

**COLLEGE OF LAW  
AND JUSTICE  
HANDBOOK 2017**

## **DISCLAIMER**

The information contained in Victoria University's 2017 College of Law and Justice was current at 28 November 2016

In today's university environment, changes to courses occur far more frequently than in the past. For current information on Victoria University's courses, readers are advised to access the University's online courses database at [www.vu.edu.au/courses](http://www.vu.edu.au/courses)

If you have difficulty in accessing this material electronically, please phone (03)9919 6100 for assistance.

## **IMPORTANT INFORMATION**

The course details in this handbook (Plus details of all other Victoria University courses) can also be searched on the University's online courses database at [www.vu.edu.au/courses](http://www.vu.edu.au/courses)

This handbook can be downloaded as a pdf file from the Victoria University website at [www.vu.edu.au/courses/course-handbooks-and-guides](http://www.vu.edu.au/courses/course-handbooks-and-guides)

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# HOW TO USE THIS HANDBOOK

Victoria University's 2017 College of Law and Justice Handbook is designed to provide students with detailed information on course structures and unit details for undergraduate and postgraduate courses offered by the college in 2017.

The definition of fields used in course tables throughout this handbook include:

Credit Point – the number of credit points a unit contributes towards the total points needed to complete a course.

## PLEASE NOTE

This handbook provides a guide to courses available within Victoria University's College of Law and Justice in 2017.

Although all attempts have been made to make the information as accurate as possible, students should check with the college that the information is accurate when planning their courses.

NOTE: Prospective students are strongly advised to search the University's online courses database at [www.vu.edu.au/courses](http://www.vu.edu.au/courses) for the most up-to-date list of courses.

This handbook includes descriptions of courses that may later be altered or include courses that may not be offered due to unforeseen circumstances, such as insufficient enrolments or changes in teaching personnel. The fact that details of a course are included in this handbook can in no way be taken as creating an obligation on the part of the University to teach it in any given year or in the manner described. The University reserves the right to discontinue or vary courses at any time without notice.

## OTHER INFORMATION

Information about course fees, articulation and credit transfer, recognition of prior learning, admission and enrolment procedures, examinations, and services available to students can be accessed on the University's website or by contacting the University directly.

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## SPECIALISATIONS

## UNITS

# College of Law and Justice

Below are details of courses offered by the College of Law and Justice in 2017.

This information is also available online on the University's searchable courses database at [www.vu.edu.au/courses](http://www.vu.edu.au/courses)

NOTE: Courses available to international students are marked with the (I) symbol

## Bachelor of Laws/Bachelor of Business

**Course Code:** BBLL

**Campus:** Footscray Park, City Queen, City Flinders.

**About this course:** We understand that students' need to determine personal paths in life, customising a degree leading to individual careers. The Bachelor of Laws / Bachelor of Business offers students the flexibility and the professional development needed to do this. This double degree meets academic and professional requirements for graduates to be admitted to legal practice in Australia. It also offers graduates the opportunity to develop their skill, knowledge and professional acumen across a range of business specialisations, preparing them for careers in the legal community, business and government. This course provides a focus on both practical and theoretical learning, both in legal profession and in other business settings.

**Course Objectives:** This course being aligned with AQF7, on successful completion of this course, students will have developed the ability to:

- Integrate conceptual understandings of the Australian legal system, fundamental areas of legal and business knowledge and relevant specialist bodies of knowledge within the disciplines of law and business;
- Review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and business and underlying principles and concepts in diverse contemporary local and international comparative contexts;
- Identify, articulate and respond to legal and business issues by analysing and applying information with initiative and judgement in order to both anticipate and creatively solve problems and promote justice in authentic/contemporary professional, community and global settings;
- Exhibit professional accountabilities and ethical judgement, by evaluating, synthesising and adapting knowledge, skills, legal reasoning and research to make appropriate responses to legal issues that reflect the legal, social, political and contextual factors;
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for legal and non-legal audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development;
- Apply personal and interpersonal competencies including organisational and collaborative skills, necessary to operate in the immensely divergent and complex global and Australian cultures; and

- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner.

**Careers:** Graduates of the Bachelor of Laws / Bachelor of Business Graduates will meet the academic requirements as required by the Victorian Legal Admissions Board. Admission as an Australia lawyer can be obtained after successful completion of the 'practical legal training' requirements. They also have the opportunity to begin careers in a legal capacity in a government department or agency such as Treasury or Foreign Affairs at a federal level or in state government. They may also begin a career in community legal centres supporting legal access in particular geographic locations. There is also the opportunity to begin a career in-house in a profit or not-for-profit business. This is where the flexibility of the Bachelor of Business really allows graduates to focus their career opportunities, by developing their skill, knowledge-base and professional acumen in their business specialisation of choice.

**Course Duration:** 5 years

**Admission Requirements:** Successful completion of VCE (or equivalent); VCE English requirements: Units 3 and 4 - a study score of at least 30 in English (EAL) or 25 in any other English. Applicants may be required to participate in an interview as part of the selection process.

**Admission Requirements International:** Applicants must provide evidence of proficiency in the English language: International English Language Testing System (IELTS) result with an overall score of 6.5 and no individual band score less than 6.0, or equivalent. Applicants must also have completed a secondary school qualification equivalent to Australia's Year 12. Applicants may be required to participate in an interview as part of the selection process.

**Admission Requirements Mature Age:** Mature age students are encouraged to apply for admission. Academic record including Grade Point Average. Relevant work experience may be considered in the absence of an academic record. Applicants who have not completed Year 12 but who possess appropriate educational qualifications, work or life experiences which would enable them to successfully undertake the course, will be considered for admission. Applicants may be required to participate in an interview as part of the selection process.

**Admission Requirements Other:** Applicants who have not completed Year 12 but who possess appropriate educational qualifications, work or life experiences which would enable them to successfully undertake the course, will be considered for admission. Applications are also welcome from students who have successfully completed at least one year in another undergraduate degree, including Bachelor of Business or Bachelor of Legal Services. Applicants may be required to participate in an interview as part of the selection process.

## COURSE STRUCTURE

To attain the Bachelor of Laws/Bachelor of Business students will be required to complete 480 credit points (equivalent to 40 units) consisting of:

- 240 credit points (20 units) of core law units of study
- 48 credit points (4 units) of Law Electives selected from list below
- 84 credit points (7 units) of core business units including the Integrated Business Challenge
- 12 credit points (1 unit) of International Business Challenge)

- 96 credit points (8 units) of business specialisation including the Applied Business Challenge

Business specialisations include:

- Accounting
- Banking and Finance
- Event Management
- Financial Risk Management
- Human Resource Management
- Information Systems Management
- International Hospitality Management
- International Tourism Management
- International Trade
- Management and Innovation
- Marketing
- Music Industry
- Supply Chain and Logistics Management

NOTE: depending on student's chosen specialisation, additional units and/or time may be required for course completion. To be awarded a Bachelor of Laws with Honours: Students who enrolled in the Bachelor of Laws prior to 31 Dec 2014 may be awarded a Bachelor of Laws with Honours (Class H1, H2A, H2B or H3). The class of honours will be determined by their GPA score in BLB4142/LLW5901. This GPA score will be calculated by the College of Law and Justice. To be awarded a Bachelor of Laws (Honours) (For students enrolled post 1 January 2015): Students in any Bachelor of Laws course may apply to transfer into any Bachelor of Laws (Honours) once they have completed a minimum 192 credit points (equivalent to 16 units) and have attained an average mark of Distinction or above i.e. 70–100% in those units.

Year 1, Semester 1

BMO1102	Management and Organisation Behaviour	12
BAO1101	Accounting for Decision Making	12
BLB1101	Australian Legal System in Context	12
BCO1102	Information Systems for Business	12

Year 1, Semester 2

BLB1114	Legal Research Methods	12
BE01105	Economic Principles	12
BE01106	Business Statistics	12
BPD1100	Integrated Business Challenge	12

Year 2, Semester 1

LLW1000	Introduction to Public Law	12
BLB1102	Contracts 1	12

BH01171	Introduction to Marketing	12
Business specialisation unit 1		
Year 2, Semester 2		
BLB2122	Advocacy and Communication	12
BLB1115	Torts	12
Business specialisation unit 2		
Business specialisation unit 3		
Year 3, Semester 1		
BLB2119	Corporations Law 1	12
LLW1001	Criminal Law	12
Business specialisation unit 4		
Business specialisation unit 5		
Year 3, Semester 2		
LLW3000	Australian Administrative Law	12
BLB2125	Real Property Law	12
BPD2100	International Business Challenge	12
Business specialisation unit 6		
Year 4, Semester 1		
BLB3130	Interviewing and Negotiation Skills	12
BLB2121	Legal Theory	12
BLB2120	Legal Writing and Drafting	12
Business specialisation unit 7		
Year 4, Semester 2		
LLW5000	Advanced Commercial Law	12
LLW5001	Corporations Law 2	12
Law Elective (1st)		
Business specialisation unit 8 (BPD3100 APPLIED BUSINESS CHALLENGE)		
Year 5, Semester 1		
BLB4136	Equity and Trusts	12
LLW4000	Civil Procedure	12
LLW5003	Evidence and Criminal Procedure	12

Law Elective (2nd)			LLW3001	Law in Practice 1	12
Year 5, Semester 2			LLW3002	Alternative Dispute Resolution	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12	LLW3003	Court and Tribunal Internship	12
LLW5002	Advanced Constitutional Law	12	LLW3004	Current Legal Topics and Issues	12
Law Elective (3rd)			LLW3005	Corporate Insolvency	12
Law Elective (4th)			LLW4001	Asian Law Studies	12
* NOTE: The elective unit BLB4142 Advanced Legal Research Dissertation is ONLY available to students enrolled in this course since pre-2015.			LLW4002	Australian Migration Law	12
			LLW4003	Australia's Visa System	12
LAW ELECTIVES			LLW4004	Sports Law	12
BLB3129	Intellectual Property Law	12	LLW5902	Research Law Internship	12
BLB3132	Securities Law	12	LLW5903	Mooting Competition	12
BLB3133	Comparative Commercial Law	12	Honours for students enrolled 2015 and thereafter		
BLB3134	Taxation Law	12	LLW5900	Advanced Legal Research Methods	12
BLB3136	Family Law in Society	12	LLW5901	Advanced Legal Research Dissertation	12
BLB3137	Elements of Regulation	12	Students will be required to choose one Business specialisation to study		
BLB3138	Criminal Law 2	12	Specialisations		
BLB3139	Law Reform	12	BSPACT	Accounting	
BLB4104	Commercial Arbitration Law	12	BSPEVT	Event Management	
BLB4105	Commercial Arbitration Practice and Procedure	12	BSPMRK	Marketing	
BLB4135	Australian Employment Law	12	BSPHMR	Human Resource Management	
BLB4140	Privacy and Media Law	12	BSPBKF	Banking and Finance	
BLB4141	International Trade Law	12	BSPFNR	Financial Risk Management	
BLB4142	Advanced Legal Research Dissertation	12	BSPIMS	Information Systems Management	
BLB4143	Public International Law	12	BSPIMH	International Hospitality Management	
BLB4144	European Union Law	12	BSPIMT	International Tourism Management	
BLB4145	Human Rights Law	12	BSPITD	International Trade	
BLB4146	Wills and the Administration of Estates	12	BSPMAI	Management and Innovation	
BLO2502	Transport Law	12	BSPMUS	Music Industry	
LLW2000	Torts 2	12	BSPSCL	Supply Chain and Logistics Management	
LLW2001	Competition Law and Policy	12			
LLW2002	International Law Practicum	12			

## Graduate Diploma in Notarial Practice

**Course Code:**BGCN

**Campus:**City Queen.

**About this course:**This program provides students with a sound understanding of the jurisdiction and legal differences between the Australian legal system and those that place special significance on the role of the notary.

**Course Objectives:**The objective of the course is to provide students with a formal education in relevant legal units of study to enable them to qualify as Public Notaries. The course aims to provide an in-depth knowledge of the work of a notary including notarial acts, Bills of Exchange and other professional functions. It also aims to provide an overview of the world's legal systems that will assist Public Notaries preparing notarial acts for foreign jurisdictions in Europe and the Asia-Pacific region, especially those with culturally diverse populations maintaining connections with many homelands.

**Careers:**Legal profession.

**Course Duration:** 1 year

**Admission Requirements:**To qualify for admission to the course an applicant must be engaged in practice as a Notary or be seeking appointment as a Public Notary in Victoria or in another jurisdiction.

### COURSE STRUCTURE

The course can be completed at a student's own pace but it is estimated that it would take 2-3 months to complete. Students will be required to complete the course within 24 months of commencement.

