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HANDBOOK

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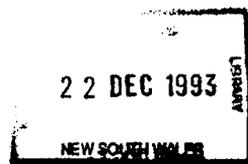
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*It is University policy to promote equal opportunity in education (refer to EOE Policy Statement, The University of New South Wales Calendar (Summary Volume) and Student Guide 1994).*

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# Introduction

The new students in the Law School in 1994 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 law graduates enrolling for a postgraduate degree. For myself and my colleagues on the academic and administrative 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. We are 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. With about 1480 students and 78 staff (academic and administrative) we are quite a large School.

During its 23 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 45, 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 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. We have special tutors appointed to assist Aboriginal and Torres Strait Islander students and students whose first language is not English. Student representatives are actively involved in decision making by the School and its committees. With support from the School and from a number of Sydney law firms, the student Law Society organises a range of activities such as a program of distinguished guest speakers, moot competitions, the UNSW Law Journal and the annual despatch of delegations of students to a week-long convention of Australasian law students and, in recent years, to a meeting of law students from ASEAN countries. 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 take the lead in conducting 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**

# Calendar of Dates

The Academic year is divided into two sessions each containing 14 weeks 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.

## All Faculties (other than Medicine)

	1994	1995
<b>Session 1</b> (14 weeks)	28 February to 31 March 11 April to 10 June	27 February to 13 April 24 April to 9 June
<b>Recess:</b>	1 April to 10 April	14 April to 23 April
<b>Study Period:</b>	11 June to 16 June	10 June to 15 June
<b>Examinations:</b>	17 June to 5 July	16 June 4 July
<b>Midyear Recess:</b>	6 July to 24 July	5 July to 23 July
<b>Session 2</b> (14 weeks)	25 July to 23 September 4 October to 4 November	24 July to 22 September 3 October to 3 November
<b>Recess:</b>	24 September to 3 October	23 September to 2 October
<b>Study Period:</b>	5 November to 10 November	4 November to 9 November
<b>Examinations:</b>	11 November to 29 November	10 November to 28 November

## Important Dates for 1994

### January

M 3	New Year's Day Public Holiday
M 10	Term 1 begins - Medicine IV
M 17	Term 1 begins - Medicine V
W 26	Australia Day - Public Holiday

### February

T 1	Enrolment period begins for new undergraduate students and undergraduate students repeating first year.
M 7	Re-enrolment period begins for second and later year undergraduate and graduate students enrolled in formal courses. Students should consult the Re-enrolling 1994 leaflets applicable to their courses for details.
M 14	Semester 1 begins - AGSM Graduate Management Qualification

M 21	Semester 1 begins - AGSM Graduate Diploma in Management Term 1 begins - AGSM MBA Program, Year 1 classes
F 25	Last day for acceptance of enrolment by new and re-enrolling students. (Late fee payable thereafter if enrolment approved.)
M 28	Session 1 begins - all courses except Medicine IV, V, VI Session 1 begins - University College, Australian Defence Force Academy Term 1 begins - AGSM MBA Program, Year 2 classes

### March

M 7	Term 1 begins - Australian Graduate School of Management Term 2 begins - Medicine IV
F 11	Last day applications are accepted from students to enrol in Session 1 or whole year subjects.
Su 13	Term 1 ends - Medicine IV

M 14	Term 2 begins - Medicine VI
Su 20	Term 1 ends - Medicine V
M 28	Term 2 begins - Medicine V
Th 31	Last day for students to discontinue without failure subjects which extend over Session 1 only. HECS Census Date for Session 1

**April**

F 1	Good Friday - Public Holiday Mid-session Recess begins
S 2	Easter Saturday - Public Holiday
M 4	Easter Monday - Public Holiday
Su 10	Mid-session Recess ends
Su 17	Term 2 ends - Medicine VI
Su 24	Term 2 ends - Medicine IV
M 25	Anzac Day - Public Holiday
S 30	May Recess begins - University College

**May**

M 2	Term 3 begins - Medicine IV Term 3 begins - Medicine VI
F 6	Term 1 ends - AGSM MBA Program, all classes
M 9	Examination week begins - AGSM MBA Program, all classes
T 10	Publication of provisional timetable for June examinations.
S 14	Examination - AGSM Graduate Management Qualification
Su 15	May Recess ends - University College, Australian Defence Force Academy
W 18	Last day for students to advise of examination clashes.
Su 29	Term 2 ends - Medicine V
M 30	Term 2 begins - AGSM MBA Program, all classes
T 31	Publication of timetable for June examinations.

**June**

S 4	Final examination - AGSM Graduate Management Qualification Semester 1 ends - AGSM Graduate Management Qualification
M 6	Term 3 begins - Medicine V
F 10	Session 1 ends Semester 1 ends - AGSM Graduate Management Qualification
S 11	Study recess begins College of Fine Arts assessment week begins
Su 12	Term 3 ends - Medicine IV Term 3 ends - Medicine VI
M 13	Queen's Birthday Public Holiday
T 14	Term 4 begins - Medicine IV Term 4 begins - Medicine VI
Th 16	Study Recess ends
F 17	Examinations begin Session 1 ends - University College, Australian Defence Force Academy College of Fine Arts assessment week ends
S 18	Mid-year Recess begins - University College, Australian Defence Force Academy
M 20	Examinations begin - University College, Australian Defence Force Academy

**July**

S 2	Examinations end - University College
T 5	Examinations end
W 6	Mid-year Recess begins
M 11	Semester 2 begins - AGSM Graduate Diploma in Management
Su 17	Mid-year Recess ends - University College, Australian Defence Force Academy
M 18	Semester 2 begins - AGSM Graduate Management Qualification Session 2 begins - University College, Australian Defence Force Academy
Su 24	Mid-year Recess ends
M 25	Session 2 begins - all courses except Medicine IV, V, and VI

**August**

F 5	Last day applications are accepted from students to enrol in Session 2 subjects. Last day for students to discontinue without failure subjects which extend over the whole academic year. Term 2 ends - AGSM MBA Program, all classes
Su 7	Term 4 ends - Medicine IV Term 3 ends - Medicine V Term 4 ends - Medicine VI
M 8	Exam week begins - AGSM MBA Program, all classes
M 15	Term 5 begins - Medicine IV Term 4 begins - Medicine V Term 5 begins - Medicine VI
M 29	Term 3 begins - AGSM MBA Program, all classes
W 31	HECS Census Date for Session 2 Last date for students to discontinue without failure subjects which extend over Session 2 only.

**September**

S 24	Mid-session Recess begins September Recess begins - University College
Su 25	Term 5 ends - Medicine IV Term 5 ends - Medicine VI
M 26	Term 6 begins - Medicine IV Term 6 begins - Medicine VI
F 30	Closing date for applications to the Universities Admission Centre.

**October**

M 3	Labour Day Public Holiday Mid-session Recess ends September Recess ends - University College, Australian Defence Force Academy
T 4	Publication of provisional timetable for the November examinations.
W 12	Last day for students to advise of examination clashes.
S 15	Examination - AGSM Graduate Diploma in Management
Su 16	Term 4 ends - Medicine V
F 21	Session 2 ends - University College, Australian Defence Force Academy
M 24	Examinations begin - University College, Australian Defence Force Academy
T 25	Publication of timetable for November examinations.

**November**

F 4	Session 2 ends Term 3 ends - AGSM MBA Program, all classes
S 5	Study recess begins College of Fine Arts assessment week begins Final examination - AGSM Graduate Management Qualification Semester 2 ends - AGSM Graduate Management Qualification Examination - AGSM Graduate Diploma in Management Semester 2 ends - AGSM Graduate Diploma in Management
Su 6	Term 6 ends Medicine - IV Term 6 ends Medicine - VI
M 7	Exam week begins - AGSM MBA Program, all classes
Th 10	Study Recess ends
F 11	Examinations begin College of Fine Arts assessment week ends Examinations end - University College, Australian Defence Force Academy
T 29	Examinations end

**December**

Th 22	Last day for acceptance of applications by the Admissions Section for transfer to another undergraduate course within the University.
M 26	Christmas Day Holiday
T 27	Boxing Day Holiday

Comprises the School of Law.

**Dean**

Professor M. R. Chesterman

**Presiding Member**

Associate Professor P. M. Redmond

**Associate Deans**

Associate Professor Adrian Brooks

Mr Ian Ramsay

**Senior Administrative Officer**

Hugh Neville Stuart Turner

**Administrative Officer**

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

**Administrative Assistants**

Ethel Sara Gallo, BA *N.S.W.*

Sally Jane Banks, BSc *Tas.*

---

## School of Law

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---

## Kingsford Legal Centre

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**Solicitors**  
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## Continuing Legal Education

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 John Azzl, BEc LLB *Syd.*

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# Handbook Guide

This Handbook is divided into two main sections comprising undergraduate study and graduate study. Initially, course outlines are presented in each section, providing a guide to the degrees within organizational units. Read the opening sections of the handbook first, and then read the information contained under Course Outlines (Undergraduate or Graduate as appropriate). Detailed information on each subject can then be found under **Subject Descriptions** which provides full details of subject content, contacts and session/prerequisite details. Rules for progression through offered courses follow the subject description entries.

As changes may be made to information provided in this Handbook, students should frequently consult the noticeboards of the schools and the official noticeboards of the University.

## Information Key

The following key provides a guide to abbreviations used in this book:

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<b>C</b>	credit points
<b>F</b>	full year (Session 1 plus Session 2)
<b>HPW</b>	hours per week
<b>L</b>	lecture
<b>P/T</b>	part-time
<b>S1</b>	Session 1
<b>S2</b>	Session 2
<b>SS</b>	single Session, but which Session taught is not known at time of publication
<b>T</b>	tutorial/laboratory
<b>U</b>	unit value
<b>WKS</b>	weeks of duration
<b>X</b>	external

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## Prefixes

The identifying alphabetical prefixes for each organizational unit offering subjects to students in the Faculty of Law follow.

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Prefix	Organizational Unit	Faculty/Board
ACCT	School of Accounting	Commerce & Economics
ARTS	Faculty of Arts & Social Sciences	
CHEM	School of Chemistry	Science
CIVL	School of Civil Engineering	Engineering
ECOH	Department of Economic History	Commerce & Economics
ECON	School of Economics, Departments of Econometrics and Economics	Commerce & Economics
FINS	School of Banking & Finance	Commerce & Economics
GEOL	Department of Applied Geology	Applied Science

Prefix	Organizational Unit	Faculty/Board
INFS	School of Information Systems	Commerce & Economics
IROB	School of Industrial Relations & Organizational Behaviour	Commerce & Economics
LAWS	School of Law	Law
MARK	School of Marketing	Commerce & Economics
MATH	School of Mathematics	Science
PHYS	School of Physics	Science
SLSP	Department of Social Science & Policy	Arts & Social Sciences
SOCI	School of Sociology	Arts & Social Sciences
SOCW	School of Social Work	Professional Studies
SURV	School of Surveying	Engineering

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## General Faculty Information and Assistance

Enquiries about enrolment, degree requirements, progression within courses, career advice or any other general Faculty matters should be made in the first instance to the staff in the Administration Office on Level 10. If the Office staff are unable to assist, you will be referred to another member of staff who will be able to respond to your enquiry. Faculty timetables, examination information, requests for special consideration and official University forms are all available from the Administration Office.

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## Faculty of Law Enrolment Procedures

All students re-enrolling in 1994 should obtain a copy of the free leaflet *Re-Enrolling 1994* which is available from the Administration Office and from the Admissions Section. This leaflet provides detailed information on enrolment procedures and fees, enrolment timetables by Faculty and course, enrolment as a miscellaneous student, and late enrolment. In order to assist the staff to get to know individual students, **all new students are required to present a passport sized photograph when enrolling.**

### Pre-enrolment

With the exception of new students, all students must pre-enrol with the Faculty in November of each year.

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## Guidelines for Maximum Workload

The sequence of study for each course is set out in the Faculty Handbook. Any student wishing to vary their course program (law or non-law) by enrolling in extra subjects, in a reduced program or in subjects which do not conform to the normal sequence, must seek approval from the Administrative Officer. **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.

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## Full-time Status

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 Administrative Officer. 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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## Part-time Status

Students undertaking the part-time course for Bachelor of Laws are expected to attend classes on two afternoons per week during the academic year, **usually between 2pm and 6pm on Tuesday and Friday.**

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## Assessment of Student Progress

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).

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## General Education Requirement

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.

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 program requires students to undertake studies in three categories of the program. The key questions addressed by the Program are:

**Category A. External Context:** an introduction in nonspecialist terms to an understanding of the environments in which humans function.

*Course requirement: 56 hours*

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

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:** an introduction to, and a critical reflection upon, the cultural bases of knowledge, belief, language, identity and purpose.

*Course requirement: 56 hours*

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

conducive to the survival and enhancement of the human species and the planet earth?

The Category B requirement is satisfied by Law students through completion of the subjects LAWS8820 Law and Social Theory or LAWS8320 Legal Theory.

**Category C. An introduction to the design and responsible management of the human and planetary future:** looks at 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.

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:

- in a creative and innovative way?
- to widen the circle of human participation in the benefits they bring?
- to break down the barriers of exclusion and discrimination?
- to enhance the prospects for survival of the human species?
- 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.

Students proceeding to their non-law degree only must satisfy General Education requirements in order to graduate. Advice should be sought from the School or Faculty which awards the non-law degree.

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## Professional Associates

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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## Prizes

A number of prizes are awarded annually. A full list appears in the last section of this Handbook.

