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THE UNIVERSITY OF
NEW SOUTH WALES



*Faculty of
Law*

HANDBOOK

1996

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NEW SOUTH WALES



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Law*

HANDBOOK

1996

Subjects, courses and any arrangements for courses including staff allocated as stated in this Handbook are an expression of intent only. The University reserves the right to discontinue or vary arrangements at any time without notice. Information has been brought up to date as at 1 November 1995, but may be amended without notice by the University Council.

CREDIT POINTS - IMPORTANT NOTE

From 1996, UNSW is introducing a university wide credit point system for all subjects offered to both undergraduate and postgraduate students. The system will mean that a subject will have the same credit point value irrespective of which faculty's course it is counting towards. Students will be able to determine the value of subjects taken from other faculties when planning their programs of study. The student load for a subject is calculated by dividing the credit point value of a subject by the total credit points required for the program for that year of the course. Student load is used to determine both HECS and overseas student fees. Students who take more than the standard load for that year of a course will pay more HECS.

Old subject measures have been replaced by new university credit points. Every effort has been made to ensure the accuracy of the credit point values shown for all subjects. However, if any inconsistencies between old and new credit point measures cause concern, students are advised to check with their faculty office for clarification before making 1996 subject selections based on the credit points shown in this handbook.

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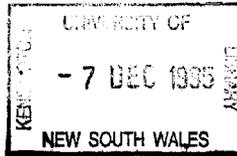
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Introduction

The new students in the Law School in 1996 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 1440 students and 80 staff (academic and administrative) we are quite a large School.

During its 25 years of life, the School has managed to acquire an excellent reputation, based in very large measure on the quality of the legal education that our students have received. We have always borne in mind that legal education is not just training for a profession, but should be undertaken with the same spirit of inquiry and the same determination to assess and criticise received wisdom as any other branch of university study.

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

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

Practical skills receive due emphasis in our curriculum. Computer retrieval of legal information is taught in a number of compulsory and elective subjects, elective subjects provide practical training in advocacy skills, and we are virtually 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 well into the first half of the 21st century. The Faculty's coursework Masters program (comprising the degrees of Master of Laws and Master of Law and Management) and its continuing legal education courses 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 indigenous 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. 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. It has a growing cohort of postgraduate research students some of whom, from 1996 onwards, will be enrolled in the new Doctor of Juridical Science course.

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.

Paul Redmond
Dean

Calendar of Dates

The academic year is divided into two sessions, each containing 14 weeks for teaching. Between the two sessions there is a break of approximately six weeks, which includes a one-week study period, two weeks for examinations, and three weeks recess. There is also a short recess of one week within each session.

Session 1 commences on the Monday nearest 1 March.

Faculties other than Medicine, AGSM and University College

	1996	1997
Session 1 (14 weeks)	4 March to 4 April 15 April to 14 June	3 March to 27 March 7 April to 13 June
Mid-session recess	5 April to 14 April	28 March to 6 April
Study period	15 June to 20 June	14 June to 19 June
Examinations	21 June to 9 July	20 June to 8 July
Mid-year recess	10 July to 28 July	9 July to 27 July
Session 2 (14 weeks)	29 July to 27 September 8 October to 8 November	28 July to 26 September 7 October to 7 November
Mid-session recess	28 September to 7 October	27 September to 6 October
Study period	9 November to 14 November	8 November to 13 November
Examinations	15 November to 3 December	14 November to 2 December

Important dates for 1996

January

M 1	New Year's Day - Public Holiday
M 15	Medicine IV - Term 1 begins
Th 18	Medicine V - Term 1 begins
F 26	Australia Day - Public Holiday
T 30	Enrolment period begins for new undergraduate students and undergraduate students repeating first year

February

M 12	AGSM Open Learning GMQ and GDM programs - Semester 1 begins
M 26	Medicine VI - Term 2 begins AGSM MBA program - Year 1 classes - Term 1 begins

March

F 1	Last day for acceptance of provisional enrolment by re-enrolling students
M 4	Session 1 begins for faculties other than Medicine and AGSM AGSM MBA program - Year 2 classes - Term 1 begins University College, ADFA - Session 1 begins
F 15	Last day applications are accepted from students to enrol in Session 1 or whole year subjects
Su 17	Medicine IV - Term 1 ends
M 18	Medicine IV - Term 2 begins
Su 24	Medicine V - Term 1 ends
Su 31	Last day for students to discontinue without failure subjects which extend over Session 1 only HECS Census Date for Session 1

April

M 1	Medicine V - Term 2 begins
F 5	Good Friday - Public Holiday
	Mid-session recess begins for faculties other than Medicine, AGSM and University College, ADFA
S 6	Easter Saturday - Public Holiday
M 8	Easter Monday - Public Holiday
Su 14	Mid-session recess ends for faculties other than Medicine, AGSM and University College, ADFA
	Medicine VI - Term 2 ends
M 15	Medicine VI - Recess begins
Su 21	Medicine VI - Recess ends
M 22	Medicine VI - Term 3 begins
Th 25	Anzac Day - Public Holiday
Su 28	Medicine IV - Term 2 ends
M 29	Medicine IV - Recess begins

May

S 4	University College, ADFA - May recess begins
Su 5	Medicine IV - Recess ends
M 6	Medicine IV - Term 3 begins
F 10	AGSM MBA program - all classes - Term 1 ends
M 13	AGSM MBA program - all classes - Examinations begin
Su 14	Publication of provisional timetable for June examinations
F 17	AGSM MBA program - all classes - Examinations end
Su 19	University College, ADFA - May recess ends
W 22	Last day for students to advise of examination clashes
S 25	AGSM Open Learning GDM program - Semester 1 ends
	AGSM Open Learning GDM program - Examination

June

S 1	AGSM Open Learning GMQ program - Semester 1 ends
	AGSM Open Learning GMQ program - Examination
Su 2	Medicine V - Term 2 ends
	Medicine VI - Term 3 ends
M 3	AGSM MBA program - all classes - Term 2 begins
	Medicine VI - Term 4 begins
T 4	Publication of timetable for June examinations
M 10	Queen's Birthday - Public Holiday
T 11	Medicine V - Term 3 begins
F 14	Session 1 ends for faculties other than Medicine, AGSM and University College, ADFA
S 15	Study recess begins for faculties other than Medicine, AGSM and University College, ADFA
Su 16	Medicine IV - Term 3 ends
M 17	Medicine IV - Term 4 begins
Th 20	Study recess ends for faculties other than Medicine, AGSM and University College, ADFA
F 21	Examinations begin for faculties other than Medicine, AGSM and University College, ADFA
	University College, ADFA - Session 1 ends
S 22	University College, ADFA - Mid-year recess begins
M 24	University College, ADFA - Examinations begin

July

F 5	University College, ADFA - Examinations end
T 9	Examinations end for faculties other than Medicine, AGSM and University College, ADFA
W 10	Mid-year recess begins for faculties other than Medicine, AGSM and University College, ADFA
M 15	AGSM Open Learning GMQ and GDM programs - Semester 2 begins
Su 21	University College, ADFA - Mid-year recess ends
M 22	University College, ADFA - Session 2 begins
F 26	Medicine VI - Term 4 ends
S 27	Medicine VI - Recess begins
Su 28	Mid-year recess ends for faculties other than Medicine, AGSM and University College, ADFA
M 29	Session 2 begins for faculties other than Medicine, AGSM and University College, ADFA

August

Su 4	Medicine VI - Recess ends
M 5	Medicine VI - Term 5 begins
F 9	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
	AGSM MBA program - all classes - Term 2 ends
Su 11	Medicine IV - Term 4 ends
	Medicine V - Term 3 ends
M 12	AGSM MBA program - all classes - Examinations begin
	Medicine IV - Recess begins
F 16	AGSM MBA program - all classes - Examinations end
Su 18	Medicine IV - Recess ends
M 19	Medicine IV - Term 5 begins
	Medicine V - Term 4 begins
S 31	Last day for students to discontinue without failure subjects which extend over Session 2 only
	HECS Census Date for Session 2

September

M 2	AGSM MBA program - all classes - Term 3 begins
S 7	Open Day
Su 15	Medicine VI - Term 5 ends
M 16	Medicine VI - Term 6 begins
F 27	Closing date for applications to the Universities Admission Centre
S 28	Mid-session recess begins for faculties other than Medicine and AGSM
Su 29	University College, ADFA - September recess begins
M 30	Medicine IV - Term 5 ends
	Medicine IV - Term 6 begins

October

M 7	Labour Day - Public Holiday
	Mid-session recess ends for faculties other than Medicine and AGSM
	University College, ADFA - September recess ends
T 8	Publication of provisional timetable for November examinations
W 16	Last day for students to advise of examination clashes
Su 20	Medicine V - Term 4 ends
F 25	University College, ADFA - Session 2 ends
S 26	AGSM Open Learning GDM program - Examination
Su 27	Medicine VI - Term 6 ends
M 28	University College, ADFA - Examinations begin
T 29	Publication of timetable for November examinations

November

S 2	AGSM Open Learning GDM program - Semester 2 ends
	AGSM Open Learning GDM program - Examination
F 8	Session 2 ends for faculties other than Medicine, AGSM and University College, ADFA
S 9	AGSM MBA program - all classes - Term 3 ends
	Study recess begins for faculties other than Medicine, AGSM and University College, ADFA
	AGSM Open Learning GMQ program - Semester 2 ends
	AGSM Open Learning GMQ program - Final Examination
Su 10	Medicine IV - Term 6 ends
M 11	AGSM MBA program - all classes - Examinations begin
Th 14	Study recess ends for faculties other than Medicine, AGSM and University College, ADFA
F 15	Examinations begin for faculties other than Medicine, AGSM and University College, ADFA
	University College, ADFA - Examinations end
	AGSM MBA program - all classes - Examinations end

December

T 3	Examinations end for faculties other than Medicine, AGSM and University College, ADFA
W 25	Christmas Day - Public Holiday
Th 26	Boxing Day - Public Holiday

Comprises the School of Law

Dean

Professor PM Redmond

Dean's Secretary

Bernadette Dattatreyan, BSc *Mys.*

Presiding Member

Vacant

Associate Dean (Undergraduate)

Associate Professor J McKeough

Associate Dean (Graduate)

Ian Cameron

Faculty Manager

Hugh Neville Stuart Turner

Executive Assistant

Janet Kay McLean, BBus *U.T.S.*, MCom *UNSW*

Manager, Student Administration and Admissions Officer

Sally Jane Banks, BSc *Tas.*

Manager, General Administration

Ethel Sara Gallo, BA *UNSW*

Administrative Assistants

Patricia Irene Coleman

Kerrie Dianne Daley

Computer Systems Officers

Wallace Hu, BSc *Rangoon*

Lakshman Jayatilake Liyanage, BSc(Eng), *Sri Lanka*, MEng *Asian I.T.*, MIEEE

School of Law

Senior Lecturer and Head of School

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George Graham Winterton, LLM *W.A.*, JSD *Columbia*

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David Dixon, BA *Camb.*, BPhil *Hull*, PhD *Wales*

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Zoe Matis

Continuing Legal Education**Director**Cheryl White, BA LLB *UNSW*, AALIA**Administrative Assistant**

Hellen Marner

This Handbook is divided into two main sections comprising undergraduate study and postgraduate study. Initially, course outlines are presented in each section, providing a guide to the degrees within organisational units. Read the opening sections of the handbook first, and then read the information contained under Course Outlines (Undergraduate or Postgraduate 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:

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

Prefixes

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

Prefix	Organisational 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
INFS	School of Information Systems	Commerce & Economics

Prefix	Organisational Unit	Faculty/Board
IROB	School of Industrial Relations & Organisational 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	School 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

Faculty Information

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.

Faculty of Law Enrolment Procedures

All students re-enrolling in 1996 should obtain a copy of the free leaflet *Re-Enrolling 1996* 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.

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 Manager, Student Administration. 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.

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 Manager, Student Administration. 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.

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.

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).

General Education Program

UNSW requires that all undergraduate students undertake a structured program in general education as an integral part of studies for their degree. The University believes that a General Education complements the more specialised learning undertaken in a student's chosen field of study and contributes to the flexibility which graduates are increasingly required to demonstrate. Employers repeatedly point to the complex nature of the modern work environment and advise that they highly value graduates with the skills provided by a broad general education, as well as the specialised knowledge provided in more narrowly defined degree programs. As well, over many years graduates of this University have reported that they greatly valued their General Education studies, which are found to be relevant to both career and personal development.

The General Education Program at UNSW intends to broaden students' understanding of the environment in which they live and work and to enhance their skills of critical analysis.

Objectives of the General Education Program

The following objectives were approved by the Council of the University in December 1994.

1. To provide a learning environment in which students acquire, develop, and deploy skills of rational thought and critical analysis.
2. To enable students to evaluate arguments and information.
3. To empower students to systematically challenge received traditions of knowledge, beliefs and values.
4. To enable students to acquire skills and competencies, including written and spoken communication skills.
5. To ensure that students examine the purposes and consequences of their education and experience at University, and to foster acceptance of professional and ethical action and the social responsibility of graduates.
6. To foster among students the competence and the confidence to contribute creatively and responsibly to the development of their society.
7. To provide structured opportunities for students from disparate disciplines to co-operatively interact within a learning situation.
8. To provide opportunities for students to explore discipline and paradigm bases other than those of their professional or major disciplinary specialisation through non-specialist subjects offered in those other areas.
9. To provide an environment in which students are able to experience the benefits of moving beyond the knowledge boundaries of a single discipline and explore cross- and interdisciplinary connections.
10. To provide a learning environment and teaching methodology in which students can bring the approaches of a number of disciplines to bear on a complex problem or issue.

General Education requirements

The basic General Education requirements are the same for students in all courses:-

- Four (4) session length subjects carrying a minimum of 7.5 credit points each or their equivalent, in combinations of session length and year long subjects
- An additional fifty-six (56) hours of study which foster acceptance of professional and ethical action and social responsibility. This fifty-six hours of study may be distributed throughout the course, or exist as a separate subject, depending on the course.

Because the objectives of General Education require students to explore discipline and paradigm bases other than those of their professional or major disciplinary specialisation, all students are excluded from counting subjects toward the fulfilment of the General Education requirement, which are similar in content or approach to subjects required in their course.

Each Faculty has responsibility for deciding what subjects are not able to be counted towards the General Education requirement for their students. In most cases, this means that subjects offered by the Faculty in which a student is enrolled, or subjects which are a required part of a course even though offered by another Faculty, are not able to be counted toward the General Education requirement.

Students should consult the General Education Handbook for detailed information about what subjects may and may not be taken to fulfill the General Education requirements for each course offered by the Faculty. The General Education Handbook is freely available from all Faculty Offices.

Additional information for undergraduate students who first enrolled before 1996

Transitional arrangements

It is intended that no student will be disadvantaged by the change to the new General Education Program. The old Program had specific requirements to complete four session length subjects (or their equivalent) in designated categories A and B. The new General Education Program does not categorise subjects in the same way.

As a result, students who enrolled prior to 1996 will be given full credit for any General Education subjects completed up to the end of Session two 1995.

From the summer session of 1995-96, students will be required to satisfy the unfilled portion of their General Education requirement under the terms of the new Program.

The exemption of General Education requirements for some double or combined degree programs will continue to apply for students who enrolled in these exempt courses prior to 1996.

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 specialisation.

Prizes

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

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.

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 Manager, Student Administration in order to determine both their eligibility to undertake such studies and the 'credibility' of the subjects under consideration.

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.

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 other 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 385 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, including the establishment of a Faculty Equity Committee.

Equal Opportunity in Education Policy Statement

Under the Federal Racial Discrimination Act (1975), Sex Discrimination Act (1984), Disability Discrimination Act (1992) and the New South Wales Anti-Discrimination Act (1977), the University is required not to discriminate against students or prospective students on the grounds of sex, marital status, pregnancy, race, nationality, national or ethnic origin, colour, homosexuality or disability. Under the University of New South Wales Act (1989), the University declares that it will not discriminate on the grounds of religious or political affiliations, views or beliefs.

University Commitment to Equal Opportunity in Education

As well as recognizing its statutory obligations as listed, the University will eliminate discrimination on any other grounds which it deems to constitute disadvantage. The University is committed to providing a place to study free from harassment and discrimination, and one in which every student is encouraged to work towards her/his maximum potential. The University further commits itself to course design, curriculum content, classroom environment, assessment procedures and other aspects of campus life which will provide equality of educational opportunity to all students.

Special Admissions Schemes

The University will encourage the enrolment of students who belong to disadvantaged groups through programs such as the University Preparation Program and the ACCESS Scheme. Where members of disadvantaged groups are particularly under-represented in certain disciplines, the responsible faculties will actively encourage their enrolment.

Support of Disadvantaged Students

The University will provide support to assist the successful completion of studies by disadvantaged group members through such means as the Aboriginal Education Program, the Supportive English Program and the Learning Centre. It will work towards the provision of other resources, such as access for students with impaired mobility, assistance to students with other disabilities, the provision of a parents' room on the upper campus, and increased assistance with English language and communication.