ZCC5002	Notarial Practice - Theory	24
ZCC5003	Comparative Law	24
ZCC5001	Private International Law/Conflict of Laws	24
ZCC5004	Notarial Practice - Practical	24

## Bachelor of Laws

**Course Code:**BLAW

**Campus:**City Queen.

**About this course:**The Bachelor of Laws prepares graduates for a range of careers in the legal, corporate and community sectors, government and non-government organisations. The course provides a focus on both practical and theoretical learning. Achieving a degree in Law indicates strong academic ability and readiness for postgraduate studies. This degree will provide students with a broad ranging program combining foundation subjects; the 'prescribed areas of knowledge' also known as the "Priestley Eleven" that are required for admission to legal practice in Victoria; practical subjects to hone students legal skills; and a range of electives which will enable students to explore the areas of particular interest.

**Course Objectives:**The course learning outcomes embody the educational rationale and include the concepts, theories and ideas central to the discipline. The course learning outcomes also closely align with the Threshold Learning Outcomes expected for Bachelor of Laws degrees. The course will equip graduates to obtain employment in law firms, at the Bar and elsewhere. The course aims to produce intellectually

well-rounded law graduates who have the professional and academic skills required to work in a variety of legal settings. The course learning outcomes and VU graduate capabilities include attributes and capabilities expected of law graduates from an Australian law school and to satisfy the academic requirements for admission to legal practice in Victoria, and careers in the legal sector generally. Aligned with AQF level 7, upon successful completion of the Bachelor of Laws (BLAW) it is expected that graduates be able to:

- Integrate conceptual understandings of the Australian legal system, fundamental areas of legal knowledge and relevant advanced specialist bodies of knowledge within the discipline of law;
- Critically review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and underlying principles and concepts in diverse contemporary local and international and comparative contexts,
- Identify, articulate and respond to legal issues by critically analysing and applying information with initiative and judgement in order to both anticipate and creatively solve problems and promote justice in authentic/contemporary professional, community and global settings;
- Exhibit professional accountabilities and ethical judgement, by evaluating, synthesising and adapting knowledge, skills legal reasoning and research to make appropriate responses to legal issues that reflect the social, political and contextual factors;
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for legal and non-legal audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development;
- Apply personal and interpersonal competencies including organisational and collaborative skills necessary to operate within broad parameters in the immensely divergent and complex global and Australian cultures;
- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner.

**Careers:**The Bachelor of Laws prepares graduates to gain employment in the legal profession, the legal sector in general as well as in the government, non-government and private sectors. Upon graduation you will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements.

**Course Duration:** 4 years

**Admission Requirements:**Successful completion of VCE (or equivalent); VCE English requirements: Units 3 and 4 - a study score of at least 30 in English (EAL) or 25 in any other English. Applicants may be required to participate in an interview as part of the selection process.

**Admission Requirements International:**Overseas students must satisfy the entry requirements for Australian resident students or demonstrate equivalence, and provide evidence of proficiency in the English language: International English Language Testing System - overall score of 6.5 and no individual band score less



than 6.0 or equivalent. Applicants must also have completed a secondary school qualification equivalent to Australia's Year 12. Applicants may be required to participate in an interview as part of the selection process.

**Admission Requirements Mature Age:** Mature age students are encouraged to apply. Academic record including Grade Point Average will be considered. Relevant work experience may be considered in the absence of an academic record. Applicants may be required to participate in an interview as part of the selection process.

**Admission Requirements Other:** Applicants who have not completed Year 12 but who possess appropriate educational qualifications, work or life experiences which would enable them to successfully undertake the course, will be considered for admission. Applications are also welcome from students who have successfully completed at least one year in another undergraduate degree, including Bachelor of Legal Services. There is also an official pathway into the LL.B at VU from the police prosecutors pathway established in 2013. Applicants may be required to participate in an interview as part of the selection process.

#### COURSE STRUCTURE

To attain the Bachelor of Laws students will be required to complete 384 credit points (equivalent to 32 units) consisting of:

- 240 credit points (equivalent to 20 units) of Core Law studies
- 144 credit points (equivalent to 12 units) of Elective studies (from the lists below). This can include up to 48 credit points (equivalent of 4 units) non Law electives or one of the Global Challenge minors.

To be awarded a Bachelor of Laws with Honours: Students who enrolled in the Bachelor of Laws prior to 31 Dec 2014 may be awarded a Bachelor of Laws with Honours (Class H1, H2A, H2B or H3). The class of honours will be determined by their GPA score in BLB4142/LLW5901. This GPA score will be calculated by the College of Law and Justice. To be awarded a Bachelor of Laws (Honours) (For students enrolled post 1 January 2015): Students in any Bachelor of Laws course may apply to transfer into any Bachelor of Laws (Honours) once they have completed a minimum 192 credit points (equivalent to 16 units) and have attained an average mark of Distinction or above i.e. 70–100% in those units.

#### Year 1, Semester 1

BLB1101	Australian Legal System in Context	12
BLB1102	Contracts 1	12
BLB1114	Legal Research Methods	12
LLW1000	Introduction to Public Law	12

#### Year 1, Semester 2

BLB1115	Torts	12
BLB2120	Legal Writing and Drafting	12
LLW1001	Criminal Law	12

12 Credit Points selected from list of Elective Units

#### Year 2, Semester 1

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BLB2119	Corporations Law 1	12
BLB2121	Legal Theory	12
24 credit points selected from list of Elective Units		
Year 2, Semester 2		
BLB2125	Real Property Law	12
36 Credit Points selected from list of Elective Units		
Year 3, Semester 1		
BLB3130	Interviewing and Negotiation Skills	12
LLW4000	Civil Procedure	12
24 Credit Points selected from list of Elective Units		
Year 3, Semester 2		
BLB2122	Advocacy and Communication	12
LLW3000	Australian Administrative Law	12
24 Credit Points selected from list of Elective Units		
Year 4, Semester 1		
BLB4136	Equity and Trusts	12
LLW5003	Evidence and Criminal Procedure	12
24 Credit Points selected from list of Elective Units		
Year 4, Semester 2		
LLW5001	Corporations Law 2	12
LLW5002	Advanced Constitutional Law	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12
LLW5000	Advanced Commercial Law	12
ELECTIVE UNITS The unit code provides an indicator of the relative difficulty of one unit compared to another. For example 2000 coded units such as LLW2001, have less advanced learning outcomes, and so are recommended for first or second year electives, while 4000 coded units are recommended as electives for study in the latter years of this course.		
BLB3129	Intellectual Property Law	12
BLB3132	Securities Law	12
BLB3133	Comparative Commercial Law	12
BLB3134	Taxation Law	12
BLB3136	Family Law in Society	12

BLB3137	Elements of Regulation	12
BLB3138	Criminal Law 2	12
BLB3139	Law Reform	12
BLB4104	Commercial Arbitration Law	12
BLB4105	Commercial Arbitration Practice and Procedure	12
BLB4135	Australian Employment Law	12
BLB4140	Privacy and Media Law	12
BLB4141	International Trade Law	12
BLB4142	Advanced Legal Research Dissertation	12
BLB4143	Public International Law	12
BLB4144	European Union Law	12
BLB4145	Human Rights Law	12
BLB4146	Wills and the Administration of Estates	12
BLO2502	Transport Law	12
LLW2000	Torts 2	12
LLW2001	Competition Law and Policy	12
LLW2002	International Law Practicum	12
LLW3001	Law in Practice 1	12
LLW3002	Alternative Dispute Resolution	12
LLW3003	Court and Tribunal Internship	12
LLW3004	Current Legal Topics and Issues	12
LLW3005	Corporate Insolvency	12
LLW4001	Asian Law Studies	12
LLW4002	Australian Migration Law	12
LLW4003	Australia's Visa System	12
LLW4004	Sports Law	12
LLW5902	Research Law Internship	12
LLW5903	Mooting Competition	12
Honours for students enrolled 2015 and thereafter		
LLW5900	Advanced Legal Research Methods	12
LLW5901	Advanced Legal Research Dissertation	12

\* NOTE: The elective unit BLB4142 Advanced Legal Research Dissertation is ONLY available to students enrolled in this course since pre-2015.

Minors

ESPIDG                      Global Indigenous Challenge

ESGPLP                      Global Leadership

### Bachelor of Laws (Graduate Entry)

**Course Code:**BLGE

**Campus:**City Queen.

**About this course:** Upon graduation you will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements. The Bachelor of Laws Graduate Entry prepares graduate for careers in the legal community, business, government and non-government organisations. The course provides a focus on both practical and theoretical learning.

**Course Objectives:** The course learning outcomes embody the educational rationale and include the concepts, theories and ideas central to the discipline. The course learning outcomes also closely align with the Threshold Learning Outcomes expected for Bachelor of Laws degrees and satisfy academic and professional requirements for admission to legal practice in Victoria. The course will equip graduates to obtain employment in law firms, at the Bar and elsewhere. The course aims to produce intellectually well-rounded law graduates who have the professional and academic skills required to work in a variety of legal settings. The course provides graduates with attributes and competencies as would be expected of law graduates from an Australian Law School and to satisfy the academic requirements for admission to legal practice in Victoria. Aligned with AQF level 7, upon successful completion of the Bachelor of Laws (BLGE) (Graduate Entry) it is expected that graduates be able to:

- Integrate conceptual understandings of the Australian legal system, fundamental areas of legal knowledge and relevant advanced specialist bodies of knowledge within the discipline of law;
- Critically review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and underlying principles and concepts in diverse contemporary local and international and comparative contexts,
- Identify, articulate and respond to legal issues by critically analysing and applying information with initiative and judgement in order to both anticipate and creatively solve problems and promote justice in authentic/contemporary professional, community and global settings;
- Exhibit professional accountabilities and ethical judgement, by evaluating, synthesising and adapting knowledge, skills legal reasoning and research to make appropriate responses to legal issues that reflect the social, political and contextual factors;
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for legal and non-legal audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development;

- Apply personal and interpersonal competencies including organisational and collaborative skills necessary to operate within broad parameters in the immensely divergent and complex global and Australian cultures;
- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner.

**Careers:**The course prepares graduates to gain employment in the legal profession, the legal sector generally as well as in the government, non government and private sectors. Upon graduation you will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements.

**Course Duration:**3 years

**Admission Requirements:**Not applicable as the minimum entry requirement is satisfactory completion of an Australian Bachelor's degree or equivalent.

**Admission Requirements International:**Admission into this course is based on performance in prior undergraduate studies or higher. An applicant is expected to demonstrate completion of at least a three year Bachelor's degree in Australia or equivalent, with a high Grade Point Average or excellent results. Postgraduate qualifications will be evaluated according to the nature of the relevant degree. An applicant must submit a statement of purpose (maximum 500 words) which includes a summary of prior work experience and reasons for applying for the course. The College Dean or delegate(s) will evaluate this statement and take it into consideration in selection. An applicant may further be required to participate in an interview as part of the selection process. In addition to academic requirements, English language requirements of an IELTS (Academic module) result with a minimum overall score of 6.5 (no band less than 6.0) or equivalent must be met.

**Admission Requirements Mature Age:**Admission into this course is based on performance in prior undergraduate studies or higher. An applicant is expected to demonstrate completion of at least a three year Bachelor's degree in Australia or equivalent with a high Grade Point Average or excellent results. Postgraduate qualifications will be evaluated according to the nature of the relevant degree. An applicant must submit a statement of purpose (maximum 500 words) which includes a summary of prior work experience and reasons for applying for the course. The College Dean or delegate(s) will evaluate this statement and take it into consideration in selection.

**Admission Requirements VET:**Not applicable as the minimum entry requirement is satisfactory completion of an Australian Bachelor's degree or equivalent.

**Admission Requirements Other:**Graduates who have been unsuccessful in gaining entry into the Bachelor of Laws (Graduate Entry) (BLGE) may gain entry into the Bachelor of Laws undergraduate program (BLAW), and potentially apply at a later stage for transfer into BLGE on the basis of excellent academic results in the Bachelor of Laws. An applicant may further be required to participate in an interview as part of the selection process.

## COURSE STRUCTURE

To attain the Bachelor of Laws students will be required to complete 288 credit points (equivalent to 32 units) consisting of: 240 credit points (equivalent to 20 units) of Core Law studies 48 credit points (equivalent to 4 units) of Elective students (from the lists below). To be awarded a Bachelor of Laws with Honours:

Students who enrolled in the Bachelor of Laws prior to 31 Dec 2014 may apply to undertake the unit BLB4142 in their later years based on a GPA of 7 or above as calculated by the College of Law and Justice. Students will be awarded a Bachelor of Laws with Honours (Class H1, H2A, H2B or H3) dependant on their GAP score and overall mark in BLB4142. To be awarded a Bachelor of Laws (Honours) (For students enrolled past 1 January 2015): Students in any Bachelor of Laws course may apply to transfer into any Bachelor of Laws (Honours) once they have completed a minimum 192 credit points (equivalent to 16 units) and have attained an average mark of Distinction or above i.e. 70–100% in those units. Students will then be required to complete units LLW5900 and LLW5901 in order to graduate with honours.

