available in the elective program.



Undergraduate Study

## Rules for Award of Degrees

### Rules Applicable to Candidates for the Degrees of Bachelor of Laws and Bachelor of Jurisprudence

1. (1) The Bachelor of Laws degree may be conferred on the completion of any of the following courses:

(a) a combined course leading to the award of the degrees of Bachelor of Jurisprudence and Bachelor of Laws;

(b) a combined course leading to the award of the degrees of Bachelor of Commerce and Bachelor of Laws;

(c) a combined course leading to the award of the degrees of Bachelor of Economics and Bachelor of Laws;

(d) a combined course leading to the award of the degrees of Bachelor of Arts and Bachelor of Laws;

(e) a combined course leading to the award of the degrees of Bachelor of Arts (Asian Studies) and Bachelor of Laws

(f) a combined course leading to the award of the degrees of Bachelor of Science and Bachelor of Laws;

(g) a combined course leading to the award of the degrees of Bachelor of Social Work and Bachelor of Laws;

(h) a combined course leading to the award of the degrees of Bachelor of Social Science and Bachelor of Laws;

(i) a course leading to the award of the degree of Bachelor of Laws.

(j) a combined course leading to the award of the degrees of Bachelor of Engineering (Civil) and Bachelor of Laws.

(2) The courses set out in paragraphs (a), (b), (c), (d), (e), (f) and (g) of subrule (1) hereof are referred to in these rules as 'combined courses', and shall be courses of full-time study of not less than five years' duration. \*

\* A candidate in a combined course who desires to enrol in an Arts, Social Science, Commerce or Science degree with Honours must satisfy the requirements of the appropriate Faculty and will not be able to complete the combined course in five years.

3) The course leading to the award of the degree of Bachelor of Laws (otherwise than as part of a combined course) shall be either:

(a) a course of part-time and/or external study which (unless otherwise approved by the Faculty for special reasons) shall be of not less than six years' duration; or

(b) a course of full-time study of not less than three years' duration, but no student shall be eligible to enrol in such course unless he or she is a graduate or graduand of any Faculty of the University or another university approved by the Faculty, or has other qualifications or experience deemed acceptable by the Faculty.

2. No person shall be permitted to enrol in any subject in the Faculty of Law at the same time as he or she is enrolled for any other degree or diploma in the University or elsewhere, except as may be necessary to complete the requirements of a combined course, or with the approval of the Faculty.

3. Where, in these Rules, reference is made to the requirement that a candidate shall complete a subject, the requirement shall be construed as meaning that the candidate shall:

(1) attend such lectures, seminars, tutorials or other classes, and such court sessions, offices or institutions as may be prescribed in that subject, and maintain a satisfactory standard of preparation for and participation in such classes and activities;

(2) perform satisfactorily in such exercises, essays, theses and other work (whether written, oral or practical) as may be prescribed in that subject and undertake any prescribed reading related to that subject; and

(3) attain a satisfactory standard in the examination or examinations, and such other means of assessment of a candidate's results in that subject as the Faculty may prescribe.

4. The Faculty of Law shall specify a number of credit points in respect of each Law subject for which credit is given in the award of the degree of Bachelor of Jurisprudence or the degree of Bachelor of Laws (whether taken separately or as part of a combined course). On completion of the subject, a candidate shall be credited with the specified number of points.



## Law

5. (1) In the case of the Bachelor of Laws degree course credit shall be given for the subjects set out in the following table, each of which shall, unless otherwise determined by the Faculty, carry the number of credit points (if any) specified opposite it.

### Compulsory Subjects Credit Points

LAWS1120	Legal System – Torts	6
LAWS7410	Legal Research and Writing 1	2
LAWS1610	Criminal Law	6
LAWS1410	Contracts	6
LAWS2160	Administrative Law	3
LAWS2150	Federal Constitutional Law	3
LAWS3010	Property and Equity	6
LAWS1010	Litigation	6
LAWS6210	Law, Lawyers and Society	3
LAWS7420	Legal Research and Writing 2	1
LAWS7430	Research Component	

### One of the following:

LAWS8320	Legal Theory	3
LAWS8820	Law and Social Theory	3

### Elective Subjects†

LAWS1020	Trial Process	3
LAWS1030	Remedies	3
LAWS1040	Evidence and Advocacy	3
LAWS1450	Advanced Studies in Torts	3
LAWS1480	Advanced Criminal Law	3
LAWS1510	Family Law	3
LAWS1550	Law and Gender	3
LAWS1620	Families and Finances	3
LAWS1630	Children and the Law	3
LAWS1720	Crime and Society	3
LAWS1730	The Criminal Justice System	3
LAWS1740	Penology	3
LAWS1810	Law and Medicine	3
LAWS2100	The High Court of Australia	3
LAWS2210	Advanced Administrative Law	3
LAWS2230	Communications Law	3
LAWS2240	Mining Law	3
LAWS2420	Local Government Law	3
LAWS2620	Human Rights Law	3
LAWS2700	The Law, Procedures and Practice of Parliament	3
LAW2800	Australian Immigration Law and Practice	3
LAWS3020	Advanced Property and Equity	3
LAWS3030	Trusts	3
LAWS3050	Succession	3
LAWS3210	Conveyancing and Land Transactions	3
LAWS3410	Environmental Law	3
LAWS4010	Business Associations 1	3
LAWS4020	Business Associations 2	3
LAWS4030	The Modern Corporation	3
LAWS4240	Industrial and Intellectual Property	3
LAWS4260	Regulation of Economic Activity	3
LAWS4340	Trade Practices	3
LAWS4350	Insurance Law	3

LAWS4370	Commercial Law A	3
LAWS4380	Commercial Law B	3
LAWS4390	Consumer Protection Law	3
LAWS4440	Elements of Income Tax Law	3
LAWS4450	Advanced Revenue Law	3

† The list is the complete list of all approved electives. The number of students that may take a particular elective may be limited

LAWS4540	International Trade	3
LAWS4610	Information Systems Law	3
LAWS4620	Computer Applications to Law	3
LAWS4800	The Law of Banking	3
LAWS5000	The Law of Employment	3
LAWS5020	Industrial Safety and Health Law	3
LAWS5030	Industrial Law	3
LAWS6010	Law Journal	3
LAWS6410	Legal History	3
LAWS6510	Research Thesis: two session elective	6
LAWS6520	Research Thesis: session 1 elective	3
LAWS6530	Research Thesis: session 2 elective	3
LAWS6820	Social Security Law	3
LAWS6830	Housing Law	3
LAWS6910	Discrimination and the Law	3
LAWS6920	Aborigines and the Law	3
LAWS7200	Clinical Legal Experience (Intensive)	6
LAWS7210	Clinical Legal Experience	3
LAWS8200	Economic Analysis of Law	3
LAWS8320	Legal Theory	3
LAWS8410	Comparative Law	3
LAWS8420	Pacific Islands Legal Systems	3
LAWS8450	Japanese Law	3
LAWS8530	Public International Law	3
LAWS8570	International Humanitarian Law	3
LAWS8610	Conflict of Laws	3
LAWS8820	Law and Social Theory	3
LAWS9000	Special Elective A	3
LAWS9010	Special Elective B	3

and

Any other subject specified by the Faculty.

(2) Such subjects shall be taken in a sequence approved by the Faculty.

6. A candidate for the award of the degree of Bachelor of Laws (whether taken as part of a combined course or as a separate degree) shall complete:

(1) all of the subjects prescribed in Rule 5. under the heading 'Compulsory Subjects',

(2) selected subjects from the subjects prescribed in Rule 5. under the heading 'Elective Subjects' so as to comply with Rule 7.

(3) such Legal Research and Writing Programs, Prescribed Readings in Law, Moot Court Work and other work as the Faculty may require.

7. (1) A candidate for the award of the degree of Bachelor of Laws shall complete Elective Subjects prescribed in Rule 6. to the extent necessary to bring his or her total credit points for

**Compulsory and Elective Subjects to:**

(a) in the case of a candidate for the award of the degrees of Bachelor of Arts/Bachelor of Laws, Bachelor of Social Science/Bachelor of Laws, Bachelor of Science/Bachelor of Laws, Bachelor of Social Work/Bachelor of Laws, Bachelor of Commerce/Bachelor of Laws, Bachelor of Economics/Bachelor of Laws, Bachelor of Engineering (Civil)/Bachelor of Laws.

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(b) in the case of a candidate for the award of the degrees of Bachelor of Jurisprudence/Bachelor of Laws.

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(c) in the case of a part-time candidate for the award of the Bachelor of Laws degree and a full-time candidate for the award of the Bachelor of Laws degree for graduates.

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(d) in the case of a part-time candidate for the award of the Bachelor of Laws degree and a full-time candidate for the award of the Bachelor of Laws degree who may have received standing for law subjects taken as part of a degree course other than BJuris or LLB degree course taken at this or another approved university.

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(e) in the case of a part-time candidate for the award of the Bachelor of Laws degree and a full-time candidate for the award of the Bachelor of Laws degree who may have received standing for a law subject taken as part of a BJuris degree course taken at this or another approved university.

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(2) A candidate's choice of Elective Subjects shall require the approval of the Faculty.

(3) In the case of a candidate for the award of the degrees of Bachelor of Commerce (Accounting) and Bachelor of Laws, electives shall (unless specially approved in an exceptional case by the Head of the School of Accounting) include Business Associations 1 and 2 and at least two other electives in the field of business law from a list approved each year formulated by the Head of the School of Accounting in consultation with the Dean of the Faculty of Law.

(4) In the case of a candidate for the award of the degrees of Bachelor of Commerce (Finance) and Bachelor of Laws, electives shall (unless specially approved in an exceptional case by the Head of the School of Law) include Business Associations 1 and 2 and Commercial Law A and B and Trusts.

8. A candidate for the award of the degree of Bachelor of Laws as part of a combined course shall not be eligible to be awarded that degree until he or she has completed the additional requirements applicable to the other degree in such combined course.

9. In the case of the combined course leading to the award of the degrees of Bachelor of Jurisprudence and Bachelor of Laws, the requirement for the award of the Bachelor of Jurisprudence degree shall be that, in addition to completing all requirements of the Bachelor of Laws degree course (including Law subjects totalling not less than 93 credit points), the candidate has completed subjects in another Faculty or Faculties comprising unless specially approved by the Faculty a major sequence of three years' study plus one first year subject. Unless he or she obtains special permission from the relevant Head of School, a student shall be bound by any

requirements as to subject prerequisites normally applicable to a subject in another Faculty.