Course Content, Curriculum Design, Teaching and Assessment, and Printed Material

Schools and faculties will monitor course content (including titles), teaching methods, assessment procedures, written material (including study guides and handbook and Calendar entries) and audiovisual material to ensure that they are not discriminatory or offensive and that they encourage and facilitate full participation in education by disadvantaged people.

Equal Opportunity Adviser Scheme

The University will continue its Equal Opportunity Adviser Scheme for students who feel that they have been harassed or who consider they have been disadvantaged in their education by practices and procedures within the University.

Harassment Policy

The University is committed to ensuring freedom from harassment for all people working or studying within the institution. It will continue to take action, including disciplinary action, to ensure that freedom from harassment is achieved.

Student Equity

The University of New South Wales is committed to providing an educational environment that is free from discrimination and harassment. Both commonwealth and state anti-discrimination law requires the University not to discriminate against students or prospective students on the following grounds: sex, race/ethnicity, age, disability, sexual harassment, racial harassment, disability harassment, marital status, pregnancy, sexual preference, HIV/AIDS. Also included are acts of vilification on the grounds of: race and HIV/AIDS.

Complaint/Disputes

The University has internal dispute handling procedures to deal with complaints against staff or other students. The Discrimination and Harassment Grievance Procedures are handled by the Student Equity Unit of the Equal Employment Opportunity Unit. Complaints that largely concern academic matters are usually handled through the Head of School.

Advocacy and Support

Students can seek assistance getting disputes resolved, either in relation to discrimination or academic matters. Assistance can be sought from various areas in the University including:

Student Equity Unit; Student Guild Advocacy Service; Student Counselling; Equal Employment Opportunity Unit; Course Co-ordinators; Senior Academic Staff; Heads of School.

Students may be confident that their interests will be protected by the University if a complaint is lodged. This means that students should not be disadvantaged or victimised because they have, in good faith, sought to assert their rights to equal opportunity in education.

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 organises 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 1996 is:

President

Nicholas Robert Gray

Vice-President

Olivia Anne Fulcher

Secretary/Treasurer

Jane Sarah Louise Franks

Education Officer

Sari Galapo

Graduate Students' Liaison Officer

Cameron Alistair Moore

International Students' Liaison Officer

John Cheong Lee

Social Activities Director

David Michael Madden

Publications Director

Shankari Nadanachandran

Publications Officers

Lavina Rajendram

Kelly Julie Ngai

Competitions Co-ordinators

Andre Raymond Zahra

Alexandra Joan Beer

Clinton Wallace Free

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

Student Members of Faculty in 1996 are:

Jillian Moira Gardner
Giles Beresford Hardie
Rebecca Jane King
Judith Alexandra Levine
Fiona Lee McGuire
Bill Michael Neid
Alana Carolyn Phillis

Law Library

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

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.

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.

Law Librarian: Following the resignation of Ms Jackie Patrick in October 1995 to take up the position of Law Courts Librarian for NSW, a new Law Librarian is being appointed.

Computing at UNSW

The Division of Information Services (DIS) encompasses information technology and the University Library at UNSW.

Specific University information which is frequently updated is available on the World Wide Web (WWW) in the UNSW home page at <http://www.unsw.edu.au> which has an index to its contents which includes URLs <http://www.ascu.unsw.edu.au> and <http://www.misu.unsw.edu.au>.

You can access this information from your workstation and in any computing laboratory with access to WWW through Mosaic or Netscape.

The information provided on the WWW includes more details about DIS information technology units such as points of contact for particular areas of responsibility and services provided.

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.

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 and social work 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. The Centre is jointly funded by the Faculty of Law and the Legal Aid Commission of NSW, with assistance from Randwick City Council. In addition, the law firm Freehill, Hollingdale & Page maintains the permanent secondment of a solicitor's position to the Centre.

The subjects LAWS7200 Clinical Legal Experience (Intensive) and LAWS7210 Clinical Legal Experience, which require students to work at the 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. Students are also involved in outreach legal advice and education services to the local community. In 1994 the Centre became the host organisation for the newly formed Disability Discrimination Legal Centre.

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

Aboriginal Law Centre

Established within the Faculty of Law in 1981. 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 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 organise 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.

The Centre publishes the Aboriginal Law Bulletin six times per year and the Australian Indigenous Law Reporter four times per year. For further information contact Professor Garth Nettheim. (Tel 385 2252)

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; 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: 385 2262).

Australian Taxation Studies Program (ATAX)

This major distance education program was established in 1990 by the Faculty of Law and the Faculty of Commerce and Economics. A separate handbook is produced for ATAX courses

Continuing Legal Education Unit

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

The objectives of the CLE program are:

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

The range of programs offered includes:

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

For further information on particular CLE activities please contact the Director, Cheryl White (Tel: 385 2267 or Fax: 385 1155).

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 Telstra Corporation, the Australian Film Commission and the Hartley Trust. The Centre has a branch office in Melbourne. For more information contact Director, Jock Given or Administrator, Amanda Butt (Tel: 663 0551).

National Children's and Youth Law Centre

The National Children's and Youth Law Centre is a newly established law centre which aims to promote the rights and interests of children and young people throughout Australia. The Centre is a joint project of the University of New South Wales, the University of Sydney, the Australia Youth Foundation and the Public Interest Advocacy Centre. The Centre occupies premises provided by the University of New South Wales at 32 Botany Street, Randwick.

The Centre publishes a quarterly bulletin, *Rights Now!* which contains news and comments on a variety of children's rights issues. It also puts out discussion papers on a number of youth issues and a Student's Rights Kit alerting government school students to their rights in school. The Centre can be contacted by telephone (02) 398 7488, fax (02) 398 7416 or by mail via the UNSW, Sydney NSW 2052.

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.

Bachelor of Laws

The Bachelor of Laws degree (whether taken as part of a combined course or separately) is designed to give students 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.

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 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 finalised.

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

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 pass degree course. Requirements for the award of the Bachelor of Jurisprudence degree are listed in Rule 10 of the Rules for the Award of Degrees.

Qualification as a Legal Practitioner

Admission as a legal practitioner in New South Wales is controlled by the Supreme Court of New South Wales and is regulated by Rules of Court. Certificates to practise as a barrister or solicitor are granted by the NSW Bar Association and the Law Society of NSW respectively. Certain information is set out hereunder as background information, but each student desiring to qualify as a legal practitioner should make personal inquiries to the Secretary of the Legal Practitioners Admission Board, 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.

Under new rules coming into operation students wishing to become legal practitioners must meet certain academic requirements, attend a full-time practical skills course lasting 15 weeks at the College of Law and obtain practical experience. 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 and a period of 24 weeks practical experience, students will be admitted as legal practitioners. To practise as a barrister or solicitor they must also have the appropriate practising certificate, to which conditions will initially be attached.

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, in that it does not offer courses satisfying the academic requirements for admission to practise as a legal practitioner.

The course that it offers 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.

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

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. The Workshop charges fees for attendance. 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 Laws; this course is available only to graduates or graduands.
2. 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.
3. A three-year full-time course leading to the award of the degree of Bachelor of Jurisprudence.
4. A five-year combined course leading to the award of the degrees of Bachelor of Jurisprudence 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 Arts and Bachelor of Laws.
8. A five-year combined course leading to the award of the degrees of Bachelor of Arts (Asian Studies) 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 five-year combined course leading to the award of the degrees of Bachelor of Science and Bachelor of Laws.
11. A six-year combined course leading to the award of the degrees of Bachelor of Engineering and Bachelor of Laws.
12. A six-year combined course leading to the award of the degrees of Bachelor of Social Work and Bachelor of Laws.

Students in courses in the Law Faculty who discover they have made a wrong choice of course within the Faculty should consult the Manager, Student Services 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.

During 1993 the Faculty made changes to Contracts and introduced a new compulsory subject - Public Law. These changes do not affect students who entered the Law School prior to 1994.

During 1995 the Faculty added LAWS4010 Business Associations 1 to the compulsory core of subjects in order to meet the uniform national admission requirements. This change does not affect students who entered the Law School prior to 1996.

Students commencing Bachelor of Laws degrees in or after 1996 may be required to complete some General Education subjects during their courses. Whatever requirements are determined, they will not affect the first year of the course.

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). 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.
4. The total of credit points required is 375 (240 from compulsory law subjects and 135 from elective law subjects).

An approved sequence of subjects for the course is set out below; other sequences may be approved in special circumstances.

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
LAWS4010	Business Associations 1
LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
	Law elective to the value of 15 credit points

Year 3

Law electives to complete degree requirements - 120 credit points

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.

The total of credit points required is 375 (240 from compulsory law subjects and 135 from elective law subjects), but see rules 7 (1) (d) and (e). An approved sequence of subjects for the course is set out below; other sequences may be approved in special circumstances.

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
LAWS4010	Business Associations 1
LAWS2150	Federal Constitutional Law
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component

Law elective to the value of 15 credit points

Year 5

Law electives to the value of 60 credit points

Year 6

Law electives to the value of 60 credit points

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.

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

The main features of the course are as follows:

1. The course is a three year full-time course leading to the award of the degree of Bachelor of Jurisprudence (BJuris).
2. The Law subjects must include LAWS1120 Legal System Torts, LAWS7410 Legal Research and Writing 1, 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 non-Law subjects; the program should provide an integrated pattern of legal and non-legal studies.
4. The non-Law subjects shall include, unless otherwise approved, a major sequence of three years study.
5. Students must satisfy any subject prerequisites (but not general faculty prerequisites) for subjects studied in other faculties. There are no general faculty prerequisites to courses offered by the Faculty of Law but students must study Law subjects in a sequence approved by the Faculty of Law.
6. The total of credit points required in law subjects is 225 (135 from compulsory law subjects and 90 from elective law subjects), but see Rule 7 (1) (d) and (e). An approved sequence of subjects for the course is set out below; other sequences may be approved in special circumstances.

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

Law elective to the value of 15 credit points

Year 3

Non-law subject A3

Law electives to the value of 75 credit points

Combined Jurisprudence/Law Course

4780

Bachelor of Jurisprudence/Bachelor of Laws**BJuris LLB**

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

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

1. The course is a five year full-time combined course leading to the award of the two degrees of Bachelor of Jurisprudence and Bachelor of Laws (BJuris LLB).
2. The first three years of the course include non-Law subjects together with Law. 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.
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 total of credit points required in law subjects is 465 (240 from compulsory subjects and 225 from elective subjects).

A typical structure of a Jurisprudence/Law course is set out below. 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

Year 4

LAWS4010 Business Associations 1

Law electives to the value of 105 credit points

Year 5

Law electives to the value of 120 credit points

Combined Commerce/Law and Economics/Law Courses

These courses provide an opportunity to obtain two degrees of professional importance to business, administration and commercial law practice. The Law component 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.

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

1. The courses are of five years' fulltime study leading to the award of the two degrees of Bachelor of Commerce (Accounting, Finance, Information Systems, Industrial Relations or Marketing) and Bachelor of Laws or Bachelor

of Economics and Bachelor of Laws (BCom LLB or 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 Manager, Student Administration, 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 Year 3 of the program for each specialization. Students ordinarily will interpolate an honours year between Years 3 and 4 of the combined course.

5. Students enrolling from 1995 will be able to graduate from the Bachelor of Commerce or Bachelor of Economics after the completion of the first three years of the prescribed combined Law course*. Students enrolled prior to 1995 may, under certain circumstances be awarded the Bachelor of Commerce or Bachelor of Economics 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 Faculty of Commerce and Economics Students Centre or the Commerce and Economics Handbooks prior to 1995. Any student who fails to complete the full combined course 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 course 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 requirements of the first three years of the combined Bachelor of Commerce or Bachelor of Economics at Honours level/Bachelor of Laws 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.

7. Apart from service subjects for other faculties, and unless specified as from which discipline they must be chosen, Commerce and Economics options may be chosen from any offered by the Faculty of Commerce and Economics. No subject can be counted both as an option and as a prescribed subject.

8. The total of credit points required in law subjects is 405 (240 from compulsory subjects and 165 from elective subjects). An approved sequence of subjects for each course is set out in the following examples; other sequences may be approved in special circumstances.

*Subject to final approval of course change and satisfaction of General Education requirements.

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

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

Year 2

MARK2012	Marketing Fundamentals
MARK2032	Consumer Behaviour A
MARK2042	Consumer Behaviour B
MARK2052	Marketing Research
Commerce and Economics Option 1*	
LAWS1420	Contracts
LAWS2140	Public Law
LAWS1610	Criminal Law

Year 3

MARK3022	Computer Applications in Marketing
MARK3073	Brand Management
MARK3083	Strategic Marketing Management
Commerce and Economics Option 2*	
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers and Society
LAWS3010	Property and Equity

*At least one Option must be selected from subjects offered by the School of Marketing

Year 4

LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS2150	Federal Constitutional Law
LAWS4010	Business Associations 1
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
Law electives to the value of 45 credit points	

Year 5

Law electives to the value of 120 credit points

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

Note: Students who wish to take the BCom degree course at Honours level must take the appropriate Honours level equivalent subjects, if offered, and consult the Head of the School of Accounting at the end of Year 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)
	Commerce and Economics Option 1*
	Commerce and Economics Option 2*
LAWS1420	Contracts
LAWS1610	Criminal Law
LAWS2140	Public Law

Year 3

	Commerce and Economics Option 3*
	Commerce and Economics Option 4*
	Commerce and Economics Option 5*
	Commerce and Economics Option 6*
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers, and Society
LAWS3010	Property and Equity

*At least four Options must be selected from subjects offered by the School of Accounting.

Year 4

LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS2150	Federal Constitutional Law
LAWS4010	Business Associations 1
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
	Law electives to the value of 45 credit points

Year 5

Law electives to the value of 120 credit points

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

FINS2612	Australian Capital Markets
FINS2613	Business Finance 2A
FINS2624	Investments
	Commerce and Economics Option 1*
	Commerce and Economics Option 2*
LAWS1420	Contracts
LAWS1610	Criminal Law
LAWS2140	Public Law

Note: Students who wish to take the BCom degree at Honours level must take FINS3774 Financial Decision Making Under Uncertainty, FINS3775 Research Methods in Finance 1 and must consult the Head of School of Banking and Finance at the end of Year 2.

Year 3

FINS3616	International Business Finance
	Commerce and Economics Option 3*
	Commerce and Economics Option 4*
	Commerce and Economics Option 5*
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers and Society
LAWS3010	Property and Equity

*At least four Options must be selected from subjects offered by the School of Banking and Finance.

Year 4

LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS2150	Federal Constitutional Law
LAWS4010	Business Associations 1
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
	Law electives to the value of 45 credit points

Year 5

Law electives to the value of 120 credit points

4736**Bachelor of Commerce (Information Systems)/Bachelor of Laws****BCom LLB****Year 1**

ACCT1501	Accounting and Financial Management 1A
ECON1101	Microeconomics 1
ECON1202	Quantitative Methods A
ECON1203	Quantitative Methods B
INFS1602	Computer Information Systems 1
INFS1603	Business Data Management
LAWS1120	Legal Systems Torts
LAWS7410	Legal Research and Writing 1

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

Year 2

ACCT1511	Accounting and Financial Management 1B
ECON1102	Macroeconomics 1
INFS2603	Systems Analysis and Design
INFS3607	Distributed Computer Systems
Commerce and Economics Option 1*	
LAWS1420	Contracts
LAWS2140	Public Law
LAWS6210	Law, Lawyers and Society

Year 3

Commerce and Economics Option 2*	
Commerce and Economics Option 3*	
Commerce and Economics Option 4*	
Commerce and Economics Option 5*	
LAWS1610	Criminal Law
LAWS2160	Administrative Law
LAWS3010	Property and Equity

* At least four Options must be selected from subjects offered by the School of Information Systems

Year 4

LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS2150	Federal Constitutional Law
LAWS4010	Business Associations 1
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
Law electives to the value of 45 credit points	

Year 5

Law electives to the value of 120 credit points

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

Note: Students who wish to take the BCom degree at Honours level must take IROB3707 Industrial Relations Research Methods and Thesis Workshop and consult the Head of School of Industrial Relations and Organizational Behaviour at the end of Year 1.

Year 2

IROB1701	Industrial Relations 1A
IROB1702	Industrial Relations 1B
IROB2703	Industrial Relations 2A
IROB2704	Industrial Relations 2B
LAWS1420	Contracts
LAWS2140	Public Law
LAWS1610	Criminal Law

Year 3

IROB2715	Labour History
IROB3705	Industrial Relations 3A
IROB3706	Industrial Relations 3B
Commerce and Economics Option*	
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers and Society
LAWS3010	Property and Equity

* This Option must be selected from subjects offered by the School of Industrial Relations and Organizational Behaviour.