### Year 1, Semester 1

BLB1101	Australian Legal System in Context	12
BLB1102	Contracts 1	12
LLW1000	Introduction to Public Law	12
BLB1114	Legal Research Methods	12

### Year 1, Semester 2

BLB1115	Torts	12
LLW1001	Criminal Law	12
BLB2120	Legal Writing and Drafting	12

12 Credit points selected from the list of Law Electives

### Year 2, Semester 1

BLB2119	Corporations Law 1	12
BLB2121	Legal Theory	12
BLB3130	Interviewing and Negotiation Skills	12

12 Credit points selected from the list of Law Electives

### Year 2, Semester 2

BLB2125	Real Property Law	12
LLW3000	Australian Administrative Law	12
LLW5000	Advanced Commercial Law	12
LLW5001	Corporations Law 2	12

### Year 3, Semester 1

BLB4136	Equity and Trusts	12
LLW4000	Civil Procedure	12
LLW5003	Evidence and Criminal Procedure	12

12 Credit Points from the list of Law Electives

Year 3, Semester 2

LLW3006 Advocacy and Communication 12

LLW5002 Advanced Constitutional Law 12

LLW5004 Lawyers' Ethics and Professional Responsibility 12

12 Credit points selected from Law Electives

LAW ELECTIVES Students complete FOUR units (48 Credit Points) from the following list: \* NOTE: The elective unit BLB4142 Advanced Legal Research Dissertation is ONLY available to students enrolled in this course since pre-2015.

BLB3129 Intellectual Property Law 12

BLB3132 Securities Law 12

BLB3133 Comparative Commercial Law 12

BLB3134 Taxation Law 12

BLB3136 Family Law in Society 12

BLB3137 Elements of Regulation 12

BLB3138 Criminal Law 2 12

BLB3139 Law Reform 12

BLB4104 Commercial Arbitration Law 12

BLB4105 Commercial Arbitration Practice and Procedure 12

BLB4135 Australian Employment Law 12

BLB4140 Privacy and Media Law 12

BLB4141 International Trade Law 12

BLB4142 Advanced Legal Research Dissertation 12

BLB4143 Public International Law 12

BLB4144 European Union Law 12

BLB4145 Human Rights Law 12

BLB4146 Wills and the Administration of Estates 12

BLO2502 Transport Law 12

LLW2000 Torts 2 12

LLW2001 Competition Law and Policy 12

LLW2002 International Law Practicum 12

LLW3001 Law in Practice 1 12

LLW3002 Alternative Dispute Resolution 12

LLW3003 Court and Tribunal Internship 12

LLW3004 Current Legal Topics and Issues 12

LLW3005 Corporate Insolvency 12

LLW4001 Asian Law Studies 12

LLW4002 Australian Migration Law 12

LLW4003 Australia's Visa System 12

LLW4004 Sports Law 12

LLW5902 Research Law Internship 12

LLW5903 Mooting Competition 12

Honours for students enrolled 2015 and thereafter

LLW5900 Advanced Legal Research Methods 12

LLW5901 Advanced Legal Research Dissertation 12

### Master of Laws (By Research)

Course Code: BMLT

Campus: City Queen.

**About this course:** Masters Degree (Research) in the field of Law and Justice The Masters Degree (Research) allows you to develop your knowledge and skills in planning and executing a substantial piece of original research in an area that is of interest to you and to the University, industry and the community, with the assistance of an experienced research supervisory team. This degree requires you to apply an advanced body of knowledge in a range of contexts for research and scholarship and potentially as a pathway to a PhD or Professional Doctorate. It involves supervised study and research, through completion of a major research thesis in an approved thesis format for examination, as well as research training and independent study. Feedback is provided face-to-face and online by the supervisory team, and co-curricular opportunities for receiving feedback are available through activities in which you are strongly encouraged to participate, such as involvement in support and adjunct programs offered by the university or externally; collaborative publication of academic articles with supervisors and peers; presentation at academic conferences including those organised within VU for graduate researchers and staff; and other presentations to a variety of audiences. This course is normally a 2 year (full time) and 4 year (part time) research-based degree.

**Course Objectives:** The course objectives are to produce graduates who have the following knowledge and skills:

- a body of knowledge that includes the understanding of recent developments in one or more discipline
- advanced knowledge of research principles and methods applicable to the field of work or learning
- cognitive skills to demonstrate mastery of theoretical knowledge and to reflect critically on theory and its application

- cognitive, technical and creative skills to investigate, analyse and synthesise complex information, problems, concepts and theories and to apply established theories to different bodies of knowledge or practice
- cognitive, technical and creative skills to generate and evaluate complex ideas and concepts at an abstract level
- cognitive and technical skills to design, use and evaluate research and research method
- communication and technical skills to present a coherent and sustained argument and to disseminate research results to specialist and non-specialist audience
- technical and communication skills to design, evaluate, implement, analyse, theorise and disseminate research that makes a contribution to knowledge

This knowledge and these skills will be demonstrated through the planning and execution of a substantial piece of research:

- with creativity and initiative
- with a high level of personal autonomy and accountability, demonstrating expert judgement, adaptability and responsibility as a learner

**Careers:** A pathway to a PhD or Professional Doctorate, Research assistant, Research technician.

**Course Duration:** 2 years

**Admission Requirements International:** In addition to meeting the University requirements (See: Admission Requirements - Other) international applicants who will be studying in Australia must satisfy the English language qualifying requirement for gaining an entry visa to Australia for applicants from their country.

**Admission Requirements Other:** (a) Academic achievement and preparation to a level that is sufficient to undertake masters level research demonstrated in any one or more of the following: i. Qualified, at minimum, for a bachelors degree at a standard considered by the University to be sufficiently meritorious (normally Distinction average in the final year); or ii. Qualified for any other award judged by the University to be of a relevant and appropriate standard and have: •Produced evidence of professional experience; and •Fulfilled any other conditions relating to prerequisite studies which the University may impose. (b) Demonstrated competency in English sufficient to work at research masters level, through meeting one or more of the following criteria: i. Successful completion of one of the degrees stipulated under a) i) – ii) above with English as the language of instruction and assessment and undertaken in a predominantly English speaking context; or ii. Been taught for two of the past five years at a tertiary institution where English was the primary language of instruction; or iii. Achieved an overall band score of not less than 6.5 in an International English Language Testing Service (IELTS) test with no individual band score below 6.0; or iv. Achieved a score of not less than 92 and no section score less than 22 in the internet-based Teaching of English Foreign Language (TOEFL) test; or v. Documented evidence of English proficiency equivalent to the above.

#### COURSE STRUCTURE

The standard duration of a Masters Degree (Research) is two years of full-time study or part-time equivalent, although in certain circumstances the degree may be

completed in eighteen months. In some cases the student may be required to complete approved coursework units such as laboratory skills or research design as part of the Masters Degree (Research).

BLO9800	Research Thesis (Full Time)	48
OR		
BLO9801	Research Thesis (Part Time)	24

### Bachelor of Laws/Bachelor of Arts

**Course Code:** LBLA

**Campus:** Footscray Park, City Queen.

**About this course:** We understand students' need to determine personal paths in life, creating a degree leading to individual careers. The Bachelor of Laws / Bachelor of Arts offers students the flexibility and needed to do this. This double degree provides the student with a broad ranging program so that the student can meet the academic and professional requirements in law (for admission to legal practice in Australia). It also offers graduates the opportunity to develop their skill, knowledge and professional acumen across a range of Arts Majors or Minor studies, preparing them for careers not only in the legal community, but also in the corporate and community sectors, government and non-government organisations. The course provides a focus on both practical and theoretical learning.

**Course Objectives:** This course being aligned with AQF7, on successful completion of this course, students will have developed the ability to:

- Integrate conceptual understandings of the Australian legal system, fundamental areas of legal knowledge and relevant specialist bodies of knowledge within the disciplines of law and humanities.
- Review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and underlying principles and concepts in diverse contemporary local and international comparative contexts,
- Identify, articulate and respond to legal and humanities issues by analysing and applying information with initiative and judgement in order to both anticipate and creatively solve problems and promote justice in authentic/contemporary professional, community and global settings.
- Exhibit professional accountabilities and ethical judgement, by evaluating, synthesizing and adapting knowledge, skills, legal reasoning and research to make appropriate responses to legal issues that reflect the legal, social, political and contextual factors
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for legal and non-legal audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development.
- Apply personal and interpersonal competencies including organisational and collaborative skills, necessary to operate in the immensely divergent and complex global and Australian cultures.

- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner.
- Critically review theory and research in chosen areas of study;
- Critically reflect on the patterns of social, cultural and political experience of society in general and share insights into their own lives;
- Initiate, organise, undertake, and communicate research into the lives of their communities, including 'creative works as research' for students completing creative arts disciplines;
- Exemplify academic skills in reading, note-taking and collection and organisation of resource materials including the presentation of oral and written material;
- Collaborate with skill and confidence in group discussion and activity;
- Exhibit interpersonal skills consistent with professional practice.

These 12 Arts and Law learning outcomes are integrated into the curriculum, pedagogy, and assessment for all students.

**Careers:** The Bachelor of Laws/Bachelor of Arts will continue to produce graduates with a comprehensive knowledge of law and contemporary issues concerning society, ensuring that they are 'profession ready' and suitably equipped for a successful career in business, government or the community sector. According to the Market Assessment study conducted for Victoria University by Growth Solutions Group in 2013 the legal Services industry has experienced growth since 2005, and is forecasted to continue to grow until 2016/17. Upon graduation you will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements. A recent nation-wide survey conducted for the Higher Education Learning and Teaching Performance Fund for 2009 rated VU (with a score of 85.5) as the top university in Australia for getting its humanities, arts and education students into full-time employment. In common with Australian and international BAs, the graduate destination for VU BA graduates is less defined than in more specialist courses: rather the course provides a basis for further specialisation or development in areas that include, but are by no means limited to, librarianship, teaching, public service and community work. Another traditional graduate destination for a small number of BA graduates has been further academic study. Currently, further academic study in the area of specialisation is offered in the VU Honours program, which is a discrete course and traditionally offers a pathway into higher degree study.

**Course Duration:** 5 years

**Admission Requirements:** Successful completion of an Australian Senior Secondary Certificate (VCE or equivalent) including Units 3 and 4: a study score of at least 30 in English (EAL) or 25 in any other English.

**Admission Requirements International:** Successful completion of an Australian Senior Secondary Certificate (VCE or equivalent) PLUS IELTS (or equivalent): Overall score of 6.6 with no band less than 6.0

**Admission Requirements Mature Age:** Academic record including GPA (see institutional page). Relevant work experience may be considered in the absence of an academic record.

**Admission Requirements Other:** Applicants with relevant work, education and/or community experience will be considered for admission to the course. Applications are also welcome from students who have successfully completed at least one year in another undergraduate degree, including Bachelor of Arts. Applicants may be required to participate in an interview as part of the selection process.

#### COURSE STRUCTURE

To attain the Bachelor of Laws/Bachelor of Arts students will be required to complete 480 credit points (equivalent to 40 units) consisting of:

- 48 credit points (equivalent to 4 units) of Law Core studies
- 192 credit points (equivalent to 16 units) of Law Professional Core units
- 48 credit points (equivalent to 4 units) of a Law Elective studies from the list below

AND

- 96 credit points (equivalent to 8 units) of Arts Major 1 studies from the list below

PLUS

- 96 credit points (equivalent to 8 units) of Arts Major 2 studies from the list below

OR

- 2 X 48 credit points (equivalent to 8 units) of Arts Minor studies from the list below.

Please note: Students selecting Arts Major 2 must choose 24 credit points (2 units) in place of ACX3005 Graduating Project 1 and ACX3006 Graduating Project 2 as these units will be covered in Major 1. The units can be selected from the following minors listed below:

- International Development
- Professional Communication
- Global Indigenous Challenge
- Global Leadership

To be awarded a Bachelor of Laws with Honours: Students who enrolled in the Bachelor of Laws prior to 31 Dec 2014: may be awarded a Bachelor of Laws with Honours (Class H1, H2A, H2B or H3) after completion of the BLB4142 Advanced Legal Research Dissertation unit in their final semester. The class of honours will be determined by their GPA score in BLB4142. This GPA score will be calculated by the College of Law and Justice. To be awarded a Bachelor of Laws (Honours) (For students enrolled post 1 January 2015): Students in any Bachelor of Laws course may apply to transfer into any Bachelor of Laws (Honours) once they have completed a minimum 192 credit points (equivalent to 16 units) and have attained an average mark of Distinction or above i.e. 70–100% in those units. Students will then complete LLW5900 Advanced Legal Research Methods PLUS LLW5901 Advanced Legal Research Dissertation units in their final semesters.