A candidate shall obtain the approval of the Faculty of Law to his or her selection of subjects in other Faculties, and to the order in which he or she studies them. In approving such subjects, the Faculty shall have regard to the contribution the study of such subjects may reasonably be expected to make to the development of his or her capacity as a lawyer and understanding of the law.

10. The requirement for the award of the Bachelor of Jurisprudence degree shall be that the candidate has completed a course of full-time study of not less than three years' duration consisting of:

(1) Law subjects totalling not less than 45 credit points and including LAWS1120 Legal System – Torts, LAWS7410 Legal Research and Writing 1, LAWS1610 Criminal Law, LAWS2160 Administrative Law, LAWS1410 Contracts, LAWS7420 Legal Research and Writing 2, LAWS7430 Research Component and one of either LAWS8320 Legal Theory or LAWS8820 Law and Social Theory;

(2) Subjects in another Faculty or Faculties comprising, unless otherwise approved by the Faculty, a major sequence of three years' study plus one first year subject.

A candidate shall obtain the approval of the Faculty of Law to his or her selection of subjects, and to the order in which he or she studies them. In approving such subjects, the Faculty shall have regard to the object of providing an integrated program of legal and non-legal studies.

11. A student shall not be enrolled as a part-time student unless he or she satisfies the Faculty that his or her special circumstances preclude full-time study, and that his or her previous experience and/or study make it appropriate to admit him or her to part-time study for the award of the degree of Bachelor of Laws as a separate degree.

12. In these Rules, unless the contrary is indicated, 'the Faculty' means the Faculty of Law.



# Graduate Study

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 is available in the Faculty of Law (course 1730); this requires the completion of a program of research over a period of at least three years' full-time study and the preparation of a thesis.

Research may also be undertaken by approved students for the degree of Master of Laws (Course 2440). An LLM degree by course work (Course 9200) commenced in 1989.

The conditions for the award of the PhD degree, the LLM degree by research, and the LLM degree by course work, and full details of graduate scholarships available are set out below in the section Conditions for the Award of Higher Degrees.

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## Master of Laws Degree By Course Work

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### 9200 Master of Laws

#### LLM

The Master of Laws by formal course work offers graduates an opportunity to study in an organised fashion areas of specialty and greater difficulty than could be handled in a Bachelor of Laws course, and some which call for advanced interdisciplinary perspectives.

Subjects offered in the LLM by course work 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 subject contains a significant research component.

The LLM by course work may be taken full-time in one year or part-time in a minimum of two years. Students shall undertake and satisfactorily complete four year-long subjects, or the equivalent in session-long (single semester) subjects which may be taken in combination with year-long subjects. A total of 24 credit points is required for the award of the degree. All subjects will not necessarily be available in any one year. LLM subjects will normally be taught in the evening. Most subjects will be taught in relatively small discussion classes meeting for two hours once a week.

A student may apply to the Head of School to complete a research thesis of about 25,000 words in place of one year-long subject, or one or two research theses of about 12,500 words each in place of one session-long subject.

A student may apply to the Higher Degree Committee of Faculty for permission to take, as appropriate to his or her overall program, up to three single-semester subjects offered by another University, and/or one LLB subject offered by the Faculty. Such subjects may be year-long or the equivalent in session-long subjects. A decision to permit a student to take an LLB subject may specify particular requirements of assessment and/or achievement in the subject.

## Graduate Enrolment Procedures

All students enrolling in graduate courses should obtain a copy of the free leaflet *Re-Enrolling 1991 for Postgraduate Students* available from School Offices and the Admissions Office. This leaflet provides detailed information on enrolment procedures and fees, enrolment timetables by Faculty and course, enrolment in miscellaneous subjects, locations and hours of Cashiers and late enrolments.

## Law

The following electives are available for credit towards the Master of Laws degree by Coursework.

LLM Subjects	Credit Points
LAWS1059 Issues in Evidence	3
LAWS1069 Law of Damages	3
LAWS1559 Feminist Legal Theory and Practice	3
LAWS1609 Families: Property Adjustment and Financial Transactions	3
LAWS1709 Sentencing: Law, Policy and Practice	3
LAWS1719 Community Corrections	3
LAWS1759 Crime Prevention Policy	3
LAWS1769 The 'New' Prosecutors	3
LAWS1779 Juvenile Justice	3
LAWS2209 Electronic Communications Law	3
LAWS2259 Media Law	6
LAWS2409 Comparative Constitutional Law	6
LAWS3409 Environmental Law and Policy	6
LAWS4209 Issues in Intellectual Property	3
LAWS4219 Technology Transfer: International Intellectual Property Transactions	3
LAWS4309 Corporate Control Transactions	3
LAWS4319 Securities Regulation	3
LAWS4329 Commercial Finance	6
LAWS4409 Capital Gains Tax	3
LAWS4419 International Taxation	3
LAWS4429 Tax Procedure	3
LAWS4609 Developing Computer Applications to Law (A) Database, hypertext, and communications technologies	3
LAWS4619 Developing Computer Applications to Law (B) Knowledge-based technologies	3
LAWS4659 Data Surveillance and Information Privacy Law	3
LAWS6559 Research Thesis: Two-session elective	6
LAWS6569 Research Thesis: One-session elective S1	3
LAWS6579 Research Thesis: One-session elective S2	3
LAWS6829 Issues in Australian Social Security Law & Policy	3
LAWS6919 Civil Liberties and the Law	3
LAWS8009 Legal Reasoning	3
LAWS8019 Law, Language and Power	3
LAWS8029 Law and Social Sciences A: Law and Economics	3
LAWS8039 Law and Social Sciences B: Law and Politics	3
LAWS8439 Modern Civil Law Systems: An Historical and Substantive Introduction to Roman-Dutch Law	3
LAWS8449 Modern Civil Law Systems: An Historical and Substantive Introduction to French and German Law	3
LAWS8459 Pacific Legal Systems	3
LAWS8469 Asian Legal Systems	3
LAWS8479 Islamic Law	3
LAWS9019 Commercial Litigation	3

## Graduate Study Subject Descriptions

### **LAWS1059 Issues in Evidence**

**SS Hpw 2 C3**

The course is designed for postgraduate students who have either formally studied an undergraduate evidence course, or who have professional experience in the area. The course commences with a study of the role of the lawyer in the "making of a case" at the pre-trial stage in civil and criminal litigation. This involves an examination of how the dynamics of the courtroom presentation of a case are affected by pre-trial activities. The remainder of the course involves analyses of courtroom activities, in particular: (1) studying witness credibility and jury impact issues, drawing on US, UK and Australian studies and the role of technology in presenting information and its jury impact. (2) categories of unreliable evidence. (3) the accused in court: the role of prejudicial prosecution evidence and the accused's formal protections: e.g. character evidence; confessions.

Finally, by focussing on transcripts and critiques of one or two actual trials the various course themes are brought together in an advocacy setting.

### **LAWS1069 Law of Damages**

**SS Hpw 2 C3**

An advanced analysis of theoretical and practical issues in the law of damages. The subject builds on an assumed knowledge of the general rules of damages in two ways: (1) Theoretically, by an examination of the rules in the light of contemporary historical and jurisprudential analysis. Of particular relevance will be economic analysis and comparative law. (2) Practically, by an examination of the rules in a procedural context.

The subject will focus on current issues and problems but three constant themes will run through the subject: (1) Doctrinal issues (e.g. causation, remoteness); (2) Heads of damages (e.g. loss of money, injury to reputation); (3) Procedural considerations.

### **LAWS1559 Feminist Legal Theory and Practice**

**SS Hpw 2 C3**

This course scrutinises key debates in feminist jurisprudence and applies them to a number of important topical issues. Theoretical issues considered include the public/private distinction, the meaning of inequality for women and questions of epistemology and methodology. These key theoretical themes will then be applied to concrete issues, using a cross-doctrinal framework of legal analysis. Topics examined include the construction of women's connection to others in legal discourses (eg through reproductive issues), and a conceptual framework for dealing with injuries to women, along a continuum of harms from medical injuries to media vilification. Finally, the course will focus on practical questions of strategy, looking at the possibilities for a feminist legal practice. This will include examination of gender-neutrality; alternative dispute resolution and the creation of new legal claims designed from the standpoint of women.

### **LAWS1609 Families: Property Adjustment and Financial Transactions**

**SS Hpw 2 C3**

This subject provides a critical examination of a set of linked areas of law associated with family property adjustment and financial transactions. Although there may be some variations from year to year, topics will normally comprise: (1) Law, procedure and practice relating to property adjustment under the Family Law Act 1975 (C'wealth) and under the De Facto Relationships Act 1984 (NSW); (2) The law of maintenance agreements (Family Law Act) and separation and cohabitation agreements (De Facto Relationships Act); (3) Family law aspects of social security; (4) Family law aspects of bankruptcy; (5) Family law aspects of family provision (TFM); (6) Family law aspects of taxation.

The treatment will emphasise the interaction of different areas of law, and the significance of this interaction both for practice and for an understanding of the policies involved. Classes will include an examination of case studies drawn from legal practice, and experienced family law practitioners may participate in some classes. Students will be expected to have copies of the relevant legislation, but issued materials will contain extracts from reported cases and secondary materials, such as the Australian Law Reform Commission's Report Matrimonial Property, and journal articles.

There are no prerequisites, but it is highly desirable that students should have either studied or practised in family law.

**LAWS1709 Sentencing: Law, Policy and Practice** **SS Hpw 2 C3**

An examination of the law, practice and policy relating to the sentencing process with reference to the decision to prosecute; the sentencing hearing; available sanctions; choice of sanction rules and the administration of punishment.

*Topics may include:* Theories of punishment; outline of the legal framework for sentencing in Australia. Information systems, public opinion, media treatment. The sentencing process; the role of discretion, impact of the prosecution process on sentencing outcomes, pre-trial procedures, victims and the criminal justice system, the approach of the courts to sentencing goals, appeals against sentence. Sentencing options; capital punishment and corporal punishment, imprisonment, fines and other unsupervised non-custodial options, supervised non-custodial options, ancillary orders, experimental options, mandatory penalties. Release from custody; the development of parole, models of parole, release on licence, other forms of release from custody, remissions. Enforcement of sentencing options. Administration of the sentence. Special categories of offenders; Aboriginal offenders, sentencing options for corporate offenders, female offenders, mentally disordered offenders, young offenders, habitual offenders, drug offenders; reform.

**LAWS1719 Community Corrections** **SS Hpw 2 C3**

At any one time in Australia three forms of community corrections – probation, parole and community service orders involve three times as many people as those in prison. The percentage of people under some form of community supervision is steadily increasing. A large number of legal and social issues and implications arise from these tendencies and insufficient attention has been devoted to them. In addition there are even newer developments such as home detention based on forms of electronic monitoring, the privatisation of penal practices, the development of a range of specialist 'diversionary' schemes both pre and post trial. This subject will examine these important issues.