Year 4

LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS2150	Federal Constitutional Law
LAWS4010	Business Associations 1
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
Law electives to the value of 45 credit points	

Year 5

Law electives to the value of 120 credit points

**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	Introductory Econometrics
ECON2207	Econometric Methods
LAWS1420	Contracts
LAWS2140	Public Law
LAWS1610	Criminal Law

Year 3

ECON3101	Microeconomics 3 or
ECON3102	Macroeconomics 3
LAWS2160	Administrative Law
LAWS6210	Law, Lawyers and Society
LAWS3010	Property and Equity
AND five options from the following list	
ECON3101	Microeconomics 3
ECON3102	Macroeconomics 3
ECON3103	Monetary Economics
ECON3104	Monetary Theory and Policy
ECON3105	Public Enterprise Economics and Cost Benefit Analysis
ECON3106	Public Finance
ECON3107	Economics of Labour Markets
ECON3108	Economic Policy Issues
ECON3109	Economic Growth Technology and Structural Change
ECON3110	Developing Economics and World Trade
ECON3111	Contemporary Japanese Economy
ECON3112	The Newly Industrialising Economies of East Asia
ECON3113	Economic Development in ASEAN Countries
ECON3115	Economics of Developing Countries
ECON3116	International Economics
ECON3202	Mathematical Methods in Economics
ECON3203	Econometric Theory
ECON3204	Econometrics Model Building

Note: Students are encouraged to take the BEC degree at Honours level. The Honours program is an additional year of study and consists of four units and a thesis. The required subjects are ECON4127, ECON4164 and ECON4123 plus two further options from the year 3 list. Students must also by the end of the fourth year have completed ECON3101, ECON3102 and ECON3108.

Year 4

LAWS8820	Law and Social Theory or
LAWS8320	Legal Theory
LAWS2150	Federal Constitutional Law
LAWS4010	Business Associations 1
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
Law electives to the value of 45 credit points	

Year 5

Law electives to the value of 120 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 160 Law credit points and (2) studies in at least three schools or programs offering Arts subjects, to the value of 180 Arts credit points or more, of which at least 90 must be obtained by the completion of an approved major sequence (some schools require more than 90 credit points) in a school or program within the Faculty of Arts and Social Sciences, and at least 30 must be Upper Level credit points obtained in other schools or programs. For details of approved major sequences, see Undergraduate Study: How to Structure your Degree Program (1. Bachelor of Arts) 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 seek admission to the three year LLB degree course for graduates.

5. A student who does not wish to proceed to the combined degree BA LLB, may apply to 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.

7. The total of credit points required in law subjects is 405 (240 from compulsory subjects and 165 from elective subjects).

A typical combined Arts/Law course is set out below. For complete details of Arts subjects students must consult the Faculty of Arts and Social Sciences Handbook.

Year 1

Arts School A 30 Level I credit points
Arts School B 30 Level I credit points
Arts School C 30 Level I credit points
LAWS1120 Legal Systems Torts
LAWS7410 Legal Research and Writing 1

Year 2

Arts School A 30 Upper Level credit points
Arts School B 30 Upper Level credit points
LAWS1420 Contracts
LAWS1610 Criminal Law
LAWS2140 Public Law

Year 3

Arts School A 30 Upper Level credit points
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
LAWS4010 Business Associations 1
LAWS1010 Litigation
LAWS7420 Legal Research and Writing 2
LAWS7430 Research Component
Law electives to the value of 45 credit points

Year 5

Law electives to the value of 120 credit points

4762

Bachelor of Arts (Asian Studies)/ Bachelor of Laws

BA (Asian Studies) LLB

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

For the required 180 Arts credit points students must complete one of the following programs:

Program A

(i) 90 credit points in one of the following languages:

Chinese
Indonesian
Japanese
Korean

(ii) 60 credit points in Asia-related subjects prescribed for the Bachelor of Arts (Asian Studies) degree

(iii) 30 additional credit points in subjects offered by the Faculty of Arts and Social Sciences.

(iv) no more than 90 credit points to be obtained in Level 1 subjects.

Program B

(i) 60 credit points in one of the following languages:

Chinese
Indonesian
Japanese
Korean

(ii) 90 credit points in Asia-related subjects prescribed for the Bachelor of Arts (Asian Studies) degree

(iii) 30 additional credit points in subjects offered by the Faculty of Arts and Social Sciences.

(iv) no more than 90 credit points to be obtained in Level 1 subjects.

Program A

Year 1

CP30 Asian Language
CP30 Asian-related subject
CP30 Optional subject in the Arts Faculty
LAWS1120 Legal System Torts
LAWS7410 Legal Research and Writing 1

Year 2

CP30 Asian Language
CP30 Asian-related subject
LAWS1420 Contracts
LAWS1610 Criminal Law
LAWS2140 Public Law

Year 3

CP30 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
LAWS4010 Business Associations 1
LAWS1010 Litigation
LAWS7420 Legal Research and Writing 2
LAWS7430 Research Component
Law electives to the value of 45 credit points

Year 5

Law electives to the value of 120 credit points

Program B**Year 1**

CP30 Asian-related subject
 CP30 Asian language
 CP30 Optional subject in the Arts Faculty
 LAWS1120 Legal System Torts
 LAWS7410 Legal Research and Writing 1

Year 2

CP30 Asian-related subject
 CP30 Asian language
 LAWS1420 Contracts
 LAWS1610 Criminal Law
 LAWS2140 Public Law

Year 3

CP30 Asian-related subject
 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
 LAWS4010 Business Associations 1
 LAWS1010 Litigation
 LAWS7420 Legal Research and Writing 2
 LAWS7430 Research Component
 Law electives to the value of 45 credit points

Year 5

Law electives to the value of 120 credit points

(1) Law subjects totalling at least 160 Law credit points; (2) the Bachelor of Social Science core program totalling 120 Social Science credit points; and (3) an approved major sequence in the Faculty of Arts and Social Sciences of at least 90 Arts credit points (some schools require more than 90 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 Co-ordinator of the BSocSc degree course before commencing the 4th year of the combined program.

The structure of the combined Social Science/Law course is set out below. For complete details of Social Science and Arts subjects students must consult the Faculty of Arts and Social Sciences Handbook.

7. The total of credit points required in law subjects is 405 (240 from compulsory subjects and 165 from elective subjects).

Combined Social Science/Law Course**4761****Bachelor of Social Science/Bachelor of Laws****BSocSc LLB**

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

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

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

2. Students must satisfy the normal prerequisites for entry to the Arts and Social Sciences Faculty, and to individual subjects in that Faculty. 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:

Year 1

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

Arts and Social Science subject - 30 Level 1 credit points*

LAWS1120 Legal System Torts
 LAWS1420 Contracts
 LAWS2140 Public 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 - 30 Upper Level credit points*

LAWS1610 Criminal 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
 SLSP3005 Inquiry and Interpretation in the Social Sciences (Honours Prerequisite)

Arts and Social Science subject - 30 Upper Level credit points*

LAWS2160 Administrative Law
 LAWS3010 Property and Equity

Year 4

LAWS2150 Federal Constitutional Law
 LAWS8820 Law and Social Theory
 LAWS4010 Business Associations 1

LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
Law electives to the value of 45 credit points	

Year 5

Law electives to the value of 120 credit points

* A major sequence of at least 90 Arts and Social Science credit points (some schools require more than 90 credit points).

Combined Science/Law Course

4770

Bachelor of Science/Bachelor of Laws

BSc LLB

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

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

1. The course is a five year full-time combined course leading to the award of the two degrees of Bachelor of Science and Bachelor of Laws (BSc LLB).
2. The first three years of the course include at least 270 credit points in the Science course together with Law subjects totalling at least 160 credit points.
3. The 270 Science course credit points must include a minimum of 90 and a maximum of 120 level 1 credit points. All subjects prescribed in a specific program as outlined in the Science Handbook must be completed.
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 seek 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.

7. The total of credit points required in law subjects is 405 (240 from compulsory subjects and 165 from elective subjects).

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.

Year 1

Level 1 Science subjects to total 90 credit points.

LAWS1120	Legal System Torts
LAWS7410	Legal Research and Writing 1

Year 2

Science subjects to total 90 credit points

LAWS1420	Contracts
LAWS2140	Public Law
LAWS1610	Criminal Law

Year 3

Science subjects to total 90 credit points

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
LAWS4010	Business Associations 1
LAWS1010	Litigation
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
Law electives to the value of 45 credit points	

Year 5

Law electives to the value of 120 credit points

*See entry in Sciences Handbook.

Combined Civil Engineering/Law Course

4775

Bachelor of Civil Engineering Bachelor of Laws

BE LLB

Combined Engineering/Law Course

This course will provide students with professional qualifications in areas of very great importance to the community. The course will prove attractive to students who have in mind a career involving construction developments.

Most large construction projects raise a formidable range of legal issues, and there appears to be a need for highly qualified personnel who are able to understand both the engineering and the legal dimensions of such projects, both in Australia and overseas.

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

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

3. The total of credit points required in law subjects is 405 (240 from compulsory subjects and 165 from elective subjects).

4. 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
MATH1131	Mathematics 1A
MATH1231	Mathematics 1B
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
LAWS4010	Business Associations 1
LAWS2150	Federal Constitutional Law
LAWS6210	Law, Lawyers and Society
LAWS7420	Legal Research and Writing 2
LAWS7430	Research Component
	Law electives to the value of 30 credit points

Year 6

Law electives to the value of 120 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. 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.

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 specialised 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.

4. The total of credit points required in law subjects is 405 (240 from compulsory subjects and 165 from elective subjects).

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

PSYC1002	Psychology 1
SOCI1131	Society and the Individual Basic Concepts
SOCI1831	Australian Giants: Organisations and Society
SOCW8194	Social Work Practice 1 - Bridging
SOCW8254	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 (41 days)**
SOCW8291	Social Work Practice 2
LAWS1420	Contracts
LAWS2140	Public Law
LAWS6210	Law, Lawyers and Society

Year 3

SOCW8303	Human Behaviour 2
SOCW8342	Social Philosophy 1
SOCW8354	Social Work Practice 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 (55 days)**
SOCW8395	Social Work Practice 3
SOCW8454	Social Welfare 3
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

SOCW8492	Social Work Practice 4
SOCW8481	Social Work Practice - Final Placement (54 days) +
LAWS4010	Business Associations 1
LAWS7210	Clinical Legal Experience +
Law electives to the value of 45 credit points	
or	
LAWS7200	Intensive Clinical Legal Experience +
Law electives to the value of 30 credit points	

Year 6

Law electives to the value of 105 credit points

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

** The first two fieldwork placements commence with a 3 or 4 week block (5 days per week) and continue on either 2 or 3 days per week during session time, the final placement is a 54 day block.

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

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: A/Prof Jill Hunter
CP30 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 relating to the presentation of evidence in court. *The Evidence Acts 1995* (Cth) and (NSW) form the basis of the course. 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
CP30 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.

LAWS1420

Contracts

Staff Contact: Mr Denis Harley
CP22.5 F HPW S1 2, S2 4

Notes: Taken concurrently with LAWS2140 as a composite subject

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
CP30 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.

LAWS2140

Public Law

Staff Contact: Mr Robert Shelly

CP7.5 S1 HPW2

Note/s: Taken concurrently with LAWS1420 as a composite subject

This course introduces the students to the concept of 'public law', its methods of reasoning, history and fundamental principles. It deals with the fundamental principles of constitutional and administrative law, 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 republicanism debate.

LAWS2150

Federal Constitutional Law

Staff Contact: Prof George Winterton / Mr Keven Booker

CP15 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, inconsistency of Commonwealth and State laws, freedom of interstate trade and commerce, excise and implied limitations on Commonwealth and State powers, including implied rights. Techniques and approaches adopted by the High Court in interpreting the Australian Constitution.

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

LAWS2160

Administrative Law

Staff Contact: Ms Melinda Jones

CP15 S1 or S2 HPW4

This course considers the law concerning the accountability and control of government officials. Topics covered include: 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].

LAWS3010

Property and Equity

Staff Contact: A/Prof Chris Rossiter

CP30 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.

LAWS4010

Business Associations 1

Staff Contact: Mr Angus Corbett

CP15 SS HPW4

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

The corporate law component of the subject falls into two parts. The first deals with the process and incidents of incorporation, including the derivation of the modern corporation and an introduction to regulatory structures; an introduction to the corporate constitution, organs and capital; the separate personality of the corporation and its exceptions.

The balance of the subject is concerned with the structure and governance of the corporation. 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 legal doctrine is equally applicable to the large corporation as to the small enterprise, the subject stresses the problems, processes and transactions typically encountered by small incorporated businesses.

LAWS6210

Law, Lawyers and Society

Staff Contact: Dr Stan Ross

CP15 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.

LAWS7410

Legal Research and Writing 1

Staff Contact: Ms Irene Nemes

CP10 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, bibliographies, periodical indexes, digests and material on law reform. An introduction to case analysis and statutes. Principles of legal writing, including plain English, citation practice, word processing and logical argument. 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

CP5 S2 HPW2

A revision of legal research skills acquired in LAWS7410 Legal Research and Writing 1, particularly the use of Australian digests, law reform materials, loose-leaf services and legal encyclopaedias. Practice in finding and updating the law on a topic. Foreign Legal systems and International law. Further instruction on the use of computers for retrieval of legal materials.

LAWS7430

Research Component

Staff Contact: Mr Ian Cameron

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 no less than 30% of the total mark (in the case of a 15-credit point subject, or 15% of the total mark in the case of a 30-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.

Research Component may also be satisfied by taking one or more of the Research Thesis electives (LAWS6510, LAWS6520, LAWS6530). There is no formal teaching in LAWS7430 Research Component and no credit points are awarded for it.

LAWS8320

Legal Theory

Staff Contact: A/Prof Martin Krygier

CP15 S1 or S2 HPW4

Introduction to 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

CP15 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 corequisites. 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 corequisites have been set are:

LAWS1020

Trial Process

Prerequisite: LAWS 1010 Litigation

LAWS1040

Evidence and Advocacy

Prerequisites: LAWS1010 Litigation, LAWS6210 Law, Lawyers and Society

LAWS1050**Dispute Resolution**

Prerequisite: LAWS1010 Litigation

LAWS1480**Advanced Criminal Law**

Prerequisite: LAWS 1610 Criminal Law

Corequisite: LAWS 1010 Litigation

LAWS2700**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

LAWS4240**Industrial and Intellectual Property**

Prerequisite: LAWS3010 Property and Equity

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 Post-Mao 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

CP15 SS HPW4

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: Ms Anne Cossins

CP15 SS HPW4

A study of the principal private law remedies evolved by the common law and by equity through an examination of relevant historical, economic and political perspectives. 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, A/Prof Jill Hunter

CP15 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 the criminal trial 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 brief for trial. This work will 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 concentrates on the participants in the criminal trial the judge, jury, accused, witnesses and lawyers. The roles of these participants are examined from a multidisciplinary perspective, incorporating the observations of historians, psychologists, sociologists and linguists. The course assumes a fundamental knowledge of evidence law based on the *Evidence Act 1995* (NSW).

Classes: two 2 hour classes per week involving trial exercises and class discussion based on readings from the course text, Hunter, Cronin, *Evidence, Advocacy & Ethical Practice: A Criminal Trial Commentary* (1995).

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

LAWS1050**Dispute Resolution***Staff Contact: School Office*

CP15 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 court annexed 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.

LAWS1440**Advanced Contract Law***Staff Contact: Mr Denis Harley*

CP15 SS HPW4

This subject covers some significant topics of the law of contract which are omitted from the initial contract law subjects, LAWS1420 Contract (eg illegality; agency). It also deals in more depth with certain other topics which are very important in commercial practice, but are dealt with only briefly in LAWS1420 Contract (eg uncertainty and incompleteness in contract formation; economic duress; termination for breach and frustration; privity and third party rights, interpretation). The subject also examines the increasing impact of equitable principles, and of the law of restitution, on the common law of contract. There is likely also to be an examination of some leading theories on the nature and likely development of contract law.

LAWS1450**Advanced Studies In Torts***Staff Contact: Mr Angus Corbett*

CP15 SS HPW4

A consideration of the application of the tort of negligence, and of a range of 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 addressing 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. The tort of defamation is not covered in this course.

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 economic analysis of tort, general theories which propose the use of tort law to achieve regulatory goals, feminist critiques of and various corrective justice approaches to tort law. In this section there is extensive discussion of statutory reform of tort law.

LAWS1480**Advanced Criminal Law***Staff Contact: A/Prof George Zdenkowski*

CP15 SS HPW4

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: A/Prof Owen Jessep*

CP15 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, including de facto and gay and lesbian 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 reorganisation 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*

CP15 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: A/Prof Owen Jessep
CP15 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 are considered, 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 Borgen
CP15 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 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
CP15 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 dramatisation 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
CP15 SS HPW4

The operation and main institutions of the criminal justice system. The materials are socio-legal in orientation; with an increasing emphasis on popular cultural sources; they emphasise process rather than legal rules. Historical and contemporary issues are examined within their broader political and discursive 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, crime fiction, cop shows, fictional presentations of particular cases, serial killers, the death penalty, police discretion, contemporary developments in social control, deaths in custody, inquests, policing of particular groups, public order policing, criminal violence, plea bargaining, miscarriages of justice, and reform in the criminal justice system.

LAWS1740**Penology**

Staff Contact: A/Prof George Zdenkowski
CP15 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
CP15 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 / Mr Keven Booker
CP15 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
CP15 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
CP15 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
CP15 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: School Office
CP15 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: Prof Garth Nettheim
CP15 SS HPW4

Study of the measures developed for the protection of human rights in international law, of the ways in which these standards and processes are operated, and of their influence on Australian law and government.