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## Advanced Standing

The policy of the Law Faculty is to grant credit for subjects which have been successfully completed in another Law

Faculty where those subjects, in the opinion of the Faculty, are equivalent in content and depth to comparable subjects at the UNSW. Applicants who have completed a full law degree in another country are normally granted credit equivalent to one third of the UNSW degree. **All matters regarding credit are at the discretion of the Faculty.**

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## Cross Institutional Studies and Exchange Programs

Students enrolled at UNSW may be permitted to undertake some studies at overseas or interstate institutions ("Cross-Institutional Studies") provided that they are equivalent in content and depth to comparable subjects at UNSW.

Subjects which have been successfully completed at another law school (either in Australia or overseas) may be credited to the student's degree. Students must note that the Faculty generally requires that at least 50% of law studies be completed at UNSW.

The Faculty participates in several overseas exchange programs, and encourages students to take advantage of these. Information regarding these programs can be obtained from the administrative staff or the Associate Dean.

Students should discuss their plans for cross-institutional studies with the Associate Dean or the Administrative Officer in order to determine both their eligibility to undertake such studies and the "credibility" of the subjects under consideration.

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## 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 Chancellery.

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## Commitment to Equal Opportunity in Education

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 University's policy of equal opportunity in education includes seeking 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 697 5418 or at Student Services, Quadrangle Building.

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. 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 detailing objectives and assessment strategy on a range of criteria including compliance with EOE policy. The Faculty is considering other ways in which the University policy might be developed and supported.

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## Student Clubs and Societies

Students have the opportunity of joining a wide range of clubs and societies. There are numerous religious, social and cultural clubs affiliated with the Students' Union 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 Executive of

the UNSW Law Society organizes academic, social and sporting activities and represents the law students in student affairs. The Executive takes office at the end of the second session exam period following an election in Week 12 of the second session.

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 1994 is:

#### **President**

Geoffrey King

#### **Vice-President**

David Midolla

#### **Secretary/Treasurer**

Steven Humphries

#### **Education Officer**

Lyndall Stewart

#### **Social Co-Ordinator**

Sarah King

#### **Publications Editor**

Meredith Paynter

#### **Publications**

Ruveni Banda

Rick Kalowski

#### **Competitions Director**

Fiona Haddock

#### **Competitions**

Earl Griffith

Kate Roden

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## **Student Members of Faculty**

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 1994 are:

Rick Kalowski

Ben Milton

Alexander Mitchell

Justine Munsie

Fred Smith

Dominic Villa

Marea Wilson

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## **Law Library**

The Law Library is situated on the eighth and ninth levels of the Library Tower and contains approximately 150,000 volumes. Jackie Patrick is the Law Librarian.

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.

The Law Faculty acknowledges generous sponsorship of the Law Library by the law firm Freehill, Hollingdale & Page. The sponsorship is to commence near the end of 1993.

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## **Kingsford Legal Centre**

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 acting for members of the local community unable to afford legal assistance.

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 Centre began operations in July, 1981. It has 4 lawyers, one of whom (the Director) has the status of a lecturer in the Law Faculty. In addition, the law firm Freehill, Hollingdale & Page maintains the permanent secondment of a solicitor's position to the Centre. The Centre is jointly funded by the Faculty of Law and the Legal Aid Commission of N.S.W., with assistance from Randwick City Council.

The subjects LAWS7200 Clinical Legal Experience (Intensive) and LAWS7210 Clinical Legal Experience, which require students to work at the Legal Centre, are electives for later year students; students can take a subject in either session. LAWS7210 is also available over 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 Waverley Local Court one day each week. The Centre is developing student involvement in outreach legal advice and education services to the local community.

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

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## Aboriginal Law Centre

Established within the Faculty of Law in 1986 with Professor Garth Nettheim as Chair. The Centre aims to develop and coordinate research, teaching and dissemination of information in the multi-disciplinary area of the relationship between Aboriginal peoples and the law.

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

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 coordinate 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 Director, A/Prof George Zdenkowski, (Tel: 697 2262).

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## Taxation, Business and Investment Law Research Centre

The Centre has been founded within the Faculty of Law. For further information contact the Director, Professor Yuri Grbich (Tel: 697 2268).

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## Continuing Legal Education Unit

Continuing Legal Education (CLE) at UNSW provides high quality professional education for lawyers and other professionals. CLE has been established for over ten years and is an important link between the Faculty and the legal profession and wider community.

The objectives of the CLE program are:

- to provide courses which meet the legally-related educational needs of professional groups, especially, but not limited to, lawyers and accountants;
- provide a service to members of Faculty (and, in some cases, students) in helping them to organise and administer conference, seminars and other activities; develop the image of the Faculty as being in the forefront of legal development in key areas and active in legal criticism by running high quality activities in these areas; and derive income for the Faculty's purposes.

The Faculty is a major provider of Continuing Legal Education in New South Wales. The Practical Business Tax seminar series has been the mainstay of the CLE program. It dominates this area of the CLE market and is well accepted by lawyers, accountants and tax agents. The annual Sales and Indirect Tax Conference is the major event in its area. Other CLE activities span a wide range of legal area but comprise a minority of the program.

The general goal from here is for the area of Continuing Legal Education to expand from the strength of the current, largely tax, base to give more emphasis to non-tax areas by developing:

- basic or refresher academic courses generally using Faculty members as presenters;
- 'spinoff' courses from the Master Program which are of interest both to masters students and practitioners in the relevant area;
- legal 'skills' courses in areas such as drafting, advocacy and alternative dispute resolution;
- short courses for other professional groups such as teachers, administrators and social workers; and
- significant courses for special groups such as overseas students or industry sectors.

For further information contact the Director, Cheryl White (Tel: 697 2267).

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## Communications Law Centre

The Centre, which is affiliated with the University of New South Wales, was established in 1987. The diversity of issues which arise in communications means that the Centre deals with a wide range of areas of law, including broadcasting and telecommunications law, copyright, defamation, contempt, trade practices and aspects of administrative, commercial and company law.

The Centre plays an active advocacy role, providing legal advice and litigating matters related to communications law where they have significant public interest or 'test case' potential. It undertakes research in areas related to media law and regularly makes submissions to government and

other inquiries on communications matters. Located on campus at UNSW, the Centre cooperates with the Law School in research and teaching, as well as organising seminars and conferences, collecting and disseminating specialist legal information, and publishing occasional papers and a monthly journal, *Communications Update*. Volunteer assistance from students and others is welcomed in appropriate projects.

The Centre is the first of its kind in Australia and is funded by the Law Foundation of New South Wales, with assistance from AOTC, the Australian Film Commission and the Hartley Trust. The Centre has a branch office in Melbourne, coordinated by Paul Chadwick. For more information contact Director, Helen Mills or Principal Solicitor, Michelle McAuslan, (Tel: 663 0551)

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# 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 nine 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

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 complete the designated number of credit points (as detailed below), and also satisfy all other course requirements.

The total number of credit points (Law subjects) required for Commerce/Law, Economics/Law, Science/Law, Engineering/Law, Arts/Law, Social Science/Law or Social Work/Law courses is 81; for the Jurisprudence/Law course (where there are fewer non-law subjects), it is 93; the LLB course for graduates or the part time LLB course, it is 75. In each case compulsory subjects total 45 credit 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 interpolate a period of study overseas, and who wish to seek advanced standing for law subjects studied, are required to seek the approval of the Administrative Officer or the Associate Dean 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

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

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 392 0300. The Secretary is in a position to advise authoritatively as to the requirements relative to a particular case, and supply the relevant forms and information.

A student wishing to become a solicitor must meet certain academic requirements, and attend a six-month full-time practical skills course at the College of Law. The academic 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.

The admission requirements for Barristers and Solicitors are currently under review. New arrangements may stipulate that a period of employment with a law firm, legal practitioner or other law-related institution must be completed before admission as a solicitor or barrister.

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## College of Law

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 practical 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. Courses at the College are currently under review.

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## ANU Legal Workshop

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.

## Course Outlines

### Courses Available

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.

The Faculty made changes to Contracts and has introduced a new compulsory subject - Public Law. These changes will not affect students who entered the Law School prior to 1994.

### Bachelor Of Jurisprudence Degree Course

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.

NonLaw 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, LAWS2140 Public Law, LAWS1610 Criminal Law, LAWS2160 Administrative Law, LAWS1420 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 nonLaw 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.

## Bachelor Of Laws Degree Course (Full-time) For Graduates Or Graduands

### 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 threeyear 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 Associate Dean or Administrative Officer to confirm the compulsory subjects which apply to them.

#### Year 1

LAWS1120	Legal System Torts
LAWS1420	Contracts
LAWS2140	Public Law
LAWS1610	Criminal Law
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers and Society
LAWS7410	Legal Research and Writing 1

#### Year 2

LAWS1010	Litigation
LAWS3010	Property and Equity
LAWS2150	Federal Constitutional Law
LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS7420	Legal Research and Writing 2
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, LAWS4010 and LAWS4020, at this stage of their course.

#### Year 3

Law electives to complete degree requirements - 24 credit points.

## Combined Arts/Law Course

### 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. 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 threeyear LLB degree course for graduates.
5. A student who does not wish to proceed to the combined degree BA LLB, may transfer to the BA program with credit for all subjects completed.
6. 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 Associate 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**

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 Systems Torts
LAWS7410	Legal Research and Writing 1

Chinese  
Indonesian  
Japanese

(ii) 36 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 and Social Sciences.

(iv) no more than 36 credit points to be obtained in Level 1 subjects.

**Year 2**

Arts School A	12 Upper Level credit points
Arts School B	12 Upper Level credit points
LAWS1420	Contracts
LAWS1610	Criminal Law
LSWS2140	Public Law

**Program A****Year 1**

12 C Asian Language	
12 C Asian-related subject	
12 C Optional subject in the Arts Faculty	
LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1

**Year 2**

12 C Asian Language	
12 C Asian-related subject	
LAWS1420	Contracts
LAWS1610	Criminal Law
LAWS2140	Public Law

**Year 3**

12 C Asian Language	
LAWS6210	Law, Lawyers & Society
LAWS2160	Administrative Law
LAWS3010	Property and Equity

**Year 4**

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

**Year 5**

Law Electives to the value of 24 credit points

**Program B****Year 1**

12 C Asian-related subject	
12 C Asian language	
12 C Optional subject in the Arts Faculty	
LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1

**Year 2**

12 C Asian Language	
12 C Asian-related subject	
LAWS1420	Contracts
LAWS1610	Criminal Law
LAWS2140	Public Law

**Year 3**

12 C Asian-related subject	
LAWS6210	Law, Lawyers & Society
LAWS2160	Administrative Law
LAWS3010	Property and Equity

**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 18.

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 and Social Sciences.

(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:

**Year 4**

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

Law electives to the value of 12 credit points

**Year 5**

Law Electives to the value of 24 credit points

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## 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 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, Economics 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.

**4732**

### Bachelor of Commerce (Accounting)/Bachelor of Laws

**BCom LLB****Year 1**

ACCT1501	Accounting and Financial Management 1A
ACCT1511	Accounting and Financial Management 1B
ECON1101	Microeconomics 1
ECON1102	Macroeconomics 1
ECON1202	Quantitative Methods A
ECON1203	Quantitative Methods B
LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1

**Year 2**

ACCT2522	Accounting and Financial Management 2A or
ACCT2532	Accounting and Financial Management 2A (Honours)
ACCT2542	Accounting and Financial Management 2B or
ACCT2552	Accounting and Financial Management 2B (Honours)
INFS1602	Computer Information Systems 1
FINS2613	Business Finance 2A
LAWS1420	Contracts
LAWS1610	Criminal Law
LAWS2140	Public Law

**Year 3**

ACCT3563	Accounting and Financial Management 3A or
ACCT3573	Accounting and Financial Management 3A (Honours)
ACCT3583	Accounting and Financial Management 3B or
ACCT3593	Accounting and Financial Management 3B (Honours)
ACCT3708	Auditing or
ACCT3718	Auditing (Honours)
Economics option to be selected from List A appearing at the end of this section.	
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers, and Society
LAWS3010	Property and Equity

*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.*

<b>Year 4</b>	
LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS2150	Federal Constitutional Law
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component

Law electives to the value of 12 credit points

**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 fiveyear program. Details of these conditions may be obtained from the Commerce and Economics Students' Centre or the Commerce and Economics Handbook.

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**4735**

**Bachelor of Commerce (Finance)/Bachelor of Laws**

**BCom LLB**

**Year 1**

ACCT1501	Accounting and Financial Management 1A
ACCT1511	Accounting and Financial Management 1B
ECON1101	Microeconomics 1
ECON1102	Macroeconomics 1
ECON1202	Quantitative Methods A
ECON1203	Quantitative Methods B
LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1

**Year 2**

FINS2613	Business Finance 2A
ECON2101	Microeconomics 2
ACCT2542	Accounting and Financial Management 2B
FINS3615	Investments
FINS2612	Australian Capital Markets
LAWS1420	Contracts
LAWS1610	Criminal Law
LAWS2140	Public Law

**Year 3**

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

\*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
LAWS2150	Federal Constitutional Law
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
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 program. Details of these conditions may be obtained from the Commerce and Economics Students' Centre or the Commerce and Economics Faculty Handbook.

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**4736**

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

**BCom LLB**

**Year 1**

ACCT1501	Accounting and Financial Management 1A
ACCT1511	Accounting and Financial Management 1B
ECON1101	Microeconomics 1
INFS1602	Computer Information Systems 1
ECON1202	Quantitative Methods A
ECON1203	Quantitative Methods B
LAWS1120	Legal Systems Torts
LAWS7410	Legal Research and Writing 1

**Year 2**

ECON1102	Macroeconomics 1
INFS2603	Computer Information Systems 2
ACCT2522	Accounting and Financial Management 2A
INFS2609	Computer Information Systems Technology
	Economics option to be selected from List A appearing at the end of this section.
LAWS1420	Contracts
LAWS2140	Public Law
LAWS6210	Law, Lawyers and Society

**Year 3**

INFS3605	Informative Systems Implementation
INFS3607	Distributed Computer Systems
INFS3608	Database Systems
INFS3611	Informative Systems Development
LAWS1610	Criminal Law
LAWS3010	Property and Equity

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**

LAWS2160	Administrative Law
LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS2150	Federal Constitution Law
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component

Law electives to the value of 9 credit points.