*Topics include:* the development of community corrections, community corrections as social control. Analysis of the legal foundation and operation of a range of specialist diversionary schemes. An examination of the agencies gathering information used in determining eligibility for such schemes. Probation, community service orders, parole, parole supervision. Release on licence provisions. The role of volunteers. Halfway houses and hostels, conditions of

residence, forms of supervision, legal and ethical issues, evaluation. The legal, social and ethical issues surrounding the development of home detention schemes and forms of electronic monitoring of people on conditional release. The development in the U.S.A. of extensive privatisation of corrective functions and personnel, Australian tendencies. Examination of reform directions.

**LAWS1759 Crime Prevention Policy** **SS Hpw 2 C3**

Crime prevention policy has traditionally been regarded as synonymous with the operations of the criminal justice system. Clearly the operations of the major criminal justice agencies – the police, courts and prisons – are an important part of the response to crime. However, research shows that these agencies have a very limited effect on the incidence of crime. This is hardly surprising when we consider that the causes of criminal offending lie in economic, social and cultural factors which by and large lie outside the criminal justice system. It is therefore imperative to develop approaches to crime prevention which focus on a broad range of areas and social agencies outside the traditionally defined criminal justice system. The emphasis should be on the attempt to link these various areas and to develop crime prevention policy.

*Topics include:* The nature of crime prevention policy. Forms of victimisation – gender, age, race and class aspects. Crime victim surveys. Community policing strategies, eg Neighbourhood Watch. The private security industry. Crime prevention aspects of the contract of insurance, security conditions and their evaluation. Crime prevention in the planning, design and construction of public housing; the concept of 'defensible space'; the role of tenants organisations; the provision of security hardware and insurance. Crime problems on public transport. Town planning and the development of crime impact statements. Crime prevention impact of employment programs, especially youth programs. Crime prevention impact of child care policies and services, community arts policies, neighbourhood crime prevention committees, refuges, educational facilities. Crime control effects of liquor licensing and drug prohibition.

**LAWS1769 The 'New' Prosecutors** **SS Hpw 2 C3**

There have been dramatic changes in the prosecutorial arena in recent years. To the traditional (police) prosecuting agencies have been added federal and state DPPs, the NCA, the ICAC, specialist Task Forces, specialist prosecution units in specific offence areas, numerous Royal Commissions, among others. In addition to the proliferation in prosecution agencies a range of new investigative and prosecutorial techniques and practices have emerged. These in turn have generated a range of legal, social and ethical issues around questions of independence, accountability and control.

Proposed topics include: the emergence of the 'new' prosecutors and key themes in their evaluation; the legal constitution and operation of a number of agencies such as DPPs, NCA and ICAC; an analysis of some investigative and prosecutorial techniques and practices, such as witness immunities, phone tapping, electronic surveillance, assets forfeiture etc.

**LAWS1779 Juvenile Justice**

**SS Hpw 2 C3**

Juvenile delinquency has emerged in recent years as an important political issue. The various agencies and practices of the criminal justice system as they apply to juveniles are sufficiently distinctive to warrant special examination. Specific policing schemes are in operation such as juvenile cautioning. There are specific legal requirements in relation to police interrogation of juveniles. The Children's Court although broadly assimilated into the Local Court system has various distinctive features. Welfare-based intervention is more extensive. There are specific issues and problems in the juvenile corrections area. An increasing number of lawyers, social and youth workers and policy advisors are working in the juvenile justice area.

Topics include: historical aspects of juvenile delinquency, the 'child-saving' movement, patterns of juvenile offending, policing, children as victims, children as complainants and witnesses, police interrogation practices and cautioning schemes, the Children's Court, juvenile advocacy, juvenile institutions, community correctional programs, specialist youth services, issues and problems in reform.

**LAWS2209 Electronic Communications Law F Hpw 2 C6**

Advanced treatment of laws governing electronic communications, including telecommunications and broadcasting.

*Topics include:* Licensing of telecommunications and broadcasting facilities and services. Radio communications, cable, pay-TV and quasi-broadcast regulation. Statutory monopolies and oligopolies. Restrictions on group ownership and control in broadcasting. Legal preferences for local production. Charters and responsibilities of statutory authorities such as the ABC, Austel, Telecom and the SBS. Consultative and adjudicatory mechanisms for making decisions including: litigation, public inquiries, self-regulation and statutory obligations to consult.

Because of the international character of communications developments, the course will include considerable overseas material, especially from North America and the EEC countries. It will examine the functions and regulations of the International Telecommunications Union.

The Communications Law Centre is associated with the Law School. Through its national charter and large list of projects, the Centre will provide the opportunity for clinical work by students as part of the subject.

**LAWS2259 Media Law**

**F Hpw 2 C6**

Advanced treatment of laws imposing restrictions upon publication irrespective of the mode of publication (broadcasting, newspapers, books etc). This will include discussion of practical aspects, and of basic policy questions, notably the balancing of freedom of expression against opposing considerations such as preservation of individual reputation, the right to a fair trial, national security etc. Where appropriate, material from constitutional law, comparative law and international law will be included, and proposals for reform will be discussed.

*Topics include:* Defamation, civil and criminal; other forms of protection of business reputation; contempt of court and of parliament; reporting of legal and parliamentary proceedings;

privacy; breach of confidence; sedition; obscenity; blasphemy; vilification on racial grounds.

**LAWS2409 Comparative Constitutional Law F Hpw 2 C6**

*Prerequisite:* LAWS2150 or equivalent.

Examines and compares the operation of major institutions and doctrines of constitutional law in Australia, the United States, Canada, the United Kingdom, India and elsewhere. Differences and similarities are noted and assessed. Topics include: review of legislative and executive action; the role of the judiciary; federalism and devolution; national-regional financial relations; relations between legislature and executive; civil liberties; emergency powers; constitutional reform.

**LAWS3409 Environmental Law and Policy F Hpw 2 C6**

This subject examines environmental law in Australia in a policy setting. Environmental law is interpreted broadly to refer to all relevant regulatory frameworks, including both statutory and common law ones, as well as relevant international administrative and legal arrangements. The primary focus will be the NSW context, but environmental issues of a global, regional and national nature will also be addressed. The law will be examined in an inter-disciplinary way, referring to economic, sociological, historical and philosophical analysis, with reference being also made to comparative environmental law. Particular topics of a conceptual kind include: how environmental problems are defined and what form they take; competing values (e.g. anthropocentric versus ecocentric perspectives) and how such values are articulated (through, e.g., public participation) in order to develop public policy responses to environmental problems; and theoretical aspects of policy development and evaluation, referring to cost-benefit analysis and risk assessment, spillover effects, the nature of public goods, and issues of justice in the distribution of environmental costs and benefits. Consideration of legal techniques for giving effect to environmental policies will cover such matters as: property law, including private and common property rights, conservation covenants, heritage agreements; tort law; forward planning and the plan-making process; project control; environmental impact assessment; pollution control; self-regulatory measures; and issues of enforcement. Alternatives to legal regulation for the achievement of environmental policy will also be considered.

**LAWS4209 Issues in Intellectual Property SS Hpw 2 C3**

*Prerequisite:* The subject follows on from undergraduate studies of intellectual property and pursues in depth issues which assume an understanding of the bases of protection for ideas.

*Topics include:* Performers' rights, moral rights, the role of copyright in a technological society, administrative aspects of copyright, the operation of compulsory licensing schemes, patenting of biologically engineered 'inventions', protection of computer technology, counterfeiting, emerging trends in theories of the jurisdictional basis of protection of confidence.



**LAWS4219 Technology Transfer: SS Hpw 2 C3**  
**International Intellectual Property Transactions**

*Prerequisite: Undergraduate study in Intellectual Property or LAWS4209 Issues in Intellectual Property or equivalent.*

This subject examines the legal framework within which technologies are transferred between countries, emphasising the technology/development debate. There will be a focus on technology transfer between countries of the Asia-Pacific region (including China, Japan, Australia and the USA), and students will have the opportunity to concentrate on the technology transfer problems of one country in the region. Topics include: the role of technology transfer in economic development; the role of intellectual property in technology transfer; the patent system and international patent documentation; copyright, encouragement of indigenous creativity, and the free flow of information; trademarks and competition in developing countries; the functions and effects of international organisations (including WIPO, GATT and UNCTAD) and intellectual property conventions (e.g. renegotiation of the Paris Convention); the UNCTAD Draft Code for the International Transfer of Technology; export of dangerous technologies; biotechnology and the Third World; domestic controls on technology exports; the recognition and enforcement of foreign intellectual property under national laws; and comparisons with European regional developments (e.g. European Patent Office, EC directives). The drafting of international licence agreements is not covered in this course.

**LAWS4309 Corporate Control Transactions SS Hpw 2 C3**

*Prerequisite: LAWS4019 Business Associations 1 or equivalent.*

The subject explores the concept of corporate control through a study of the legal doctrines defining control and affecting its exercise, and of the regulation of transactions touching its acquisition and transfer. The Companies (Acquisition of Shares) Act is at the centre of this study. Other topics to be studied will be drawn from the following (although further topics may be added to reflect current developments): the allocation of control through consensual devices (shareholder agreements, voting trusts etc.); the exercise of control through shareholder meetings; disclosure of substantial shareholdings and beneficial ownership generally; defensive measures in contests for corporate control; structural changes arising from corporate mergers, reconstructions and buy-outs; control within unincorporated investment structures (with particular reference to unit trusts).

**LAWS4319 Securities Regulation SS Hpw 2 C3**

*Prerequisite: LAWS4010 Business Associations 1 or equivalent.*

The subject examines the structure and regulation of new issue and secondary markets for corporate securities and for related financial interests such as prescribed interests and futures contracts. Anticipated topics for study include the theory and development of securities markets; internationalisation of securities markets and its consequences; co-regulatory structure for Australian securities markets including securities commission and stock exchange powers over securities markets and related administrative law remedies; continuing corporate disclosure obligations; new issue regulation

including prospectus content, promotion and liabilities; offerings of prescribed interests; controls upon market manipulation and insider trading; securities market licensing; conduct of securities business; regulation of the futures industry.