Topics include: the development of the international system; the human rights provisions in the UN Charter; the Universal Declaration of Human Rights; the International Covenants on Civil and Political Rights, and on Economic, Social and Cultural Rights; other international human rights instruments; regional arrangements for protection of human rights; the cultural relativism debate; the influence of international standards on Australian law and government; human rights and foreign policy; the treaty based system; the Charter based system; human rights and development; self-determination, proposals to strengthen the international system.

LAWS2630**Disability, Rights and the Law**

Staff Contact: Ms Melinda Jones
CP15 SS HPW2

Real concerns have arisen in recent years about the rights of people with disabilities. This has resulted in the enactment of the Disability Discrimination Act 1992 (Cth) and in a number of legislative reforms at State level including the Guardianship Act 1987 (NSW) and amendments to the Anti-Discrimination Act 1977 (NSW). In order to understand these developments, this subject examines the legislation in the light of the historical treatment of disability, both physical and intellectual, and critically evaluates the social construction of disability and the ensuing policies and practices. A variety of models explaining disability will be discussed and evaluated. The theoretical and legal context for disabilities will then be tested by an examination of a number of case studies. These may include case studies on integration in education, sexuality, medical treatment, employment and treatment in the criminal justice system. Finally, the role of law and social policy in facilitating change for people with disabilities will be considered.

LAWS2700**The Law, Procedures and Practice of Parliament**

Staff Contact: Prof Adrian Brooks
CP15 SS HPW4

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
CP15 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 the controls 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 includes a clinical case advice component.

LAWS3020**Advanced Property and Equity**

Staff Contact: A/Prof Chris Rossiter
CP15 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 Kam Fan Sin
CP15 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
CP15 SS HPW4

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. Emphasis is placed on the Australian, especially the NSW law, but there is a significant comparative aspect to this course. Civil law systems, Aboriginal customary law and Islamic law of inheritance, inter alia, are considered. 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
CP15 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: School Office
 CP15 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, 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). Litigation and alternative dispute resolution techniques are examined.

Attention is also given 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 bodies 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.

LAWS4020

Business Associations 2
Staff Contact: Mr Angus Corbett
 CP15 S2 HPW4

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: Prof Paul Redmond
 CP15 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 businessgovernment 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
 CP15 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 Philip Burgess
 CP15 SS HPW4

Theories, economics and politics of regulation. The role of competition policy; the case for exemption. Regulation v self-regulation. Regulatory reform. Selected case studies in economic regulation.

LAWS4340

Trade Practices
Staff Contact: School Office
 CP15 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, US, UK and European decisions are considered.

LAWS4350

Insurance Law
Staff Contact: School Office
 CP15 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
CP15 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 including the supply of services; 3. an introduction to the law on consumer credit in the sales context. 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
CP15 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
CP15 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 packaging and labelling; protection against sales promotion techniques; franchising; 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
CP15 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
CP15 SS HPW4

Note/s: 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
CP15 SS HPW4

Note/s: 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).

LAWS4610**Information Technology Law**

Staff Contact: A/Prof Graham Greenleaf
CP15 SS HPW4

This 'computer law' course examines the law governing the use of computing and data communications technologies - the law of the 'information superhighway'. 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, databases and telecommunications), evidentiary problems, and computerised commercial transactions, including electronic funds transfer systems (EFTS) and electronic

document interchange (EDI). The social and legal importance of 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
CP15 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 micro-computers, and particularly word processing, is an advantage. It is also desirable to have completed, or take at the same time, Legal Research and Writing 2, or to have equivalent experience in computerised legal research. All classes take place in the Faculty Microcomputer Lab and enrolment is therefore limited.

LAWS4800

The Law of Banking

Staff Contact: Mr Ian Cameron
CP15 SS HPW4

The law and practice of domestic and international banking. Topics 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: Prof Adrian Brooks
CP15 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 unfair dismissal; AntiDiscrimination; programs for Equal Employment Opportunity and Affirmative Action.

LAWS5020

Occupational Health and Safety Law

Staff Contact: Prof Adrian Brooks
CP15 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: Prof Adrian Brooks
CP15 SS HPW4

The Commonwealth and New South Wales systems of compulsory conciliation and arbitration of industrial disputes. The Commonwealth and New South Wales systems of workplace bargaining. 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.

LAWS5040

Employment Protection Law

Staff Contact: Prof Adrian Brooks
CP15 SS HPW4

The law relating to protection against dismissal from employment. Topics include: basic concepts of substantive and procedural fairness; statutory protection against unfair dismissal under Commonwealth and State legislation; the British system; international conventions; directives of European Parliament; regulation of redundancies; employment protection provisions in industrial awards; employment protection through regulation of 'unfair' contracts; employment protection through equitable remedies; the labour market implications of employment protection.

LAWS6010

Law Journal

Staff Contact: Prof George Winterton
CP15

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.

LAWS6020

Jessup International Law Moot Court

Staff Contact: Ms Rosemary Rayfuse
CP15

The Jessup Moot is an international competition held each year from October to February. Team members (maximum of five) are selected from applicants by a Faculty panel upon the basis of academic merit, research, and/or mooting skills and experience. All team members will engage in two phases of the competition, which include the extensive research and writing of case memorials, and the Australian regional mooting competition in Canberra. The winning team represents Australia in the international competition in the United States in March/April.

LAWS6410**Legal History**

Staff Contact: School Office
CP15 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: Mr Ian Cameron
CP30 F

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

Staff Contact: Mr Ian Cameron
CP15 S1

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

Staff Contact: Mr Ian Cameron
CP15 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 will initially limit its approval for a Research Thesis 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
CP15 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
CP15 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: Ms Dorne Boniface
CP15 SS HPW4

This subject deals with the law and policy of anti-discrimination and equal opportunity. The problem of arbitrary denials of equality to many different sorts of groups, in many different aspects of life, is one which is increasingly recognised. The law has an important role as an instrument of public policy in this area. The course examines 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. For the purposes of illustration, discrimination on the grounds of race, sex, and disability are stressed but other grounds will also be discussed. Some aims of the course are to provide an understanding of the concept of discrimination; examine international instruments eg the International Covenant on

Civil and Political Rights, relevant to the prohibition of certain kinds of discrimination; provide a good working knowledge of Australian anti-discrimination law (broadly understood, and covering legislation, informal and formal decision making and procedures and their practical operation); provide a critical assessment of law and its limits in addressing the perceived problems of discrimination.

LAW5920

Aborigines and the Law

Staff Contact: Prof Garth Nettheim

CP15 SS HPW4

A study of laws relating to Australia's indigenous peoples and of the impact of general law on Aborigines and Torres Strait Islanders. Topics include: elements of pre-contact and post-contact history; questions of definition and identity; sovereignty; self-determination and self-government; native title and statutory land rights; cultural heritage; recognition of indigenous law; Constitutional power; racial discrimination law; relevant principles and procedures of international law; criminal justice issues, moves towards 'reconciliation'.

Reference is made to comparable materials from comparable countries such as Canada, USA and New Zealand.

LAW57200

Clinical Legal Experience (Intensive)

Staff Contact: Ms Frances Gibson

CP30 S1 S2 HPW16

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.

LAW57210

Clinical Legal Experience

Staff Contact: Ms Frances Gibson

CP15 S1 S2 HPW8

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.

LAW58200

Economic Analysis of Law

Staff Contact: School Office

CP15 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.

LAW58320

Legal Theory

Staff Contact: A/Prof Martin Krygier

CP15 SS HPW4

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

LAWS8330**Constitutionalism**

Staff Contact: Dr Arthur Glass, A/Prof Martin Krygier
CP15 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?

LAWS8400**Talmudic Law**

Staff Contact: School Office
CP15 SS HPW4

The subject provides a comprehensive introduction, taught in three sections, to the history, philosophy and principles of Jewish Law. The first section addresses some of the fundamental principles of Talmudic Law, including its role as a legal system, its seat of authority, its flexibility, the place of equity and custom, the relationship between *halachah* (Talmudic Law) and the State of Israel, and its influence on other legal systems. The second section deals with the main headings of the Talmudic legal system - property, torts, contracts, partnership, agency, trusts, employer and employee, criminal law, privacy, marriage and divorce, inheritance, conflicts and choice of law, international law and legal procedure. The third section introduces text material (in English translation) on Talmudic civil and criminal law.

LAWS8410**Comparative Law**

Staff Contact: Prof George Winterton
CP15 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 and Islamic 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 procedure 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: A/Prof Owen Jessep
CP15 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, 'modernisation', and economic underdevelopment. Particular nations looked at include Papua New Guinea, Fiji, Vanuatu, the Solomon Islands, New Caledonia, French Polynesia, Western Samoa, Tonga, Kiribati, the Federated States of Micronesia, Belau and the Marshall Islands. Topics include: the political status of Pacific Island entities and their constitutional development; theories relating to legal 'development'; the role of law courts and the legal profession in changing society; the nature of traditional society, colonialism, and social and economic change; the nature of customary law and dispute settlement and its integration with imported Western law and legal institutions; changing family law, land law and notions of criminal responsibility; theories of economic underdevelopment; international law problems facing Pacific Island nations; issues of ideology and gender. By developing an appreciation of the theoretical and practical problems arising from the attempted imposition, or adoption, of Western legal concepts and institutions in non Western countries, it is hoped that students will develop a more flexible, enquiring and critical attitude towards the legal institutions of their own society.

LAWS8430**Introduction to Roman Law**

Staff Contact: Dr Richard Bauman
CP15 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.

LAWS8440**Roman Law in Medieval and Modern Europe**

Staff Contact: Dr Richard Bauman
CP15 SS 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.

LAWS8450

Japanese Law

Staff Contact: Ms Annette Marfording

CP15 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 role 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:

Pra-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); 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.

LAWS8460

Legal Institutions in Post-Mao China

Staff Contact: School Office

CP15 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.

LAWS8470

Law and Politics in Post-Mao China

Staff Contact: School Office

CP15 SS HPW4

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.

LAWS8480

Asian Business Law

Staff Contact: Dr Gail Pearson, Ms Liane Degville

CP15 SS HPW4

This course is intended as an introduction to the legal systems and business laws of China, Indonesia, Japan, Korea, Malaysia, Thailand, India and Vietnam.

The course is divided into five sections including: legal system and foreign investment law, business associations law, contract law, finance and securities law, and environment and dispute resolution law. The laws will be overviewed for each country and where appropriate comparisons made with Australian law. The laws will also be examined with reference to the particular social context and economic stage of development of each country, including the most recent changes in those laws.

LAWS8490

Roman Law and Modern Civil Law

Staff Contact: Dr Richard Bauman

CP15 SS HPW4

How did Roman Law, that supreme monument to the legal thinking of the ancient world, establish itself as an integral part of so many modern legal systems?

The course is divided into two segments. The first (weeks 1 - 7) covers the historical process by which Roman Law was assimilated in Medieval and Modern Europe. After noting the laws of the Germanic invaders who destroyed the Western Roman Empire, the discussion turns to the 'rediscovery' of Roman Law in the 11th and subsequent

centuries and its gradual absorption into the legal systems of the Holy Roman Empire, France and other countries. Then follows the formal Reception of Roman Law, and finally the Napoleonic Code and its offshoots which re-incorporated Roman Law in a codified form.

The second segment (Weeks 8 - 14) deals with the substantive law of modern systems descended from Roman Law, with special reference to contract and delict (torts). 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. The segment makes useful comparisons between two systems which have both similarities due to their common origin and differences due to their post-Roman histories. Comparisons with Australian Law are also made at appropriate points.

Enrolments are invited from both undergraduate and postgraduate students. There are no prerequisites and no knowledge of Latin or any modern language is required. Translations of all necessary material are provided.

LLM students may arrange, in consultation with the Associate Dean (Postgraduate), to substitute additional written work for part of the lecture component.

LAWS8500

Asian Legal Systems

Staff Contact: Ms Liane Degville
CP15 SS HPW4

The legal systems in many Asian countries reflect a combination of traditional law together with received legal systems. This course will discuss the interaction of those various component parts of contemporary Asian legal systems. In particular, the following issues will be covered: Basic legal and political structures (the constitution, judiciary, legal profession, the role of the bureaucracy etc); Popular consciousness of the law; Adaptation of received legal principles and practices; "Legalisation" of social issues; Application of different legal systems to different legal issues in the same community (influenced by factors such as religion and ethnic origin); and the extent to which legal and regulatory responses to external pressures relate to domestic cultural and political values.

These issues will be dealt with in the context of specific countries which may include China, Japan, Korea, India, Malaysia, Indonesia, Thailand and Vietnam. This course complements the subject *Asian Business Law* as it provides the legal background for countries dealt with in that subject.

LAWS8530

Public International Law

Staff Contact: Ms Rosemary Rayfuse
CP15 SS HPW4

Principles of public international law. The nature and sources of international law, the relationship between international law and domestic law, international agreements, statehood and title to territory, territorial and maritime jurisdiction, recognition of states and governments, immunities, state responsibility, the use of force, and peaceful settlement of international disputes.

LAWS8570

International Humanitarian Law

Staff Contact: Ms Rosemary Rayfuse
CP15 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
CP15 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.

LAWS8810

Legal 'isms'

Staff Contact: A/Prof Martin Krygier
CP15 SS HPW4

This course is concerned with the views of the world that lie behind and shape, often unconsciously, our views of life and, within life, of law. These views are the 'isms' of the title. In western societies conventional 'isms' include liberalism, conservatism, legalism, literalism, positivism,

constitutionalism, moralism, modernism, and, some would say, racism, colonialism, sexism. Critical 'isms' have included radicalism, marxism, anarchism, post-modernism, feminism, interpretativism. The class will select several 'isms' for close analysis, with a particular focus on political 'isms' and with a view to uncovering their assumptions and implications for our understanding of law and life. The particular 'isms' chosen will vary with the individual choices made by particular classes.

LAWS8820**Law and Social Theory**

Staff Contact: A/Prof Martin Krygier

CP15 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 (j) 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.

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
LAWS4010	Business Associations 1

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

Elective Subjects (Cont)

LAWS2210	Advanced Administrative Law
LAWS2230	Communications Law
LAWS2240	Mining Law
LAWS2420	Local Government Law
LAWS2620	Human Rights Law
LAWS2630	Disability, Rights and the 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
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
LAWS5040	Employment Protection Law
LAWS6010	Law Journal
LAWS6020	Jessup International Law Moot Court
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
LAWS8400	Talmudic Law
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 Post-Mao China
LAWS8470	Law and Politics in Post-Mao China
LAWS8480	Asian Business Law
LAWS8490	Roman and Modern Civil Law
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 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.

General guidelines: Students may apply to enrol in an LLM subject provided they:

- are within the last two years of their course;
- have no failures in the last two years;
- have completed all compulsory subjects; and
- have completed any prerequisites.

(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 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. 405CP

(b) in the case of a candidate for the award of the degrees of Bachelor of Jurisprudence/Bachelor of Laws. 465CP

(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. 375CP

(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. 405CP

(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. 465CP

(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 465 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 225 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. The degree of Doctor of Juridical Science (Course 1740), commencing in 1996, requires completion of at least three years of full-time study (one year of coursework and two years of research).

Research may also be undertaken by approved students for the degree of Master of Laws (Course 2440). An LLM degree by coursework (Course 9200) commenced in 1989. The degree of Master of Law and Management (Course 9210), commencing in 1996, may be taken full-time over three semesters or part-time over a minimum of five semesters.

The conditions for the award of the PhD degree, the SJD degree, the LLM degree by research, and the LLM degree by coursework, the MLM degree by coursework, and full details of graduate scholarships available are set out later in this book in the section Conditions for the Award of Higher Degrees.

Course Outlines

Doctor of Juridical Science

1740

Doctor of Juridical Science

SJD

The Doctor of Juridical Science degree provides an opportunity to combine a doctoral thesis with the coursework component of an LLM degree and allows significant research into an area of interest developed within the coursework program. In addition to the contact with academic staff fostered by the program, SJD students will become part of the mainstream student body of the law school and enjoy the advantages of contact with other committed research students. The degree consists of one third coursework (equivalent to one year full time) and two thirds research (two years full time) into an area encountered by the student while undertaking coursework. The SJD is intended to be equivalent to a PhD and therefore among the highest forms of degree that a university can be awarded. The degree is intended to prepare candidates for an academic career, or for high level research and policy

formulation. While exceeding the requirements of most practising lawyers who wish to undertake a higher degree, it is expected that, as has been the case in North America and elsewhere overseas, the SJD will be widely accepted by the profession as an indicator of expertise and original contribution to an area of knowledge.

The coursework component of the degree is described under the entry for LLM by Coursework. If (as is envisaged) the subject Legal Research becomes compulsory in the LLM (except for students with an appropriate level of research qualifications) it will be compulsory in the SJD. All coursework units must be completed before the commencement of the dissertation. After completion of at least four coursework units, students intending to enrol in the SJD dissertation may submit an outline of a proposed topic to the Associate Dean (Postgraduate). The topic of the dissertation is to be a development of at least one course work unit, to be nominated by the candidate and approved by the Associate Dean (Postgraduate) after receipt of a recommendation from the lecturer(s) in the course(s) most concerned.