**Year 5**

Law electives to the value of 24 credit points.

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

**4745****Bachelor of Economics/Bachelor of Laws****BEC LLB****Year 1**

ACCT1501	Accounting and Financial Management 1A
ACCT1511	Accounting and Financial Management 1B
ECON1101	Microeconomics 1
ECON1102	Macroeconomics 1
ECON1202	Quantitative Methods A
ECON1203	Quantitative Methods B
LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1

**Year 2**

ECON2101	Microeconomics 2
ECON2102	Macroeconomics 2
ECON2206	Quantitative Economic Techniques A
ECON2313	Australian Economic Development in the 20th Century

or

ECON2207	Quantitative Economics Techniques B
LAWS1420	Contracts
LAWS2410	Public Law
LAWS1610	Criminal Law

**Year 3**

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

*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 4**

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

Law electives to the value of 12 credit points.

**Year 5**

Law electives to the value of 24 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**

ACCT1501	Accounting and Financial Management 1A
ACCT1511	Accounting and Financial Management 1B
ECON1101	Microeconomics 1
ECON1102	Macroeconomics 1
ECON1202	Quantitative Methods A
ECON1203	Quantitative Methods B
LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1

**Year 2**

IROB1701	Industrial Relations 1A
IROB2703	Industrial Relations 2A
IROB2704	Industrial Relations 2B
Option - a subject other than a Law subject to be chosen from the list in Rule 22., Commerce and Economics Handbook	
LAWS1420	Contracts
LAWS2140	Public Law
LAWS1610	Criminal Law

**Year 3**

IROB3705	Industrial Relations 3A
ECON2104	Applied Macroeconomics
IROB3706	Industrial Relations 3B
IROB2711	Labour Market Economics
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers and Society
LAWS3010	Property and Equity

*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
LAWS2150	Federal Constitutional Law
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
Law electives to the value of 12 credit points.	

**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.

**4710****Bachelor of Commerce (Marketing)/Bachelor of Laws****BCom LLB****Year 1**

ACCT1501	Accounting and Financial Management 1A
ACCT1511	Accounting and Financial Management 1B
ECON1101	Microeconomics 1
ECON1102	Macroeconomics 1
ECON1202	Quantitative Methods A
ECON1203	Quantitative Methods B
LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1

**Year 2**

MARK2012	Marketing Fundamentals
MARK2032	Consumer Behaviour A
ECON2101	Microeconomics 2
ECON2103	Applied Microeconomics
MARK2052	Marketing Research
MARK2042	Consumer Behaviour B
LAWS1420	Contracts
LAWS2140	Public Law
LAWS1610	Criminal Law

**Year 3**

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

*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
LAWS2150	Federal Constitutional Law
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
Law electives to the value of 12 credit points.	

**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.

**List A**

ECON2301	Management and Business Development
ECON2313	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

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## Combined Jurisprudence/Law Course

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**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 Associate 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**

Non-law subject A1

Non-law subject B1

LAWS1120	Legal System Torts
LAWS1420	Contracts
LAWS2140	Public Law
LAWS7410	Legal Research and Writing 1

**Year 2**

Non-law subject A2

LAWS1610	Criminal Law
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers and Society
LAWS3010	Property and Equity

**Year 3**

Non-law subject A3

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

**Years 4 and 5**

Elective law subjects to complete LLB degree requirements.

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## Combined Science/Law Course

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**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 Associate Dean or Administrative Officer to confirm the compulsory subjects which apply to them.

#### Year 1

Six Level I Science units, two of which must be Mathematics 1

LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1

#### Year 2

Six Science units\*

LAWS1420	Contracts
LAWS2140	Public Law
LAWS1610	Criminal Law

#### Year 3

Six Science units\*

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

#### Year 4

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

Law electives to the value of 12 credit points.

#### Year 5

Law electives to the value of 24 credit points.

\*See entry in *Sciences Handbook*.

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## Combined Social Science/Law Course

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### 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. 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. A student who does not wish to proceed to the combined degree BSocSc LLB, may transfer to the BSocSc degree program with credit for all subjects completed.

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. A student wishing to take the BSocSc degree course at Honours level should consult with the Coordinator 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

SLSP1000 Introduction to Social Science and Policy  
SLSP1001 Introduction to Research Methods and Statistics with Computer Applications

Arts and Social Science subject - 12 Level 1 credit points\*

LAWS1120 Legal System - Torts  
LAWS1610 Criminal Law  
LAWS7410 Legal Research and Writing 1

#### Year 2

SLSP2000 Social and Economic Theory and Policy  
SLSP2001 Research Methods and Statistical Applications

SLSP2002 Social Science and Policy Case Studies  
Arts and Social Science subject 12 Upper Level credit points\*

LAWS1420 Contracts  
LAWS2140 Public Law  
LAWS6210 Law, Lawyers and Society

#### Year 3

SLSP3000 Advanced Research Methods  
SLSP3001 Applied Statistics and Computing in the Social Sciences

SLSP3002 Social Science and Policy Project  
SLSP3003 Internship Program (Optional)

Arts and Social Science subject - 12 Upper Level credit points\*

LAWS2160 Administrative Law  
LAWS3010 Property and Equity

#### Year 4

LAWS2150 Federal Constitutional Law  
LAWS8820 Law and Social Theory  
LAWS1010 Litigation  
LAWS7420 Legal Research and Writing 2  
LAWS7430 Research Component  
Law electives to the value of 12 credit points

#### Year 5

Law electives to the value of 24 credit points

\* A major sequence of at least 36 Arts and Social Science 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

SOCW8193 Social Work Practice 1  
PSYC1002 Psychology 1  
SOC1131 Society and the Individual  
SOC1831 Australian Giants? Public and Private Corporations

SOCW8193 Social Work Practice 1  
SOCW8253 Social Welfare 1\*  
LAWS1120 Legal System - Torts  
LAWS7410 Legal Research and Writing 1

**Year 2**

SOCW8203	Human Behaviour 1
SOCW8211	Social and Behavioural Science 1
SOCW8232	Research Methods 1
SOCW8282	Social Work Practice - First Placement (45 days) **
SOCW8292	Social Work Practice - Community Work
SOCW8293	Social Work Practice 2
LAWS1420	Contracts
LAWS2140	Public Law
LAWS6210	Law, Lawyers and Society

**Year 3**

SOCW8303	Human Behaviour 2
SOCW8342	Social Philosophy 1
SOCW8352	Social Welfare 2
LAWS1610	Criminal Law
LAWS3010	Property and Equity
LAWS2160	Administrative Law

**Year 4**

SOCW8312	Social and Behavioural Science 2
SOCW8381	Social Work Practice 2nd Placement (45 days) **
SOCW8391	Social Work Practice 1 Casework, Group Work
SOCW8392	Social Work Practice Selected Studies Strand A
SOCW8451	Social Welfare 3 Strand A
LAWS1010	Litigation
LAWS2150	Federal Constitutional Law
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
LAWS8320	Legal Theory
or	
LAWS8820	Law and Social Theory

**Year 5**

SOCW8461	Social Welfare 3 Strand B
SOCW8471	Social Work Practice Administration
SOCW8482	Social Work Practice - Final Placement (60 days) +
LAWS7210	Clinical Legal Experience +
Law electives	to the value of 12 credit points

**Year 6**

SOCW8491	Social Work Practice - Selected Studies - Strand B
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Law electives to the value of 21 credit points

\* Students do not take 0.5 hour/week law component of this subject in session 1.

\*\* The first two 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, the final placement is a 60 day block.

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

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## Combined Civil Engineering/Law Course

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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 to 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**

PHYS1989	Physics 1 CE
CHEM1808	Chemistry 1 CE
CIVL1106	Computing and Graphics
CIVL1203	Engineering Mechanics 1
CIVL1301	Civil Engineering Practice
MATH1032	Mathematics
GEOL5100	Geology for Environmental Civil Engineers

**Year 2**

CIVL2106	Systems Engineering
CIVL2203	Engineering Mechanics 2
CIVL2301	Engineering Construction
CIVL2402	Materials Engineering 1
CIVL2505	Hydraulics 1
MATH2009	Engineering Mathematics 2
MATH2869	Statistics SC
SURV0441	Surveying for Engineers
SURV0491	Survey Camp
LAWS1120	Legal System Torts
LAWS7410	Legal Research & Writing 1

**Year 3**

CIVL3106	Engineering Computations
CIVL3203	Structural Analysis
CIVL3303	Structural Design
CIVL3402	Geotechnical Engineering 1
CIVL3505	Hydraulics 2
CIVL3601	Engineering Management 1
CIVL3705	Water Resources
CIVL3804	Transport Engineering
LAWS1420	Contracts
LAWS2140	Public Law

**Year 4**

CIVL4006	Industrial Training
CIVL4203	Structural Engineering
CIVL4306	Engineering & the Environment*
CIVL4502	Geotechnical Engineering 2
CIVL4605	Water Supply & Wastewater Disposal
CIVL4704	Highway & Pavement Engineering
LAWS1610	Criminal Law
LAWS2160	Administrative Law
LAWS3010	Property and Equity
LAWS3410	Environmental Law*

Plus one of the following five elective majors:

CIVL4811	Construction Major
CIVL4822	Geotechnical Major
CIVL4833	Structures Major
CIVL4844	Transport Major
CIVL4855	Water Major

\*These subjects are taken concurrently.

**Year 5**

LAWS1010	Litigation
LAWS8320	Legal Theory
or	
LAWS8820	Law and Social Theory
LAWS2150	Federal Constitutional Law
LAWS6210	Law, Lawyers and Society
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component

Law electives to value 9 credit points

**Year 6**

Law electives to value 24 credit points

**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)**

4791

**Bachelor of Laws****LLB**

The part-time course is only available to graduates and people over 21 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 Associate Dean or Administrative Officer to confirm the compulsory subjects which apply to them.

**Year 1**

LAWS1120	Legal System - Torts
LAWS1420	Contracts
LAWS2140	Public Law
LAWS7410	Legal Research and Writing 1

**Year 2**

LAWS1610	Criminal Law
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers and Society

**Year 3**

LAWS1010	Litigation
LAWS3010	Property and Equity

**Year 4**

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

Law electives to the value of 6 credit points\*

**Years 5 and 6**

Elective law subjects to complete LLB requirements.

\* 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, LAWS4010 and LAWS4020, at this stage of their course.

## Subject Descriptions

Descriptions of all subjects are presented in alphanumeric order within organizational units. For academic advice regarding a particular subject consult with the contact for the subject as listed. A guide to abbreviations and prefixes is included in the chapter 'Handbook Guide', appearing earlier in this book.

## Compulsory Subjects

### LAWS1010

#### Litigation

*Staff Contact: Dr Jill Hunter*  
C6 F HPW4

Introduces students to issues and problems in three areas:

**Civil pre-trial procedure:** focuses on selected topics largely in the context of Supreme Court - actions parties to an action; pleadings; 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. Problems of delay and cost are also addressed with particular reference to case-flow management techniques and alternative dispute resolution.

**Criminal pre-trial procedure:** the law and related issues associated with arrest, warrants, police searches, interrogation and the formulation of pleadings. Comparisons are 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. A comprehensive examination of the rules of evidence, including those designed to protect the accused at trial; the rule against hearsay evidence; the use of expert evidence; the treatment of unreliable evidence; proof and probability theory and questioning of witnesses in court.

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

### LAWS1120

#### Legal System Torts

*Staff Contact: Mr Angus Corbett/Ms Prue Vines*  
C6 F HPW4

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.

A number of torts, both intentional and unintentional, relating to economic interests as well as personal injury. The primary focus of the course is a thorough and comprehensive introduction to the tort of negligence. There is a detailed discussion of specific issues such as recovery

for personal injury, for nervous shock, for pure economic loss as well as affirmative duties of care. In addition there is an introduction to the law relating to limitation periods, vicarious liability, defences to the tort of negligence and the law relating to the assessment of damages. The approach to teaching this material is via extensive discussion of a relatively limited number of leading cases. Students are thus able to build up an understanding of this body of law through their own analysis of case law and statute law.

A second strand of this course is to introduce students to the wide ranging debates about the appropriate role and function of tort law. This requires developing a working knowledge of a feminist and economic analysis of tort law and of the various corrective justice theories of tort. In developing this working knowledge students will be exposed to secondary materials which build upon and refer to the cases and statutes which are included in the course.

### LAWS1410

#### Contracts

*Staff Contact: Mr Denis Harley*  
C6 F HPW4

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.

### LAWS1420

#### Contracts

*Staff Contact: Mr Denis Harley*  
C4.5 F HPW S1 2, S2 4

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

*Staff Contact: A/Prof David Brown*  
C6 F HPW4

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.

### **LAW2140**

#### **Public Law**

*Staff Contact: Mr. Robert Shelly*

C1.5 S1 HPW2

This course introduces the students to the concept of "public law", its methods of reasoning, history and fundamental principles. It deals with constitutional principles, with the ethical precepts underlying our constitutional system; with the essential features of our system of government, and with the increasing role of public international law. The course also introduces students to comparative law, especially the public law assumptions of the Civil Law system. Topics include the concept of public law; theories and history of constitutionalism; comparative methods of enforcing constitutional precepts; Australia's constitutional development; the separation of powers, responsible government, and constitutional conventions; and the role of the public international law.

### **LAW2150**

#### **Federal Constitutional Law**

*Staff Contact: Prof George Winterton*

C3 S1 or S2 HPW4

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 LAW2100 The High Court of Australia.