**LAWS4329 Commercial Finance F Hpw 2 C6**

*Prerequisites: LAWS4010 Business Associations 1 and LAWS4380 Commercial Law B or equivalents.*

The subject examines law and practice concerning the provision of finance for commercial enterprise. The subject deals with central topics in commercial and corporate finance law by reference to the typical forms and processes of financing transactions. The subject adverts, where appropriate, to other legal doctrines (e.g. revenue law) and to extra-legal considerations affecting financing decisions and the documentation in which they are expressed. Topics to be studied will be drawn from the following (although other topics may be added to reflect current developments): the range of commercial financing instruments and considerations affecting the choice between them; banking regulation, law and practice as it affects commercial financing; the law regulating security interests including the nature and priority of company charges and debenture trust deeds; other aspects of debt finance including loan syndication, subordination, negative pledges and use of international debt markets; equity financing including preference capital, dividend and stapled stock arrangements, and repurchase and financial assistance problems; structural and financial considerations affecting non-corporate business forms such as joint ventures and trusts; relevant aspects of remedies in insolvent administration including receivership, liquidation schemes and official management.

**LAWS4409 Capital Gains Tax SS Hpw 2 C3**

*Prerequisite: LAWS4440 or equivalent.*

A critical analysis of the law and policy of tax on capital profits, including specific problems in the operation of the Capital Gains Tax provisions of Australian Income Tax Law.

*Topics include:* Ideal concept of income and common law departures. Basic objectives of Australian 'extended income base'; horizontal equity, economic neutrality and selective non-neutralities, conversion of income into capital, design problems for Capital Gains Tax, lock-in, inflation adjustment, rollovers, transition problems, principal residence. Failure of tax on speculative transactions, *Myer* test, new jobs of the capital/income dichotomy. Scope of the Tax. Chargeable disposals, transition problems, cost base, inflation adjustment and losses. Negative gearing and timing asymmetries. Capital Gains on trust and company. High gearing and the arbitraging of income into capital gain. Anti-avoidance measures.

**LAWS4419 International Taxation SS Hpw 2 C3**

*Prerequisite: LAWS4440 or equivalent.*

With the closing of many domestic tax loopholes, the deregulation and meshing of the Australia economy with the world economy, international tax has moved out of the esoteric domain and become part of day to day practice. Fundamental changes were introduced by the Foreign Tax Credit System and the 'controlled' Foreign Corporation measures. The Tax Office is in the process of strengthening its complex audit and

information gathering capacity to challenge many arrangements. These changes must be linked to existing law and the double tax treaties.

**Topics include:** Basic criteria for evaluation of international tax regimes; capital flow neutrality; structure of Australian law for taxation of foreign source income and non-residents. Transnational companies; mechanisms for shifting taxable income. Structure of double tax treaties. Source, Residence and Permanent Establishment Rules (including 'tie-breaker' rules in double tax treaties). Foreign tax credit system. Framework of US Double Tax Treaty and critical evaluation of its policy premises. Problems with US Treaty. Trusts, companies after imputation. Passive income; anti-avoidance provisions; jurisdictional limits, enforcement limits, shifting residence or source, information reporting, double dipping schemes, tax haven measures. Evaluation of Tax Office audit strategies.

**LAWS4429 Tax Procedure SS Hpw 22 C3**

**Prerequisite:** LAWS4440 *Elements of Income Tax Law or its equivalent.*

This subject examines the law governing the tax collection process and the practices which have evolved in the course of that process. **Topics include:** (1) Tax rule-making: balance between statutes, regulations and rulings. Drafting of tax legislation and modes of consultation. The legislative process (with comparative insights). The role of discretions in tax legislation. (2) Internal organisation of the tax office. Self-assessment and its monitoring. Complex audit, business audit, desk audit. Compliance strategies. (3) Information gathering powers of the tax administration and their limitations, including professional privilege and the privilege against self-incrimination. Powers of taxpayers to obtain information on the basis of assessments. (4) Review mechanisms for tax office decisions: the Administrative Appeals Tribunal and the Courts. Procedural rules. Presenting a tax case (Documents, application of rules of evidence, use of experts). (5) Negotiation. (6) Collection and recovery of tax. (7) Tax as an example of mass decision-making in the public sector.

**LAWS4609 Developing Computer Applications to Law A: Database, hypertext and communications technologies SS Hpw 2 C3**

The theory and practice of developing computer applications for use in the law, with an emphasising the use of database, text retrieval and hypertext techniques. The special requirements of legal materials are emphasised. Examples of the practical uses of each technology are demonstrated and considered critically, including litigation support systems, sentencing systems, land information systems and case and statute retrieval systems. **Topics include:** principles of free-text retrieval; deficiencies of existing retrieval techniques; 'interventionist' interfaces; principles of hypertext; 'conceptual' retrieval systems; measuring the performance of retrieval systems; electronic filing of documents and document exchange. Each student will design and implement a computer application in an area of law of the student's choice. The use of appropriate hypertext and text retrieval programs is taught during the course for this purpose. Familiarity with the use of a microcomputer and a word processing program is a pre-requisite, but a knowledge of programming is not required.

All classes take place in the Faculty Microcomputer Lab and enrolment is therefore limited to 25.

**LAWS4619 Developing Computer Applications to Law B: Knowledge-based technologies SS Hpw 2 C3**

The theory and practice of developing computer applications for use in the law, emphasising the use of 'knowledge-based' technologies such as expert systems (systems that give legal 'advice') and automated legal document generators. Systems in use in public administration and private practice will be demonstrated and discussed critically. **Topics include:** the nature of legal knowledge and reasoning and its capacity for computerised representation; relationship between formal logics, legal reasoning and expert systems; rule-based expert systems; non-deductive expert systems; special problems of statute-based and case-law representation and reasoning; principles of automated document generators; integrated legal information systems; implications for the delivery of legal services and the rule of law. Each student will design and implement a computer application in an area of law of the student's choice. The use of appropriate expert systems and document generation programs (or 'shells') is taught during the course for this purpose. Familiarity with the use of a microcomputer and a word processing program is a pre-requisite for both courses, but a knowledge of programming is not required. Legal Computer Applications Development (A) is not a pre-requisite for this course, but students who have not completed that course should seek advice before enrolling.

**LAWS4659 Data Surveillance and Information Privacy Law SS Hpw 2 C3**

Data surveillance, the techniques of social control through the use of information technology, is of increasing importance as a method of public and private administration. The subject analyses the uses and effectiveness of data surveillance techniques in such areas as tax and social security administration, prevention of credit and insurance fraud, direct marketing and criminal investigation. Techniques covered include screening and matching, and the use of expert systems. The practices and legal bases of documentary identification, on which data surveillance depends, are examined in relation to birth, death and marriage registers, the electoral roll, passports, drivers' licences, credit cards and other identification systems. The growing embodiment of data surveillance techniques in legislation as 'data surveillance law' is assessed. The perspective of the information systems discipline toward data surveillance techniques will supplement the legal approach.

Information privacy (or 'data protection') law aims to balance individual rights against the encroachments of data surveillance. The subject assesses the effectiveness of general law (e.g. breach of confidence) and such legislation as the *Privacy Act 1988* (C'wealth), privacy aspects of freedom of information laws, official secrets laws, credit reporting legislation and rehabilitation of offenders legislation, as responses to data surveillance techniques. The international development of data protection standards as a response to 'trans-border data flows' is considered. The *Privacy Act 1988*, (Cth) is examined in detail.

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The emphasis is on the surveillance and protection of individuals, but the effect on businesses will also be considered.

Each student will examine in depth the legality, use and effectiveness of data surveillance techniques, and the effects of data protection law, on one area of public administration or commercial practice, as a substantial part of the course assessment.

**LAWS6559 Research Thesis:** F C6  
**Two-session elective**

**LAWS6569 Research Thesis:** S1 C3  
**One-session elective**

**LAWS6579 Research Thesis:** S2 C3  
**One-session elective**

1. a clearly defined project is presented; a thesis topic may be approved initially or at some subsequent stage. 2. the student has an academic background in legal study sufficient to handle the subject matter of the thesis in an adequate manner. 3. adequate supervision is available; supervision may be conjoint but at least one supervisor must be a full-time member of academic staff.

The School of Law may approve a Research Thesis but in doing so may limit its approval to a one-session elective. A student who has received approval for a one-session elective may be given subsequent approval to have his or her project transferred to a two-session elective (90.655G). Similarly a student who has received approval for a two-session elective (90.655G) may be given retrospective approval for transfer to a one-session elective.

## Thesis

The thesis must be typed on A4 bond paper and two copies must be prepared in a cover (spring back folder or bound). References may appear at the foot of each page or at the end of each chapter. As a general rule the thesis shall be a maximum of 12,500 words for a one-session project or 25,000 words for a two-session project.

## Examination

Two examiners, one of whom may be the supervisor, shall be appointed for each thesis by the School of Law. The final date for submission of the thesis shall be the last day of session for which the candidate is registered for the thesis or such other date as the examiners may agree.

Examiners may require a candidate to attend an oral examination on the subject matter of the thesis; examiners may require a thesis to be re-submitted under such conditions as the examiners may determine.

**LAWS6829 Issues in Australian Social Security Law and Policy** SS Hpw 2 C3

This course examines the broad structure of the social security system in Australia and focuses in particular on its intersection with other areas of law. After outlining the form of Australian social security law and the range of benefits, pensions and allowances available under the *Social Security Act 1947* (Cth),

the course will focus particularly on two key areas: the relationship between social security entitlements and family law (eg support for families with dependent children; sole parent pensions and the Child Support Scheme), and the social security implications of compensation for injuries (both common law and statute). In addition, the course will examine the structures for reviewing decisions made under the *Social Security Act*.

**LAWS6919 Civil Liberties and the Law** SS Hpw 2 C3

It is generally thought that Australia is a democracy, a free Western society. Yet all too often the content of freedom and the idea of democracy are taken for granted. This course examines the requirements of freedom and democracy, and sets about assessing the extent to which Australian law is the guardian of civil liberties or its detractor. The concern of this course is with the treatment of Australian minorities: Aborigines, Communists, Seventh Day Adventists, women: with issues arising from the multicultural nature of Australian society; and with the exercise of personal freedom independent of constraints imposed by the state. Topics covered will include the constitutional protection of liberty; common law rights in theory and practice; voting rights and political freedom; freedom of the individual such as privacy, and public morality; and equality and economic rights.

**LAWS8009 Legal Reasoning** SS Hpw 2 C3

Legal reasoning and legal interpretation are activities central to legal practice. This subject examines such matters as the extent to which legal reasoning and legal interpretation can be explained as rational procedures and what it means here to justify an argument or an interpretation. These questions will be approached by way of a discussion of contemporary writings in philosophy of law and by a consideration of other related disciplines (for example hermeneutics and rhetoric). Among the theorists discussed will be R. Dworkin, S. Fish, R. Alexy, Ch. Perelman, H.G. Gadamer and P. Goodrich.