The dissertation must amount to an original contribution to a field of study, and be of publishable quality. It will be marked by not less than three examiners appointed by the Higher Degree Committee of the Faculty of Law. Marking as for other research degrees, ie award / not award / re-submit. A result of non-award of the SJD will lead to an LLM being conferred on the candidate.

Master of Laws Degree By Coursework

9200

Master of Laws

LLM

The Master of Laws by formal coursework offers law 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 coursework program combine a degree of sophistication or technical difficulty in terms of legal content with a substantial consideration of relevant interdisciplinary aspects of the subject matter and a focus on policy. Each subject contains a significant research component.

The LLM by coursework may be taken full-time in one year or part-time in a minimum of two years. Students shall undertake and satisfactorily complete eight session-long (single semester) subjects or the equivalent. A total of 120 credit points is required for the award of the degree. Students may elect to complete a major sequence of subjects (refer below). 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 or two session-long subjects.

A student may apply to the Associate Dean (Postgraduate and Research) for permission to take, as appropriate to the students overall program, up to three single-semester subjects (or the equivalent in year-long subjects) offered at postgraduate level by another University, and four single-semester LLB subjects offered by the Faculty (or the equivalent in year-long subjects)—provided that no student may be permitted to take in all more than four single-semester subjects of either type (or their equivalent in year-long subjects). A student taking an LLB subject shall be assessed in a manner and at a level appropriate to an LLM subject.

Specialist Major Sequences

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

- Criminal Justice
- Media, Communications and Information Technology Law
- Corporate, Commercial and Taxation Law
- International Law

- The Faculty is currently seeking approval to introduce the following specialist streams for 1996:
- Asia-Pacific Law
- Comparative Law

2. In order to incorporate a major sequence in the degree a student will be required to obtain no less than 60 of the 120 credit points required for the award of the degree from the subjects allocated to that major sequence (outlined below).

3. From time the allocation of subjects to major sequences may be altered.

4. The Associate Dean (Postgraduate and Research) may when he or she considers it appropriate authorise the inclusion of a Special Elective within, or the deletion of a Special Elective from among, the subjects allocated to a major sequence.

5. The Associate Dean (Postgraduate and Research) may when he or she considers it appropriate approve as part of an individual student's major sequence a subject or subjects taken by that student on a cross-institutional basis.

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

7. The Research Thesis subjects LAWS6559, LAWS6569 and LAWS6579 may be counted towards the credit points required for a major sequence where, in the opinion of the Associate Dean, the subject matter of the thesis topic concerned is substantially related to the specialist area of the major sequence.

8. When a student completes the LLM by course work which incorporates a major sequence as above, the student's academic transcript will identify the major sequence and the subjects which constitute it and the student's Testamur will contain the words 'Master of Laws specialising in... (the major sequence completed)' or words to like effect.

Major Sequences

1. Criminal Justice (Graduate Subjects)
 Civil Liberties and the Law
 Community Corrections
 Crime Prevention Policy
 Issues in Evidence
 Juvenile Justice
 Policing
 Punishment in Contemporary Society
 Sentencing: Law, Policy and Practice
 The 'New' Prosecutors
(Undergraduate Subjects)
 Advanced Criminal Law
 Crime and Society
 Criminal Justice System
 Penology

2. Media, Communications and Information Technology Law (Graduate Subjects)
 Data Surveillance and Information Privacy Law
 Database, Hypertext and Communications Technologies
 Developing Computer Applications to Law A:

Developing Computer Applications to Law B:
 Electronic Communications: Content and Control
 Electronic Communications: Delivery Systems
 Issues in Intellectual Property
 Knowledge-based applications
 The Media and the Law: Defamation
 The Media and the Law: Prohibited Publications
(Undergraduate Subjects)
 Communications Law
 Industrial and Intellectual Property
 Information Technology Law

3. Corporate, Commercial and Taxation Law (Graduate Subjects)

Capital Gains Tax
 Commercial Contracts: Problems of Performance, Breach
 & Termination
 Commercial Finance
 Commercial Litigation
 Corporate Insolvency
 Corporate Control Transactions
 Derivatives Regulation
 International Taxation
 International Trade and Investment Law in the People's
 Republic of China
 Regulation of Collective Investments
 Securities Regulation
 Tax Procedure
(Undergraduate Subjects)
 Insurance Law Advanced Revenue Law
 International Trade Law
 Regulation of Economic Activity
 The Law of Banking
 The Modern Corporation
 Trade Practices

4. International Law (Graduate Subjects)

Advanced Issues in International Law
 History and Theory of International Law
 International Commercial Arbitration
 International Organisations
 Law of the Sea
 Legal Regulation of the Use of Force
 Peaceful Settlement of International Disputes
(Undergraduate Subjects)
 International Humanitarian Law
 International Trade Law
 Public International Law

Proposed for 1996:

5. Asia-Pacific Law (Graduate Subjects)

Islamic Law
 Japanese Law
 Korean Legal System
 Law and Religion in India
 Legal Aspects of Business in India
 Pacific Islands Legal System
 Personal Status Law in SE Asia
 Trade and Investment Law in Japan
 Trade and Investment Law in the People's Republic of
 China
(Undergraduate Subjects)
 Asian Business Law

Japanese Law
 Pacific Island Legal System

6. Comparative Law

In order to complete a major sequence in Comparative Law a student will be required to have followed a program of study structured to develop a sophisticated understanding of comparative law and/or of legal system, law and culture in jurisdictions other than any in which the student has already graduated.

To that end each such student will be required to obtain no less than 60 of the 120 credit points required for the award of the degree from subjects which the Associate Dean (Postgraduate and Research) has authorised or approved in that student's case as part of such a program of study.

Master of Law and Management

9210

Master of Law and Management

MLM

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

The degree is directed towards three primary target groups. First, lawyers in mid-career who already specialise or who wish to begin specialising in one or more areas of the law and who are working in the corporate environment. Second, practising managers in industry with a law degree who seek to broaden both their management and legal expertise. Third, lawyers with partnership status at senior or managing partner level and therefore significant management responsibilities within the firm .

The MLM is offered jointly by the Faculty of Law and the Australian Graduate School of Management (AGSM), with support from the Australian Taxation Studies Program (ATAX).

A minimum of four subjects must be drawn from the choice offered by Law and ATAX and a minimum of four management subjects from the AGSM. The Law subjects include most of those listed for the LLM in this Handbook. The ATAX subjects are listed in the relevant Handbook. All subjects will not necessarily be available in any one year. The AGSM compulsory subjects are: Managing People; Marketing Principles; Managers, Markets and Prices, and Corporate Finance. The elective management subjects, from which a maximum of two may be selected, are: Total Quality Management; Accounting and Financial Management; Skills for Managing People; and Enhancing Workforce Management.

The Law subjects will normally be taught in the evening at UNSW or at a location in Sydney. The AGSM subjects are available in four locations in Sydney and in five other major

city venues interstate (participants may attend these synchronised classes if travelling). ATAX subjects are available by distance learning with audioconferences scheduled to suit busy professionals. Most classes are between 1.5 and 2 hours in duration. In addition, the AGSM subjects have on average two half-day Saturday workshops. Both the AGSM and ATAX subjects are supported by comprehensive open learning self-directed study materials. For AGSM subjects no other study resources need be obtained.

Students must successfully complete 10 (single semester) subjects to be eligible for the degree. A total of 150 credit points is required for the award of the degree. The MLM by coursework may be taken full-time over 1.5 years (three sessions) or part-time over a minimum of 2.5 years (five sessions).

In relation to Law subjects, students may apply to the Program Director for permission to take, as appropriate, one or two single-semester subjects (or the equivalent year-long subjects) offered at postgraduate level by another university.

The MLM is a full fee program. In 1996 the cost of Law and ATAX subjects will be \$1,500 per subject and for AGSM subjects the fee per subject will be \$2,000.

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, the Doctor of Juridical Science (coursework component) and the Master of Law and Management degree.

LLM and MLM Subjects

LAWS1059	Issues in Evidence
LAWS1069	Law of Damages
LAWS1559	Feminist Legal Theory and Practice
LAWS1609	Families and Financial Adjustment
LAWS1709	Sentencing: Law, Policy and Practice
LAWS1719	Community Corrections
LAWS1729	Punishment in Contemporary Society
LAWS1759	Crime Prevention Policy
LAWS1769	The 'New' Prosecutors
LAWS1779	Juvenile Justice
LAWS1789	Policing
LAWS2219	Electronic Communications: Delivery Systems
LAWS2229	Electronic Communications: Content and Control
LAWS2239	The Media and the Law: Defamation
LAWS2249	The Media and the Law: Prohibited Publications
LAWS 2309	Australian Legal System
LAWS2409	Comparative Constitutional Law
LAWS2609	Issues in Human Rights

LAWS3409	Environmental Law and Policy
LAWS3419	Environmental Law and Policy - General Principles and Perspectives
LAWS4209	Issues in Intellectual Property
LAWS4219	Technology Transfer: International Intellectual Property Transactions
LAWS4309	Corporate Control Transactions
LAWS4319	Securities Regulation
LAWS4329	Commercial Finance
LAWS4339	Derivatives Regulation
LAWS4349	Regulation of Collective Investments
LAWS4359	Corporate Insolvency
LAWS4409	Capital Gains Tax
LAWS4419	International Taxation
LAWS4429	Tax Procedure
LAWS4519	Commercial Contracts: Problems of Performance, Breach and Termination
LAWS4609	Developing Computer Applications to Law (A) Database, hypertext, and communications technologies
LAWS4619	Developing Computer Applications to Law (B) Knowledge-based technologies
LAWS4629	Legal Research
LAWS4659	Data Surveillance and Information Privacy Law
LAWS6559	Research Thesis: Two-session elective
LAWS6569	Research Thesis: One-session elective S1
LAWS6579	Research Thesis: One-session elective S2
LAWS6829	Issues in Australian Social Security Law & Policy
LAWS6919	Civil Liberties and the Law
LAWS6929	Aboriginal Legal Issues
LAWS8009	Legal Reasoning
LAWS8019	Law, Language and Power
LAWS8029	Law and Social Sciences A: Law and Economics
LAWS8039	Law and Social Sciences B: Law and Politics
LAWS8439	Modern Civil Law Systems: French and Roman-Dutch Law
LAWS8449	Trade and Investment in Japan
LAWS8459	Pacific Islands Legal Systems
LAWS8469	Asian Legal Systems
LAWS8479	Islamic Law
LAWS8489	International Trade and Investment Law in the People's Republic of China
LAWS8499	Japanese Law
LAWS8509	Advanced Issues in International Law
LAWS8519	Peaceful Settlement of International Disputes
LAWS8529	International Commercial Arbitration
LAWS8539	History and Theory of International Law
LAWS8549	International Organisations
LAWS8559	Law of the Sea
LAWS8569	Legal Regulation of the Use of Force
LAWS8579	Personal Status Law in South East Asia
LAWS8589	Law and Religion in India
LAWS8599	Legal Aspects of Business in India
LAWS9019	Commercial Litigation
LAWS9059	Special Elective E
LAWS9069	Special Elective D
LAWS9079	Special Elective C
LAWS9089	Special Elective A
LAWS9099	Special Elective B

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: A/Prof Jill Hunter
CP15 SS HPW2

Primarily *Issues in Evidence* concentrates on issues arising in criminal trials. Many of these issues will be pertinent also to civil trials. The course is an issues-based one and as such, a portion of the content fluctuates according to the topicality of different issues. The course begins with an examination of the historical development of the adversarial system and the concept of rational dispute resolution. A core section of the course involves an examination of the jury, powers of the trial judge, the use of judicial direction in jury trials and an analysis of witness credibility. Additional topics may include law reform initiatives, prosecutorial disclosure, confessions, identification evidence and the rule against hearsay. The *Evidence Acts, 1995* (Cwth) and (NSW) form the basis for the study of the law. The course encourages an interdisciplinary approach to trial issues (for example, drawing on history, political science, psychology and sociology).

LAWS1069

Law of Damages

Staff Contact: Staff Office
CP15 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.

LAWS1079

Restitution

Staff Contact: Mr Denis Harley
CP15 SS HPW2

This subject examines legal principles which seek to define circumstances where the recipient of a benefit must be compelled to disgorge it (or its value) lest he/she be unjustly enriched at the expense of the party conferring that benefit. After noting situations where the common law has long allowed claims in 'quasi contract'; the subject then observes the way in which the older 'imputed contract to return the benefit' rationale for allowing these claims has been increasingly discarded by courts in favour of a more candid acknowledgment of the need to impose restitutionary

obligations to avoid an unjust enrichment. Two major parts of the modern law of restitution are then identified: ie

(i) principles applicable to situations where no branch of law, other than the law of restitution, would recognise a basis of liability; and

(ii) principles applicable to situations where some other branch of law would recognise a basis of liability, but a restitutionary remedy might also be available in the circumstances.

The main focus of the subject is upon the former of the two areas, and attention is given to the extent to which proprietary, as well as personal, actions may be available to a plaintiff. Differing modern theories as to the rationale for, and appropriate limits upon, restitutionary claims are also considered. Some topics that may be covered are: Recovery in respect of money paid, services rendered, or property transferred under a mistake of fact or law; Recovery in respect of benefits conferred under ineffective transactions; Rights to contribution; Rights to recoupment following compulsory discharge of another's liability; Restitution in respect of benefits conferred in an emergency; Subrogation.

LAWS1559

Feminist Legal Theory and Practice

Staff Contact: A/Prof Regina Graycar
CP15 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 and Financial Adjustment

Staff Contact: A/Prof Owen Jessep
CP15 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.

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

LAWS1709

Sentencing: Law, Policy and Practice

Staff Contact: A/Prof George Zdenkowski
CP15 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. Topics may vary from year to year.

LAWS1719

Community Corrections

Staff Contact: A/Prof David Brown
CP15 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
CP15 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
CP15 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: A/Prof Sandra Egger
CP15 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: Ms Jennifer Barga

CP15 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: A/Prof David Dixon

CP15 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. Classes will also discuss police culture, the policing of social divisions, the policing of public order, fictional representations of policing, investigative methods, and developments in community, private and international policing.

LAWS2219

Electronic Communications: Delivery Systems

Staff Contact: Ms Holly Raiche

CP15 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.

Notes: (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

CP15 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.

Notes: (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

CP15 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 questions of constitutional law and policy, 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.

Notes: (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

CP15 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 questions of constitutional law and policy, notably the definition of freedom of expression and the balancing of this freedom 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.

Note/s: (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.

LAWS2309

Australian Legal System

Staff Contact: School Office

CP15 SS HPW4

Prerequisite: Approval of the Associate Dean (Postgraduate and Research)

This subject provides a basic understanding of common law and the Australian legal system. It is intended for students whose legal background is in non-common law jurisdictions. It has a strong focus on techniques of common law legal reasoning, which is essential for the non-common law practitioner to understand when dealing with common law legal systems. It deals with the principal institutions of the legal system, particularly the courts; the legislature and the executive arms of government; the judiciary; the legal profession - its history, role, interrelationships, operation and techniques; the doctrine of precedent and statutory interpretation, practice and theory; sources of Australian law including the past and present status of Aboriginal customary laws; the origins of common law; the colonialisation of Australia; classifications within the common law, and the jurisdiction of Australian courts.

LAWS2409

Comparative Constitutional Law

Staff Contact: Prof George Winterton

CP15 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

CP15 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.

LAWS3409

Environmental Law and Policy

Staff Contact: School Office

CP30 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.

LAWS3419

Environmental Law and Policy - General Principles and Perspectives

Staff Contact: School Office

CP15 SS HPW2

This course is intended to provide students with a sound understanding of a number of areas of environmental law with a focus on those areas which have undergone significant transformation in recent years or which hold the potential for change in coming years. The course considers recent developments in environmental law and new approaches and strategies which are emerging to address environmental issues. The areas of focus include international environmental law, Federal/State relations within Australia regarding environmental regulation, pollution control strategies and environmental decision making and dispute resolution.

Issues addressed in the course include: developments in international environmental law such as the United Nations Conference on Environment and Development, the Climate Change Convention and the Biodiversity Convention, the effectiveness of such developments and their impact on Australia; pollution control and new regulatory approaches such as fiscal methods of control, tradeable pollution permits and prosecution guidelines; intergovernmental relations in Australia regarding the environment and recent events such as the Intergovernmental Agreement on the Environment and the creation of the National Protection Authority; and environmental dispute resolution including recent developments regarding judicial decision making and formalised mediation procedures.

LAWS429**Contemporary Issues in Environmental Law and Policy**

Staff Contact: School Office
CP15 SS HPW2

This subject is intended to provide students with a sound understanding of a number of areas of environmental law with a focus on those areas which have undergone significant transformation in recent years or which hold the potential for change in coming years. The subject considers recent developments in environmental law and new approaches and strategies which are emerging to address environmental issues. The areas of focus include international environmental law, Federal/State relations within Australia regarding environmental regulation, pollution control strategies and environmental decision making and dispute resolution. Issues addressed in the subject include: developments in international environmental law such as the United Nations Conference on Environment and Development, the Climate Change Convention and the Biodiversity Convention, the effectiveness of such developments and their impact on Australia; pollution control and new regulatory approaches such as fiscal methods of control, tradeable pollution permits and prosecution guidelines; intergovernmental relations in Australia regarding the environment and recent events such as the Intergovernmental Agreement on the Environment and the creation of the National Protection Authority; and environmental dispute resolution including recent developments regarding judicial decision making and formalised mediation procedures.