### **LAW2160**

#### **Administrative Law**

*Staff Contact: Ms Melinda Jones*

C3 S1 or S2 HPW4

This course considers the law concerning the accountability and control of government officials. Topics covered include: the principles of responsible government and separation of powers; the regulation of delegated legislation; the problem

of corruption; the duty to give reasons for administration decisions; freedom of information, the Ombudsman, the Administrative Appeals Tribunal; and judicial review of administrative action [the principles of legality and procedural fairness].

### **LAW3010**

#### **Property and Equity**

*Staff Contact: A/Prof Chris Rossiter*

C6 F HPW4

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.

### **LAW56210**

#### **Law, Lawyers and Society**

*Staff Contact: Dr Stan Ross*

C3 S1 or S2 HPW4

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 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.

### **LAW57410**

#### **Legal Research and Writing 1**

*Staff Contact: Ms Irene Nemes*

C2 S1 HPW2

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**

*Staff Contact: Ms Irene Nemes*  
C1 S2 HPW4

A revision of legal research skills acquired in LAWS7410 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**

*Staff Contact: A/Prof Adrian Brooks*

**Note/s:** Taken after or concurrently with LAWS7420.

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 must select one from amongst the subjects for which they are enrolled in which a piece of assessable work (a research essay or moot) will be allocated for Research Component, and must submit a Research Component Form to the Administrative Assistant (Undergraduate) by the end of Week 4 in the Session in which they elect to undertake Research Component. This form must identify the subject in which the work for Research Component will be undertaken, and must be signed by the teacher in the subject. Students must attach to the completed research essay or moot submission a written research report, outlining the research methods adopted in preparation for the essay or moot. The piece of assessable work chosen for allocation to Research Component must be worth 30% of the total mark (in the case of a three-credit point subject, or 15% of the total mark in the case of a six-credit point subject). The assessment of Research Component will be made on the basis of the research report, in addition to the separate assessment of the essay or moot for the purpose of the subject selected. 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**

*Staff Contact: A/Prof Martin Krygier*  
C3 S1 or S2 HPW4

Introduction to theoretical particularly philosophical questions which underline the practical workings of the law. The course concentrates on questions to do with legal reasoning, particularly the reasoning of judges, and of moral reasoning; and the interrelationships between law and morals and law and politics.

#### **LAWS8820**

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

*Staff Contact: A/Prof Martin Krygier*  
C3 S1 or S2 HPW4

Examination of sociological assumptions about law, about society, and about the relationships between law, legal institutions and social ordering. Topics include: The role and functions of law within modern society, the extent to which law embodies implicit social theories and the nature of these theories, and the implications of social research on our understanding of the place of law in society.

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:

#### **LAWS1020**

##### **Trial Process**

*Prerequisite:* LAWS 1010 Litigation

#### **LAWS1050**

##### **Dispute Resolution**

*Prerequisite:* LAWS1010 Litigation

#### **LAWS1480**

##### **Advanced Criminal Law**

*Prerequisite:* LAWS 1610 Criminal Law  
*Co-requisite:* LAWS 1010 Litigation

#### **LAWS 2700**

##### **The Law, Procedures and Practice of Parliament**

*Prerequisite:* LAWS 2150 Federal Constitutional Law

#### **LAWS3050**

##### **Succession**

*Prerequisite:* LAWS3010 Property and Equity

#### **LAWS4020**

##### **Business Associations 2**

*Prerequisite:* LAWS4010 Business Associations 1

**LAWS4450****Advanced Revenue Law**

*Prerequisite:* LAWS4440 Elements of Income Tax Law

**LAWS4800****The Law of Banking**

*Prerequisite:* LAWS4380 Commercial Law B

**LAWS7200****Clinical Legal Experience (Intensive)**

*Co/Prerequisite:* LAWS1010 Litigation & LAWS6210 Law, Lawyers & Society

**LAWS7210****Clinical Legal Experience**

*Co/Prerequisite:* LAWS1010 Litigation & LAWS6210 Law, Lawyers & Society

**LAWS8470****Law and Politics in Post Mao China**

*Prerequisite:* LAWS8460 Legal Institutions in PostMao China or equivalent.

Students in any doubt about their preparedness for any particular elective subject should be certain to speak to the Associate 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.*

**Elective Subjects****LAWS1020****Trial Process**

*Staff Contact: School Office  
C3 SS HPW4*

*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 judges.

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. The course is based upon the conduct of civil trials.

**LAWS1030****Remedies**

*Staff Contact: School Office  
C3 SS HPW4*

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**

*Staff Contact: Dr Kathryn Cronin  
C3 SS HPW 4*

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 trial 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: Students take a mid-session exam. All students will be required to complete certain compulsory trial exercises.

**LAWS1050****Dispute Resolution**

*Staff Contact: Ms Susan Duncombe  
C3 SS HPW 4*

Most legal education in common law systems revolves around the interpretation and development of the law by decisions made by courts in the process of litigation. In doing so it tends to foster the assumption that litigation, or legal advice predicting the outcome of litigation, is the normal method of resolving disputes, and both substantive and skills training is largely geared to this assumption. In fact only a small proportion of disputes are resolved by litigation and there is a growing dissatisfaction with the costs, slowness and adversarial character of litigation, and a corresponding interest in alternative forms of dispute resolution. The courts themselves are introducing courtannexed mediation. This course will critically examine the growth of alternative methods, analyse their comparative advantages and disadvantages, introduce students to the skills involved (particularly in negotiation and mediation) and examine the implications for the future of the law and of legal practice and for individual and social justice.

**LAWS1450****Advanced Studies in Torts**

*Staff Contact: Mr Angus Corbett*  
C3 SS HPW4

A consideration of the application of the tort of negligence, and where appropriate other torts, to particular conduct and activities such as professional liability and products liability. Through this analysis a detailed consideration of specific legal issues such as recovery for personal injury, nervous shock, pure economic loss, wrongful birth, and affirmative duties to rescue. In tackling these issues there is specific treatment of the relationship between the law of tort and other areas of law such as contracts, administrative law and various statutes such as the Trade Practices Act.

A second strand of the courses traverses the various debates about the function and role of the law of tort in general and of the tort of negligence in particular. This involves attention to an economic analysis of tort, general theories which propose the use of tort law to achieve regulatory goals, a feminist analysis and various corrective justice approaches to tort law. In this section there is discussion of statutory reform of tort law both via reform of particular areas of doctrine and via the introduction of statutory schemes of compensation and regulation.

**LAWS1480****Advanced Criminal Law**

*Staff Contact: A/Prof George Zdenkowski*  
C3 SS HPW4

*Prerequisite: LAWS1610*

*Co-requisite: LAWS1010*

Builds upon the introduction to criminal law and process in the compulsory core curriculum. Examines such matters as: Criminal law and the constitutions; Commonwealth Criminal law; common law and code jurisdictions; managing complex criminal trials; crime and the environment; confiscating the proceeds of crime; criminal law and corporations; women and crime; crime and racial vilification; crime and human rights; privatisation of criminal justice; codification; reform. Topics may vary from year to year.

**LAWS1510****Family Law**

*Staff Contact: Dr Owen Jessep*  
C3 SS HPW4

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****Feminist Legal Theory**

*Staff Contact: A/Prof Regina Graycar*  
C3 SS HPW4

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 is gendered. 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 genderneutral legal language change a gender-specific world?).

**LAWS1620****Families and Finances**

*Staff Contact: Dr Owen Jessep*  
C3 SS HPW4

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 Hamby Report (Australia) and other studies including an analysis of community property regimes and an assessment of their suitability for Australia.

It is desirable that students have completed LAWS1510 Family Law.

**LAWS1630****Children and the Law**

*Staff Contact: Ms Jennifer Barga*  
C3 SS HPW4

Aspects of children's law not dealt with in LAWS1510 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.

It is desirable that students have completed LAWS1510 Family Law.

#### **LAWS1720**

##### **Crime and Society**

*Staff Contact: Mr Dirk Meure*

C3 SS HPW4

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 sourced from a variety of literatures. Topics include: the dramatization of evil and the politics of social control; a genealogy of delinquency and its psychological and sociological explanations; theories of conformity and alienation; crime and discipline; women, crime and power.

#### **LAWS1730**

##### **The Criminal Justice System**

*Staff Contact: A/Prof David Brown*

C3 SS HPW4

The operation and main institutions of the criminal justice system. The materials are socio-legal in orientation; and include popular cultural sources; 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**

*Staff Contact: A/Prof George Zdenkowski*

C3 SS HPW4

A critical interdisciplinary subject involving historical, sociological, political and legal materials. Topics include: prisoners and the prison movement; discipline and punishment; community corrections; media issues; the legal process of punishment; truth in sentencing; privatisation of prisons; reform. The emphasis on different topics may vary from year to year.

#### **LAWS1810**

##### **Law and Medicine**

*Staff Contact: Mr Brian Bromberger*

C3 SS HPW4

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.

#### **LAWS2100**

##### **The High Court of Australia**

*Staff Contact: Prof George Winterton*

C3 SS HPW4

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**

*Staff Contact: Prof Mark Aronson*

C3 SS HPW4

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 decisionmaking. 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, particularly in light of governmental moves to deregulate and to introduce "private" commercial and managerial values into the "public" bureaucracies. Other topics included are freedom of information; contracts and torts of the Crown and other public authorities; ombudsmen; delegated legislation; and public corporations.

#### **LAWS2230**

##### **Communications Law**

*Staff Contact: Ms Holly Raiche*  
C3 SS HPW4

The course will cover a range of communications issues including laws covering communications generally such as defamation and contempt and other forms of legal control. It will examine both the technology of communications (spectrum use and management, and telecommunications networks and services) and its regulation under legislation. The licensing of a range of broadcasting services and controls over their content will also be examined, as well as the powers, functions and processes of the Australian Broadcasting Authority. Because much of the legislation is new and the subject of continuing debate, the course will examine policy debates as well as criticism and analysis of the current legislative frameworks for communications.

#### **LAWS2240**

##### **Mining Law**

*Staff Contact: School Office*  
C3 SS HPW4

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**

*Staff Contact: A/Prof Gerard Rowe*  
C3 SS HPW4

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.

#### **LAWS2620**

##### **Human Rights Law**

*Staff Contact: School Office*  
C3 SS HPW4

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 Opportunity Commission and State anti-discrimination bodies; alternative strategies for encouraging compliance with human rights law.

#### **LAWS2700**

##### **The Law, Procedures and Practice of Parliament**

*Staff Contact: A/Prof Adrian Brooks*  
C3 SS HPW4

*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**

*Staff Contact: Dr Kathryn Cronin*  
C3 SS HPW4

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 temporary residents, 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**

*Staff Contact: A/Prof Chris Rossiter*  
C3 SS HPW4

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 and proprietary estoppel. The distinction between notions of property and contract is studied, particularly in relation to recent developments estoppel and relief against forfeiture of proprietary interests. 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**

*Staff Contact: Mr Brian Bromberger*  
C3 SS HPW4

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**

*Staff Contact: Ms Prue Vines*  
C3 SS HPW4

*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 donations 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**

*Staff Contact: A/Prof Chris Rossiter*  
C3 SS HPW4

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**

*Staff Contact: A/Prof Gerard Rowe/Mr Ross Ramsay*  
C3 SS HPW4

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**

*Staff Contact: Mr Ian Ramsay/ Mr Angus Corbett*  
C3 SS HPW4

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

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; preincorporation 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 overreaching 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.

#### **LAWS4020**

##### **Business Associations 2**

*Staff Contact: Mr Ian Ramsay*

C3 S2 HPW4

*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**

*Staff Contact: A/Prof Paul Redmond*

C3 SS HPW4

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 intercompany 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 multinational enterprise.

#### **LAWS4240**

##### **Industrial and Intellectual Property**

*Staff Contact: A/Prof Jill McKeough*

C3 SS HPW4

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**

*Staff Contact: A/Prof Phillip Burgess*

C3 SS HPW4

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**

*Staff Contact: School Office*

C3 SS HPW4

Analyses the operation of competition law in Australia and the types of conduct and practices that are anti-competitive. The focus is on the restrictive trade practices provisions of the Trade Practices Act 1974, the decisions of the Federal Court and the determinations of the Trade Practices Commission and the Trade Practices Tribunal. Where relevant, U.S. and English decisions are considered.

#### **LAWS4350**

##### **Insurance Law**

*Staff Contact: School Office*

C3 SS HPW4

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**

*Staff Contact: Dr Gail Pearson*

C3 SS HPW4

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 LAWS4540 International Trade and LAWS4800 The Law of Banking.

#### **LAWS4380**

##### **Commercial Law B**

*Staff Contact: Mr Ian Cameron*

C3 SS HPW4

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.

**Notes:** 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**

*Staff Contact: Dr Gail Pearson*  
C3 SS HPW4

Legislative strategies for the protection of consumers and the effect of this legislation upon markets. The following protective strategies are considered: advertising self regulation; statutory regulation of advertising; the regulation of advertising by government agencies; the regulation of packaging and labelling; protection against sales promotion techniques; the licensing of persons dealing with consumers; product liability; statutory regulation of unconscionable conduct; and special procedures for consumer claims.

#### **LAWS4440**

##### **Elements of Income Tax Law**

*Staff Contact: A/Prof Philip Burgess*  
C3 SS HPW4

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; ethical and policy questions concerning tax avoidance.

#### **LAWS4450**

##### **Advanced Revenue Law**

*Staff Contact: A/Prof Philip Burgess*  
C3 SS HPW4

*Prerequisite:* LAWS4440

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

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, antiavoidance legislation and penalties legislation; 4. an introduction to aspects of international tax including some international tax agreements; 5. tax decisionmaking and review in the context of a mass decision making process; 6. an introduction to stamp duty.