**LAWS8019 Law, Language and Power** SS Hpw 2 C3

An examination of the relationship between law, language and power as considered in a number of differing theoretical approaches including those of H.L.A. Hart, Ronald Dworkin and the Critical Legal Studies movement.

Topics include: (1) historical survey of philosophic approaches to language and interpretation, classical rhetoric; (2) the legacy of linguistic positivism, especially the legal formalism of Kelsen and the legal subjectivism of Hart; (3) law as social discourse, a language of power: Foucault; (4) power and knowledge, law as discipline; (5) the construction of meaning in law, the search for a theory of interpretation, Dworkin and his critics; (6) law as a social and political discourse.

**LAWS8029 Law and the Social Sciences A:SS Hpw 2 C3  
Law and Economics**

An examination of the law and its institutions, techniques and purposes through the application of the concepts and methodology of economic theory. The economic approach to law has had a major influence in the USA and is also establishing itself in other countries. Law and legal institutions affect the allocation and distribution of resources. Without presupposition of any particular political or ideological

perspective, the theoretical and empirical methods of economics can illuminate the nature of law.

The subject will aim to introduce students to selected economic techniques and concepts and to provide an awareness of the range of legal subject matter susceptible to economic analysis.

**LAWS8039 Law and the Social Sciences B: Law and Politics** **SS Hpw 2 C3**

A thematically focussed investigation of the relationships between law and political power. The course will investigate the major ways in which law and politics interact. The approach will be comparative and will draw upon a range of contemporary and historical case-studies. Three approaches especially will be discussed: (1) Law as an instrument of power; (2) Law as a means of legitimising power; (3) Law as a restraint on power.

**LAWS8439 Modern Civil Law Systems: An Historical and Substantive Introduction to Roman-Dutch Law.** **SS Hpw 2 C3**

The crux of this course is that Roman-Dutch Law is an important anchor for understanding modern legal systems - the 'why' and 'how' of lawmaking. The historical segment discusses the Reception of Roman Law, with special reference to Holland and the Dutch colonies. The substantive law focuses on (a) areas in which Roman-Dutch Law differs significantly from Common Law, such as family law, property and some basic notions of contracts and torts, and (b) areas which are substantially similar to Common Law, such as partnership, agency, negligence, defamation.

**LAWS8449 Modern Civil Law Systems: An Historical and Substantive Introduction to French and German Law.** **SS Hpw 2 C3**

The course serves as a springboard for approaching the law of the European Community (EC). The focus of the course is on the French Civil Code and the German Civil Lawbook. The history of the French Civil Code is traced through the early law schools, the early codes, resistance to Roman law, royal legislation, and the introduction of the Civil Code. The substantive law focusses on contracts and torts. The history of the German Civil Lawbook is traced through the scholarly schools, culminating in the pandecists, resistance to Roman law, and the introduction of the Civil Lawbook. Some attention is given to the role of the Civil Law in European Socialist Systems.

**LAWS8459 Pacific Legal Systems** **SS Hpw 2 C3**

An introduction to the emerging legal systems of the Pacific Islands states, including issues of constitutional development, the recognition and application of customary law, modern and traditional legal institutions, land tenure regimes, personal law, and the legal recognition of economic activity, such as international trade, foreign investment and national resources projects. In addition to surveying the position of particular states, there will also be consideration of the nature and role of regional organisations, such as the South Pacific Forum and the Forum Fishing Agency.

**LAWS8469 Asian Legal Systems** **SS Hpw 2 C3**

An introduction to the major features of the legal systems of East Asia, especially Japan and the People's Republic of China. The modernisation of law will be considered against the background of the culture, history and social organisation of those states. Particular issues include the nature and role of the legal profession, processes of dispute resolution (inside and outside of the court systems), notions of contract and property law, and regulation of economic activity. Knowledge of an Asian language is not required - all instructional materials are in English.

**LAWS8479 Islamic Law** **SS Hpw 2 C3**

Islamic Law is one of the well-known legal systems of the world. Australia has important cultural and trade relations with a number of Asian countries where Islamic Law is in operation in one form or another. The subject will be taught from a comparative point of view of the common law principles. Topics include: sources of Islamic Law, family law, women's rights, wakf (trust) and gift, succession, crime and punishment, commercial law, finance and banking law without interest, international law, human rights and law reforms.

**LAWS 9019 Commercial Litigation** **SS Hpw2 C3**

This course examines the basis upon which the enforcement of supposed contractual obligations might be resisted in terms of principle evidence and the strategy and tactics of litigation. Topics include the rules of common law, equity, statutory obligations; contract law, including validity, enforceability, variation, abandonment, replacement, frustration, misrepresentation, duress and mistake, estoppel, election, waiver, penalties and forfeitures. In addition, implied contracts and implied terms, whether by law, custom or usage will be examined, as well as rectification of contracts, and the consequences of defective performance by a plaintiff.



Graduate Study

# Conditions for the Award of Higher Degrees

Rules, regulations and conditions for the award of *first degrees* are set out in the appropriate **Faculty Handbooks**.

For the list of undergraduate courses and degrees offered see Table of Courses by Faculty (Undergraduate Study) in the Calendar

The following is the list of *higher degrees, graduate diplomas and graduate certificates* of the University, together with the publication in which the conditions for the award appear.

For the list of graduate degrees by research and course work, arranged in faculty order, see **Table of Courses (by faculty): Graduate Study** in the Calendar.

For the statements Preparation and Submission of Project Reports *and* Theses for Higher Degrees *and* Policy with respect to the Use of Higher Degree Theses **see later in this section**.

## First Degrees

## Higher Degrees

Title	Abbreviation	Calendar/Handbook
Doctor of Science	DSc	Calendar
Doctor of Letters	DLitt	Calendar
Doctor of Laws	LLD	Calendar
Doctor of Medicine	MD	Medicine
Doctor of Philosophy	PhD	Calendar and all handbooks
Master of Applied Science	MAppSc	Applied Science
Master of Architectural Design	MArchDes	Architecture
Master of Architecture	MArch	Architecture
Master of Archives Administration	MArchivAdmin	Professional Studies
Master of Art	MArt	College of Fine Arts
Master of Arts Administration	MArtAdmin	College of Fine Arts
Master of Art Education	MArtEd	College of Fine Arts
Master of Arts	MA	Arts and Social Sciences University College
Master of Art Theory	MArtTh	College of Fine Arts

## Higher Degrees

Higher Degrees  
(continued)

Title	Abbreviation	Calendar/Handbook
Master of Biomedical Engineering	MBiomedE	Engineering
Master of Building	MBuild	Architecture
Master of the Built Environment	MBEnv	Architecture
Master of the Built Environment (Building Conservation)	MBEnv	Architecture
Master of Business Administration	MBA	AGSM
Master of Chemistry	MChem	Science*
Master of Clinical Education	MClinEd	Medicine
Master of Cognitive Science	MCogSc	Arts and Social Sciences
Master of Commerce (Honours)	MCom(Hons)	Commerce and Economics
Master of Commerce	MCom	Commerce and Economics
Master of Community Health	MCH	Medicine
Master of Computer Science	MCompSc	Engineering
Master of Construction Management	MConstMgt	Architecture
Master of Education	MEd	Professional Studies
Master of Education (Creative Arts)	MEd(CA)	Professional Studies
Master of Educational Administration	MEdAdmin	Professional Studies
Master of Engineering	ME	Applied Science Engineering University College
Master of Engineering <i>without supervision</i>	ME	Applied Science Engineering
Master of Engineering Science	MEngSc	Engineering Applied Science University College
Master of Environmental Studies	MEnvStudies	Applied Science
Master of Fine Arts	MFA	College of Fine Arts
Master of Health Administration	MHA	Professional Studies
Master of Health Personnel Education	MHPed	Medicine
Master of Health Planning	MHP	Professional Studies
Master of Higher Education	MHEd	Professional Studies
Master of Industrial Design	MID	Architecture
Master of Information Science	MInfSc	Engineering
Master of Landscape Architecture	MLArch	Architecture
Master of Landscape Planning	MLP	Architecture
Master of Laws	LLM	Law
Master of Librarianship	MLib	Professional Studies
Master of Management Economics	MMgtEc	University College
Master of Mathematics	MMath	Science*
Master of Music	MMus	Arts and Social Science
Master of Nursing Administration	MNA	Professional Studies
Master of Optometry	MOptom	Science*
Master of Paediatrics	MPaed	Medicine
Master of Physics	MPhysics	Science*
Master of Project Management	MPM	Architecture
Master of Public Health	MPH	Medicine Professional Studies

<b>Title</b>	<b>Abbreviation</b>	<b>Calender/Handbook</b>	<b>Higher Degrees (continued)</b>
Master of Psychology (Applied)	MPsychol	Science†	<b>Higher Degrees (continued)</b>
Master of Psychology (Clinical)	MPsychol	Science†	
Master of Psychotherapy	MPsychotherapy	Medicine	
Master of Safety Science	MSafetySc	Applied Science	
Master of Science	MSc	Applied Science Architecture Engineering Medicine Science*† University College	
Master of Science <i>without supervision</i>	MSc	Applied Science Architecture Engineering	
Master of Science (Acoustics)	MSc(Acoustics)	Architecture	
Master of Science (Industrial Design)	MSc(IndDes)	Architecture	
Master of Science and Society	MScSoc	Arts and Social Sciences	
Master of Social Work	MSW	Professional Studies	
Master of Sports Science	MSpSc	Professional Studies	
Master of Statistics	MStats	Science*	
Master of Surgery	MS	Medicine	
Master of Surveying	MSurv	Engineering	
Master of Surveying <i>without supervision</i>	MSurv	Engineering	
Master of Surveying Science	MSurvSc	Engineering	
Master of Town Planning	MTP	Architecture	
Master of Welfare Studies and Practice	MWSP	Professional Studies	
Graduate Diploma	GradDip	Applied Science Architecture Arts and Social Sciences Engineering Science*† Medicine	<b>Graduate Diploma</b>
	DipClinEd	Medicine	
	DipPaed	Medicine	
	DipEd	Professional Studies	
	DipHEd		
	DipIM-ArchivAdmin		
	DipIM-Lib		
	DipFDA	Science*	
Graduate Certificate	GradCertPhilT GradCertHEd	Arts and Social Sciences Professional Studies	<b>Graduate Certificate</b>

\*Faculty of Science.

†Faculty of Biological and Behavioural Sciences.