College Core

BLB1101	Australian Legal System in Context	12	BLB4105	Commercial Arbitration Practice and Procedure	12
BLB1102	Contracts 1	12	BLB4135	Australian Employment Law	12
BLB1114	Legal Research Methods	12	BLB4140	Privacy and Media Law	12
LLW1000	Introduction to Public Law	12	BLB4141	International Trade Law	12
Professional Core			BLB4143	Public International Law	12
BLB1115	Torts	12	BLB4144	European Union Law	12
BLB2119	Corporations Law 1	12	BLB4145	Human Rights Law	12
BLB2120	Legal Writing and Drafting	12	LLW2000	Torts 2	12
BLB2121	Legal Theory	12	LLW2001	Competition Law and Policy	12
BLB2122	Advocacy and Communication	12	LLW2002	International Law Practicum	12
BLB2125	Real Property Law	12	LLW3001	Law in Practice 1	12
BLB3130	Interviewing and Negotiation Skills	12	LLW3002	Alternative Dispute Resolution	12
BLB4136	Equity and Trusts	12	LLW3003	Court and Tribunal Internship	12
LLW1001	Criminal Law	12	LLW3004	Current Legal Topics and Issues	12
LLW3000	Australian Administrative Law	12	LLW4001	Asian Law Studies	12
LLW4000	Civil Procedure	12	LLW4002	Australian Migration Law	12
LLW5000	Advanced Commercial Law	12	LLW4003	Australia's Visa System	12
LLW5001	Corporations Law 2	12	LLW4004	Sports Law	12
LLW5002	Advanced Constitutional Law	12	LLW5902	Research Law Internship	12
LLW5003	Evidence and Criminal Procedure	12	LLW5903	Mooting Competition	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12	Honours for students enrolled 2015 and thereafter		
Law Electives			LLW5900	Advanced Legal Research Methods	12
BLB3129	Intellectual Property Law	12	LLW5901	Advanced Legal Research Dissertation	12
BLB3132	Securities Law	12	Majors		
BLB3133	Comparative Commercial Law	12	AMAGEN	Gender Studies	
BLB3134	Taxation Law	12	AMAYUL	Aboriginal Yulendj	
BLB3136	Family Law in Society	12	AMAVEE	Vietnamese Studies	
BLB3137	Elements of Regulation	12	AMALIT	Literary Studies	
BLB3138	Criminal Law 2	12	AMAVIE	Vietnamese Studies (Advanced)	
BLB3139	Law Reform	12	AMAPOL	Political Science	
BLB4104	Commercial Arbitration Law	12			

AMASLY	Sociology
AMAHIS	History
AMAVSU	Visual Art
AMACOM	Communication Studies
AMARIT	Writing
Minors	
ESPIDG	Global Indigenous Challenge
ESPGLP	Global Leadership
AMWRI	Writing
AMGEN	Gender Studies
AMIDIG	Digital Media
AMILIT	Literary Studies
AMIHIS	History
AMINT	International Development
AMIPOP	Popular Music Studies
AMIYUL	Aboriginal Yulendj
AMVEE	Vietnamese Studies
AMVIE	Vietnamese Studies (Advanced)
AMIPOL	Political Science
AMIPCO	Professional Communication
AMISLY	Sociology
AMVSU	Visual Art
AMICOM	Communication Studies

## Bachelor of Legal Services

**Course Code:**LBLS

**Campus:**Footscray Park, City Queen.

**About this course:**The Bachelor of Legal Services produces graduates with professional competencies and highly valued generic skills such as critical thinking, teamwork/collaboration and effective communication. You will develop a core knowledge of the principles and practices of legal services industry underpinned by specialised studies in legal writing and drafting, interviewing, and legal research and compliance. This qualification will prepare you for a career in the legal services industry although it does NOT enable you to practise law as a legal practitioner. You

will engage with important ethical principles and develop appropriate professional conduct towards clients, employers, and community.

**Course Objectives:**Upon successful completion of the Bachelor of Legal Services it is expected that graduates:

- Integrate fundamental understandings of business including accounting, management and information management with advanced specialist legal knowledge within the discipline of law or legal services;
- Critically review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law in diverse legal services contexts;
- Critically analyse and apply information with initiative and judgement in order to both anticipate and creatively solve problems related to legal services in authentic/contemporary settings;
- Exhibit professional judgement, by adapting the knowledge and skills obtained to make effective decisions that reflect the social, political and/or ethical contextual factors;
- Communicate a clear, coherent and independent exposition of knowledge and skills in both oral and written form to a range of audiences;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning;
- Apply personal and interpersonal competencies necessary to operate within the legal services sector in the immensely divergent and complex cultures of Australia and globally; and
- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner.

**Careers:**The course prepares graduates to gain employment in the legal sector and beyond. Possible careers include advance legal services, paralegal, compliance officers in companies, financial institutions, non-government charitable organisations, or careers in government or courts.

**Course Duration:**3 years

**Admission Requirements:**Units 3 and 4: a study score of at least 25 in English (EAL) or at least 20 in English other than EAL.

**Admission Requirements International:**Successful completion of an Australian Senior Secondary Certificate (VCE or equivalent) OR Successful completion of an Australian Diploma or Advanced Diploma (or equivalent) PLUS IELTS (or equivalent): Overall score of 6 with no band less than 6.0

**Admission Requirements Mature Age:**Applicants with relevant work, (eg relevant paralegal experience) education and/or community experience will be considered for admission to the course.

**Admission Requirements VET:**Successful completion of a cognate (similar discipline) Australian Diploma or Advanced Diploma (or equivalent) will be granted advanced standing of up to a maximum of 96 credit points (Diploma).

**Admission Requirements Other:**Candidates with backgrounds in legal service-related areas are encouraged to apply and will be considered. Applicants who have not



completed Year 12 but who possess appropriate educational qualifications, work or life experiences which would enable them to successfully undertake the course, will be considered for admission. Applicants may be required to participate in an interview as part of the selection process.

## COURSE STRUCTURE

To attain the Bachelor of Legal Services students will be required to complete 288 credit points (equivalent to 24 units) consisting of:

- 96 credit points (equivalent to 8 units) of Core Legal Services studies
- 96 credit points (equivalent to 8 units) of Major studies (from the list below)
- 2 x 48 credit points (equivalent to 8 units) of Minor studies (from the list below)

## CORE LEGAL SERVICES UNITS

BAO1101	Accounting for Decision Making	12
BCO1102	Information Systems for Business	12
BLB1101	Australian Legal System in Context	12
BLB1114	Legal Research Methods	12
BLO1105	Business Law	12
BMO1102	Management and Organisation Behaviour	12
BMO1192	Business Communication	12
NIT1103	Communication and Information Management	12

## Majors

LMALAW	Law Profession
LMAADV	Advanced Legal Services

## Minors

LMICRI	Criminal Law
LMIPRI	Private Law
LMIRIG	Rights and The Law
LMICOM	Commercial and Corporate Law
LMILAW	Law in a Legal Context

## Bachelor of Laws/Bachelor of Psychological Studies

**Course Code:**LBWP

**Campus:**Footscray Park, City Queen.

**About this course:**This double degree allows students the flexibility to combine studies in psychology with a qualification in law. A background in psychological studies together with a law qualification will enhance a student's employability. The

combined degree equips graduates with an understanding of themselves and others, including clients and those involved in the legal and psychological studies fields. This 5 year double degree prepares graduates for those occupations where there is an interaction between the law, psychology and mental health. The double degree will provide graduates with a career path towards eligibility for Registration as a Psychologist by the Psychology Board of Australia. The completion of the 'Priestley 11' units, as set out by the Council of Legal Education, within the course will satisfy the academic component for students wishing to be admitted as an Australian Lawyer, in the Supreme Court of Victoria. The course learning outcomes include the concepts, theories and ideas central to the disciplines of law and psychological studies.

**Course Objectives:**The course learning outcomes embody the educational rationale and include the concepts, theories and ideas central to both disciplines. The course learning outcomes closely align with the threshold learning outcomes of the professional body Council of Australian Law Deans (CALD) for the "Law" component of the double degree. The Psychological Studies component of the double degree will provide students with a strong foundation in the scientist- practitioner model of Psychology. It will prepare them to pursue professional studies in Psychology, or to use the theoretical, practical and research skills gained to pursue a wide range of career and study options. Aligned with AQF level 7, upon successful completion of the Bachelor of Laws / Bachelor of Psychological Studies it is expected that graduates be able to:

- Integrate conceptual understandings of psychology theories and fundamental areas of legal knowledge and relevant advanced specialist bodies of knowledge within the discipline of law and psychological studies;
- Critically review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and psychological studies and underlying principles and concepts in diverse contemporary local and international and comparative contexts;
- Identify, articulate and respond to complex issues by critically analysing and applying information with initiative and judgement in order to both anticipate and creatively solve problems in authentic/contemporary professional, community and global settings;
- Exhibit professional accountabilities and ethical judgement, by evaluating, synthesising and adapting knowledge, skills legal reasoning and research to make appropriate responses that reflect the social, political and contextual factors;
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for professional and non professional audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development;
- Apply personal and interpersonal competencies including organisational and collaborative skills necessary to operate within broad parameters in the immensely divergent and complex global and Australian cultures;
- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner.

**Careers:** This 5 year double degree prepares graduates for those occupations where there is an interaction between the law, psychology and mental health. The double degree will provide graduates with a global and social justice perspective, and give them an understanding of human behaviour, motivation, relationships, communication and cognitive processes. The skills and knowledge attained will give graduates an opportunity to pursue careers in areas including law, justice, the courts, work in legal community centres, work in community services and in the human resource management field.

**Course Duration:** 5 years

**Admission Requirements:** Successful completion of an Australian Senior Secondary Certificate (VCE or equivalent) including Units 3 and 4: a study score of at least 30 in English (EAL) or at least 25 in any other English. International Baccalaureate At least 5 in English SL or 4 in English HL or 6 in English B SL or 5 in English B HL.

**Admission Requirements International:** Successful completion of an Australian Senior Secondary Certificate (VCE or equivalent) PLUS IELTS (or equivalent): Overall score of 6.5 with no band less than 6.0.

**Admission Requirements Mature Age:** Applicants with relevant work, education and/or community experience will be considered for admission to the course.

**Admission Requirements Other:** Applicants who have not completed Year 12 but who possess appropriate educational qualifications, work or like experiences which would enable them to successfully undertake the course, will be considered for admission. Applications are also welcome from students who have successfully completed at least one year in another undergraduate bachelor degree with a pass average of 60% or above. Internal: Applicants currently enrolled in a Bachelor of Laws or an accredited psychology bachelor degree may also apply for the double degree, after completion of at least one semester with a pass average. Advanced Standing will be granted to successful applications for identical units already completed. Advanced Standing may be granted for appropriate prior studies at an AQF 7 level for law units and psychological studies units (where undertaken in an APAC accredited course or international equivalent). Applicants may be required to participate in an interview as part of the selection process.

## COURSE STRUCTURE

To attain the Bachelor of Laws/Bachelor of Psychological Studies will be required to complete 480 credit points (equivalent to 40 units) in total consisting of:

- 240 credit points (equivalent to 20 units) core College of Law units;
- 168 credit points (equivalent to 14 units) core College of Arts units;
- 48 credit points (equivalent to 4 units) of Law electives from the list below;
- 24 credit points (equivalent to 2 units) of Arts electives from the list below.