LAWS4209**Issues in Intellectual Property**

Staff Contact: A/Prof Jill McKeough
CP15 SS HPW2

Prerequisite: Undergraduate study in Intellectual Property or LAWS4209 Issues in Intellectual Property or equivalent. 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: School Office
CP15 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: Prof Paul Redmond
CP15 SS HPW2

Prerequisite: LAWS4010 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: Prof Paul Redmond
CP15 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*

CP30 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.

LAWS4339**Derivatives Regulation***Staff Contact: Prof Paul Redmond*

CP15 SS HPW2

Prerequisite: LAWS4010 Business Associations 1 or equivalent

Derivative financial products ('derivatives') are a class of financial contract whose value depends upon the values of one or more underlying assets or indices of asset values. Derivatives have become an integral and necessary part of modern financial risk management. This subject considers the regulatory structure within which derivatives have developed, together with the issues being addressed by those designing the products and by regulators. Both exchange traded derivatives (eg futures contracts and equity options) and over the counter derivatives (eg forex, forward contracts and swaps) are examined.

LAWS4349**Regulation of Collective Investment***Staff Contact: Mr Kam Fan Sin*

CP15 SS HPW2

The objective of this course is to examine the regulatory framework of collective investment schemes and their implications for investors. The focus is on the risks to investors in participating in such schemes and the extent to which regulation can contain such risks. Besides policies and principles of regulation, the course will examine practical issues from a compliance perspective. Topics include the concept of collective investments; objectives, techniques and width of regulation; scheme constitution; responsible entity and its officers, their fiduciary and statutory duties, licensing and compliance plans; custody

of scheme assets, their investment, and portfolio regulation; scheme

LAWS4359**Corporate Insolvency***Staff Contact: School Office*

CP15 SS HPW2

The subject examines the theory and practice of corporate insolvency focussing on company receivership and liquidation. It covers the winding up of a corporation, the appointment of a provisional liquidator, the powers and duties of the receiver and manager, the operation of the administration procedures under the Corporation Law (with UK analogies), and the powers and duties of the liquidator including an examination of the realisation and distribution of the corporation's assets, the position of unsecured creditors, and the potential liability of a corporation's controllers. Reference will be made, as appropriate, to the insolvency regimes in force in other countries, and to the theoretical difficulties in loss sharing in 'common pool' activities.

LAWS4409**Capital Gains Tax***Staff Contact: A/Prof Philip Burgess*

CP15 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*

CP15 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; antiavoidance 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

CP15 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. Self assessment and its monitoring. Complex audit, business audit, desk audit. Compliance strategies. 3 Information gathering powers of the tax administration and their limitations, including professional privilege and the privilege against self-incrimination. Powers of taxpayers to obtain information on the basis of assessments. 4 Review mechanisms for tax office decisions: the Administrative Appeals Tribunal and the Courts. Procedural rules. Presenting a tax case (Documents, application of rules of evidence, use of experts). 5 Negotiation. 6 Collection and recovery of tax. 7 Tax as an example of mass decision-making in the public sector.

LAWS4509

The Frontiers of Contract

Staff Contact: Denis Harley

CP15 SS HPW2

This subject attempts an overview of the place of contract law in the Australian legal system. It does this primarily by examining the essence of contractual obligation and comparing contractual rights and obligations with those recognised by other branches of private law; some aspects of contracts with public bodies may also be considered. After examining the usual division of the law of obligations into the laws of contract tort and restitution, the subject considers the extent to which the traditional province of contract law has been reshaped by a resurgence of equity, and has been encroached upon by recent developments in the law of tort, the law of restitution, and statutes controlling misleading conduct in trade or commerce. Also explored are the potential consequences for contract law of judicial reconsideration of some doctrines which have often been thought to define its boundaries (eg the doctrine of privity; and the rule that the supply of 'consideration' is a precondition for enforcement of a promise not set out in a deed). Finally, some important overlaps and differences between the law of contract and the law of property, and some borderlands between the two, are considered. The subject takes particular note of major scholarly writings concerning the essence of contractual obligation and the possible futures of contract law.

LAWS4519

Commercial Contracts: Problems of Performance, Breach & Termination

Staff Contact: Mr Denis Harley

CP15 SS HPW2

This subject focuses in depth upon principles of contract law which govern the performance, breach and termination of many commercial and conveyancing transactions; it is concerned with complex applications of general contract law principles rather than with more specific rights that are sometimes conferred by statutes dealing with 'consumer' contracts. The subject systematically examines a large number of issues which may arise in the course of contractual performance but can seldom be fully considered in undergraduate contract law courses, despite their considerable practical importance. In the course of this examination, the subject addresses a range of difficult questions that have been raised in recent judgments of the High Court of Australia, but often remain unanswered. While the subject seeks primarily to reveal frequently unrecognised interrelations between legal principles, very considerable class time is devoted to discussion of issued problems which highlight the practical significance and dimensions of conceptual issues. Some specific topics likely to be considered are: contingent conditions precedent to the duty of performance, and their elimination; confusion arising from the multiple classifications of serious breaches; problems in identifying a repudiation and acting upon it; the effect of an unaccepted repudiation; the consequences of repudiation where the victim is not ready, willing and able to perform its own obligations; unconscionable exercises of a right to affirm, or a right to terminate, following serious breach; problems raised by Shevill's case; identification of rights surviving termination

LAWS4609

Developing Computer Applications to Law A: Database, Hypertext and communications technologies

Staff Contact: A/Prof Graham Greenleaf

CP15 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; hypertext and text retrieval over the internet. 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. Familiarity with computerised legal research is desirable. All classes take place in the Faculty Microcomputer Lab and enrolment is therefore limited.

LAW54619**Developing Computer Applications to Law B: Knowledge-based technologies**

Staff Contact: A/Prof Graham Greenleaf
CP15 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, 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.

LAW54629**Legal Research**

Staff Contact: Ms Irene Nemes
CP15 SS HPW2

Exclusion: Completed LAWS7420, or equivalent, in the last two years

This course covers legal research skills, techniques and methodology. It aims to familiarise students with sophisticated techniques for finding the law as well as the conventions of presenting their research in a written form. The interdisciplinary nature of legal research involves an appreciation of empirical and social science methodology, including the ethics of research. The course will focus on both hard copy and electronic resources, allowing students the opportunity of evaluating and comparing them in different situations. Students will receive hands on training in researching case law, statute law, secondary material, current awareness services and the Internet. Individual interests will be catered for by requiring students to prepare subject specific research guides. The ultimate objective of the course is to help students achieve an appreciation of the process and method of legal research.

LAW54659**Data Surveillance and Information Privacy Law**

Staff Contact: A/Prof Graham Greenleaf
CP15 SS HPW2

This subject examines the implications of data surveillance (the techniques of social control through the use of information technology) in both public and private administration, and information privacy (or 'data protection') law as a response. Topics include: uses and effectiveness of data surveillance in tax and social security administration, prevention of credit and insurance fraud, direct marketing and criminal investigation; documentary

identification law and practice (population registers, credit cards, licences etc); 'data surveillance law' as a new method of public administration; the effectiveness of general law (eg breach of confidence) and such legislation as the *Privacy Act 1988* (Cth) and the *Data Matching Program (Assistance and Tax) Act 1990*; privacy aspects of freedom of information laws, official secrets laws, credit reporting legislation and 'spent convictions' legislation; international standards and regulation of 'trans-border data flows', particularly in light of the European Commission's Draft Directive on data protection. 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.

LAW56559**Research Thesis: Two-session elective**

Staff Contact: Mr Ian Cameron
CP30 F

LAW56569**Research Thesis: One-session elective**

Staff Contact: Mr Ian Cameron
CP15 S1

LAW56579**Research Thesis: One-session elective**

Staff Contact: Mr Ian Cameron
CP15 S2

A Research Thesis project shall be approved by the School of Law if:

1. a clearly defined project is presented; the thesis topic must be approved at the outset but may be modified at a later 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 (LAW56559). Similarly a student who has received approval for a two-session elective (LAW56559) 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.

LAWS8829

Issues in Australian Social Security Law and Policy

Staff Contact: A/Prof Regina Graycar

CP15 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

CP15 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

CP15 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.

LAWS8009

Legal Reasoning

Staff Contact: Dr Arthur Glass

CP15 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

CP15 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: School Office

CP15 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

CP15 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

CP15 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.

LAWS8449

Trade and Investment in Japan

Staff Contact: Ms Liana Degville

CP15 SS HPW2

The aim of this course is to expose students to the practical expectation which Australian legal practitioners and advisers may reasonably hold in their dealings in/with Japan and Japanese corporations. To familiarise students with the legal, political, economic and cultural sources and contexts of regulatory power in Japan the following topics will be examined:

Introduction to Japan, Japanese psychology (including the concepts of *amae*, *honne*, *tatemae*, *giri*, *on* and *nintai*), the legal system and legal profession, the 'Japan Inc. Triumvirate' (the relationships between politicians, bureaucrats and private enterprise) administrative guidance and the Administrative Procedures Law 1993, company law, corporations (*sogo shosha* and *keiretsu*), establishing a foreign operation, dispute resolution and commercial arbitration, contract law, antimonopoly law, intellectual property, the tendering process, banking finance and securities, consumer awareness and marketing, product liability, negotiating with the Japanese and the practical etiquette of doing business in Japan. These topics may vary according to the availability of local and visiting guest speakers.

LAWS8450

Pacific Islands Legal Systems

Staff Contact: Dr Owen Jessep

CP15 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

CP15 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

CP15 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 and African countries where Islamic Law is applicable in many areas of the administration of justice. The subject is taught from a comparative point of view of the common law principles. Topics include: sources of Islamic Law, family law, women's rights, succession, crime and punishment, commercial law, finance and banking law without interest, international law, human rights, comparative study of Islamic law with other legal systems and law reforms.

LAWS8489

International Trade and Investment Law in the People's Republic of China

Staff Contact: Mr Mark Buchanan

CP15 SS HPW2

China is forecast to be one of the largest trading nations by the early 21st Century. This course discusses the economic, political and legal environments for trade and investment in China. It examines the origins and effects of China's 'Open Door Policy' and economic and legal reforms implemented since the landmark change of direction in 1978 as China moves to establish and institutionalize a socialist market economy. Topics include: an introduction to the Chinese legal system and constitutional framework; history of trade in China and economic reform; foreign trade and investment law and policies, including contract law, investment vehicles (joint and wholly-owned ventures), technology transfer, intellectual property, company law, banking and finance, foreign exchange controls, securities regulation, labour law, land use, special economic zones, and dispute resolution. Special topics may also be considered including Hong Kong and Macao's approach toward resumption of PRC sovereignty, and Taiwan and the 'one country, two systems' policy.

LAWS8499

Japanese Law

Staff Contact: Ms Annette Marfording

CP15 SS HPW2

Exclusion: LAWS8450 Japanese Law

An introduction to the Japanese legal system in its historical, cultural, political and economic context. Students will develop 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 role of law in affecting social change. Students will develop 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. Students will develop 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 in the Australian 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 1888 - 1945; Occupation reforms after WWII; 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) overview of contract law (contract formation, common clauses, attitude to contract) overview of company law.

LAWS8509

Advanced Issues in International Law

Staff Contact: Ms Rosemary Rayfuse

CP15 SS HPW2

This course will study selected currently relevant topics of public international law in more depth than is available/possible in the basic Public International Law course. The focus of the course will vary from year to year depending on current international events. The operation of the rules of International law will be examined and assessed 'in action' in the context of the chosen topic/event. Examples would include in depth analysis of the international legal issues relating to the dissolution of the former Yugoslavia, the conflict in Bosnia-Herzegovina, the Rwandan crisis and so on.

LAWS8519

Peaceful Settlement of International Disputes

Staff Contact: Ms Rosemary Rayfuse

CP15 SS HPW2

This course examines the adjudicatory and non-adjudicatory procedures for settling disputes between States. The course will examine the role of negotiation, good offices, mediation and conciliation and the role of the UN in settling international disputes peacefully. It will then examine the system of inter-state arbitration, both ad-hoc and that occurring within the framework of established tribunals such as the Iran-US Claims Tribunal and ICISD. The practice and procedure of the International Court of Justice in both its contentious and its advisory capacity will be examined, as will settlement mechanisms for resolving international disputes about human rights.

LAWS8529

International Commercial Arbitration

Staff Contact: Ms Rosemary Rayfuse

CP15 SS HPW2

Many cases of injury to multinational companies which would formerly have been pursued as a diplomatic claim by the national State of the company are now resolved by arbitration directly between the company and the respondent State. In this sense, international commercial arbitration can be seen as a natural extension of inter-State dispute settlement procedures, of great and growing importance. This course will examine the law and practice relating to the arbitral process and recognition and enforcement of arbitral awards. Reference will be made to the Model Arbitral Rules and the case law emanating from a number of Arbitral Bodies and Tribunals such as the ICC, UNCITRAL, ICISD and to the decisions of ad-hoc arbitral tribunals.

LAWS8539

History and Theory of International Law

Staff Contact: Ms Rosemary Rayfuse

CP15 SS HPW2

This course will examine some of the fundamental issues underlying international law, against the background of its history. Attention will be paid both to classical analysis of the nature of international law (positivism and its alternatives) and to some of the recent critiques of international law from perspectives such as critical legal studies, - feminist legal theory, international relations theory, etc. Particular topics to be examined will be chosen having regard to the interests of students taking the course.

LAWS8549

International Organisations

Staff Contact: Ms Rosemary Rayfuse

CP15 SS HPW2

This course will examine the law of international institutions with particular reference to the United Nations and Specialized Agencies and the law of regional organizations, such as the organizations of the European Union, the Organization of American States and the Organization of African Unity. Common institutional problems will be examined as will the impact of international organization on the doctrine of sovereign equality of States.

LAWS8559

Law of the Sea

Staff Contact: Ms Rosemary Rayfuse

CP15 SS HPW2

This course will examine the legal regime which binds States in their international relations concerning maritime matters. The course will examine the major maritime zones recognised in international law, such as the territorial sea, the Contiguous and Exclusive Economic Zones, the high Seas, and the legal regime relating to the Continental Shelf. It will also examine the rules relating to the various uses of the seas, such as fishing, navigation, scientific research, regulation of marine pollution and military uses of the sea. It will examine the way in which disputes over conflicting uses of the seas arise and the manner in which they are handled and will look at the interrelationship between the public international law of the sea and municipal law.

LAWS8569

Legal Regulation of the Use of Force

Staff Contact: Ms Rosemary Rayfuse

CP15 SS HPW2

This course will cover the law on the use of force and the law and practice relating to United Nations enforcement action and peace-keeping operations. The course will examine the limitations, both pre- and post-UN Charter, on the unilateral use of force by States. It will then examine the system for collective measures established by the UN Charter and regional organisations, including regional peace-keeping. Finally, it will examine cases of ad-hoc improvisation by the UN in default of an established system of peace-keeping and collective security and the recent UN developments towards a firmly established system.

LAWS8579**Personal Status Law in South-East Asia***Staff Contact: Dr Gail Pearson*

CP15 SS HPW2

This subject investigates the law relating to the individual, the family and inheritance in selected South-East Asian countries. The countries focused on include Vietnam, Cambodia, Thailand, Indonesia and Malaysia. The subject includes an historical background to the legal systems, the common themes being colonialism and the reception of new legal systems, and the role of religious law. We then consider the countries in turn. Topics include: The tension between the concept of individual rights in secular law and the law of community status and obligations will be the focus of the material on the individual. The concept of citizenship or nationality, the rights of individuals and minorities under the constitution, status and gender, and state responsibilities, if any, for individuals. The general pattern of family in the particular cultures and who is regarded as significant in the family for particular purposes - for example, for debt, tax, inheritance or living arrangements. The requirements for marriage and the obligations arising from it, and whether divorce is permitted and its consequences. The child and rights and obligations in relation to the child from the parents and the state. The law of inheritance - whether the laws of inheritance are customary, religious or statutory, and what property is transmissible.

LAWS8589**Law and Religion in India***Staff Contact: A/Prof Krishna Sharma*

CP15 SS HPW2

This subject, concerned with the relation between law and religion in India, seeks to trace the attempted transition from religious tradition to secular modernity through an examination of some select topics. These will include: the classical (shastric) Hindu law in the context of the caste system and schools within Hindu orthodoxy; the Islamic (sharia) law as applied to Muslims in India; British efforts to understand and administer both the Hindu law and the Islamic law- and, in fact, the personal law of other religious communities (Zoroastrians, Buddhists, Jains, Sikhs, Christians and Jews)—; the interaction between English legal notions and indigenous Indian ideas and institutions; the characteristics of the modern Indian legal system, particularly the Constitution, in metamorphosing religion in contemporary India and some problematic issues thereof: state aid to denominational institutions, excommunication, sati, untouchability, conscientious objection, dowry and temple entry, etc.; the tensions involved in replacing the traditional religious precepts of Hindu and Islamic law with the concepts of a secular law, independent of religion, and the inevitability of the Uniform Civil Code. General questions and particular problems about the place of religion in Indian society and the way Western constitutional ideas have influenced a resolution of some of these issues will be examined, for the aim of the subject is to glean a general theory of religion and constitutional ideology in India. Multilithed materials will be assigned.