#### **LAWS4540**

##### **International Trade Law**

*Staff Contact: Mr Mark Buchanan*  
C3 SS HPW4

**Notes:** 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.

A study of the Legal Environment of International Trade Transactions, 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 and related multilateral institutions. Structural and Transactional aspects of international trade law follow including Foreign Direct Investment regulation, Methods and Forms of international trade law and investment (eg. Joint Ventures), protection of Intellectual Property, Licensing and Technology Transfers, Import/Export Transactions, Customs, Transport 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, Anti-dumping, Agricultural Trade, New International Economic Order, International Trade and the Environment, and MNC's and International Codes of Conduct).

#### **LAWS 4610**

##### **Information Technology Law**

*Staff Contact: A/Prof Graham Greenleaf*  
C3 SS HPW4

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**

*Staff Contact: A/Prof Graham Greenleaf*  
C3 SS HPW4

A 'hands on' introduction to the uses lawyers can make of information technology, including expert systems (systems that give legal 'advice'), hypertext, freetext 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.

**LAWS4900****The Law of Banking**

*Staff Contact: Mr Ian Cameron*  
C3 SS HPW4

*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**

*Staff Contact: A/Prof Adrian Brooks*  
C3 SS HPW4

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 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 legislation which is designed to protect wages, hours and various leave entitlements; legislation with respect to AntiDiscrimination; programs for Equal Employment Opportunity and Affirmative Action.

**LAWS5020****Occupational Health and Safety Law**

*Staff Contact: A/Prof Adrian Brooks*  
C3 SS HPW4

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; existing protective legislation in Australia; individual rights under protective legislation.

**LAWS5030****Industrial Law**

*Staff Contact: A/Prof Adrian Brooks*  
C3 SS HPW4

The Commonwealth and New South Wales systems of compulsory conciliation and arbitration of industrial disputes. The Commonwealth and New South Wales legislation regulating the activities of trade and industrial unions, including their internal administration. The common law relating to trade unions and industrial disputes.

**LAWS6010****Law Journal**

*Staff Contact: Prof George Winterton, Mr Ian Ramsay*  
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**

*Staff Contact: School Office*  
C3 SS HPW4

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 \***

*Staff Contact: A/Prof Adrian Brooks*  
C6

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

*Staff Contact: A/Prof Adrian Brooks*  
C3 S1

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

*Staff Contact: A/Prof Adrian Brooks*  
C3 S2

A Research Thesis project shall be approved by the School of Law if 1. 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). 2. the student has formulated a clearly defined project, which has been approved by a teacher in the field concerned who agrees to act as supervisor. Supervision may be conjoint, but at least one supervisor must be a full-time member of academic staff. A group research project may be undertaken (by two or three students, but no more) provided that a statement of the proposed division of work between members of the group is approved by the staff member agreeing to act as supervisor.

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 resubmitted 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**

*Staff Contact: A/Prof Regina Graycar*  
C3 SS HPW4

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 1991 (Cth) and other Commonwealth and State laws, such as the Income Tax Assessment Act 1936 (Cth); the Family Law Act 1975 (Cth) the Child Support legislation 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**

*Staff Contact: Mr Brendan Edgeworth*  
C3 SS HPW4

This course examines residential tenancy law, practice and procedure with particular reference to the Residential Tenancies Act. Other relevant legislation will be examined such as the Strata Titles Act and Landlord and Tenant (Amendment) Act. In addition, attention will be given to housing policies, provision of public housing, alternatives to traditional homelessness strategies and tenancy law reform. There will be some focus on residential tenancy law and policy in other jurisdictions as well as social theories of the built environment.

#### **LAWS6910**

##### **Discrimination and the Law**

*Staff Contact: A/Prof Gerard Rowe*  
C3 SS HPW4

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**

*Staff Contact: Prof Garth Nettheim*  
C3 SS HPW4

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)**

*Staff Contact: Mr Simon Rice*  
C6 S1 S2 HPW16

*Co- or Prerequisites: LAWS1010; 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 free 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 other means.

In addition to two days' attendance, students are asked to attend 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.

As well as clients' files, the Centre operates education and project files. Students have the opportunity to take part in community education, and in policy and reform work.

The Centre is a placement unit for the School of Social Work, and law students work with social work students from time to time.

The subject is offered in both teaching sessions but not 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 Associate Dean. 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**

*Staff Contact: Mr Simon Rice*  
C3 F HPW8

*Co- or Prerequisites: LAWS1010; LAWS6210*

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 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 other means.

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 daily meeting and a weekly class provide 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.

As well as clients' files, the Centre operates education and project files. Students have the opportunity to take part in community education, and in policy and reform work.

The Centre is a placement unit for the School of Social Work, and law students work with social work students from time to time.

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 LAWS7200 Clinical Legal Experience (Intensive) may not enrol in this subject without the approval of the Associate Dean. 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**

*Staff Contact: A/Prof Gerard Rowe*  
C3 SS HPW4

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.

#### **LAWS8320**

##### **Legal Theory**

*Staff Contact: A/Prof Martin Krygier*  
C3 SS HPW4

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

#### **LAWS8330**

##### **Constitutionalism**

*Staff Contact: Dr Arthur Glass / A/Prof Martin Krygier*  
C3 SS HPW4

This course will introduce students to discussion and criticism of the institutional and theoretical underpinnings of a liberal-democratic constitutional order. It will do this by way both of examination of some of the key moments in constitutional development and design, and of discussion of some of the central issues of political and legal theory which constitutionalism raises. Among the topics which will be considered are: 1. Philosophical history of the notion of constitutionalism and of such related ideas as: sovereignty,

rights, the rule of law, separation of powers, republicanism, and federalism; 2. Issues in the design of constitutional order: the American Founding Fathers, the nineteenth century idea of the *Rechtsstaat* (law-governed state), and contemporary constitutional experiments in post-communist Europe; 3. Constitutional interpretation, particularly the problem of indeterminacy of constitutional and legal texts; judicial review; the accommodation of a rigid constitutional text to social change; 4. What are the sources of constitutional legitimacy?

#### **LAWS8410**

##### **Comparative Law**

*Staff Contact: Prof George Winterton*  
C3 SS HPW4

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**

*Staff Contact: Dr Owen Jessep*  
C3 SS HPW4

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.

**LAW8430****Introduction to Roman Law**

*Staff Contact: Dr Richard Bauman*  
C3 SS HPW4

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

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 economic 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; Justinian. 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.

**LAW8440****Roman Law In Medieval and Modern Europe**

*Staff Contact: Dr Richard Bauman*  
C3 S2 HPW4

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

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 largely preserved.

**LAW8450****Japanese Law**

*Staff Contact: Ms Annette Hasche*  
C3 SS HPW4

This course is intended to convey an introduction to the Japanese legal system in its historical, cultural, political and economic context. By the end of the course, students should have developed an understanding of the relationships between Japanese society and attitude to law, legal institutions and substantive law.

Japanese law provides a superb opportunity to examine the rule of law in affecting social change. By the end of the course, students should have developed an understanding of the possibilities and limitations of using law as a tool of social engineering.

The course will introduce students to the study of comparative law by looking at issues such as the

classification of legal systems into families of law and the reception of foreign law. By the end of the course, students should have developed an informed view on the classification of Japanese law and should be able to discuss the possibilities and limitations in transplanting law from one country to another.

Students will learn to analyse and evaluate legal institutions and substantive laws of a foreign legal system and to compare them in a meaningful way with similar laws and institutions in the Australian legal system. They will develop skills to critically assess whether, and if so what, Australia can learn from Japan in a legal context. Students will be introduced to the background knowledge necessary to advise on business transactions with Japanese companies, foreign investment in Japan and its barriers and the Japanese system of dispute resolution.

Topics include:

Pre-modern law and traditions, Japanese society; the reception of Western law and legal scholarship from 1868-1945; Occupation reforms after World War II; sources of law; the legal profession; the judiciary and court organisation; the dispute resolution process; the process of law-making in Japan (the legislature, administrative guidance, the courts; judicial reasoning and judicial review); the criminal justice system; overview of contract law (contract formation, common clauses, attitude to contract); overview of company law.

Other topics may be chosen according to student interest and/or availability of guest lecturers.

**LAW8460****Legal Institutions In Post-Mao China**

*Staff Contact: School Office*  
C3 SS HPW4

An introduction to the institutions of public and private law in the Peoples' Republic of China in the context of their cultural history, political economy and ideology as well as their social and cultural dimensions. The role of law in post-Mao China will be exemplified by reference to civil, economic and criminal law as well as legal process. Topics include: codification and the reception of western legal ideas; overlapping structures of the Chinese Communist Party and the state; sources of law and policy; legal professions; system of ownership and property; obligations and economic contracts; criminal law and process; mediation; the bifurcation of domestic law and law for foreign trade and investment.

**LAW8470****Law and Politics in Post-Mao China**

*Staff Contact: School Office*  
C3 SS HPW4

*Prerequisite: LAW8460*

An advanced study of the relationship between China's political and legal systems with particular emphasis on public law, criminal law and punishment as well as political dimensions of economic law and economic reform in the Post-Mao socialist state. The political dimensions of China's contemporary legal system will be examined by reference to some of the following examples:

The concept and legal recognition of human rights, especially of ethnic minorities, including freedoms of speech and assembly, the role of the Chinese Communist Party in lawmaking and law enforcement; the scope of public law and the political role of the legal professions and

the judiciary; judicial independence; theories of punishment; preventative; administrative detention; prisons and labour camps; corruption and administrative remedies; land and agricultural reform; state enterprises and bankruptcy law; law and politics in international trade and investment transactions.

#### **LAWS8530**

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

*Staff Contact: Ms Rosemary Rayfuse*

C3 SS HPW4

Principles of public international law. The nature and sources of international law, the relationship between international law and domestic law, international agreements, the international law of the sea, 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.

#### **LAWS8570**

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

*Staff Contact: Ms Rosemary Rayfuse*

C3 SS HPW4

The interrelationship and operation of international human rights law and the law of armed conflicts 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 Conventions; the laws of The Hague; problems of enforcement of humanitarian law; war crimes; humanitarian intervention; 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.

#### **LAWS8610**

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

*Staff Contact: School Office*

C3 SS HPW4

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**

*Staff Contact: A/Prof Martin Krygier*

C3 SS HPW4

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

#### **LAWS9000**

##### **Special Elective A**

#### **LAWS9010**

##### **Special Elective B**

#### **LAWS9020**

##### **Special Elective C**

#### **LAWS9040**

##### **Special Elective D**

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

## Rules for the 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 combined course leading to the award of the degrees of Bachelor of Engineering (Civil) and Bachelor of Laws.

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

(2) The courses set out in paragraphs (a), (b), (c), (d), (e), (f) (g) (h) and (i) 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.

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.

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

LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1
LAWS1610	Criminal Law
LAWS1420	Contracts
LAWS2140	Public Law
LAWS2160	Administrative Law
LAWS2150	Federal Constitutional Law
LAWS3010	Property and Equity
LAWS1010	Litigation
LAWS6210	Law, Lawyers and Society
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
	and
LAWS8320	Legal Theory or
LAWS8820	Law and Social Theory

**Elective Subjects\***

LAWS1020	Trial Process
LAWS1030	Remedies
LAWS1040	Evidence and Advocacy
LAWS1050	Dispute Resolution
LAWS1450	Advanced Studies in Torts
LAWS1480	Advanced Criminal Law
LAWS1510	Family Law
LAWS1550	Feminist Legal Theory
LAWS1620	Families and Finances
LAWS1630	Children and the Law
LAWS1720	Crime and Society
LAWS1730	The Criminal Justice System
LAWS1740	Penology
LAWS1810	Law and Medicine
LAWS2100	The High Court of Australia
LAWS2210	Advanced Administrative Law
LAWS2230	Communications Law
LAWS2240	Mining Law
LAWS2420	Local Government Law
LAWS2620	Human Rights Law
LAWS2700	The Law, Procedures and Practice of Parliament
LAWS2800	Australian Immigration Law and Practice
LAWS3020	Advanced Property and Equity
LAWS3030	Trusts
LAWS3050	Succession
LAWS3210	Conveyancing and Land Transactions
LAWS3410	Environmental Law
LAWS4010	Business Associations 1
LAWS4020	Business Associations 2
LAWS4030	The Modern Corporation
LAWS4240	Industrial and Intellectual Property
LAWS4260	Regulation of Economic Activity
LAWS4340	Trade Practices
LAWS4350	Insurance Law
LAWS4370	Commercial Law A
LAWS4380	Commercial Law B
LAWS4390	Consumer Protection Law
LAWS4440	Elements of Income Tax Law
LAWS4450	Advanced Revenue Law
LAWS4540	International Trade
LAWS4610	Information Technology Law
LAWS4620	Computer Applications to Law
LAWS4800	The Law of Banking
LAWS5000	The Law of Employment
LAWS5020	Occupational Health and Safety Law
LAWS5030	Industrial Law
LAWS6010	Law Journal
LAWS6410	Legal History
LAWS6510	Research Thesis: two session elective
LAWS6520	Research Thesis: session 1 elective
LAWS6530	Research Thesis: session 2 elective
LAWS6820	Social Security Law
LAWS6830	Housing Law
LAWS6910	Discrimination and the Law
LAWS6920	Aborigines and the Law
LAWS7200	Clinical Legal Experience (Intensive)
LAWS7210	Clinical Legal Experience
LAWS8200	Economic Analysis of Law
LAWS8320	Legal Theory
LAWS8330	Constitutionalism
LAWS8410	Comparative Law
LAWS8420	Pacific Islands Legal Systems
LAWS8430	Introduction to Roman Law

LAWS8440	Roman Law in Medieval and Modern Europe
LAWS8450	Japanese Law
LAWS8460	Legal Institutions in PostMao China
LAWS8470	Law and Politics in PostMao China
LAWS8530	Public International Law
LAWS8570	International Humanitarian Law
LAWS8610	Conflict of Laws
LAWS8820	Law and Social Theory
LAWS9000	Special Elective A
LAWS9010	Special Elective B
LAWS9020	Special Elective C
LAWS9040	Special Elective D

and  
Any other subject specified by the Faculty.\*\*

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

\*\* The Faculty has determined that, with the permission of the Associate Dean (Student Affairs) and the subject teacher, undergraduate students may enrol in one or more subjects offered in the Master of Laws by Coursework degree. The credit points so earned shall be the same as are specified in the Subject Descriptions for the Master of Laws.