### Year 1

APP1012	Psychology 1A	12
APP1013	Psychology 1B	12
APP1016	Foundations of Psychological Research	12

ASX1003	Foundations of Social Science Research	12
BLB1101	Australian Legal System in Context	12
BLB1102	Contracts 1	12
BLB1114	Legal Research Methods	12
LLW1000	Introduction to Public Law	12

### Year 2

APP2013	Psychology 2A	12
APP2014	Psychology 2B	12
APP2101	Intercultural and Developmental Issues in Psychology	12
BLB1115	Torts	12
BLB2122	Advocacy and Communication	12
BLB2125	Real Property Law	12
LLW1001	Criminal Law	12

PLUS

12 credit points (equivalent to 1 unit) Psychology Elective 1

### Year 3

APP3023	Psychological Issues in the Workplace	12
APP3036	History and Theories in Psychology	12
APP3037	Clinical Aspects of Psychology	12
APS2030	Qualitative Social Research Methods 1	12
BLB2119	Corporations Law 1	12
BLB2120	Legal Writing and Drafting	12
LLW5000	Advanced Commercial Law	12
LLW3000	Australian Administrative Law	12

### Year 4

APP3028	Fieldwork	12
APS2040	Quantitative Social Research Methods 1	12
BLB2121	Legal Theory	12
BLB3130	Interviewing and Negotiation Skills	12
LLW5002	Advanced Constitutional Law	12

PLUS

12 credit points (equivalent to 1 unit) Law Elective 1			BLB3138	Criminal Law 2	12
12 credit points (equivalent to 1 unit) Law Elective 2			BLB3139	Law Reform	12
12 credit points (equivalent to 1 unit) Law Elective 3			BLB4104	Commercial Arbitration Law	12
Year 5			BLB4105	Commercial Arbitration Practice and Procedure	12
APP3035	Research Methods in Psychology	12	BLB4135	Australian Employment Law	12
BLB4136	Equity and Trusts	12	BLB4140	Privacy and Media Law	12
LLW4000	Civil Procedure	12	BLB4141	International Trade Law	12
LLW5001	Corporations Law 2	12	BLB4143	Public International Law	12
LLW5003	Evidence and Criminal Procedure	12	BLB4144	European Union Law	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12	BLB4145	Human Rights Law	12
PLUS			BLB4146	Wills and the Administration of Estates	12
12 credit points (equivalent to 1 unit) Psychology Elective 2			BLO2502	Transport Law	12
12 credit points (equivalent to 1 unit) Law Elective 4			LLW2000	Torts 2	12
PSYCHOLOGY ELECTIVES			LLW2001	Competition Law and Policy	12
Not all Electives will be offered every year or in every semester			LLW2002	International Law Practicum	12
APP3015	Counselling Theory and Practice	12	LLW3001	Law in Practice 1	12
APP3016	Group Behaviour	12	LLW3002	Alternative Dispute Resolution	12
APP3018	Organisations and Work	12	LLW3003	Court and Tribunal Internship	12
APP3019	Psychobiology	12	LLW3004	Current Legal Topics and Issues	12
APP3020	Psychoanalysis	12	LLW3005	Corporate Insolvency	12
APP3021	Psychology of Adjustment	12	LLW4001	Asian Law Studies	12
APP3025	Psychological Assessment	12	LLW4002	Australian Migration Law	12
APP3026	Cognitive Psychology	12	LLW4003	Australia's Visa System	12
LAW ELECTIVES			LLW4004	Sports Law	12
Not all Electives will be offered every year or in every semester			LLW5900	Advanced Legal Research Methods	12
BLB3129	Intellectual Property Law	12	LLW5901	Advanced Legal Research Dissertation	12
BLB3132	Securities Law	12	The following units are on application only		
BLB3133	Comparative Commercial Law	12	LLW5902	Research Law Internship	12
BLB3134	Taxation Law	12	LLW5903	Mooting Competition	12
BLB3136	Family Law in Society	12	<b>Bachelor of Laws (Honours) (Graduate Entry)</b>		
BLB3137	Elements of Regulation	12	Course Code: LHGE		
			Campus: City Queen.		

**About this course:** We understand the desire of students who have graduated with a Bachelors degree in another discipline to expand their horizons by subsequently studying law. Achieving an Honours degree in law indicates strong academic ability and readiness for Higher degree studies. The Bachelor of Laws (Honours) (Graduate Entry) meets academic and professional requirements for graduates to be admitted to legal practice in Australia upon successful completion of the "practical legal training" requirements and prepares graduate for careers in the legal community, business, government and non-government organisations. The course provides a focus on both practical and theoretical learning.

**Course Objectives:** The course learning outcomes embody the educational rationale and include the concepts, theories and ideas central to the discipline. The course learning outcomes embody the educational rationale and include the concepts, theories and ideas central to the discipline. The course learning outcomes also closely align with the Threshold Learning Outcomes expected for Bachelor of Laws degrees, satisfying academic and professional requirements for admission to legal practice in Victoria. The course will equip graduates to obtain employment in law firms, at the Bar and elsewhere. The course aims to produce intellectually well-rounded law graduates who have the professional and academic skills required to work in a variety of legal settings. The course learning outcomes and graduate capabilities include such attributes and competencies as would be expected of law graduate from an Australian Law School and to satisfy the academic requirements for admission to legal practice in Victoria. Aligned with AQF level 8, upon successful completion of the Bachelor of Laws (Hons) (LHGE) (Graduate Entry) it is expected that students will have developed the ability to:

- Integrate conceptual understandings of the Australian legal system, fundamental areas of legal knowledge and relevant advanced specialist bodies of knowledge within the discipline of law;
- Critically review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and underlying principles and concepts in diverse contemporary international and comparative contexts,
- Identify, articulate and respond to legal issues by critically analysing and applying information with initiative and judgement in order to both anticipate and creatively solve problems and promote justice in authentic/contemporary professional, community and global settings;
- Exhibit professional accountabilities and ethical judgement, by adapting knowledge, skills legal reasoning and research to make appropriate responses to legal issues that reflect the social, political and contextual factors;
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for legal and non-legal audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development;
- Apply personal and interpersonal competencies including organisational and collaborative skills necessary to operate within broad parameters in the immensely divergent and complex global and Australian cultures;
- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner; and

- Plan and execute a research project, professional project or piece of scholarship which demonstrates intellectual independence and contributes to the evidence base within the legal discipline.

**Careers:** The course prepares graduates to gain employment in the legal profession, the legal sector generally as well as in the government, non government and private sectors. Upon Graduation Graduates of the Bachelor of Laws (Honours) (Graduate Entry) will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements.

**Course Duration:** 3 years

**Admission Requirements Other:** Students in any Bachelor of Laws may apply to transfer into any Bachelor of Laws (Honours) once they have completed a minimum 192 credit points (equivalent to 16 units) and have attained an average mark of Distinction or above i.e. 70–100% in those units.

#### COURSE STRUCTURE

For students enrolled in a BLGE prior to 2015, and who have successfully transferred a BLGE (Hons), to attain the Bachelor of Laws (Honours) (Graduate Entry) students will be required to complete 288 credit points (equivalent to 24 units) consisting of:

- 252 credit points (21 units) of core law units (Including the BLB4141/LLW5901 unit) of study PLUS
- 36 credit points (equivalent to 3 units) of law electives selected from an approved list

For students enrolled in a BLGE post 2015 and who are successful in a transfer to the BLGE (Hons), to attain the Bachelor of Laws (Honours) (Graduate Entry) students will be required to complete 288 credit points (equivalent to 24 units) consisting of:

- 264 credit points (22 units) of core law units of study (Including the units BLB4141/LLW5901 and LLW5900) PLUS
- 24 credit points (equivalent to 2 units) of law electives selected from an approved list.

For students enrolled pre 2015, who complete the degree Bachelor of Laws (Honours) (Graduate Entry), they will graduate with a Bachelor of Laws (Honours) with 1st, 2A or 2B class. For students enrolled in 2015 and thereafter, who complete the degree Bachelor of Laws (Honours) (Graduate Entry), they will graduate with a Bachelor of Laws (Honours) (Graduate Entry), without any reference to a Class of Honours.

#### Year 1, Semester 1

BLB1101	Australian Legal System in Context	12
BLB1102	Contracts 1	12
LLW1000	Introduction to Public Law	12
BLB1114	Legal Research Methods	12

#### Year 1, Semester 2

BLB1115	Torts	12	BLB3138	Criminal Law 2	12
LLW1001	Criminal Law	12	BLB3139	Law Reform	12
BLB2120	Legal Writing and Drafting	12	BLB4104	Commercial Arbitration Law	12
BLB2122	Advocacy and Communication	12	BLB4105	Commercial Arbitration Practice and Procedure	12
Year 2, Semester 1			BLB4135	Australian Employment Law	12
BLB2119	Corporations Law 1	12	BLB4140	Privacy and Media Law	12
BLB2121	Legal Theory	12	BLB4141	International Trade Law	12
BLB3130	Interviewing and Negotiation Skills	12	BLB4143	Public International Law	12
12 credit points (equivalent to one unit) from the list of Law Electives			BLB4144	European Union Law	12
Year 2, Semester 2			BLB4145	Human Rights Law	12
BLB2125	Real Property Law	12	BLB4146	Wills and the Administration of Estates	12
LLW3000	Australian Administrative Law	12	BLO2502	Transport Law	12
LLW5000	Advanced Commercial Law	12	LLW2000	Torts 2	12
LLW5001	Corporations Law 2	12	LLW2001	Competition Law and Policy	12
Year 3, Semester 1			LLW2002	International Law Practicum	12
BLB4136	Equity and Trusts	12	LLW3001	Law in Practice 1	12
LLW4000	Civil Procedure	12	LLW3002	Alternative Dispute Resolution	12
LLW5003	Evidence and Criminal Procedure	12	LLW3003	Court and Tribunal Internship	12
LLW5900	Advanced Legal Research Methods	12	LLW3004	Current Legal Topics and Issues	12
Year 3, Semester 2			LLW3005	Corporate Insolvency	12
12 credit points (equivalent to one unit) from the list of Law Electives			LLW4001	Asian Law Studies	12
LLW5002	Advanced Constitutional Law	12	LLW4002	Australian Migration Law	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12	LLW4003	Australia's Visa System	12
LLW5901	Advanced Legal Research Dissertation	12	LLW4004	Sports Law	12
LAW ELECTIVES			LLW4005	Current Issues in Migration Law and Practice	12
BLB3129	Intellectual Property Law	12	LLW4006	Current Issues A: Access to Justice	12
BLB3132	Securities Law	12	LLW5902	Research Law Internship	12
BLB3133	Comparative Commercial Law	12	LLW5903	Mooting Competition	12
BLB3134	Taxation Law	12	<b>Bachelor of Laws (Honours)/Bachelor of Arts</b>		
BLB3136	Family Law in Society	12	Course Code:LH1A		
BLB3137	Elements of Regulation	12	Campus:Footscray Park, City Queen.		

**About this course:**We understand students' need to determine personal paths in life, creating a degree leading to individual careers. The Bachelor of Laws (Honours) /

Bachelor of Arts offers students the flexibility needed to do this. This double degree provides the student with a broad ranging program so that the student can meet the academic and professional requirements in law for admission to legal practice in Australia. Upon graduation you will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements. It also offers graduates the opportunity to develop their skill, knowledge and professional acumen across a range of Arts specialisations, preparing them for careers not only in the legal community, but also in the corporate and community sectors, government and non-government organisations. The course provides a focus on both practical and theoretical learning. Achieving an Honours degree in law indicates strong academic ability and readiness for Higher degree studies.

**Course Objectives:** This course being aligned with AQF level 8 for the Bachelor of Laws (Honours) and AQF level 7 for the Bachelor of Arts, on successful completion of this course, students will have developed the ability to:

- Integrate conceptual understandings of the Australian legal system, fundamental areas of legal knowledge and relevant specialist bodies of knowledge within the disciplines of law and humanities.
- Review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and Arts specialisation areas and underlying principles and concepts in diverse contemporary local and international comparative contexts,
- Identify, articulate and respond to legal issues by analysing and applying information with initiative and judgement in order to both anticipate and creatively solve problems and promote justice in authentic/contemporary professional, community and global settings.
- Exhibit professional accountabilities and ethical judgment, by evaluating, synthesizing and adapting knowledge, skills, legal reasoning and research to make appropriate responses to legal issues that reflect the legal, social, political and contextual factors
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for legal and non-legal audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development.
- Apply personal and interpersonal competencies including organisational and collaborative skills, necessary to operate in the immensely divergent and complex global and Australian cultures.

**Careers:** The Bachelor of Laws (Honours)/Bachelor of Arts will continue to produce graduates with a comprehensive knowledge of law and contemporary issues concerning society, ensuring that they are 'profession ready' and suitably equipped for a successful career in the legal profession, corporate sector, government, non-government organisations or the community sector. Graduates of the Bachelor of Laws (Honours)/Bachelor of Arts graduates will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements. According to the Market Assessment study conducted for Victoria University by Growth Solutions Group in 2013 the legal Services industry industry has experienced growth since 2005, and is forecasted to continue to grow until

2016/17. A recent nation-wide survey conducted for the Higher Education Learning and Teaching Performance Fund for 2009 rated VU (with a score of 85.5) as the top university in Australia for getting its humanities, arts and education students into full-time employment. In common with Australian and international BAs, the graduate destination for VU BA graduates is less defined than in more specialist courses: rather the course provides a basis for further specialisation or development in areas that include, but are by no means limited to, librarianship, teaching, public service and community work. Another traditional graduate destination for a small number of BA graduates has been further academic study. Currently, further academic study in the area of specialisation is offered in the VU Honours program, which is a discrete course and traditionally offers a pathway into higher degree study.

**Course Duration:** 5 years

**Admission Requirements Other:** Students in any Bachelor of Laws may apply to transfer into any Bachelor of Laws (Honours) once they have completed a minimum 192 credit points (equivalent to 16 units) and have attained an average mark of Distinction or above i.e. 70–100% in those units.