LAWS8599**Legal Aspects of Business in India***Staff Contact: A/Prof Krishna Sharma*

CP15 SS HPW2

The subject will examine the laws, institutions, practices, and international agreements of India that bear upon foreign trade and investment, involving both foreign collaborators and their Indian counterparts. Following a brief survey of political and socio-economic order (particularly for those unfamiliar with India) within which to analyse the legal infrastructure of doing business across national boundaries, the subject will outline some aspects of substantive law - export-import contractual arrangements, banking and financial lending institutions, corporate structure, antitrust, intellectual property, taxation of foreign entities, and the resolution of disputes (commercial arbitration) - which are relevant to foreign collaboration in India. An overview will also be given of the reception of the common law in India, salient features of the Constitution of India, and how the modern legal profession operates in India today. The subject will then examine the recent liberalising initiatives toward attracting foreign investment in India and follow three basic themes. First, such collaborations (say, a telecommunication joint venture) will be examined from the perspective of a lawyer who is asked by an Australian or multinational firm to steer the most profitable course through regulatory hazards such as currency restrictions, double taxation and tariff preference systems, free trade zones, repatriation of profits, the expropriation and protection of foreign investment, and the environmental and moral sensitivities raised by the special context of development, tourism and corruption. Secondly, the subject will strive to develop an understanding of the fundamental legal questions that arise in transnational economic activity and of the manner in which the differing cultural, economic, and political orientations of those involved therein shape the formulation and resolution of such legal questions. And, finally, the subject will consider the effect of changed circumstances, whether economic or political, on foreign investment projects in India and examine a variety of responses, including negotiation, refinancing, expropriation, and abandonment. Readings will consist of multilithed materials.

LAWS9019**Commercial Litigation***Staff Contact: A/Prof Chris Rossiter*

CP15 SS HPW2

This subject 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.

LAWS9059
Special Elective E

LAWS9069
Special Elective D

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.

Conditions for the Award of Degrees

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.

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
Higher Degrees		
Doctor of Science	DSc	Calendar
Doctor of Letters	DLitt	Calendar
Doctor of Laws	LLD	Calendar
Doctor of Education	EdD	Professional Studies
Doctor of Juridical Science	SJD	Law
Doctor of Medicine	MD	Medicine
Doctor of Philosophy	PhD	Calendar and all handbooks
Master of Applied Science	MAppSc	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 Art Administration	MArtAdmin	College of Fine Arts
Master of Art Education	MArtEd	College of Fine Arts
Master of Art Education(Honours)	MArtEd(Hons)	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

Title	Abbreviation	Calendar/Handbook
Master of the Built Environment	MBEnv	Built Environment
Master of the Built Environment (Building Conservation)	MBEnv	Built Environment
Master of Business Administration	MBA	AGSM
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 Commerce (Honours)	MCom(Hons)	Commerce and Economics
Master of Commerce	MCom	Commerce and Economics
Master of Community Health	MCH	Medicine
Master of Community Paediatrics	MCommPaed	Medicine
Master of Computational Science	MComputationalSc	Science
Master of Computer Science	MCompSc	Engineering
Master of Construction Management	MConstMgt	Built Environment
Master of Couple and Family Therapy	MCFT	Professional Studies
Master of Defence Studies	MDefStud	University College
Master of Design(Honours)	MDes(Hons)	College of Fine Arts
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
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 & Social Administration	MEqSocAdmin	Professional Studies
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 Management	MIM	Professional Studies
Master of Information Science	MInfSc	Engineering
Master of International Social Development	MIntSocDev	Professional Studies
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 Music Education (Honours)	MMusEd(Hons)	Arts and Social Sciences
Master of Optometry	MOptom	Science*
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

Doctor of Juridical Science (SJD)

1. The degree of Doctor of Juridical Science 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 after satisfactorily completing a qualifying program comprising 8 single semester units in the LL.M by Coursework degree has through by the submission of a thesis based on his or her research made an original and significant contribution to knowledge in the field of law.

Qualifications

2. (1) A candidate for the degree shall have been awarded an appropriate degree of Bachelor from the University of New South Wales or a qualification considered equivalent from another university or tertiary institution at a level acceptable to the Committee, and shall have completed the qualifying program to an approved standard. The standard required is an average of 75% or better in the candidate's best 6 (of 8) coursework subjects in the qualifying program, excluding the subject Legal Research. In addition, a research proposal must be submitted as soon as feasible after completion of 6 of the 8 coursework subjects in the qualifying program. Admission to the SJD will be conditional on the viability of the research proposal.

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

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

Enrolment

3. (1) An application to enrol as a candidate for the degree shall be made on the prescribed form which shall be lodged with the November or May 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 provision of adequate facilities to be prescribed and that these are in accordance with the provisions of the guidelines for promoting postgraduate study within the University.

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

(4) A full-time candidate will present the thesis for examination no earlier than 2 years and no later than 3 years from the date of enrolment for the SJD degree (ie after completion of the qualifying program) and a part-time candidate will present the thesis no earlier than 4 years and no later than 6 years from the date of enrolment, except with the approval of the committee.

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

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

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

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

Progression

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

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

Thesis

5. (1) On completing the program of study a candidate shall submit a thesis of between 60,000 and 70,000 words which makes an original and significant contribution in the field of law.

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

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

(4) 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 theses for higher degrees.

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

Examination

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

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

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

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

(c) The thesis requires further work on matters detailed in 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, or

(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, or

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

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

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

Fees

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

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 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 and 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 a 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.

Master of Laws by Coursework (LLM)

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

Qualifications

2. (1) A candidate for the degree shall have been awarded an appropriate degree of Bachelor 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 eight 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.

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

Scholarships

Undergraduate Scholarships

Provided below is an outline of undergraduate scholarships. Students should check the scholarships listed in the General Section and those listed for their Faculty. Students should also consult the Scholarship information for related Faculties. Applicants should note that the awards, conditions and particularly closing dates may vary from year to year.

Unless otherwise indicated application forms and further information are available from the Student Centre (lower Ground Floor, Chancellery) and applications should be submitted by 31 January each year. Applications normally become available four to six weeks before the closing date. Scholarship information is regularly included in the University publication 'Uniken/Focus'.

Students investigating study opportunities overseas should consult Study Abroad which is published by UNESCO and is available in the University library. The UNSW International Student Centre can provide information about exchange programs (see the 'Go Away Travel Scholarship' included in the General section below).

The British Council (tel 02 3262365) may be of assistance for information about study in Britain. The Australian American Education Foundation (tel 06 2479331) can provide information about study in America. Information may also be obtained from the embassy or consulate of the country in which study is proposed and the proposed overseas institution.

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

General

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 or grandchildren of Alumni of the University of New South Wales and may be either permanent residents of Australia or international students. Applications close 13 January.

Apex Foundation for Research into Intellectual Disability Studentships

- V \$1000 paid in a lump sum.
- C Applicant should be preparing a thesis related to intellectual disability. Applications should be in the form of a letter which includes a curriculum-vitae and thesis plan and must be supported by a letter from the Head of School/Department. Applications should be sent to the Honorary Secretary, Apex Foundation Studentships, PO Box 311, Mt Evelyn VIC 3796 by 31 May.

Australian Development Co-operation Scholarship (ADCOS)

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

Australian Vietnam Veterans Trust Education Assistance Scheme

- V \$3,500 pa for the duration of the course.
- C Applicant must be a child of a Vietnam veteran and under the age of 25 at the time of application. The award is subject to the same income test as AUSTUDY. Applicants can be undertaking any year of a Bachelors course. Applications and further information are available from the Trust's Regional Offices in each state capital. Applications close 31 October.

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. Applications close 12 November.

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. Selection is based on academic merit and financial need

Go-Away Travel Scholarships

- V Up to \$1500 pa
- T 1 year
- C Established to encourage UNSW students to participate in the University's formal international exchange programs. Students must be undergraduates embarking on a period of study for credit overseas. Awards will be granted on the basis of academic merit. Interested students should contact the International Student Centre.

Grains Research and Development Corporation (GRDC) Undergraduate Honours Scholarship

- V \$6000 (ie \$5000 to the student and \$1000 to the host School/Department).
- T 1 year
- C Applicants must be undertaking a full-time Honours program. Study in an area of significance to the grains industry will be viewed favourably. Written applications including a curriculum-vitae, academic record, letter of support from the Head of School/Department and 2 referees' supporting statements should be sent to GRDC Undergraduate Honours Scholarship, PO Box E6, Queen Victoria Terrace, Canberra ACT 2600 (tel 06 2725528). Applications close 25 November.

Great Barrier Reef Marine Park Authority Research Support

- V \$1500
- C Applicants must be undertaking a full-time Honours year or PhD research project that could contribute to the planning and managing work undertaken by the Great Barrier Reef Marine Park Authority. Applications and further information may be obtained from the Executive Officer, Great Barrier Reef Marine Park Authority, PO Box 1379, Townsville QLD 4810 (tel 077 818811). Applications close 16 December.

Mitsui Education Foundation Scholarship

- C A one month scholarship to Japan is available to a young Australian national to help promote goodwill between the two countries. Candidates should be full-time undergraduate students aged between 20-24 and preferably in their third or fourth year. The successful student will travel to Japan during November and December. Applications become available in July and close mid-August with the Scholarship Unit.

National Health and Medical Research Council (NH&MRC) Aboriginal Health Research Scholarships

- V \$22,250
- T Up to 3 years
- C Applicants may be undertaking an undergraduate degree in order to pursue research relevant to Aboriginal health. Applications close 24 July with the Scholarship Unit.

Pig Research and Development Corporation (PRDC) Undergraduate Encouragement Award

- V \$600 lump sum.
- C Applicants must be in the later stage of an undergraduate degree and interested in undertaking a research project related to the Australian pig industry. Applications close 3 times a year (ie 1 March, 1 July, 1 October) with the PRDC, PO Box 4804, Kingston ACT 2604.

River Basin Management Society Ernest Jackson Memorial Research Grants

- V Up to \$2000
- C To assist tertiary students undertaking research in the field of River Basin Management. Applications close with the Research Grants Co-ordinator, PO Box 68, Clifton Hill VIC 3068 on 11 August.

RSPCA Alan White Scholarship

- V \$2500
- C Applicants should be undertaking original research to improve the understanding and welfare of animals. Written applications should be sent to the Executive Officer, RSPCA Australia, PO Box E369, Queen Victoria Terrace, Canberra ACT 2600 (tel 06 2311437) by 31 March.

Sam Cracknell Memorial

- V Up to \$1500 pa
- T 1 year
- C Applicants should have already completed at least 2 years of a degree or diploma course and be enrolled in a full-time course during the year of application. Selection is based on academic merit, participation in sport both directly and administratively; and financial need. Applications close 7 March.

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 the Manager, Sports Association, UNSW, Sydney 2052 (tel 385 4878).

The STA Travel Grant

- V Up to \$3000
- C Applicants must be undertaking study leading to a degree or diploma of the University and a member of the University Union. The grant is awarded on the basis of significant contribution to the community life of the University involving a leadership role in student affairs and the University Union and the relevance and merit of the proposed travel to the student's academic program or University Union Activities. Applications close 30 April each year.

University Honours Year Scholarships

- V \$1000
- T 1 year
- C A number of scholarships will be awarded on the basis of academic merit for students entering an 'add-on' honours year, that is the honours year in a degree course which is normally a pass degree but which has the option of a

further year of study at Honours level. Applications close with the Scholarship Unit on 30 November.

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 completed their schooling in Broken Hill or whose parents reside in Broken Hill and undertaking a course related to the mining industry. Includes courses in mining engineering, geology, electrical and mechanical engineering, metallurgical process engineering, chemical engineering and science. Apply directly to PO Box 460, Broken Hill, NSW 2880. Applications close 30 September each year.

Law

Clayton Utz

- V Up to \$1500
- T 1 year
- C Applicants shall be Permanent Residents or citizens and second or later year students. Selection is based on academic merit, financial need and personal circumstances.

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.

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.

Phillips Fox

- V Up to \$1000
- T 1 year
- C Applicants should be Permanent Residents and enrolling in the second to last year of the Law degree course. Selection is based on academic merit and financial need.

Phillips Fox (Achievement)

- V Up to \$500
- T 1 year

- C** Applicants should be Permanent Residents and enrolling 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.

Tress Cocks and Maddox

- V** \$1500
T 1 year
C Applicants must be Permanent Residents and enrolling in any year of a Law degree course

Graduate Scholarships

Provided below is an outline of Graduate Scholarships. Students should check the scholarships listed in the General Section and those listed for their Faculty. Students should also consult the Scholarship information for related Faculties. Applicants should note that the awards, conditions and particularly closing dates may vary from year to year.

Unless otherwise indicated application forms and further information are available from the Student Centre (lower Ground Floor, Chancellery). Applications normally become available four to six weeks before the closing date.

Scholarship information is regularly included in the University publication 'Uniken/Focus'.

Students investigating study opportunities overseas should consult Study Abroad which is published by UNESCO and is available in the University library. The British Council (tel 02 3262365) may be of assistance for information about study in Britain. The Australian American Education Foundation (tel 06 2479331) can provide information about study in America. Information may also be obtained from the embassy or consulate of the country in which study is proposed and the proposed overseas institution.

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

Australian Development Co-operation Scholarship (ADCOS)

- V** Tuition fees. Some students may be eligible for air fares and a stipend.
T Determined by normal course duration
C This award is for international students from selected countries only. Information should be obtained from Australian Diplomatic Posts or Australian Education Centres in the home country. Conditions and entitlements vary depending on the home country.

Overseas Postgraduate Research Scholarships (OPRS)

- V** Tuition fees and medical cover 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 Scholarship Unit by 30 September

Other General Scholarships:

Australian Bicentennial Scholarships and Fellowships Scheme

- V** £4000 (stg)
T At least 3 months
C Applicant must be enrolled as a postgraduate student at an Australian higher education institution and usually resident in Australia. Awards are available for study in the UK in any discipline. Applications close with the Executive Director, Australian Vice-Chancellors' Committee, GPO Box 1142, Canberra ACT 2601 on 31 October.

Australian Brewers Foundation Alcohol Related Medical Research Postgraduate Scholarships

- V** Similar to the NH&MRC (see NH&MRC entry under General).
T 2 years
C Similar to the NH&MRC. Applications and further information may be obtained from the Secretary, ABF -

General

The main programs of assistance for postgraduate study are:

Australian Postgraduate Awards (APA)

- V** \$14,961 (1995 rate). Other allowances may also be paid.
T Up to 2 years for a Masters, 3 years for a PhD degree. PhD students may request in certain circumstances up to 6 months extension.
C Applicants must be honours graduates or equivalent or scholars who will graduate in current academic year and proposing to undertake a Masters by Research or PhD. Applicants must be Permanent Residents who have lived continuously in Australia for 12 months or Australian citizens. Applications to Scholarship Unit by 31 October.

Medical Research Advisory Committee, Level 8, 235 Pymont Street, Pymont 2008 (tel 552668).

Applications close with the Scholarship Unit mid-October.

Australian Geographical Survey Organisation (AGSO) Postgraduate Awards in Geosciences

V \$20,323 plus allowances

T Up to 3 years

C Applicants must be enrolled or enrolling in a full-time PhD. Applicants must be permanent residents with 12 months continuous residency in Australia or Australian citizens. Applications which include a curriculum-vitae should be sent to the Postgraduate Scholarship Co-ordinator, Human Resources Services, AGSO, GPO Box 378, Canberra ACT 2601 (tel 06 2499673). Applications close 11 August.

Cambridge Australia Scholarships including the Packer Scholarships

V Fees and maintenance allowance of £5340 (stg), return air travel to the UK.

T Up to 3 years

C Applicants must be Australian citizens who graduated with honours 1 or equivalent, from an Australian University who have gained admission to a PhD at Cambridge. Applicants must also have won a British Overseas Research Student Award. Applicants should request an application for the scholarship at the time of applying for admission to Cambridge. Enquiries can be directed to the Cambridge Commonwealth Trust, Canberra (tel 06 249 7204). Applications close 30 April.

Commonwealth Scholarship and Fellowship Plan (CSFP)

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. Tenable in Commonwealth countries other than Australia. Applications close at different times depending on the country in which the study is proposed.

Federation of University Women

Each year the Federation offers to its members a number of awards for study in Australia and overseas. Details of awards are included in a booklet available from Australian Federation of University Women. The NSW Branch Office is located in the Dymocks Building, 428 George Street, Sydney NSW 2000 (tel 232 5629).

Frank Knox Memorial Fellowships

V \$US13,500 pa plus tuition fees and student health insurance

T 1 year with the possibility of renewal for a further year.