(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. C81

(b) in the case of a candidate for the award of the degrees of Bachelor of Jurisprudence/Bachelor of Laws. C93

(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. C75

(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. C81

(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. C93

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

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, LAWS2140 Public Law, 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.

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 later in this book in the section Conditions for the Award of Higher Degrees.

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## Course Outlines

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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 speciality 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 Associate Dean (Postgraduate and Research) 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 Associate Dean (Postgraduate and Research) 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 LL.B. 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 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.

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

**LLM Subjects**

LAWS1059	Issues in Evidence	LAWS4609	Developing Computer Applications to Law (A) Database, hypertext, and communications technologies
LAWS1069	Law of Damages	LAWS4619	Developing Computer Applications to Law (B) Knowledge-based technologies
LAWS1559	Feminist Legal Theory and Practice	LAWS4659	Data Surveillance and Information Privacy Law
LAWS1609	Families: Property Adjustment and Financial Transactions	LAWS6559	Research Thesis: Two-session elective
LAWS1709	Sentencing: Law, Policy and Practice	LAWS6569	Research Thesis: One-session elective S1
LAWS1719	Community Corrections	LAWS6579	Research Thesis: One-session elective S2
LAWS1729	Punishment in Contemporary Society	LAWS6829	Issues in Australian Social Security Law & Policy
LAWS1759	Crime Prevention Policy	LAWS6919	Civil Liberties and the Law
LAWS1769	The 'New' Prosecutors	LAWS6929	Aboriginal Legal Issues
LAWS1779	Juvenile Justice	LAWS8009	Legal Reasoning
LAWS1789	Policing	LAWS8019	Law, Language and Power
LAWS2219	Electronic Communications: Delivery Systems	LAWS8029	Law and Social Sciences A: Law and Economics
LAWS2229	Electronic Communications: Content and Control	LAWS8039	Law and Social Sciences B: Law and Politics
LAWS2239	The Media and the Law: Defamation	LAWS8439	Modern Civil Law Systems: An Historical and Substantive Introduction to French and Roman-Dutch Law
LAWS2249	The Media and the Law: Prohibited Publications	LAWS8459	Pacific Legal Systems
LAWS2409	Comparative Constitutional Law	LAWS8469	Asian Legal Systems
LAWS2609	Issues in Human Rights	LAWS8479	Islamic Law
LAWS3409	Environmental Law and Policy	LAWS8489	Legal Aspects of International Trade and Investment Transactions in South China
LAWS4209	Issues in Intellectual Property	LAWS9019	Commercial Litigation
LAWS4219	Technology Transfer: International Intellectual Property Transactions	LAWS9079	Special Elective C
LAWS4309	Corporate Control Transactions	LAWS9089	Special Elective A
LAWS4319	Securities Regulation	LAWS9099	Special Elective B
LAWS4329	Commercial Finance		
LAWS4409	Capital Gains Tax		
LAWS4419	International Taxation		
LAWS4429	Tax Procedure		

**Subject Descriptions**

Descriptions of all subjects are presented in alphanumeric order within organizational units. For academic advice regarding a particular subject consult with the contact for the subject as listed. A guide to abbreviations and prefixes is included in the chapter 'Handbook Guide', appearing earlier in this book.

**LAWS1059****Issues in Evidence**

*Staff Contact: Dr Kathryn Cronin/Dr Jill Hunter*  
C3 SS HPW2

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.

**LAWS1069****Law of Damages**

*Staff Contact: Staff Office*  
C3 SS HPW2

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**

*Staff Contact: A/Prof Regina Graycar*  
C3 SS HPW2

This course scrutinises key debates in feminist jurisprudence and applies them to a number of important issues of practice. Theoretical issues considered include the public/private distinction, the meaning of inequality for women and questions of epistemology and methodology. These themes will then be applied to concrete issues, using

a crossdoctrinal framework of legal analysis. Topics examined may 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. A central focus will be on practical questions of strategy, looking at the possibilities for a feminist legal practice. This will include examination of gender-neutrality; alternative dispute resolution, the creation of new legal claims designed from the standpoint of women and an examination of the "theoretics of practice".

#### **LAWS1609**

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

*Staff Contact: Dr Owen Jessep*  
C3 SS HPW2

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. 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**

*Staff Contact: A/Prof George Zdenkowski*  
C3 SS HPW2

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 noncustodial 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**

*Staff Contact: A/Prof David Brown*  
C3 SS HPW2

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 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.

#### **LAWS1729**

##### **Punishment in Contemporary Society**

*Staff Contact: Mr Dirk Meure*  
C3 SS HPW2

This course takes a critical look at current debate around issues of punishment, its practices and procedures. It aims to provide a guide to understanding the strategic importance of punishment today. Topics include: problems of method; sociological visions of punishment and control; Durkheim and the neo Durkheimians; punishment and exchange; punishment and normalisation; punitive discourse; truth and the sentence; contemporary panoptics; and, reforming the sentence.

#### **LAWS1759**

##### **Crime Prevention Policy**

*Staff Contact: A/Prof David Brown*  
C3 SS HPW2

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 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**

*Staff Contact: Dr Sandra Egger*  
C3 SS HPW2

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**

*Staff Contact: School Office*  
C3 SS HPW2

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.

#### **LAWS1789**

##### **Policing**

*Staff Contact: Dr David Dixon*  
C3 SS HPW 2

This course focusses on policing as a set of social and legal practices and institutions. It is particularly concerned with the potential role of law in policing, both as a resource and as a regulator. Comparative material is used, drawing out similarities and contrasts between policing in New South Wales and elsewhere. The course's approach is inter-disciplinary, drawing on a wide range of historical, socio-legal and criminological research.

Policing is placed in its social and historical contexts by assessing conflicting interpretations of its history and of police/public relations. This leads to an investigation of some developments in modern policing. In particular, the course investigates police uses of law, the relevance of law to policing, and the effectiveness of statutory and other rules in influencing and controlling police decisions and activities.

#### **LAWS2219**

##### **Electronic Communications: Delivery Systems**

*Staff Contact: Ms Holly Raiche*  
C3 S1 HPW2

This course looks in depth at communications delivery systems (including both management of the spectrum and telecommunications, but also on the range of developing information services): how they are regulated, and the implications of convergence of technologies to deliver a range of communications services.

**Note:** (a) LAWS2219 will be taught in Session One and LAWS2229 in Session Two. (b) A student taking both these subjects in the same year can opt for a single assessment program covering both subjects.

#### **LAWS2229**

##### **Electronic Communications: Content and Control**

*Staff Contact: Ms Holly Raiche*  
C3 S2 HPW2

This course examines the process of control over content and ownership of the range of communications services, focussing primarily on broadcasting services under the Broadcasting Services Act, but also examining content and control issues for other information services.

**Note:** (a) LAWS2219 will be taught in Session One and LAWS2229 in Session Two. (b) A student taking both these subjects in the same year can opt for a single assessment program covering both subjects.

#### **LAWS2239**

##### **The Media and the Law: Defamation**

*Staff Contact: Prof Michael Chesterman*  
C3 S1 HPW2

Advanced treatment of laws imposing restrictions upon publication irrespective of the mode of publication (broadcasting, newspapers, books, etc). This includes discussion of practical aspects, and of basic policy questions, notably the definition of freedom of expression

and the balancing of this freedom against opposing considerations such as preservation of individual reputation. Material from constitutional law, comparative law and international law is included, and proposals for reform are discussed.

Topics include: Freedom of expression and the media; defamation, civil and criminal; other forms of protection of business reputation.

**Note:** (a) LAWS2239 will be taught in Session One and LAWS2249 in Session Two. (b) A student taking both these subjects in the same year can opt for a single assessment program covering both subjects.

#### **LAWS2249**

##### **The Media and the Law: Prohibited Publications**

*Staff Contact: Prof Michael Chesterman*  
C3 S2 HPW2

Advanced treatment of laws imposing restrictions upon publication irrespective of the mode of publication (broadcasting, newspapers, books etc). This includes discussion of practical aspects, and of basic policy questions, notably the definition of freedom of expression and the balancing of this freedom of against opposing considerations such as the right to a fair trial, state authority and confidentiality. Material from constitutional law, comparative law and international law is included and proposals for reform are discussed.

Topics include: Freedom of expression and the media; contempt of court and of parliament; reporting of legal and parliamentary proceedings; privacy; breach of confidence; sedition; obscenity and pornography; blasphemy; vilification on racial grounds.

**Note:** (a) LAWS2239 will be taught in Session One and LAWS2249 in Session Two. (b) A student taking both these subjects in the same year can opt for a single assessment program covering both subjects.

#### **LAWS2409**

##### **Comparative Constitutional Law**

*Staff Contact: Prof George Winterton*  
C3 SS HPW2

*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.

#### **LAWS2609**

##### **Issues in Human Rights**

*Staff Contact: Prof Garth Nettheim*  
C3 SS HPW2

*Prerequisite:* LAWS2620 Human Rights Law or equivalent

The subject examines issues of current concern in Human Rights Law. The issues selected will vary from time to time. They will include consideration of the adequacy of International Law standards and processes; regional approaches to human rights protection; the adequacy of Australian law and machinery, with comparative references to other relevant countries; human rights protection at State/Territory level.

#### **LAWS3409**

##### **Environmental Law and Policy**

*Staff Contact: A/Prof Gerard Rowe*  
C6 F HPW2

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 planmaking 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**

*Staff Contact: A/Prof Jill McKeough*  
C3 SS HPW2

*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: International Intellectual Property Transactions**

*Staff Contact: A/Prof Graham Greenleaf*  
C3 SS HPW2

*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**

*Staff Contact: A/Prof Paul Redmond*  
C3 SS HPW2

*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. An examination of Chapter 6 of the Corporations Law is a central element 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**

*Staff Contact: A/Prof Paul Redmond*  
C3 SS HPW2

*Prerequisite:* LAWS4010 Business Associations 1 or equivalent

The subject examines the structure and regulation of 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 the powers of the Australian Securities Commission and the Australian Stock Exchange over securities markets and related administrative law remedies; continuing corporate disclosure obligations; controls upon market manipulation and insider trading; securities market licensing; conduct of securities business; regulation of the futures industry.

#### **LAWS4329**

##### **Commercial Finance**

*Staff Contact: Mr Ian Cameron*  
C6 F HPW2

*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 extralegal 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 noncorporate 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**

*Staff Contact: A/Prof Philip Burgess*  
C3 SS HPW2

*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 nonneutralities, 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**

*Staff Contact: A/Prof Philip Burgess*  
C3 SS HPW2

*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, the 'controlled' Foreign Corporation measures and the foreign investment fund rules. 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 nonresidents. Transnational companies; mechanisms for shifting taxable income. Structure of double tax treaties. Source, Residence and Permanent Establishment Rules (including 'tiebreaker' 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**

*Staff Contact: A/Prof Philip Burgess*

C3 SS HPW22

*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. Selfassessment 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**

*Staff Contact: A/Prof Graham Greenleaf*

C3 SS HPW2

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; 'neural networks' in information retrieval; 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 prerequisite, 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**

*Staff Contact: A/Prof Graham Greenleaf*

C3 SS HPW2

The theory and practice of developing computer applications for use in the law, emphasising the use of 'knowledgebased' 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 prerequisite for both courses, but a knowledge of programming is not required. Legal Computer Applications Development (A) is not a prerequisite for this course, but students who have not completed that course should seek advice before enrolling.

#### **LAWS4659**

##### **Data Surveillance and Information Privacy Law**

*Staff Contact: A/Prof Graham Greenleaf*

C3 SS HPW2

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. 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 particularly in relation to the European Commission's (draft) data protection directive. The Privacy Act 1988, (Cth) is examined in detail.

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

considered, particularly in relation to the European Commission's (draft) Data Protection Directive.

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: Two-session elective**

*Staff Contact: A/Prof Adrian Brooks*

C6 F

#### **LAWS6569**

**Research Thesis: One-session elective**

*Staff Contact: A/Prof Adrian Brooks*

C3 S1

#### **LAWS6579**

**Research Thesis: One-session elective**

*Staff Contact: A/Prof Adrian Brooks*

C3 S2

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 (LAWS6559). Similarly a student who has received approval for a two-session elective (LAWS6559) 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**

*Staff Contact: A/Prof Regina Graycar*

C3 SS HPW2

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 1991 (Cth), the course will focus on several key areas: unemployment, payments for families (including sole parent pension, family payments 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**

*Staff Contact: Ms Melinda Jones*

C3 SS HPW2

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.

#### **LAWS6929**

**Aboriginal Legal Issues**

*Staff Contact: Prof. Garth Nettheim*

C3 SS HPW2

*Prerequisite:* LAWS6920 or equivalent or demonstration of a comparable level of knowledge and/or experience.

The subject examines issues of current concern and of legal/political complexity. The issues selected will vary from time to time but will include topics in relation to constitutional status, land entitlements, and economic, social and cultural issues. Comparative reference will be made, where appropriate, to experience in New Zealand, Canada and the USA. International Law will also be considered.