#### COURSE STRUCTURE

To attain the Bachelor of Laws (Honours)/Bachelor of Arts students will be required to complete 480 credit points (equivalent to 40 units) consisting of:

- 264 credit points (equivalent to 22 units) of core law units of study
- 24 credit points (equivalent to 2 units) of law electives selected from an approved list
- 192 credit points (equivalent to 16 units) in Arts, including two Arts specialisations, and the balance being selected from Arts units but must include ACX1001 Knowing and Knowledge A unless Psychology specialisation is completed)

Students who complete the degree will graduate with a Bachelor of Laws (Honours), without any reference to a Class of Honours.

#### Year 1, Semester 1

BLB1101	Australian Legal System in Context	12
BLB1114	Legal Research Methods	12

#### Arts Specialisation Study 1 unit (1)

ACX1001 Knowing and Knowledge A, or if Psychology specialisation: Specialisation Study unit

#### Year 1, Semester 2

LLW1000	Introduction to Public Law	12
BLB1102	Contracts 1	12

#### Arts Specialisation Study 1 unit (2)

Arts Elective (3), or if Psychology specialisation: Specialisation Study unit

#### Year 2, Semester 1

LLW1001	Criminal Law	12	BLB4136	Equity and Trusts	12
BLB1115	Torts	12	LLW4000	Civil Procedure	12
Arts Specialisation Study 1 unit (3)			LLW5900	Advanced Legal Research Methods	12
Arts Specialisation Study 2 unit (1)			12 credit points (equivalent to one unit) selected from list of Law Electives		
Year 2, Semester 2			Year 5, Semester 2		
BLB2122	Advocacy and Communication	12	LLW5003	Evidence and Criminal Procedure	12
BLB2125	Real Property Law	12	LLW5004	Lawyers' Ethics and Professional Responsibility	12
Arts Specialisation Study 1 unit (4)			LLW5901	Advanced Legal Research Dissertation	12
Arts Specialisation Study 2 unit (2)			12 credit points (equivalent to one unit) selected from list of Law Electives		
Year 3, Semester 1			ARTS ELECTIVES		
BLB2119	Corporations Law 1	12	Any undergraduate Higher Education units offered by the College of Arts		
BLB2120	Legal Writing and Drafting	12	LAW ELECTIVES		
Arts Specialisation Study 1 unit (5)			BLB3129	Intellectual Property Law	12
Arts Specialisation Study 2 unit (3)			BLB3132	Securities Law	12
Year 3, Semester 2			BLB3133	Comparative Commercial Law	12
LLW3000	Australian Administrative Law	12	BLB3134	Taxation Law	12
LLW5000	Advanced Commercial Law	12	BLB3136	Family Law in Society	12
Arts Specialisation Study 1 unit (6)			BLB3137	Elements of Regulation	12
Arts Specialisation Study 2 unit (4)			BLB3138	Criminal Law 2	12
Year 4, Semester 1			BLB3139	Law Reform	12
BLB3130	Interviewing and Negotiation Skills	12	BLB4104	Commercial Arbitration Law	12
BLB2121	Legal Theory	12	BLB4105	Commercial Arbitration Practice and Procedure	12
Arts Specialisation Study 1 unit (5)			BLB4135	Australian Employment Law	12
Arts Elective or if Psychology specialisation: Specialisation Study unit			BLB4140	Privacy and Media Law	12
Year 4, Semester 2			BLB4141	International Trade Law	12
LLW5001	Corporations Law 2	12	BLB4143	Public International Law	12
LLW5002	Advanced Constitutional Law	12	BLB4144	European Union Law	12
Arts Specialisation Study 2 unit (6)			BLB4145	Human Rights Law	12
Arts Elective or if Psychology specialisation: Specialisation Study unit			BLB4146	Wills and the Administration of Estates	12
Year 5, Semester 1			BLO2502	Transport Law	12
Year 5, Semester 1			LLW2000	Torts 2	12

LLW2001	Competition Law and Policy	12
LLW2002	International Law Practicum	12
LLW3001	Law in Practice 1	12
LLW3002	Alternative Dispute Resolution	12
LLW3003	Court and Tribunal Internship	12
LLW3004	Current Legal Topics and Issues	12
LLW4001	Asian Law Studies	12
LLW4002	Australian Migration Law	12
LLW4003	Australia's Visa System	12
LLW4004	Sports Law	12
LLW4005	Current Issues in Migration Law and Practice	12
LLW4006	Current Issues A: Access to Justice	12
LLW5902	Research Law Internship	12
LLW5903	Mooting Competition	12

#### ARTS SPECIALISATION STUDIES

Students in the Bachelor of Laws (Honours)/Bachelor of Arts complete TWO Arts Specialisations, following Option B for each specialisation

#### Specialisations

ASPVIE	Vietnamese
ASPPRW	Professional Writing
ASPHIS	History
ASPLIT	Literary Studies
ASPCOM	Communication Studies
ASPPE	Performance Studies
ASPVIS	Visual Arts
ASPPOL	Political Science
ASPSOC	Sociology
ASPGEN	Gender Studies
ASPASI	Asian Studies
ASPAES	Advanced English For Speakers of Other Languages (AESOL)

ASPMED	Media Studies
ASPSRM	Social Research Methods
ASPPSY	Psychology

#### Bachelor of Laws (Honours)/Bachelor of Business

**Course Code:** LHLB

**Campus:** Footscray Park, City Queen, City Flinders.

**About this course:** We understand students' need to determine personal paths in life, creating a degree leading to individual careers. The Bachelor of Laws (Honours) / Bachelor of Business offers students the flexibility and the professional development needed to do this. Upon graduation you will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements. It also offers graduates the opportunity to develop their skill, knowledge and professional acumen across a range of business specialisations, preparing them for careers in the legal community, business and government. The course provides a focus on both practical and theoretical learning, both in legal profession and in other business settings. Achieving an Honours degree in law indicates strong academic ability and readiness for Higher Degree studies.

**Course Objectives:** This course being aligned with AQF level 8 for the Bachelor of Laws (Honours) and AQF level 7 for the Bachelor of Business, on successful completion of this course, students will have developed the ability to:

- Integrate conceptual understandings of the Australian legal system, fundamental areas of legal and business knowledge and relevant specialist bodies of knowledge within the disciplines of law and business.
- Review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and business and underlying principles and concepts in diverse contemporary local and international comparative contexts,
- Identify, articulate and respond to legal issues by analysing and applying information with initiative and judgement in order to both anticipate and creatively solve problems and promote justice in authentic/contemporary professional, community and global settings.
- Exhibit professional accountabilities and ethical judgment, by evaluating, synthesising and adapting knowledge, skills, legal reasoning and research to make appropriate responses to legal issues that reflect the legal, social, political and contextual factors
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for legal and non-legal audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development.
- Apply personal and interpersonal competencies including organisational and collaborative skills, necessary to operate in the immensely divergent and complex global and Australian cultures.



- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner.
- Plan and execute a research project, professional project or piece of scholarship which demonstrates intellectual independence and contributes to the evidence base within the legal discipline.

- Music Industry
- Supply Chain Management and Logistics

Students who complete the degree will graduate with a Bachelor of Laws (Honours)/Bachelor of Business, without any reference to a Class of Honours.

#### Year 1, Semester 1

BMO1102	Management and Organisation Behaviour	12
BA01101	Accounting for Decision Making	12
BLB1101	Australian Legal System in Context	12
BCO1102	Information Systems for Business	12

#### Year 1, Semester 2

BLB1114	Legal Research Methods	12
BPD1100	Integrated Business Challenge	12
BE01105	Economic Principles	12
BE01106	Business Statistics	12

#### Year 2, Semester 1

LLW1000	Introduction to Public Law	12
BLB1102	Contracts 1	12
BH01171	Introduction to Marketing	12

#### Business specialisation unit (1st)

#### Year 2, Semester 2

LLW1001	Criminal Law	12
BLB2122	Advocacy and Communication	12

#### Business specialisation unit (2)

#### Business specialisation unit (3)

#### Year 3, Semester 1

BLB1115	Torts	12
BLB2119	Corporations Law 1	12

#### Business specialisation unit (4)

#### Business specialisation unit (5)

#### Year 3, Semester 2

LLW3000	Australian Administrative Law	12
BLB2125	Real Property Law	12

**Careers:** Graduates of the Bachelor of Laws (Honours)/ Bachelor of Business graduates will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements. They also have the opportunity to begin careers in a legal capacity in a government department or agency such as Treasury or Foreign Affairs at a federal level or in state government. They may also begin a career in community legal centres supporting legal access in particular geographic locations. There is also the opportunity to begin a career in-house in a profit or not-for-profit business. This is where the flexibility of the Bachelor of Business really allows graduates to focus their career opportunities, by developing their skill, knowledge-base and professional acumen in their business specialisation of choice.

**Course Duration:** 5 years

**Admission Requirements Other:** Students in any Bachelor of Laws may apply to transfer into any Bachelor of Laws (Honours) once they have completed a minimum 192 credit points (equivalent to 16 units) and have attained an average mark of Distinction or above i.e. 70–100% in those units.

#### COURSE STRUCTURE

To attain the Bachelor of Laws (Honours)/ Bachelor of Business students will be required to complete 480 credit points (equivalent to 40 units) consisting of:

- 264 credit points (22 units) of core law studies
- 24 credit points (to 2 units) of Law Elective studies
- 84 credit points (7 units) of core Business studies including the Integrated Business Challenge unit
- 12 credit points (1 unit) of the International Business Challenge
- 96 credit points (8 units) of Business Specialisation studies including the Applied Business Challenge capstone unit

Business specialisations include:

- Accounting
- Banking and Finance
- Culinary management
- Event Management
- Financial Risk Management
- Human Resource Management
- Information Systems Management
- International Hospitality Management
- International Tourism Management
- International Trade
- Management
- Marketing

BPD2100	International Business Challenge	12	BLB4104	Commercial Arbitration Law	12
Business specialisation unit (6)			BLB4105	Commercial Arbitration Practice and Procedure	12
Year 4, Semester 1			BLB4135	Australian Employment Law	12
BLB3130	Interviewing and Negotiation Skills	12	BLB4140	Privacy and Media Law	12
BLB2121	Legal Theory	12	BLB4141	International Trade Law	12
BLB2120	Legal Writing and Drafting	12	BLB4143	Public International Law	12
Business specialisation unit (7)			LLW2000	Torts 2	12
Year 4, Semester 2			LLW2001	Competition Law and Policy	12
Business specialisation unit (8): BPD3100 APPLIED BUSINESS CHALLENGE			LLW2002	International Law Practicum	12
LLW5001	Corporations Law 2	12	LLW3001	Law in Practice 1	12
LLW5000	Advanced Commercial Law	12	LLW3002	Alternative Dispute Resolution	12
12 credit points (1 unit) elective unit selected from list below.			LLW3003	Court and Tribunal Internship	12
Year 5, Semester 1			LLW3004	Current Legal Topics and Issues	12
LLW5900	Advanced Legal Research Methods	12	LLW3005	Corporate Insolvency	12
BLB4136	Equity and Trusts	12	LLW4001	Asian Law Studies	12
LLW5003	Evidence and Criminal Procedure	12	LLW4002	Australian Migration Law	12
LLW4000	Civil Procedure	12	LLW4003	Australia's Visa System	12
Semester 2			LLW4004	Sports Law	12
LLW5901	Advanced Legal Research Dissertation	12	LLW4005	Current Issues in Migration Law and Practice	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12	LLW4006	Current Issues A: Access to Justice	12
LLW5002	Advanced Constitutional Law	12	LLW5902	Research Law Internship	12
12 credit points (1 unit) elective unit selected from list below.			LLW5903	Mooting Competition	12
LAW ELECTIVES			BUSINESS SPECIALISATION UNITS OF STUDY		
BLB3129	Intellectual Property Law	12	Students will be required to choose one specialisation to study		
BLB3132	Securities Law	12	Specialisations		
BLB3133	Comparative Commercial Law	12	BSPITM	International Tourism Management	
BLB3134	Taxation Law	12	BSPACT	Accounting	
BLB3136	Family Law in Society	12	BSPEVT	Event Management	
BLB3137	Elements of Regulation	12	BSPMRK	Marketing	
BLB3138	Criminal Law 2	12	BSPHMR	Human Resource Management	
BLB3139	Law Reform	12	BSPBKF	Banking and Finance	

BSPCLM	Culinary Management
BSPFNR	Financial Risk Management
BSPIMS	Information Systems Management
BSPIMH	International Hospitality Management
BSPITD	International Trade
BSPMAI	Management and Innovation
BSPMUS	Music Industry
BSPSCL	Supply Chain and Logistics Management

## Bachelor of Laws (Honours)/Bachelor of Commerce (Applied Finance)

Course Code:LHLC

Campus:City Queen, City Flinders.