C Applicants must be Australian citizens, who are graduates or near graduates of an Australian university.

Fulbright Postgraduate Student Awards

V Up to \$A29,250 depending on the type of award.

T 1 year

C Applicants must be enrolled in a higher degree at an Australian institution and wishing to undertake research at an American institution. The research should be related to School-to-Work transition, Visual Arts, Performing Arts, Journalism, Engineering or Business Administration. Awards are also available for Aboriginal and Torres Strait Islander students. Applications and additional information are available from the Honorary Secretary, Fulbright NSW State Selection Committee, Research and Scholarships Office, Sydney University 2006 (tel 02 3514464).

Gowrie Scholarship Trust Fund

V \$6000 pa. Under special circumstances this may be increased.

T 2 years. Under special circumstances this may be extended.

C Applicants must be members of the Forces or children (or grandchildren or lineal descendants) of members of the Forces who were on active service during the 1939-45 War. Applications close with the Scholarship Unit by 31 October.

Grains Research and Development Corporation (GRDC) Junior Research Fellowship

V \$21,000 plus up to \$3,000 to the supporting institution, some conference/workshop attendance allowances.

T Up to 3 years

C Applicants must be undertaking full-time research toward a PhD. Applicants must be Australian citizens or entitled to reside permanently in Australia. Applications should be sent to the Junior Research Fellowship, GRDC, PO Box E6, Queen Victoria Terrace, Canberra ACT 2600 (tel 06 2725525) on 25 November.

Great Barrier Reef Marine Park Authority Research Support

V \$1000

C Applicants must be enrolled in a full-time PhD or Honours year with a research project that could contribute to the planning and managing work undertaken by the Great Barrier Reef Marine Park Authority. Applications and further information may be obtained from the Executive Officer, Great Barrier Reef Marine Park Authority, PO Box 1379, Townsville QLD 4810 (tel 07 7818811). Applications close 16 December.

The Harkness Fellowships

V Travel and other allowances for travel and study in the USA

T 12-21 months

- C** Candidates must be Australian citizens or have taken steps to achieve citizenship. The candidate will usually have an honours degree or equivalent, or an outstanding record of achievement in creative arts, journalism or other career. The award focuses on health care, education, employment and training schemes and issues which affect the quality of life in cities. Applicants should be over 21 years of age. Applications and further information are available from Mr R Beale, Department of the Prime Minister and Cabinet, 3-5 National Circuit, Barton ACT 2600. Applications close 30 September.

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

- V** Maintenance allowance of at least £7,000 (stg) plus tuition fees and dues and travelling expenses to and from Oxford.
- T** Up to 2 years with the possibility of some extension.
- C** Applicants must be Australian nationals. Students should have a past or future interest in Japan. Applications close on 31 October with the Australian Vice-Chancellor's Committee (AV-CC), GPO Box 1142, Canberra ACT 2601.

Land and Water Resources Research and Development Corporation (LWRRDC)

- V** \$20,000 pa plus \$5,000 for operating expenses
- T** 2 years for a Masters, 3 years for a PhD degree
- C** The scholarships are available for research that will lead to better management, sustainable use and conservation of land, water and vegetation resources in Australia. Applications close with the LWRRDC on 28 July. Applications should be forwarded to the LWRRDC, GPO Box 2182, Canberra, ACT (tel 06 2573379).

Menzies Research Scholarship in the Allied Health Sciences

- V** Up to \$24,000 pa
- T** 2 years
- C** The scholarship is awarded to stimulate research by persons working in the health field in disciplines other than medicine. Applications close on 25 September with the Menzies Foundation, 210 Clarendon St, East Melbourne Vic 3002.

National Drug Strategy (NDS) Postgraduate Research Scholarship

- V** \$21,666 pa
- T** Initially for 1 year, with the possibility of renewal for a further 2 years

Applicants must have completed Year 1 of a PhD program. Scholarships aim to develop expertise in researching and evaluating non-biomedical approaches to the prevention and treatment of drug misuses. Selection is based on academic merit, work experience and the potential of the project. Applications close 15 July.

National Health and Medical Research Council (NH&MRC) Aboriginal Health Research Scholarships

- V** \$22,250
- T** Up to 3 years
- C** Applicants must enrol for a diploma, certificate, undergraduate degree or postgraduate research degree in order to pursue research relevant to Aboriginal health. Applications close 24 July with the Scholarship Unit.

National Health and Medical Research Council (NH&MRC) Dora Lush Postgraduate Scholarships

- V** \$14,961 (or \$19,307 for AIDS research) plus allowances
- T** Up to 3 years
- C** Applicants should be permanent residents living in Australia or Australian citizens who have already completed a Science honours degree or the equivalent at the time of submission of the application. Students enrolled in the honours year at the time of application are **not** eligible. Applications close 24 July with the Scholarship Unit.

National Health and Medical Research Council (NH&MRC) Medical Postgraduate Scholarships

- V** \$22,250 plus allowances
- T** Up to 3 years
- C** Applicants must be Australian citizens or permanent residents who are medical graduates. Applications are particularly encouraged from students in the following fields - alcohol and substance abuse, prostate cancer, nursing and allied health services, breast cancer, dementia, injury and HIV/AIDS. Applications close 23 June with the Scholarship Unit.

National Health and Medical Research Council (NH&MRC) Public Health Postgraduate Scholarships

- V** \$19,500 (science graduates), \$22,000 (medical graduates) plus allowances
- T** Up to 3 years
- C** The scholarship is designed to enable graduates to obtain formal academic training in public health research. Applications close 23 June with NH&MRC.

Pig Research and Development Corporation (PRDC) Postgraduate Top-Up Scholarships

- V** A supplement to other scholarship(s) up to a maximum of \$21,000 plus possibility of other allowances.
- C** Applicants must be Australian citizens or permanent residents who are eligible for another scholarship. Applicants must be undertaking a research project that will provide training relevant to establishing a career in the Australian pig industry. Applications close with the

PRDC, PO Box 4804, Kingston ACT 2604 on 1 December.

Pig Research and Development Corporation Research Fellowship

- V \$25,000 plus allowances
- T Up to 3 years
- C Applicants must be undertaking a PhD with research relevant to the increased competitiveness of the Australian pig industry. Applications close with the PRDC, PO Box 4804, Kingston ACT 2604 on 1 December.

The Rhodes Scholarship to Oxford University

- V Approximately \$15,000 pa, fees and assistance with travel
- T 2 years, may be extended for a third year
- C Australian citizens aged between 19 and 25 who have an honours degree or equivalent. Applications close September each year with The Honorary Secretary to the NSW Rhodes Selection Committee, Building G17, University of Sydney, NSW 2006 (tel 3514567).

River Basin Management Society Ernest Jackson Memorial Research Grants

- V Up to \$2000
- C To assist tertiary students undertaking research in the field of River Basin Management. Applications close with the Research Grants Co-ordinator, PO Box 68, Clifton Hill VIC 3068 on 11 August.

Robert Gordon Menzies Scholarship to Harvard

- V Up to \$A25,000. Students who enrol in the Harvard Business School may be provided an additional \$12,000.
- T To be determined
- C Tenable at Harvard University. Applicants must be Australian citizens or permanent residents and graduates of an Australian tertiary institution. The successful applicant will be expected to repay the scholarship in later years when circumstances permit. Applications and additional information may be obtained by writing to the Management Services Office, ANU, Canberra ACT 0200. Applications close 5 January.

RSPCA Alan White Scholarship

- V \$2500
- C Applicants should be undertaking original research to improve the understanding and welfare of animals. Written applications should be sent to the Executive Officer, RSPCA Australia, PO Box E369, Queen Victoria Terrace, Canberra ACT 2600 (tel 06 2311437) by 31 March.

Shell Scholarship in Science or Engineering

- V \$20,000 pa
- T Up to 3 years
- C Applicants must be Australian citizens or permanent residents. Applicants should intend to study a Doctorate in science, engineering, economics/commerce, computer science, or a closely related discipline. Applications close with Shell Australia, Box 872k GPO, Melbourne VIC 3001 (tel 03 96665666) on 27 October.

STA Travel Grant

- V Up to \$3000
- C Applicants must be undertaking study leading to a degree or diploma of the University and a member of the University Union. The grant is awarded on the basis of significant contribution to the community life of the University involving a leadership role in student affairs and the University Union and the relevance and merit of the proposed travel to the student's academic program or University Union activities. Applications close 30 April each year.

The Wenkart Foundation Grants

- V Up to \$22,000 pa
- T 2 years but may be renewed
- C Applicants must be permanent residents or undergraduates educated in Australia and planning to reside in Australia. Applicants must be undertaking full-time research in clinical, biomedical and health related sciences. Applications close with the Scholarship Unit on 24 May.

Law

Banking Law Association Limited Postgraduate Scholarship

See above under Commerce and Economics

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 Australian Postgraduate Award or Overseas Postgraduate Research Scholarship (see the APA and OPRS entries under General) or an equivalent award. Applicants must be admitted to full-time study in a Masters (Research) or PhD in Law. Applications close 31 December with the Scholarship 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

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.

Sir Robert Menzies Memorial Scholarships in Law 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 Scholarship Unit.

Prizes

Undergraduate University Prizes

The following information summarises 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, school or department in which they are awarded. Law prizes are awarded only for students enrolled in the LLB or Jurisprudence courses.

Information regarding the establishment of new prizes may be obtained from the Enrolments and Assessment Section located on the Ground Floor of the Chancellery.

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 Association Prize

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

Faculties of Arts and Social Sciences, and Commerce and Economics

The W J Liu Esq OBE Memorial Prize for Chinese Studies

- V Books to the value of \$100.00
- C Best performance in a subject related to Chinese matters offered in the Department of Economic History, or in the Schools of Political Science or History

Board of Studies in Taxation

The Association of Taxation and Management Accountants - Contemporary Accounting Practice Prize

- V \$300.00
- C The best performance in ATAX0010 Contemporary Accounting Practice

The Association of Taxation and Management Accountants - Management Accounting Prize

- V \$300.00
- C The best performance in ATAX0059 Management Accounting

The Australian Society of CPA's (MSW Division) - Company Law and Taxation Prize

- V \$300.00
- C The best performance in ATAX0013 Company Law and Taxation

The Australian Society of CPA's (NSW Division) - Wealth and Income: Introduction to Accounting Prize

- V \$300.00
- C The best performance in ATAX0005 Wealth and Income: Introduction to Accounting

The Butterworths Property Prize

- V Books to the value of \$300.00
- C The best performance in ATAX0007 Property (Real, Personal, Industrial, Intellectual)

The Ernst & Young Prize

- V \$200.00
- C The best performance in ATAX0021 Indirect and Business Taxes

The Institute of Chartered Accountant's Prize

- V \$200.00
- C The best performance in ATAX0060 Auditing

The New South Wales Bar Association Prize

- V \$250.00
 C The best performance in ATAX0018 Tax Litigation

The Taxation Institute of Australia Company Trust and Partnership Prize

- V \$250.00
 C The best performance in ATAX0009 Company, Trust and Partnership

The Taxation Institute of Australia International Tax Prize

- V \$250.00
 C The best performance in ATAX0020 Principles of Australian International Taxation

The Taxpayers Association Prize

- V \$250.00 and one year's free subscription to the Association
 C The best performance in ATAX0001 Basic Tax Law and Process

Faculty of Law
The Allen, Allen and Hemsley Prize

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

The AMPLA Prize

- V \$500.00
 C The best performance in LAWS2240 Mining Law in the Bachelor of Laws degree course

The Australian Red Cross, NSW, Prize for International Humanitarian Law

- V \$75.00
 C The best performance in LAWS8570 International Humanitarian Law by a student proceeding to the award of the degree of Bachelor of Laws

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 LAWS4340 Trade Practices

The Corrs Chambers Westgarth Prize for Computers and the Law

- V \$500.00
 C The best overall result in LAWS4620 Computer Applications to Law

The Corrs Chambers Westgarth Prize in Advanced Revenue Law

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

The Dibbs, Crowther and Osborne Prize in Commercial Law B

- V \$250.00
 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 LAWS4350 Insurance 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 Freehill, Hollingdale and Page Prize

- V \$500.00
 C The best performance in LAWS4440 Elements of Income Tax Law

The Joy Van Ardenne Memorial Prize

- V \$250.00
 C Proficiency in law subjects (involving a credit average or better), sustained involvement in sporting and associated activities (whether or not the latter are conducted under the aegis of the UNSW) and financial need by a student proceeding to the award of the degree of Bachelor of Laws who expects to satisfy requirements of the degree within the year of the award of the prize

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 Society of New South Wales Prize****V** \$100.00**C** The best performance in LAWS3210 Conveyancing and Land Transactions**The LBC Information Services Prize for Contract Law****V** Book voucher for \$100.00**C** The best performance in LAWS1420 Contracts in the Bachelor of Laws degree course**The LBC Information Services Prize for Criminal Law****V** Books to the value of \$100.00**C** The best performance in LAWS1610 Criminal Law**The Michael Pandelis 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** \$250.00**C** The best performance in the Examination-in-Chief/Cross Examination competition**The New South Wales Bar Association Prize for Evidence and Advocacy****V** \$250.00**C** The best performance in LAWS1040 Evidence and Advocacy by a student proceeding to the award of the degree of Bachelor of Laws**The New South Wales Bar Association Prize for Litigation****V** \$250.00**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** \$1,600.00**C** The best performance by a student in the combined Bachelor of Commerce and Bachelor of Laws degree course**The Spruson and Ferguson Prize****V** \$200.00**C** The best performance in LAWS4240 Industrial and Intellectual Property**The Steven Seidler Memorial Prize****V** \$350.00**C** The best performance in LAWS3410 Environmental Law by a student proceeding to the degree of Bachelor of Laws**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

Notes

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
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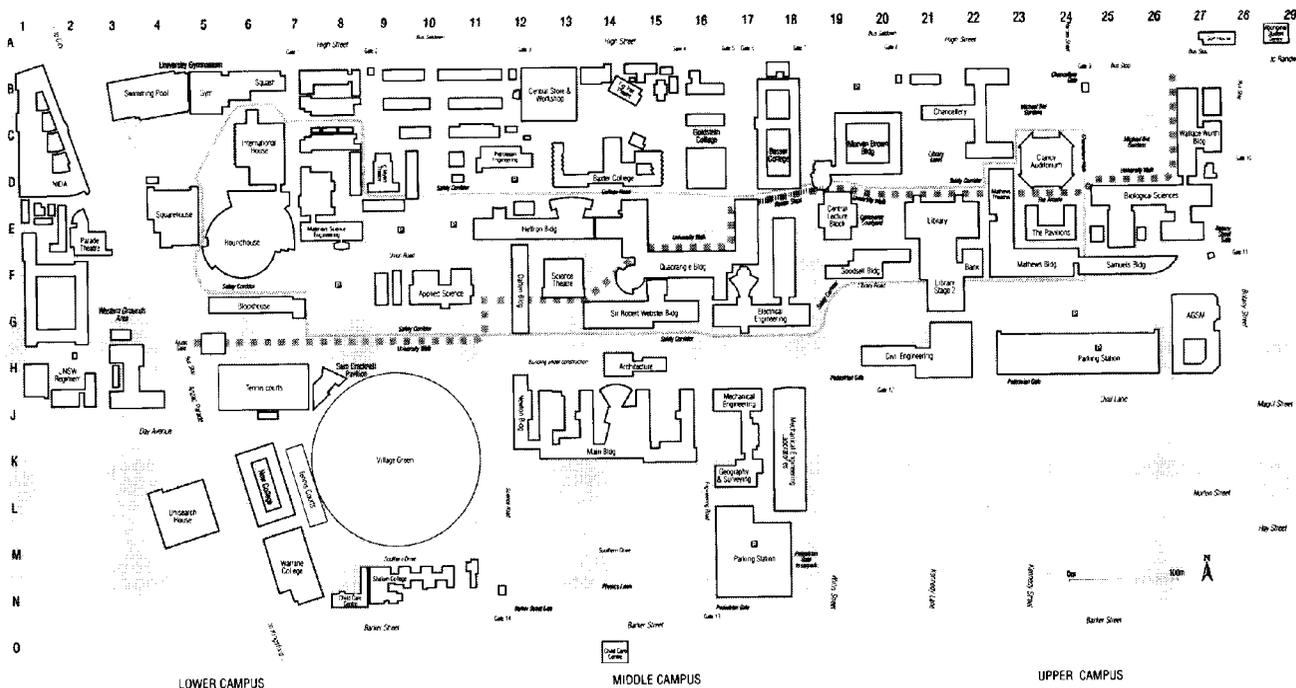
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The University of New South Wales • Kensington Campus

UNSW

This Handbook has been specifically designed as a source of detailed reference information for first year 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
Australian Graduate School
of Management (AGSM)
Australian Taxation Studies Program (ATAX)
College of Fine Arts (COFA)
University College,
Australian Defence Force Academy (ADFA)
General Education

For fuller details about the University – its organization; staff members; description of disciplines; scholarships; prizes and so on, consult the University Calendar (Summary Volume). For further information on student matters consult the UNSW Student Guide.