- 1.The degree of Doctor of Philosophy may be awarded by the Council on the recommendation of the Higher Degree Committee of the appropriate faculty or board (hereinafter referred to as the Committee) to a candidate who has made an original and significant contribution to knowledge.
- 2.(1)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 Committee.

**Higher Degrees  
Doctor of Philosophy  
(PhD)**

**Qualifications**



- (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 as a candidate for the degree.
- Enrolment**
- 3.(1) An application to enrol as a candidate for the degree shall be lodged with the Registrar at least one month prior to the date at which enrolment is to begin.
- (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 either as a full-time or a part-time student.
- (4) A full-time candidate will present the thesis for examination no earlier than three years and no later than five years from the date of enrolment and a part-time candidate will present the thesis for examination no earlier than four years and no later than six years from the date of enrolment, except with the approval of the Committee.
- (5) The candidate may undertake the research as an internal student i.e. at a campus, teaching hospital, 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.
- (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 report from the School in accordance with the procedures established within the School and previously noted by the Committee.\*\*
- (i) The research proposal will be reviewed as soon as feasible after enrolment. For a full-time student this will normally be during the first year of study, or immediately following a period of prescribed coursework. This review will focus on the viability of the research proposal.
- (ii) Progress in the course will be reviewed within twelve months of the first review. As a result of either review the Committee may cancel enrolment or take such other action as it considers appropriate. Thereafter, the progress of the candidate will be reviewed annually.
- Thesis**
- 5.(1) On completing the program of study a candidate shall submit a thesis embodying the results of the investigation.
- (2) The candidate shall give in writing to the Registrar two months notice of intention to submit the thesis.
- (3) The thesis shall comply with the following requirements:
- (a) it must be an original and significant contribution to knowledge of the subject;
- (b) the greater proportion of the work described must have been completed subsequent to enrolment for the degree;
- (c) it must be written in English except that a candidate in the Faculty of Arts may be required by the Committee to write a thesis in an appropriate foreign language;
- (d) it must reach a satisfactory standard of expression and presentation;

\*'School' is used here and elsewhere in these conditions to mean any teaching unit authorised to enrol research students and includes a department where that department is not within a school, a centre given approval by the Academic Board to enrol students, and an interdisciplinary unit within a faculty and under the control of the Dean of the Faculty. Enrolment is permitted in more than one such teaching unit.

(e) it must consist of an account of the candidate's own research but 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) The candidate may not submit as the main content of the thesis any work or material which has previously been submitted for a university degree or other similar award but may submit any work previously published whether or not such work is related to the thesis.

(5) 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.

(6) It shall be understood that the University retains the four 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.

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.

Examination

(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 one of the following:

(a) The thesis merits the award of the degree.

(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.

(c) The thesis requires further work on matters detailed in my report. Should performance in this further work be to the satisfaction of the higher degree Committee, the thesis would merit the award of the degree.

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

(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.

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

Fees

1. The degree of Master of Laws by research may be awarded by the Council on the recommendation of the Higher Degree 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.

**Master of Laws  
(LLM)**

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 Committee.

Qualifications

(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.

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 at least one calendar month before the commencement of the session in which enrolment is to begin.

Enrolment and  
Progression

(2) In every case, before permitting a candidate to enrol, the Head of the School of Law (hereinafter referred to as the head of the school) shall be satisfied that adequate supervision and facilities are available.

(3) An approved candidate shall be enrolled in one of the following categories:

- (a) full-time attendance at the University;
- (b) part-time attendance at the University;
- (c) external - not in regular attendance at the University and using research facilities external to the University.

(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 work shall be carried out under the direction of a supervisor appointed from the full-time members of the University staff.

(6) Full-time and part-time (or external) candidates for the degree shall submit, within one or two sessions 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 head of the school, 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 sessions in the case of a full-time candidate or four academic sessions in the case of a part-time or external candidate from the date of enrolment. In the case of a candidate who has been awarded the degree of Bachelor with Honours or the equivalent of Honours or who has had previous research experience the Committee may approve remission of up to one session for a full-time candidate and two sessions for a part-time or external candidate.

(8) A full-time candidate for the degree shall present for examination not later than six academic sessions from the date of enrolment. A part-time or external candidate for the degree shall present for examination not later than ten academic sessions from the date of enrolment. In special cases an extension of these times may be granted by the Committee.

#### Thesis

4. (1) On completing the program of study a candidate shall submit a thesis embodying the results of the original investigation.

(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 Academic Board on the recommendation of 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 candidate be awarded the degree without further examination; or
- (b) the candidate be awarded the degree without further examination subject to minor corrections as listed being made to the satisfaction of the head of the school; or
- (c) the candidate be awarded the degree subject to a further examination on questions posed in the report, performance in this further examination being to the satisfaction of the Committee; or
- (d) the candidate be not awarded the degree but be permitted to resubmit the thesis in a revised form after a further period of study and/or research; or
- (e) the candidate be not awarded the degree and be not permitted to resubmit the thesis.

(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.

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

Fees

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

**Master of Laws  
by Course Work (LLM)**

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 Higher Degree Committee of the Faculty of Law (hereinafter referred to as the Committee).

Qualifications

(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.

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 at least two calendar months before the commencement of the session in which enrolment is to begin.

Enrolment  
and Progression

(2) A candidate for the degree shall be required to undertake such formal subjects 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 sessions from the date of enrolment in the case of a full-time candidate or four sessions in the case of a part-time candidate. The maximum period of candidature shall be four academic sessions from the date of enrolment for a full-time candidate and six sessions for a part-time candidate. In special cases an extension of these times may be granted by the Committee.

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

Fees



# Scholarships and Prizes

The scholarships and prizes listed below are available to students whose courses are listed in this book. Each faculty handbook contains in its **Scholarships and Prizes** section the scholarships and prizes available with that faculty. The **General Information** section of the Calendar contains a comprehensive list of scholarships and prizes offered throughout the University.

## Scholarships

### Undergraduate Scholarships

Listed below is an outline only of a number of scholarships available to students. Full information may be obtained from the Student Centre located on the Lower Ground Floor of the Chancellery.

Unless otherwise indicated in footnotes, applications for the following scholarships should be made to the Registrar and Deputy Principal by 14 January each year. Please note that not all of these awards are available every year.

Donor	Value	Year/s of Tenure	Conditions
<b>General</b>			
Australian Development Cooperation Scholarship	Tuition fees only	1992 and 1993 only	Applicants must complete their studies by the end of the 1993 academic year. Scholarships may only be offered in 1992. Only students from specified countries and in certain fields of study can apply. Applications from the Student Centre. The closing date is well before 1 October 1991.
Equity and Merit Scholarship Scheme	Tuition fees. Some students may be eligible for air fares and a stipend.	Determined by normal course duration	Information should be obtained from Australian Diplomatic Posts. Conditions and entitlements vary depending on the home country.
Sam Cracknell Memorial	Up to \$3000 pa payable in fortnightly instalments	1 year	Prior completion of at least 2 years of a degree or diploma course and enrolment in a full-time course during the year of application; academic merit; participation in sport both directly and administratively; and financial need.

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**Undergraduate Scholarships (continued )**


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Donor	Value	Year/s of Tenure	Conditions
<b>General (continued)</b>			
Girls Realm Guild	Up to \$1500 pa	1 year with the prospect of renewal subject to satisfactory progress and continued demonstration of need	Available only to female students under 35 years of age who are permanent residents of Australia enrolling in any year of a full-time undergraduate course on the basis of academic merit and financial need.
W.S. and L.B. Robinson*	Up to \$6500 pa	1 year renewable for the duration of the course subject to satisfactory progress	Available only to students who have completed their schooling in Broken Hill or whose parents reside in Broken Hill; for a course related to the mining industry. Includes courses in mining engineering, geology, electrical and mechanical engineering, metallurgical process engineering, chemical engineering and science.
Alumni Association	Up to \$1500 pa	1 year with the possibility of renewal	Available to students enrolled in any year of a full-time course. Candidates must be the children of Alumni of the University of NSW and may be either permanent residents of Australia or overseas students.
Sporting Scholarships	\$2000 pa	1 year with possibility of renewal	Available to students who are accepted into a course of at least two years duration. Prospective applicants should have an outstanding ability in a particular sport and are expected to be an active member of a UNSW Sports Club. Apply directly to Sport and Recreation Section, PO Box 1, Kensington 2033.

\*Applications close 30 September each year. Apply directly to PO Box 460 Broken Hill NSW 2880

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**Law**

John W. Kirkwood Memorial	Up to \$500	1 year	Enrolment in Faculty of Law. Selection based on academic merit and financial need.
Westgarth Middletons	\$1000	1 year	Permanent residence in Australia. Full-time law students. Selection based on financial need and academic merit.
Clayton Utz	\$1500	1 year	Permanent residence in Australia for a second and later year students
Coudert Bros	\$1200	1 year	Permanent residence in Australia for student enrolled in a Law degree course
Phillips Fox (Achievement)	\$1000	1 year	
Phillips Fox	\$1500	1 year	
Tress Cocks and Maddox	\$1500	1 year	

## Graduate Scholarships

Application forms and further information are available from the Student Centre, located on the Ground Floor of the Chancellery unless an alternative contact address is provided. Information is also available on additional scholarships which may become available from time to time, mainly from funds provided by organizations sponsoring research projects.

The following publications may also be of assistance: 1. *Awards for Postgraduate Study in Australia and Awards for Postgraduate Study Overseas*, published by the Graduate Careers Council of Australia. PO Box 28, Parkville, Victoria 3052;\* 2. *Study Abroad*, published by UNESCO;\* 3. *Scholarships Guide for Commonwealth Postgraduate Students*, published by the Association of Commonwealth Universities.\*

Details of overseas awards and exchanges administered by the Department of Employment, Education and Training can be obtained from: Awards and Exchanges Section, Department of Employment, Education and Training, PO Box 826, Woden, ACT 2606.

Where possible, the scholarships are listed in order of faculty.

\*Available for reference in the University Library.