**About this course:** The combination of disciplines in the course develops explicit connections between the fields of law and commerce. The course incorporates specific content to ensure that you fulfil the academic requirements for admission as an Australian Lawyer. It is also designed to prepare you for work in the financial services industry, through the incorporation of a significant amount of the Charter Financial Analysts (CFA) Body of Knowledge. You will engage with important ethical principles and develop appropriate professional conduct towards clients, employers, and community. Furthermore the course will provide you with the professional and academic skills required to investigate contemporary issues examine the integrity and sustainability of financial markets and legal practices in Australia; and make decisions as ethical and responsible global professionals. This double degree prepares you for a range of careers in a variety of legal community and commercial settings, corporate and community sectors, government and non-government organisations. Achieving an Honours degree in law indicates strong academic ability and , readiness for Higher Degree studies.

**Course Objectives:** The course learning outcomes include the concepts, theories and ideas central to the disciplines of law and applied finance. The course learning outcomes also closely align with the Threshold Learning Outcomes expected for Bachelor of Laws and Bachelor of Laws (Hons) degrees. The course will equip graduates to obtain employment in law firms, at the Bar in other law-related areas and in the finance sector. The course learning outcomes and graduate capabilities include attributes and capabilities expected of graduates in finance and law graduates from an Australian law school and to satisfy the academic requirements for admission to legal practice in Victoria. Aligned with AQF level 8, upon successful completion of the Bachelor of Commerce (Applied Finance)/ Bachelor of Laws(Hons) it is expected that graduates be able to:

- Integrate conceptual understandings of the finance, quantitative methods, economics, accounting, and investment areas with advanced specialist financial knowledge within the finance discipline and the Australian legal system, fundamental areas of legal knowledge and relevant advanced specialist bodies of knowledge within the discipline of law;
- Critically review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of finance and law and underlying

principles and concepts in diverse contemporary local and international and comparative contexts;

- Identify, articulate and respond to legal issues by critically analysing and applying information with initiative and judgement in order to both anticipate and creatively solve financial and legal problems and promote justice in authentic/contemporary professional, community and global settings;
- Exhibit professional accountabilities and ethical judgement, by evaluating, synthesising and adapting knowledge, skills legal reasoning and research to make appropriate responses to legal issues and effective decisions that reflect the social, political and contextual factors;
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for financial, legal and other audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development;
- Apply personal and interpersonal competencies including organisational and collaborative skills necessary to operate within broad parameters in the immensely divergent and complex global and Australian cultures;
- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner; and
- Plan and execute a research project, professional project or piece of scholarship which demonstrates intellectual independence and contributes to the evidence base within the legal discipline.

**Careers:** Graduates find employment in a wide range of jobs in various professional settings including private corporations, professional service firms, the public service and community sector. Examples of job titles for BCom (Applied Finance) graduates\*: • Financial analyst • Financial services management (Investment fund managers and trustees) • Financial adviser • Banker • Investment analyst • Insurance consultant/Superannuation • Stockbroker • Research analyst • Portfolio manager • Strategic planning and project evaluation analyst (takeovers, mergers, acquisitions and divestitures) • Equity market analyst \*Source: Chartered Financial Analyst® (CFA) and Job Outlook Website Graduates also meet the academic and professional requirements to be admitted to legal practice in Australia. They also have the opportunity to begin careers in a legal capacity in a government department or agency such as Treasury or Foreign Affairs at a federal level or in state government.

**Course Duration:** 5 years

**Admission Requirements Other:** Students in any Bachelor of Laws may apply to transfer into any Bachelor of Laws (Honours) once they have completed a minimum 192 credit points (equivalent to 16 units) and have attained an average mark of Distinction or above i.e. 70–100% in those units.

### COURSE STRUCTURE

To attain the awards of Bachelor of Laws (Honours)/Bachelor of Commerce (Applied Finance) students will be required to complete 480 credit points (equivalent to 40units) consisting of:

- 84 credit points of Core Commerce studies (equivalent to 7 units)
- 120 credit points of Applied Finance Specialisation studies (equivalent to 10 units)
- 240 credit points of core law studies (equivalent to 20 units)
- 24 credit points (2 units) of Thesis-related units
- 12 credit points of Law Elective studies (equivalent to 1 unit).

Students who complete the course degree will graduate with a Bachelor of Laws (Honours), without any reference to a Class of Honours.

#### Year 1, Semester 1

BM01102	Management and Organisation Behaviour	12
BA01107	Accounting Information Systems	12
BE01103	Microeconomic Principles	12
BLB1101	Australian Legal System in Context	12

#### Year 1, Semester 2

BLB1114	Legal Research Methods	12
BE01104	Macroeconomic Principles	12
LLW1000	Introduction to Public Law	12
BBC1002	Data Analysis for Financial Markets	12

#### Year 2, Semester 1

BLB1102	Contracts 1	12
BH01171	Introduction to Marketing	12
BBC2002	Financial Markets and Instruments	12
BA02202	Financial Accounting	12

#### Year 2, Semester 2

LLW1001	Criminal Law	12
BLB1115	Torts	12
BA02203	Corporate Accounting	12
BA02441	Personal Financial Planning	12

#### Year 3, Semester 1

BBC1001	Business and Finance Ethics	12
BBC2001	Financial Econometrics	12
BLB2119	Corporations Law 1	12
BLB2121	Legal Theory	12

#### Year 3, Semester 2

BLB2120	Legal Writing and Drafting	12
BLB2125	Real Property Law	12
BLB2122	Advocacy and Communication	12
BA03307	Corporate Finance	12

#### Year 4, Semester 1

BBC3001	Valuation of Securities	12
BLB3130	Interviewing and Negotiation Skills	12
LLW4000	Civil Procedure	12

One elective (12 credit points) from list of Law Elective units

#### Year 4, Semester 2

LLW3000	Australian Administrative Law	12
BLB3132	Securities Law	12
BPD3100	Applied Business Challenge	12
BBC3002	Portfolio Management	12

#### Year 5, Semester 1

BLB4136	Equity and Trusts	12
LLW5000	Advanced Commercial Law	12
LLW5003	Evidence and Criminal Procedure	12
LLW5900	Advanced Legal Research Methods	12

#### Year 5, Semester 2

LLW5001	Corporations Law 2	12
LLW5002	Advanced Constitutional Law	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12
LLW5901	Advanced Legal Research Dissertation	12

#### LAW ELECTIVE UNITS:

BLB3129	Intellectual Property Law	12
BLB3133	Comparative Commercial Law	12
BLB3134	Taxation Law	12
BLB3136	Family Law in Society	12
BLB3137	Elements of Regulation	12
BLB3138	Criminal Law 2	12

BLB3139	Law Reform	12
BLB4104	Commercial Arbitration Law	12
BLB4105	Commercial Arbitration Practice and Procedure	12
BLB4135	Australian Employment Law	12
BLB4140	Privacy and Media Law	12
BLB4141	International Trade Law	12
BLB4143	Public International Law	12
BLB4144	European Union Law	12
BLB4145	Human Rights Law	12
BLB4146	Wills and the Administration of Estates	12
BLO2502	Transport Law	12
LLW2000	Torts 2	12
LLW2001	Competition Law and Policy	12
LLW3001	Law in Practice 1	12
LLW3002	Alternative Dispute Resolution	12
LLW3003	Court and Tribunal Internship	12
LLW3004	Current Legal Topics and Issues	12
LLW3005	Corporate Insolvency	12
LLW4001	Asian Law Studies	12
LLW4002	Australian Migration Law	12
LLW4003	Australia's Visa System	12
LLW4004	Sports Law	12
LLW4005	Current Issues in Migration Law and Practice	12
LLW4006	Current Issues A: Access to Justice	12
LLW5902	Research Law Internship	12
LLW5903	Mooting Competition	12

## Bachelor of Laws (Honours)

**Course Code:**LHLW

**Campus:**City Queen.

**About this course:**The Bachelor of Laws (Honours) prepares graduates for a range of careers in the legal, corporate and community sectors, government and non-government organisations. The course provides a focuses on both practical and theoretical learning. Achieving an Honours degree in law indicates strong academic ability and readiness for postgraduate studies. This degree will provide students with

a broad ranging program combining foundation subjects; the compulsory "Priestley Eleven" areas of legal knowledge that are required for admission to legal practice in Australia; practical subjects to hone students legal skills; and a range of electives which will enable students to explore the areas of particular interest. Upon graduation you will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements.

**Course Objectives:**The course learning outcomes embody the educational rationale and include the concepts, theories and ideas central to the discipline. The course learning outcomes also closely align with the threshold learning outcomes of the professional body.

- Integrate conceptual understandings of the Australian legal system, fundamental areas of legal knowledge and relevant advanced specialist bodies of knowledge within the discipline of law;
- Critically review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and underlying principles and concepts in diverse contemporary international and comparative contexts,
- Identify, articulate and respond to legal issues by critically analysing and applying information with initiative and judgement in order to both anticipate and creatively solve problems and promote justice in authentic/contemporary professional, community and global settings;
- Exhibit professional accountabilities and ethical judgement, by adapting knowledge, skills legal reasoning and research to make appropriate responses to legal issues that reflect the social, political and contextual factors;
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for legal and non-legal audiences, in both oral and written form;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development;
- Apply personal and interpersonal competencies including organisational and collaborative skills necessary to operate within broad parameters in the immensely divergent and complex global and Australian cultures;
- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner; and
- Plan and execute a research project, professional project or piece of scholarship which demonstrates intellectual independence and contributes to the evidence base within the legal discipline.

**Careers:**The Bachelor of Laws (Honours) prepares graduates to gain employment in the legal profession, the legal sector in general as well as in the government, non-government and private sectors. Upon graduation you will meet the academic requirements as required by the Victorian Legal Admissions Board. Admissions as an Australian lawyer can be obtained after successful completion of the 'practical legal training' requirements.

**Course Duration:** 4 years

**Admission Requirements Other:** Students in any Bachelor of Laws may apply to transfer into any Bachelor of Laws (Honours) once they have completed a minimum 192 credit points (equivalent to 16 units) and have attained an average mark of Distinction or above i.e. 70–100% in those units.

#### COURSE STRUCTURE

To attain the Bachelor of Laws (Honours) students will be required to complete 384 credit points (equivalent to 32 units) consisting of:

- 264 credit points (equivalent to 22 units) of Core Law studies
- 120 credit points (equivalent to 10 units) of Elective students (from the lists below). This can include up to 48 credit points (equivalent of 4 units) non Law electives.

All students who complete the degree will graduate with a Bachelor of Laws (Honours), without any reference to a Class of Honours.

#### Year 1, Semester 1

BLB1101	Australian Legal System in Context	12
BLB1114	Legal Research Methods	12
LLW1000	Introduction to Public Law	12
BLB1102	Contracts 1	12

#### Year 1, Semester 2

BLB1115	Torts	12
BLB2120	Legal Writing and Drafting	12
LLW1001	Criminal Law	12

12 credit points selected from list of Elective Units

#### Year 2, Semester 1

BLB2119	Corporations Law 1	12
BLB2121	Legal Theory	12

24 credit points selected from list of Elective Units

#### Year 2, Semester 2

BLB2125	Real Property Law	12
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36 credit points selected from list of Elective Units

#### Year 3, Semester 1

BLB3130	Interviewing and Negotiation Skills	12
LLW4000	Civil Procedure	12

24 credit points selected from list of Elective Units

#### Year 3, Semester 2

BLB2122	Advocacy and Communication	12
LLW3000	Australian Administrative Law	12

24 credit points selected from list of Elective Units

#### Year 4, Semester 1

LLW5900	Advanced Legal Research Methods	12
LLW5003	Evidence and Criminal Procedure	12
BLB4136	Equity and Trusts	12
LLW5000	Advanced Commercial Law	12

#### Year 4, Semester 2

LLW5901	Advanced Legal Research Dissertation	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12
LLW5001	Corporations Law 2	12
LLW5002	Advanced Constitutional Law	12

**Elective Units** The unit code provides an indicator of the relative difficulty of one unit compared to another. For example 2000 coded units such as LLW2001, have less advanced learning outcomes, and so are recommended for first or second year electives, while 4000 coded units are recommended as electives for study in the latter years of this course.