#### **LAWS6009**

**Legal Reasoning**

*Staff Contact: Dr Arthur Glass*

C3 SS HPW2

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 and H.G. Gadamer.

**LAWS8019****Law, Language and Power**

*Staff Contact: Mr Dirk Meure*  
C3 SS HPW2

An examination of the relationship between law, language and power as considered from a number of theoretical approaches.

Topics include: 1 Introduction to discourse theory; 2 The order of discourse, the politics of truth, governmentality, (Foucault); 3 Law and literature; 4 legal discourse and languages of law (Goodrich); 5 feminist critiques of legal discourse (Irigaray, Eisenstein); 6 law and theories of interpretation.

**LAWS8029****Law and the Social Sciences A: Law and Economics**

*Staff Contact: A/Prof Gerard Rowe*  
C3 SS HPW2

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**

*Staff Contact: School Office*  
C3 SS HPW2

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: French and Roman****Dutch Law**

*Staff Contact: Dr Richard Bauman*  
C3 SS HPW2

The course is designed to convey a basic understanding of Civil Law systems descended from Roman Law. The French and Roman-Dutch systems are used as models. These two systems occupy somewhat different positions on the Civil Law spectrum. French Law is based on a code, whereas Roman-Dutch Law is uncodified and is in that respect similar to Common Law. The course enables useful comparisons to be made between two systems, which exhibit both similarities due to their common origin and differences due to their post-Roman histories. Comparisons with Common Law are also made. The topics discussed include courts and procedures, family law, property, contract and torts. Translations of all necessary foreign language material are provided.

**LAWS8459****Pacific Legal Systems**

*Staff Contact: Dr Owen Jessep*  
C3 SS HPW2

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**

*Staff Contact: School Office*  
C3 SS HPW2

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**

*Staff Contact: Mr Salahuddin Ahmed*  
C3 SS HPW2

Islamic Law is one of the wellknown 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.

**LAWS8489****Legal Aspects of International Trade and Investment****Transactions in South China**

*Staff Contact: Mr Mark Buchanan*  
C3 SS HPW2

'South China' encompasses four of the most vital and fast growing economies in the world: the southern coastal regions of China and the Pearl River Delta as well as Hong Kong, Macao and Taiwan. This course discusses the economic, political and legal environments for trade and investment in South China as an integrated concept with a common future. The course examines the legal framework for trade and investment in China and the interaction of Hong Kong, Macao and Taiwan with China's trade system. It will demonstrate the movement towards economic, political and legal integration in South China. Topics include: an introduction to the role of law in Chinese society; foreign trade and investment policies and legal system, including contract law, international sale of goods, technology transfer, special economic areas and

intellectual property; investment vehicles, including joint and wholly foreign-owned ventures, stocks and bonds; foreign exchange barriers; dispute resolution.

**LAWS9019****Commercial Litigation**

*Staff Contact: A/Prof Chris Rossiter*

C3 SS HPW2

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.

**LAWS9079****Special Elective C****LAWS9089****Special Elective A****LAWS9099****Special Elective B**

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

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# Conditions for the Award of Degrees

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## First 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.

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## Higher Degrees

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

Title	Abbreviation	Calendar/Handbook
<b>Higher Degrees</b>		
Doctor of Science	DSc	Calendar
Doctor of Letters	DLitt	Calendar
Doctor of Laws	LLD	Calendar
Doctor of Education	EdD	Professional Studies
Doctor of Medicine	MD	Medicine
Doctor of Philosophy	PhD	Calendar
Master of Applied Science	MAppSc	and all handbooks Applied Science
Master of Architecture	MArch	Built Environment
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 Arts (Honours)	MA(Hons)	Arts and Social Sciences
Master of Art Theory	MArtTh	College of Fine Arts
Master of Biomedical Engineering	MBiomedE	Engineering
Master of Building	MBuild	Built Environment
Master of the Built Environment	MBEnv	Built Environment
Master of the Built Environment (Building Conservation)	MBEnv	Built Environment
Master of Business Administration	MBA	AGSM

Title	Abbreviation	Calendar/Handbook
Master of Business Administration (Executive)	MBA(Exec)	AGSM
Master of Business and Technology	MBT	Engineering
Master of Chemistry	MChem	Science*
Master of Clinical Education	MClinEd	Medicine
Master of Cognitive Science	MCogSc	Engineering
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	Built Environment
Master of Couple and Family Therapy	MCFT	—
Master of Defence Studies	MDefStud	University College
Master of Education	MEd	Professional Studies
Master of Education in Creative Arts	MEdCA	Professional Studies
Master of Education in Teaching	MEdTeach	Professional Studies
Master of Educational Administration	MEdAdmin	Professional Studies
Master of Engineering	ME	Applied Science Engineering 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 Engineering Science	MEnvEngSc	Engineering
Master of Environmental Studies	MEnvStudies	Applied Science
Master of Equity and Social Administration	MEqSocAdmin	—
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	Built Environment
Master of Information Science	MInfSc	Engineering
Master of International Social Development	MIntSocDev	—
Master of Medicine	MMed	Medicine
Master of Landscape Architecture	MLArch	Built Environment
Master of Landscape Planning	MLP	Built Environment
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 Medicine	MMed	Medicine
Master of Mining Management	MMinMgmt	Applied Science
Master of Music	MMus	Arts and Social Sciences
Master of Music (Honours)	MMus(Hons)	Arts and Social Sciences
Master of Optometry	MOptom	Science*
Master of Paediatrics	MPaed	Medicine
Master of Policy Studies	MPS	Arts and Social Sciences
Master of Project Management	MProjMgt	Built Environment
Master of Public Health	MPH	Medicine Professional Studies
Master of Psychological Medicine	MPM	Medicine
Master of Psychology (Applied)	MPsychol	Science†
Master of Psychology (Clinical)	MPsychol	Science†
Master of Psychotherapy	MPsychotherapy	Medicine
Master of Real Estate	MRE	Built Environment

Title	Abbreviation	Calendar/Handbook
Master of Safety Science	MSafetySc	Applied Science
Master of Science	MSc	Applied Science Built Environment Engineering Medicine Science*† University College
Master of Science <i>without supervision</i>	MSc	Applied Science Built Environment Engineering
Master of Science (Industrial Design)	MSc(IndDes)	Built Environment
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 Sports Medicine	MSPMed	Medicine
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 Taxation	MtAX	ATAx
Master of Town Planning	MTP	Built Environment
Graduate Diplomas		
Graduate Diploma	GradDip	AGSM Applied Science Architecture Arts and Social Sciences Commerce and Economics Engineering Medicine Professional Studies Science*†
	GradDipC/F Therapy	Professional Studies
	GradDipClinEd	Medicine
	GradDipHPEd	Medicine
	GradDipHEd	Professional Studies
	GradDipIndMgt	Engineering
	GradDipPaed	Medicine
	GradDipSpMed	Medicine
	DipEd	Professional Studies
	DipIM-ArchivAdmin	Professional Studies
	DipIM-Lib	Professional Studies
	DipFDA	Science*
<b>Graduate Certificates</b>		
	GradCertPhiIT	Arts and Social Sciences
	GradCertHEd	Professional Studies

\*Faculty of Science.

†Faculty of Biological and Behavioural Sciences.

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## Doctor of Philosophy (PhD)

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.

### Qualifications

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.

(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 and Social Sciences 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;
  - (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.

## Examination

6. (1) There shall be not fewer than three examiners of the thesis, appointed by the Committee, at least two of whom shall be external to the University.
- (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.

## Fees

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

## Master of Laws (LLM)

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.

### Qualifications

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

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

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

### Enrolment and Progression

3. (1) An application to enrol as a candidate for the degree shall be made on the prescribed form which shall be lodged with the Registrar at least one calendar month before the commencement of the session in 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 as either a full-time or part-time student.

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

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

(6) Full-time and part-time (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.

(9) The candidate may undertake the research as an internal student, ie 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.

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

the Committee shall be satisfied that the location and period of time away from the University are necessary to the research program.

### **Thesis**

4. (1) On completing the program of study a candidate shall submit a thesis embodying the results of the original investigation.
- (2) The candidate shall give in writing two months notice of intention to submit the thesis.
- (3) The thesis shall present an account of the candidate's own research. In special cases work done conjointly with other persons may be accepted, provided the Committee is satisfied about the extent of the candidate's part in the joint research.
- (4) Three copies of the thesis shall be presented in a form which complies with the requirements of the University for the preparation and submission of higher degree theses.
- (5) It shall be understood that the University retains the three copies of the thesis submitted for examination and is free to allow the thesis to be consulted or borrowed. Subject to the provisions of the Copyright Act, 1968, the University may issue the thesis in whole or in part, in photostat or microfilm or other copying medium.

### **Examination**

5. (1) There shall be not fewer than two examiners of the thesis, appointed by the Committee, at least one of whom shall be external to the University unless the Committee is satisfied that this is not practicable.
- (2) At the conclusion of the examination each examiner shall submit to the Committee a concise report on the merits of the thesis and shall recommend to the Committee that:
  - (a) the thesis merits the award of the degree; or
  - (b) the thesis merits the award of the degree subject to minor corrections as listed being made to the satisfaction of the head of School; or
  - (c) the thesis requires further work on matters detailed in the examiner's report. Should performance in this further work be to the satisfaction of the Higher Degree Committee, the thesis would merit the award of the degree; or
  - (d) the thesis does not merit the award of the degree in its present form and further work as described in the examiner's report is required. The revised thesis should be subject to re-examination; or
  - (e) the thesis does not merit the award of the degree and does not demonstrate that resubmission would be likely to achieve that merit.
- (3) If the performance at the further examination recommended under (2)(c) above is not to the satisfaction of the Committee, the Committee may permit the candidate to re-present the same thesis and submit to a further oral, practical or written examination within a period specified by it but not exceeding eighteen months:
- (4) The Committee shall, after consideration of the examiners' reports and the reports of any oral or written or practical examination, recommend whether or not the candidate may be awarded the degree. If it is decided that the candidate be not awarded the degree the Committee shall determine whether or not the candidate may resubmit the thesis after a further period of study and/or research.

### **Fees**

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

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## Master of Laws by Course Work (LLM)

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.

### Qualifications

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

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

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

### Enrolment and Progression

3. (1) An application to enrol as a candidate for the degree shall be made on the prescribed form which shall be lodged with the Registrar at least two calendar months before the commencement of the session in which enrolment is to begin.

(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.

### Fees

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

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# 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. Applicants should note that the awards and conditions are subject to review.

**Key:** V Value T Year/s of Tenure C Conditions

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## Scholarships

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### Undergraduate Scholarships

Listed below is an outline in summary form of undergraduate 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.

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#### General

##### Australian Development Corporation

- V Tuition fees. Some students may be eligible for airfares and a stipend.
- T Determined by normal course duration
- C Information should be obtained from Australian Diplomatic Posts. Conditions and entitlements vary depending on the home country. The closing date is normally early in the year before the year of study.

##### Sam Cracknell Memorial

- V Up to \$1500 pa payable in fortnightly instalments
- T 1 year

- C 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.

##### Girls Realm Guild

- V Up to \$1500 pa
- T 1 year with the prospect of renewal subject to satisfactory progress and continued demonstration of need
- C 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

- V Up to \$6500 pa
- T 1 year renewable for the duration of the course subject to satisfactory progress
- C 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. Applications close 30 September each year. Apply directly to PO Box 460 Broken Hill NSW 2880

### Alumni Association

- V Up to \$1500 pa
- T 1 year with the possibility of renewal
- C 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 international students.

### Sporting Scholarships

- V \$2000 pa
- T 1 year with possibility of renewal
- C 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, The University of New South Wales, Kensington NSW 2052.

### General Accident Australian Bicentennial St Andrews Scholarship

- V £Stg4840
- T approximately 12 months
- C Applicants should be Australian citizens who are proceeding to Honours in Economics, History, Philosophy, Economic and Social History or Social Anthropology. The awards are for study at St Andrews, United Kingdom.

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## Law

### John W. Kirkwood Memorial

- V Up to \$1000
- T 1 year
- C Enrolment in the second year or later year of the Faculty of Law. Selection based on academic merit and financial need.

### Corrs Chambers Westgarth

- V Up to \$1000
- T 1 year

- C Permanent residence in Australia. Full-time second or later year law students. Selection based on financial need and academic merit.

### Clayton Utz

- V Up to \$1500
- T 1 year
- C Permanent residence in Australia for a second and later year students. Selection is based on academic merit, financial need and personal circumstances

### Phillips Fox (Achievement)

- V Up to \$1000
- T 1 year
- C Permanent residence in Australia for student enrolled in the second to last year of the Law degree course. Selection is based on academic merit, extracurricular activities, community service, University activities, sport, cultural and professional interests.

### Phillips Fox

- V Up to \$1500
- C 1 year
- T Permanent residence in Australia for student enrolled in the second to last year of the Law degree course. Selection is based on academic merit and financial need.

### Tress Cocks and Maddox

- V \$1500
- T 1 year
- C Permanent residence in Australia for student enrolled in a Law degree course

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## The UNSW Co-op Program

The University of New South Wales has industry-linked education scholarships to the value of \$9600 per annum in the following areas: Accounting (and Economics, Finance, Information Systems or Japanese Studies); Business Information Technology, Aerospace, Bioprocess, Ceramic, Chemical, Civil, Electrical, Environmental, Materials, Mechanical, Metallurgical, Mineral, Mining and Petroleum Engineering; Food Science and Technology, Industrial Chemistry, Manufacturing Management, Textile Management, Textile Technology, and Wool and Pastoral Science.

## Graduate Scholarships

Listed below is an outline in summary form of Graduate Scholarships available to students. Application forms and further information are available from the Scholarships Unit and Student Centre, located on the Ground Floor of the Chancellery, unless an alternative contact address is provided. Normally applications become available four to six weeks before the closing date.