Donor	Value	Year/s of Tenure	Conditions
<b>General</b>			
University Postgraduate Research Scholarships	Living allowance of \$13,504 pa. Other allowances may also be paid. Tax free.		Applicants must be honours graduates or equivalent. A limited number of scholarships are offered subject to the availability of funds. Information should be obtained from the Faculty office.
Australian Postgraduate Research Awards	\$13,504 to \$17,427		Applicants must be honours graduates or equivalent or scholars who will graduate with honours in current academic year, and who are domiciled in Australia. Applications to Registrar by 31 October.
Australian Postgraduate Course Awards	Living allowance of \$10,903 pa. Other allowances may also be paid. Tax free.	1-2 years; minimum duration of course	Applicants must be graduates or scholars who will graduate in current academic year, and who have not previously held a Commonwealth Postgraduate Award. Applicants must be domiciled in Australia. Preference is given to applicants with employment experience. Applications to the Registrar by 28 September.
Australian Development Cooperation Scholarship	Tuition fees only	1992 and 1993 only	Applicants must complete their studies by the end of the 1993 academic year. Scholarships may only be offered in 1992. Only students from specified countries and in certain fields of study can apply. Applications from the Student Centre. The closing date is well before 1 October 1991.
Equity and Merit Scholarship Scheme	Tuition fees. Some students may be eligible for air fares and a stipend.	Determined by normal course duration	Information should be obtained from Australian Diplomatic Posts. Conditions and entitlements vary depending on the home country.
Overseas Postgraduate Research Scholarships	Tuition fees only	2 years for a Masters and 3 years for a PhD degree	Eligibility is confined to postgraduate research students who are citizens of overseas countries excluding citizens of countries which are covered by the Equity and Merit Scholarship Scheme (EMSS). Applications to the Registrar by 28 September.



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**Graduate Scholarships (continued)**


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Donor	Value	Year/s of Tenure	Conditions
<b>General (continued)</b>			
<b>Special Overseas Postgraduate Fund</b>	Tuition fees only	1 year for a Post-graduate Diploma, 2 years for Masters degree and 3 years for Doctorate	Eligibility is confined to postgraduate students who are citizens of overseas countries excluding citizens of countries which are covered by the Equity and Merit Scholarship Scheme (EMSS). Applications to the Registrar by 28 September.
<b>Australian American Educational Foundation Fulbright Award</b>	Travel expenses and \$A2000 as establishment allowance	1 year, renewable	Applicants must be graduates who are domiciled in Australia and wish to undertake research or study for a higher degree in America. Applications close 30 September with The Secretary, DEET, AAEF Travel Grants, PO Box 826, Woden, ACT 2606.
<b>Australian Federation of University Women</b>	Amount varies, depending on award	Up to 1 year	Applicants must be female graduates who are members of the Australian Federation of University Women
<b>Commonwealth Scholarship and Fellowship Plan</b>	Varies for each country. Generally covers travel, living, tuition fees, books and equipment, approved medical expenses. Marriage allowance may be payable.	Usually 2 years, sometimes 3	Applicants must be graduates who are Australian citizens and who are not older than 35 years of age. Tenable in Commonwealth countries other than Australia. Applications close with the Registrar in September or October each year.
<b>The English-Speaking Union (NSW Branch)</b>	\$7000	1 year	Applicants must be residents of NSW or ACT. Awarded to young graduates to further their studies outside Australia. Applications close mid-April with The Secretary, Ground Floor, Sydney School of Arts, 275c Pitt Street, Sydney, NSW 2000.
<b>Frank Knox Memorial Fellowships tenable at Harvard University</b>	Stipend of \$US7000 pa plus tuition fees	1, sometimes 2 years	Applicants must be British subjects and Australian citizens, who are graduates or near graduates of an Australian university. Applications close with the Academic Registrar mid October.
<b>Robert Gordon Menzies Scholarship to Harvard</b>	Up to \$US 15,000	1 year	Tenable at Harvard University. Applicants must be Australian citizens and graduates of an Australian tertiary institution. Applications close 31 December with the Registrar, A.N.U., GPO Box 4, Canberra, ACT 2601
<b>Gowrie Scholarship Trust Fund</b>	\$6000 pa. Under special circumstances this may be increased.	2 years	Applicants must be members of the Forces or children of members of the Forces who were on active service during the 1939-45 War. Applications close with the Academic Registrar by 31 October.
<b>Harkness Fellowships of the Commonwealth Fund of New York</b>	Living and travel allowances, tuition and research expenses, health insurance, book and equipment and other allowances for travel and study in the USA	12 to 21 months	Candidates must be Australian citizens and 1. Either members of the Commonwealth or a State Public Service or semi-government Authority. 2. Either staff or graduate students at an Australian university. 3. Individuals recommended for nomination by the Local Correspondents. The candidate will usually have an honours degree or equivalent, or an outstanding record of achievement, and be not more than 36 years of age. Applications

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**Graduate Scholarships (continued)**


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Donor	Value	Year/s of Tenure	Conditions
<b>General (continued)</b>			
Harkness Fellowship (continued)			close 29 August with the Academic Registrar. Forms available from Mr J Larkin, Bureau of Agriculture and Resource Economics, GPO Box 1563, Canberra, ACT 2601.
The Packer, Shell and Barclays Scholarships to Cambridge University	Living and travel allowances, tuition expenses	1-3 years	Applicants must be Australian citizens who are honours graduates or equivalent, and under 26 years of age. Applications close 15 October with The Secretary, Cambridge Commonwealth Trust, PO Box 252, Cambridge CB2 1TZ, England.
The Rhodes Scholarship to Oxford University	Approximately £4862 stg pa	2 years, may be extended for a third year.	Unmarried Australian citizens aged between 19 and 25 who have an honours degree or equivalent. Applications close in August each year with The Secretary, University of Sydney, NSW 2006.

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**Arts and Social Sciences, Commerce and Economics, Law**

Shell Scholarship in Arts	Adequate funds for living allowance, tuition and travel expenses	2 years, sometimes 3	Applicants must be Australian citizens, under 25 years of age, with at least 5 years domicile in Australia and who are completing a full-time course in law or a full-time honours course leading to the award of the degree of Bachelor of Arts or Commerce. The successful candidate will attend a British university to pursue a higher degree. Applications close 30 September with Shell Australia, 140 Phillip Street, Sydney, NSW 2000.
Sir Robert Menzies Memorial Scholarships in Law and Medicine	Tuition fees and allowances for living, travel and equipment expenses	1-2 years	Applicants must be between 21 and 35 years of age and domiciled in Australia. Tenable at universities in the United Kingdom. Applications close 31 August with Sir Robert Menzies Memorial Trust, 210 Clarendon Street, East Melbourne, Vic 3002.
Lionel Murphy Australian Postgraduate Bicentennial Scholarship	\$12,500 pa	1 year normally	Applicants must be Australian citizens undertaking a postgraduate degree in Law, Science Law, legal studies or other appropriate discipline at an Australian tertiary institution. Applications close 30 November with Lionel Murphy Foundation, GPO Box 4545 Sydney, NSW 2001.

## Prizes

### Undergraduate University Prizes

The following table summarizes the undergraduate prizes awarded by the University. Prizes which are not specific to any School are listed under General. All other prizes are listed under the Faculty or Schools in which they are awarded.

Information regarding the establishment of new prizes may be obtained from the Examinations Section located on the Ground Floor or the Chancellery.

Donor/Name of Prize	Value \$	Awarded for
<b>General</b>		
The Sydney Technical College Union Award	\$400.00 and Bronze Medal	Leadership in student affairs combined with marked academic proficiency by a graduand
The University of New South Wales Alumni Association Prize	Statuette	Achievement for community benefit by a student in the final or graduating year
<b>Faculty of Law</b>		
The Allen, Allen and Hemsley Prize	\$200.00	The best performance in LAWS2240 Mining Law
The AMPLA Prize	\$500.00	The best performance in LAWS2240 Mining Law in the Bachelor of Laws degree course
The Blake Dawson Waldron Prize	\$275.00	The best performance in LAWS3010 Property and Equity
The Corporate Affairs Commission Prize	\$100.00	The best performance in LAWS4010 Business Associations 1
The Corrs Prize for Computers and the Law	\$500.00	The best overall result in LAWS4610 Computers and the Law
The Corrs Prize in Advanced Revenue Law	\$500.00	The best overall result in LAWS4450 Advanced Revenue Law
The Dibbs, Crowther and Osborne Prize in Commercial Law B	\$150.00	The best performance in LAWS4380 Commercial Law B by a student in the Bachelor of Laws degree course
The Dunhill Madden Butler Prize For Insurance Law	\$250.00	The best overall result in LAWS4610 Information Systems Law
The Freehill, Hollingdale and Page Prize	\$100.00	The best performance in LAWS4440 Elements of Income Tax Law
The Freehill, Hollingdale and Page Prize	\$100.00	The best performance in LAWS4020 Business Associations 2
The Freehill, Hollingdale and Page Prize	\$150.00	Best research essay in the subject LAWS3410 Environmental Law in the Bachelor of Laws degree course
The Julius Stone Prize for Law and Social Theory	\$75.00	The best performance in LAWS8820 Law and Social Theory
The Julius Stone Prize for Legal Theory	\$75.00	The best performance in LAWS8320 Legal Theory
The Law Book Company Prize for Criminal Law	Books to the value of \$100.00	The best performance in LAWS1610 Criminal Law
The Law Society of New South Wales Prize	\$100.00	The best performance in LAWS3210 Conveyancing and Land Transactions
The Mallesons Stephen Jaques Prize in Communications Law	\$200.00	The best performance in LAWS2230 Communications Law
The Mallesons Stephen Jaques Prize in Administrative Law	\$200.00	The best performance in LAWS2160 Administrative Law
The Mallesons Stephen Jaques Prize in Commercial Law A	\$300.00	The best overall result in LAWS4370 Commercial Law A
The Mallesons Stephen Jaques Prize in Banking Law	\$300.00	The best performance in LAWS4800 The Law of Banking
The Michael Pandelis Award	\$500.00	The most significant contribution to the Life of the Law School
The New South Wales Bar Association Prize for Advocacy	\$100.00	The best performance in the Examination-in-Chief/ Cross Examination competition
The New South Wales Bar Association Prize for Litigation	\$100.00	The best performance in LAWS1010 Litigation

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**Undergraduate University Prizes (continued)**


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Donor/Name of Prize	Value \$	Awarded for
<b>Faculty of Law (continued)</b>		
The Sir Alan Taylor Prize	\$75.00	The best performance in LAWS1120 Legal System-Torts by a student who does not already hold a degree and who is proceeding to the award of the degree of Bachelor of Laws or Bachelor of Jurisprudence
The Sir Alan Taylor Prize	\$75.00	The best performance in LAWS1120 Legal System-Torts by a student who is already holding a degree and who is proceeding towards the award of the degree of Bachelor of Laws or Bachelor of Jurisprudence
The Sir Kevin Ellis Prize	\$1600.00	The best performance by a student in the combined Bachelor of Commerce and Bachelor of Laws degree courses
The Spruson and Ferguson Prize	\$200.00	The best performance in LAWS4240 Industrial and Intellectual Property
The UNSW Human Rights Essay Prize	\$400.00	The best honours thesis or research essay on a Human Rights topic by a student proceeding to the award of a Bachelor degree

# The University of New South Wales Kensington Campus

## Theatres

Biomedical Theatres E27  
 Central Lecture Block E19  
 Chemistry Theatres (Dwyer, Mellor, Murphy, Nyholm, Smith) E12  
 Classroom Block (Western Grounds) H3  
 Fig Tree Theatre B14  
 Jo Myers Studio D9  
 Keith Burrows Theatre J14  
 Mathews Theatres D23  
 Parade Theatre E3  
 Physics Theatre (Main Building) K14  
 Rex Vowels Theatre F17  
 Science Theatre F13  
 Sir John Clancy Auditorium C24

## Buildings

Barker Street Gatehouse N11  
 Bassett College (Kensington) C18  
 Central Store B13  
 Chancellery C22  
 Dalton (Chemistry) F12  
 Goldstein College (Kensington) D16  
 Golf House A27  
 Gymnasium B5  
 International House C6  
 John Goodsell (Commerce and Economics) F20  
 Kensington Colleges (Office) C17  
 Library (University) E21  
 Link B6  
 Maintenance Workshop B13  
 Mathews F23  
 Menzies Library E21  
 Morven Brown (Arts) C20  
 New College L5  
 Newton J12  
 NIDA D2  
 Parking Station H25  
 Philip Baxter College (Kensington) D14  
 Robert Heffron (Chemistry) E12  
 Sam Cracknell Pavilion H8  
 Samuels Building F26  
 Shalom College N9  
 Sir Robert Webster G14  
 Unisearch House L5

University Regiment J2  
 University Union (Roundhouse) E6  
 University Union (Blockhouse) G6  
 University Union (Squarehouse) E4  
 Wallace Wurth School of Medicine C27  
 Warrane College M7

## General

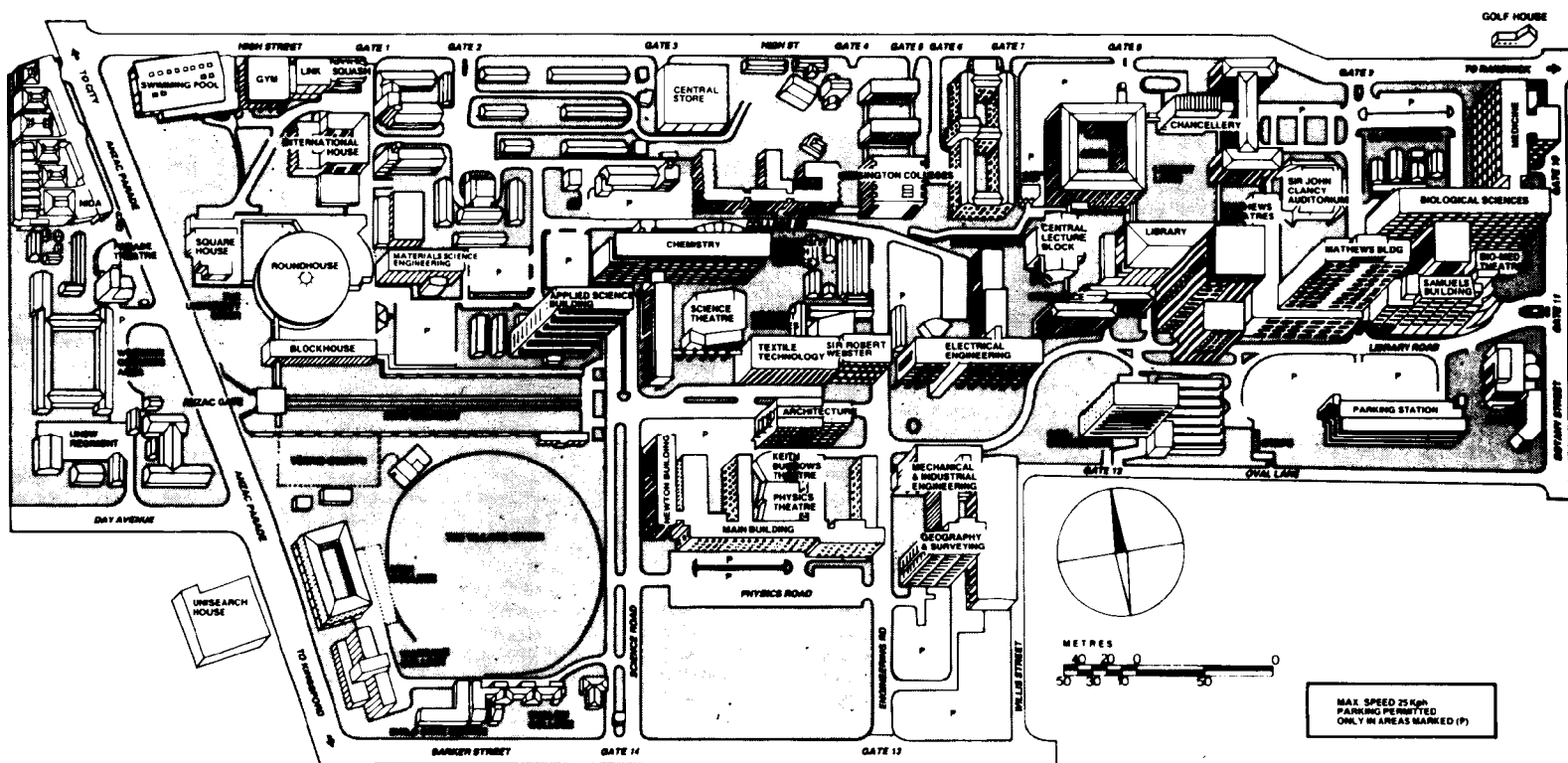
Aboriginal Student Centre  
 47 Botany St, Randwick  
 Accommodation (off-campus) F15  
 Accounting F20  
 Admissions C22  
 Adviser for Prospective Students C22  
 Anatomy C27  
 Applied Bioscience D26  
 Applied Economic Research G14  
 Applied Geology F10  
 Applied Science (Faculty Office) F10  
 Architecture (Faculty Office) H14  
 Archives, University E21  
 Arts and Social Sciences (Faculty Office) C20  
 Asia-Australia Institute  
 34 Botany St, Randwick  
 Audio Visual Unit F20  
 Australian Graduate School of Management G27  
 Banking and Finance F20  
 Biochemistry and Molecular Genetics D26  
 Biological and Behavioural Sciences (Faculty Office) D26  
 Biomedical Engineering F26  
 Biomedical Library F23  
 Biotechnology F26  
 Cashier's Office C22  
 Chaplains E15  
 Chemical Engineering and Industrial Chemistry F10  
 Chemistry E12  
 Civil Engineering H20  
 Co-op Bookshop G17  
 Commerce and Economics (Faculty Office) F20  
 Communications Law Centre C15  
 Community Medicine D26  
 Computer Science and Engineering G17

Computing Services Department F26  
 Cornea and Contact Lens Research Unit  
 22-32 King St, Randwick  
 Counselling and Careers/Loans F15  
 Economics F20  
 Education Studies G2  
 Educational Testing Centre E15D  
 Electrical Engineering G17  
 Energy Research, Development & Information Centre F10  
 Engineering (Faculty Office) K17  
 English C20  
 Examinations C22  
 Fees Office C22  
 Fibre Science and Technology G14  
 Food Science and Technology B8  
 French C20  
 Geography K17  
 German and Russian Studies C20  
 Graduate Office and Alumni Centre E4  
 Graduate School of the Built Environment H14  
 Groundwater Management and Hydrogeology F10  
 Health Service, University E15  
 Health Services Management C22  
 History C20  
 House at Pooh Corner (Child Care) N8  
 Industrial Design G14  
 Industrial Relations and Organizational Behaviour F20  
 Information Systems F20  
 Institute of Languages  
 14 Francis St, Randwick  
 International Student Centre F16  
 IPACE F23  
 Japanese Economic and Management Studies F20  
 Kanga's House (Child Care) O14  
 Landscape Architecture K15  
 Law (Faculty Office) F21  
 Law Library F21  
 Legal Studies & Taxation F20  
 Liberal and General Studies C20  
 Librarianship F23  
 Lost Property C22  
 Marine Science D26  
 Marketing F20  
 Materials Science and Engineering E8  
 Mathematics F23

Mechanical and Manufacturing Engineering J17  
 Medical Education C27  
 Medicine (Faculty Office) B27  
 Membrane and Separation Technology P10  
 Microbiology and Immunology D26  
 Mines K15  
 Minor Works and Maintenance B14A  
 Music B11  
 News Service C22  
 New South Wales University Press  
 22-32 King St, Randwick  
 Optometry J12  
 Pathology C27  
 Patrol and Cleaning Services C22  
 Performing Arts B10  
 Petroleum Engineering D12  
 Philosophy C20  
 Physics K15  
 Physiology and Pharmacology C27  
 Political Science C20  
 Printing Section C22  
 Professional Development Centre E15  
 Professional Studies (Faculty Office) G2  
 Property and Works C22  
 Psychology F23  
 Publications Section C22  
 Remote Sensing K17  
 Safety Science  
 32 Botany Street, Randwick  
 Science (Faculty Office) F23  
 Science and Technology Studies C20  
 Social Science and Policy C20  
 Social Policy Research Centre F26  
 Social Work G2  
 Sociology C20  
 Spanish and Latin American Studies C20  
 Sport and Recreation Centre B6  
 Squash Courts B7  
 Staff Office C22  
 Student Centre (off Library Lawn) C22  
 Swimming Pool B4  
 Students' Union E4, C21  
 Surveying K17  
 Textile Technology G14  
 Theatre and Film Studies B10  
 Town Planning K15  
 WHO Regional Training Centre C27  
 Wool and Animal Sciences G14

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This Handbook has been specifically designed as a source of reference for you and will prove useful for consultation throughout the year.

For fuller details about the University – its organization, staff membership, description of disciplines, scholarships, prizes, and so on, you should consult the Calendar.

The Calendar and Handbooks also contain a summary list of higher degrees as well as the conditions for their award applicable to each volume.

For detailed information about courses, subjects and requirements of a particular faculty you should consult the relevant Faculty Handbook.

Separate Handbooks are published for the Faculties of Applied Science, Architecture, Arts, Commerce and Economics, Engineering, Law, Medicine, Professional Studies, Science (including Biological and Behavioural Sciences and the Board of Studies in Science and Mathematics), and the Australian Graduate School of Management (AGSM).

The Calendar and Handbooks, which vary in cost, are available from the Cashier's Office.