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.\*

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. Applicants should note that the awards and conditions are subject to review.

\*Available for reference in the University Library.

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## General

### Australian Awards for Research in Asia (AARA)

- T 3 to 12 months
- C The awards are for postgraduate study or fieldwork in Cambodia, China, Hong Kong, India, Indonesia, Japan, Korea, Malaysia, Philippines, Singapore, Sri Lanka, Taiwan, Thailand and Vietnam. Applicants must be Australian citizens, or have Permanent Resident status, and have lived in Australia for the 12 months prior to the close of applications on 30 June.

### Caltex National Scholarship for Women

- V \$50,000 over two years
- T Up to 2 years
- C Applicants must be Australian citizens or have resided continuously in Australia for 5 years and have completed, or will complete, in 1994 an award from an Australian institution. Applicants may be proposing to undertake study in any discipline overseas. Application to the Honorary Secretary, Caltex National Scholarship, University by 17 September.

### Kobe Steel Scholarship for Postgraduate Study at St Catherine's College, Oxford University

- V £14,520
- T Up to 2 years
- C Applicants must be Australian nationals. Applications close on 31 October with Kobe Steel Australia P/L (Level 32 Gateway, 1 Macquarie Place, 2000).

### University Postgraduate Research Scholarships

- T 1-2 years for a Masters and 3-4 years for a PhD degree
- V Living allowance of \$14,474 pa. Other allowances may also be paid. Tax free.
- C Applicants must be honours graduates or equivalent in the Medicine or Commerce faculties, or the University College, Australian Defence Force Academy. A limited number of scholarships are offered subject to the availability of funds. Information should be obtained from the Faculty office.

### Australian Postgraduate Awards

- T 1-2 years for a Masters and 3-4 years for a PhD degree
- V \$11,687 to \$18,679 (1993 rates). Other allowances may also be paid. Tax free.
- C Applicants must be honours graduates or equivalent or scholars who will graduate in current academic year, and who are domiciled in Australia. Applications to Registrar by 31 October.

### John Crawford Scholarship Scheme

- V Tuition fees. Some students may be eligible for air fares and a stipend.
- T Determined by normal course duration
- C Information should be obtained from Australian Diplomatic Posts. Conditions and entitlements vary depending on the home country.

### Overseas Postgraduate Research Scholarships

- V Tuition fees only
- T 2 years for a Masters and 3 years for a PhD degree
- C Eligibility is confined to postgraduate research students who are citizens of countries other than Australia or New Zealand. Applications to the Registrar by 30 September.

### Australian American Educational Foundation Fulbright Award

- V \$11,500 pa and travel expenses
- T 1 year, renewable
- C 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. Application forms are available from the Associate Registrar, University of Sydney, NSW 2006, telephone (02) 692 2222.

### Australian Federation of University Women

- V Amount varies, depending on award
- T Up to 1 year

- C** Applicants must be female graduates who are members of the Australian Federation of University Women. Further enquiries may be directed to the Secretary of the Federation, (telephone (02) 232 5629).

### **Commonwealth Scholarship and Fellowship Plan**

- V** Varies for each country. Generally covers travel, living, tuition fees, books and equipment, approved medical expenses. Marriage allowance may be payable.
- T** Usually 2 years, sometimes 3
- C** 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 early October.

### **The English-Speaking Union (NSW Branch)**

- V** \$8000
- T** 1 year
- C** 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, School of Arts, 275c Pitt Street, Sydney, NSW 2000.

### **Frank Knox Memorial Stipend of Fellowships**

- V** \$US11,500 pa plus tuition fees
- T** up to 2 years tenable at Harvard University
- C** 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.

### **Robert Gordon Menzies Scholarship to Harvard**

- V** Up to \$US 25,000
- T** 1 year
- C** 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

### **Gowrie Scholarship Trust Fund**

- V** \$6000 pa. Under special circumstances this may be increased.
- T** 2 years
- C** 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.

### **Harkness Fellowships of the Commonwealth Fund of New York**

- V** Living and travel allowances, tuition and research expenses, health insurance, book and equipment and other allowances for travel and study in the USA

**T** 12 to 21 months

- C** 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 35 years of age. Applications close 30 September 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**

- V** Living and travel allowances, tuition expenses
- T** 1-3 years
- C** Applicants must be Australian citizens who are honours graduates or equivalent, and under 26 years of age. Applications are available from The Secretary, Cambridge Commonwealth Trust, PO Box 252, Cambridge CB2 1TZ, England. The scholarship closes on 15 October.

### **The Rhodes Scholarship to Oxford University**

- V** Approximately \$15,000 pa and fees
- T** 2 years, may be extended for a third year.
- C** Unmarried Australian citizens aged between 19 and 25 who have an honours degree or equivalent. Applications close in September each year with The Secretary, University of Sydney, NSW 2006.

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## **Law**

### **Banking Law Association Limited Postgraduate Scholarship**

- V** Up to \$30,000 over the period of study
- T** 9 to 18 months
- C** Students wishing to pursue postgraduate study in Banking Law or a related field. Applications close with the Association on 4 June.

### **Sir Robert Menzies Memorial Scholarships in Engineering, Law and Medicine for study in the United Kingdom**

- V** Tuition fees and allowances for living, travel and equipment expenses
- T** Up to 2 years
- C** 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. Applications are available from the Scholarships Unit.

### **Lionel Murphy Australian Postgraduate Bicentennial Scholarship**

- V** \$12,500 pa for study in Australia. Up to \$25,000 for study overseas
- T** 1 year normally
- C** Applicants must be Australian citizens undertaking a postgraduate degree in Law, Science Law, legal studies or other appropriate discipline. Applications close 1 October with Lionel Murphy Foundation, GPO Box 4545, NSW 2001.

### **Julius Stone Postgraduate Scholarship in Law**

- V** Up to \$10,000 pa
- T** 2-3 years
- C** Applicants must have been successful in application for an APRA or OPRS award or of equivalent standard. Applicants must be admitted to full-time study in a Masters (Research) or PhD in Law. Applications from Scholarships Unit.

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## **Prizes**

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### **Undergraduate University Prizes**

The following information summarizes 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 of the Chancellery.

#### **The AMPLA Prize**

- V** \$500.00
- C** The best performance in LAWS2240 Mining Law

#### **The Australian Securities Commission Prize**

- V** \$100.00
- C** The best performance in LAWS4010 Business Associations 1

#### **The Blake Dawson Waldron Prize**

- V** \$275.00
- C** The best performance in LAWS3010 Property and Equity

#### **The Blake Dawson Waldron Trade Practices Prize**

- V** \$300.00
- C** The best performance in Trade Practices

#### **The Corrs Chambers Westgarth Prize for Computers and the Law**

- V** \$500.00
- C** The best overall result in LAWS4610 Computers and the Law

#### **The Corrs Chambers Westgarth Prize in Advanced Revenue Law**

- V** \$500.00
- C** The best overall result in LAWS4450 Advanced Revenue Law

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## **General**

### **The Sydney Technical College Union Award**

- V** \$400.00 and Bronze Medal
- C** Leadership in student affairs combined with marked academic proficiency by a graduand

### **The University of New South Wales Alumni**

- V** Statuette Association Prize
- C** Achievement for community benefit by a student in the final or graduating year

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## **Faculty of Law**

### **The Allen, Allen and Hemsley Prize**

- V** \$200.00
- C** The best performance in LAWS2240 Mining Law

**The Dibbs, Crowther and Osborne Prize in Commercial Law B**

V \$150.00

C 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**

V \$250.00

C The best overall result in LAWS4610 Information Systems Law

**The Freehill, Hollingdale and Page Prize**

V \$500.00

C The best performance in LAWS4440 Elements of Income Tax Law

**The Freehill, Hollingdale and Page Prize**

V \$500.00

C The best performance in LAWS4020 Business Associations 2

**The Freehill, Hollingdale and Page Prize**

V \$500.00

C 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**

V \$75.00

C The best performance in LAWS8820 Law and Social Theory

**The Julius Stone Prize for Legal Theory**

V \$75.00

C The best performance in LAWS8320 Legal Theory

**The Law Book Company Prize for Contract Law**

V \$100.00 book voucher

C The best performance in LAWS1420 Contract Law in the Bachelor of Laws course

**The Law Book Company Prize for Criminal Law**

V Books to the value of \$100.00

C The best performance in LAWS1610 Criminal Law

**The Law Society of New South Wales Prize**

V \$100.00

C The best performance in LAWS3210 Conveyancing and Land Transactions

**The Michael Pandells Award**

V \$500.00

C The most significant contribution to the Life of the Law School

**The New South Wales Bar Association Prize for Advocacy**

V \$100.00

C The best performance in the Examination-in-Chief/Cross Examination competition

**The New South Wales Bar Association Prize for Litigation**

V \$100.00

C The best performance in LAWS1010 Litigation

**The Sir Alan Taylor Prize**

V \$75.00

C 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**

V \$75.00

C 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**

V \$1600.00

C The best performance by a student in the combined Bachelor of Commerce and Bachelor of Laws degree courses

**The Spruson and Ferguson Prize**

V \$200.00

C The best performance in LAWS4240 Industrial and Intellectual Property

**The UNSW Human Rights Essay Prize**

V \$400.00

C The best honours thesis or research essay on a Human Rights topic by a student proceeding to the award of a Bachelor degree

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## Notes

# 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**  
Quadrangle Theatre **E15**  
Macauley Theatre (*Main Building*) **K14**  
Rex Vowels Theatre **F17**  
Science Theatre **F13**  
Sir John Clancy Auditorium **C24**  
Webster Theatre **G15**

## Buildings

Applied Science **F10**  
Barker Street Gatehouse **N11**  
Basser College (*Kensington*) **C18**  
Central Store **B13**  
Chancery **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 **L6**  
Newton **J12**  
NIDA **D2**  
Parking Station **H25**  
Parking Station **N18**  
Philip Baxter College (*Kensington*) **D14**  
Quadrangle **E15**  
Robert Heffron (*Chemistry*) **E12**  
Sam Cracknell Pavilion **H6**  
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*) **E15**  
Accounting **E15**  
Admissions **C22**  
Adviser for Prospective Students **C22**  
Alumni Relations: *Pindari*,  
76 Wentworth St, Randwick  
Anatomy **C27**  
Applied Bioscience **D26**  
Applied Economic Research Centre **F20**  
Applied Geology **F10**  
Applied Science (*Faculty Office*) **F10**  
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 **E15**  
Biochemistry and Molecular Genetics **D26**  
Biological and Behavioural Sciences  
(*Faculty Office*) **D26**  
Biomedical Engineering **F25**  
Biomedical Library **F23**  
Biotechnology **F25**  
Built Environment (*Faculty Office*) **H14**  
Campus Services **C22**  
Cashier's Office **C22**  
Chaplains **E4**  
Chemical Engineering and  
Industrial Chemistry **F10**  
Chemistry **E12**  
Civil Engineering **H20**  
Co-op Bookshop **E15**  
Commerce and Economics  
(*Faculty Office*) **E15**

Communications Law Centre **C15**  
Community Medicine **D26**  
Computer Science and Engineering **G17**  
Computing Services Department **F25**  
Cornea and Contact Lens Research Unit:  
22-32 King St, Randwick  
Economics **F20**  
Education Studies **G2**  
Educational Testing Centre **E4**  
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 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**  
Human Resources **C22**  
Industrial Design **G14**  
Industrial Relations and  
Organizational Behaviour **F20**  
Information, Library & Archives Studies **F23**  
Information Systems **E15**  
Institute of Languages:  
4 Francis St, Randwick  
International Student Centre **F9**  
IPACE Institute **F23**  
Japanese Economic and  
Management Studies **E15**  
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**  
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 **F10**  
Microbiology and Immunology **D26**  
Mines **K15**  
Music and Music Education **B11**  
News Service **C22**  
Optometry **J12**  
Pathology **C27**  
Performing Arts **B10**  
Petroleum Engineering **D12**  
Philosophy **C20**  
Physics **K15**  
Physiology and Pharmacology **F27**  
Political Science **C20**  
Printing Section **C22**  
Professional Development Centre **E15**  
Professional Studies (*Faculty Office*) **G2**  
Property **C22**  
Psychology **F23**  
Publications Section **C22**  
Remote Sensing **K17**  
Safety Science **B9**  
Science (*Faculty Office*) **E12**  
Science and Technology Studies **C20**  
Social Science and Policy **C20**  
Social Policy Research Centre **F25**  
Social Work **G2**  
Sociology **C20**  
Spanish and Latin American Studies **C20**  
Sport and Recreation Centre **B6**  
Squash Courts **B7**  
Student Centre (*off Library Lawn*) **C22**  
Student Services:  
Careers, Loans, Accommodation etc **E15**  
Counselling **E15**  
Students' Guild **E15**  
Students' Union **E15**  
Surveying **K17**  
Swimming Pool **B4**  
Textile Technology **G14**  
Theatre and Film Studies **B10**  
Town Planning **K15**  
UNSW Press: 22-32 King St, Randwick  
WHO Regional Training Centre **C27**  
Wool and Animal Sciences **G14**  
Works and Maintenance **B14A**





This Handbook has been specifically designed as a source of detailed reference information for first year and re-enrolling undergraduate and postgraduate students. Separate handbooks are published for Applied Science, Arts and Social Sciences, Built Environment, Commerce and Economics, Engineering, Law, Medicine, Professional Studies, Science, the Australian Graduate School of Management, College of Fine Arts, University College (ADFA) and the Centre for Liberal and General Studies. For fuller details about the University – its organisation, staff members, description of disciplines, scholarships and prizes and so on, consult the University Calendar (Summary Volume). For further information on student matters consult the University Student Guide.