#### LAW ELECTIVES

BLB3129	Intellectual Property Law	12
BLB3132	Securities Law	12
BLB3133	Comparative Commercial Law	12
BLB3134	Taxation Law	12
BLB3136	Family Law in Society	12
BLB3137	Elements of Regulation	12
BLB3138	Criminal Law 2	12
BLB3139	Law Reform	12
BLB4104	Commercial Arbitration Law	12
BLB4105	Commercial Arbitration Practice and Procedure	12
BLB4135	Australian Employment Law	12
BLB4140	Privacy and Media Law	12
BLB4141	International Trade Law	12
BLB4143	Public International Law	12

BLB4144	European Union Law	12
BLB4145	Human Rights Law	12
BLB4146	Wills and the Administration of Estates	12
BLO2502	Transport Law	12
LLW2000	Torts 2	12
LLW2001	Competition Law and Policy	12
LLW2002	International Law Practicum	12
LLW3001	Law in Practice 1	12
LLW3002	Alternative Dispute Resolution	12
LLW3003	Court and Tribunal Internship	12
LLW3003	Court and Tribunal Internship	12
LLW3004	Current Legal Topics and Issues	12
LLW3005	Corporate Insolvency	12
LLW4001	Asian Law Studies	12
LLW4002	Australian Migration Law	12
LLW4003	Australia's Visa System	12
LLW4004	Sports Law	12
LLW4005	Current Issues in Migration Law and Practice	12
LLW4006	Current Issues A: Access to Justice	12
LLW5902	Research Law Internship	12
LLW5903	Mooting Competition	12

## Bachelor of Laws (Honours)/Bachelor of Psychology (Honours)

**Course Code:** LHWP

**Campus:** Footscray Park, City Queen.

**About this course:** This double degree provides students with the opportunity to combine studies in psychology with a qualification in law. A background in psychology together with a law qualification will enhance a student's employability. The combined degree equips graduates with an understanding of themselves and others, including clients and those involved in the legal field. This 6 year double degree prepares graduates for those occupations where there is an interaction between the law, psychology and mental health. The double degree will provide graduates with a career path towards eligibility for Registration as a Psychologist by the Psychology Board of Australia. The completion of the 'Priestley 11' units, as set out by the Council of Legal Education, within the course will satisfy the academic component for students wishing to be admitted as an Australian Lawyer, in the Supreme Court of Victoria. The course learning outcomes include the concepts, theories and ideas central to the disciplines of law and psychology. Commencing

students may be eligible for the Chancellors Scholarship award. See <http://www.vu.edu.au/study-with-us/scholarships/chancellors-scholarships>.

**Course Objectives:** The course learning outcomes embody the educational rationale and include the concepts, theories and ideas central to both disciplines. The course learning outcomes closely align with the threshold learning outcomes of the professional body Council of Australian Law Deans (CALD) for the "Law" component of the double degree. The "Psychology" component of the double degree is designed to meet Australian Psychology Accreditation Council requirements for a fourth-year course in Psychology. Graduates of this course will be able to:

- Demonstrate advanced theoretical knowledge of psychology theories and relevant advanced specialist bodies of knowledge within the discipline of law;
- Critically review, analyse, adapt and apply broad and coherent theoretical and technical knowledge of law and psychology and underlying principles and concepts in diverse contemporary international and comparative contexts;
- Identify, articulate and respond to complex issues related to the two disciplines by critically analysing and applying information with initiative and judgement in order to both anticipate and creatively address them as relevant to authentic/contemporary professional, community and global settings;
- Exhibit professional accountabilities and ethical judgement, by adapting knowledge, skills, professional reasoning and research in responding appropriately to issues that reflect the social, political and contextual factors;
- Communicate a clear, coherent and independent exposition of knowledge and skills appropriate for professional and non-professional audiences;
- Reflect on personal learning and skills in relation to career goals and implement effective, creative strategies to promote lifelong learning and pathways to further learning including a commitment to ongoing professional development;
- Apply personal and interpersonal competencies including organisational and collaborative skills necessary to operate within broad parameters in the immensely divergent and complex global and Australian cultures;
- Contribute effectively, with personal accountability for outcomes in a dynamic 21st century work team, working in an ethical and socially responsible manner; and
- Plan and execute a research project, professional project or piece of scholarship which demonstrates intellectual independence and integrates and contributes to the evidence bases of the two disciplines.

**Careers:** This 6 year double degree prepares graduates for those occupations where there is an interaction between the law, psychology and mental health. The double degree will provide graduates with a global and social justice perspective, and give them an understanding of human behaviour, motivation, relationships, communication and cognitive processes. The skills and knowledge attained will give graduates an opportunity to pursue careers in areas including law, psychology, criminal justice, the courts, work in legal community centres, work in community services and in the human resource management field.

**Course Duration:** 6 years

**Admission Requirements:** Successful completion of an Australian Senior Secondary Certificate (VCE or equivalent) including Units 3 and 4: a study score of at least 30 in English (EAL) or at least 25 in any other English. International Baccalaureate At least 5 in English SL or 4 in English HL or 6 in English B SL or 5 in English B HL.

**Admission Requirements International:** Successful completion of an Australian Senior Secondary Certificate (VCE or equivalent) PLUS IELTS (or equivalent): Overall score of 6.5 with no band less than 6.0.

**Admission Requirements Mature Age:** Applicants with relevant work, education and/or community experience will be considered for admission to the course.

**Admission Requirements Other:** Applicants who have not completed Year 12 but who possess appropriate educational qualifications, work or life experiences which would enable them to successfully undertake the course, will be considered for admission. Applications are also welcome from students who have successfully completed at least one year in another undergraduate bachelor degree with a pass average of 60% or above. Internal: Applicants currently enrolled in a Bachelor of Laws or an accredited psychology bachelor degree may also apply for the double degree, after completion of at least one semester with a pass average. Advanced Standing will be granted to successful applications for identical units already completed. Advanced Standing may be granted for appropriate prior studies at an AQF 7 level for law units and psychological studies units (where undertaken in an APAC accredited course or international equivalent). Applicants may be required to participate in an interview as part of the selection process.

#### COURSE STRUCTURE

To attain the Bachelor of Laws (Honours)/Bachelor of Psychology (Honours) will be required to complete 576 credit points (equivalent to 48 units) in total consisting of: 264 credit points (equivalent to 22 units of 12 credit points each) core College of Law and Justice units listed below; 204 credit points (equivalent to 17 units of 12 credit points) core College of Arts units listed below; 48 credit points (equivalent to 2 units of 24 credit points) core College of Arts units listed below; 24 credit points (equivalent to 2 units) of Law electives from the list below; 36 credit points (equivalent to 3 units) of Psychology electives from the list below. In order to be eligible to advance to the Psychology Honours year of the course, students must achieve the stringent academic admission criteria that are required for Honours programs in Psychology. Academic admission standards are based on the average grade across all core second and third year psychology units. Students who have successfully completed the first five years of study but have not met the academic admission requirements for the Honours year will be eligible to apply to graduate with a Bachelor of Laws/ Bachelor of Psychological Studies degree. In the Psychology Honours year of study students must complete an additional six units of study (96 credit points).

#### Year 1

APP1012	Psychology 1A	12
APP1013	Psychology 1B	12
APP1016	Foundations of Psychological Research	12
ASX1003	Foundations of Social Science Research	12

BLB1101	Australian Legal System in Context	12
BLB1102	Contracts 1	12
BLB1114	Legal Research Methods	12
LLW1000	Introduction to Public Law	12
Year 2		
APP2013	Psychology 2A	12
APP2014	Psychology 2B	12
APP2101	Intercultural and Developmental Issues in Psychology	12
BLB1115	Torts	12
BLB2122	Advocacy and Communication	12
BLB2125	Real Property Law	12
LLW1001	Criminal Law	12
PLUS		
12 credit points (equivalent to 1 unit) Psychology Elective 1		
Year 3		
APP3023	Psychological Issues in the Workplace	12
APP3036	History and Theories in Psychology	12
APP3037	Clinical Aspects of Psychology	12
APS2030	Qualitative Social Research Methods 1	12
BLB2119	Corporations Law 1	12
BLB2120	Legal Writing and Drafting	12
LLW3000	Australian Administrative Law	12
LLW5000	Advanced Commercial Law	12
Year 4		
APP3028	Fieldwork	12
APS2040	Quantitative Social Research Methods 1	12
BLB2121	Legal Theory	12
BLB3130	Interviewing and Negotiation Skills	12
LLW5001	Corporations Law 2	12
LLW5002	Advanced Constitutional Law	12
PLUS		



12 credit points (equivalent to 1 unit) Law Elective 1		APP3021	Psychology of Adjustment	12	
12 credit points (equivalent to 1 unit) Law Elective 2		APP3025	Psychological Assessment	12	
Year 5		APP3026	Cognitive Psychology	12	
APP3035	Research Methods in Psychology	12	HONOURS PSYCHOLOGY ELECTIVES		
BLB4136	Equity and Trusts	12	APA4015	Community Psychology	12
LLW4000	Civil Procedure	12	APH4050	Current Issues in Psychology A	12
LLW5003	Evidence and Criminal Procedure	12	APH4061	Principles and Practice of Cognitive Behaviour	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12	APT5005	Domestic Violence and Sexual Assault	12
LLW5900	Advanced Legal Research Methods	12	APT5080	Cross-Cultural Issues in Counselling	12
LLW5901	Advanced Legal Research Dissertation	12	LAW ELECTIVES		
PLUS		Not all Electives will be offered every year or in every semester			
12 credit points (equivalent to 1 unit) Psychology Elective 2		BLB3129	Intellectual Property Law	12	
Year 6		BLB3132	Securities Law	12	
APH4012	Research Thesis	24	BLB3133	Comparative Commercial Law	12
APH4013	Psychology in Practice	12	BLB3134	Taxation Law	12
APH4015	Extended Research Thesis	24	BLB3136	Family Law in Society	12
APH4016	Social Research Methods in Context - Quantitative	12	BLB3137	Elements of Regulation	12
OR		BLB3138	Criminal Law 2	12	
APH4017	Social Research Methods in Context - Qualitative	12	BLB3139	Law Reform	12
APH4071	Professional Orientation (Psychological Assessment)	12	BLB4104	Commercial Arbitration Law	12
PLUS		BLB4105	Commercial Arbitration Practice and Procedure	12	
24 credit points (equivalent to 1 unit) Psychology Elective 3		BLB4135	Australian Employment Law	12	
24 credit points (equivalent to 1 unit) Psychology Elective 4		BLB4140	Privacy and Media Law	12	
PSYCHOLOGY ELECTIVES		BLB4141	International Trade Law	12	
Years 2 & 5		BLB4143	Public International Law	12	
Not all Electives will be offered every year or in every semester		BLB4144	European Union Law	12	
APP3015	Counselling Theory and Practice	12	BLB4145	Human Rights Law	12
APP3016	Group Behaviour	12	BLB4146	Wills and the Administration of Estates	12
APP3018	Organisations and Work	12	BLO2502	Transport Law	12
APP3019	Psychobiology	12	LLW2000	Torts 2	12
APP3020	Psychoanalysis	12	LLW2001	Competition Law and Policy	12

LLW2002	International Law Practicum	12
LLW3001	Law in Practice 1	12
LLW3002	Alternative Dispute Resolution	12
LLW3003	Court and Tribunal Internship	12
LLW3004	Current Legal Topics and Issues	12
LLW3005	Corporate Insolvency	12
LLW4001	Asian Law Studies	12
LLW4002	Australian Migration Law	12
LLW4003	Australia's Visa System	12
LLW4004	Sports Law	12
LLW5900	Advanced Legal Research Methods	12
LLW5901	Advanced Legal Research Dissertation	12

The following units are on application only

LLW5902	Research Law Internship	12
LLW5903	Mooting Competition	12

### Master of Laws (Applied Migration Law)

**Course Code:** LMAM

**Campus:** City Queen.

**About this course:** The Master of Laws degree offered by the College of Law and Justice at Victoria University is a postgraduate law program which meets the Australian Quality Standards (AQF) at Level 9, and is available for both law and selected non-law graduates. The Master of Laws (Applied Migration Law) degree is a specialist postgraduate law program which provides students with a sophisticated understanding of the legal and regulatory framework relating to the Australian migration advice sector. Migration agents, legal practitioners, professionals in government and those seeking to gain an advanced understanding in migration law and policy, undertaking this specialist degree, are able to explore topics of national and international importance across a range of complex legal issues. The Master of Laws (Applied Migration Law) degree has a practical and applied focus within its specialisation in migration law. Areas of emphasis include refugee law, comparative migration law, international labour movement, recent court decisions impacting on the operation of the Migration Act and Regulations, and future directions in migration law and policy. Human rights issues surrounding migration decision making and other social factors that governments consider when enacting migration law policies – issues such as citizenship, belonging (identity) and policy enforcement are also explored. Other topics covered include:

- social change, globalisation and the theories of human and labour mobility;
- the complex and current issues, and professional and ethical standards faced by migration agents;
- international law and national securities law regarding migration issues;

- inconsistencies between the law and migration policies; and
- the relation of politics to migration law and policy developments.

This degree requires the completion of 192 credit points in total comprising of both core and elective units. The degree structure includes units of study that are common to all Master of Laws programs offered by the College of Law and Justice at Victoria University, in addition to a series of core and elective units of study within the specialist area of migration law. This ensures that the program involves not only study in a general Master of Laws, but also a rigorous specialisation in applied migration law. The applied focus of the migration law specialisation is reflected in the course structure, including students' ability to choose between undertaking a minor research thesis or a capstone research project as part of the degree. Students who successfully complete the Migration Agents Registration Authority (MARA) Prescribed Units (included in this course) and the MARA Common Tasks within those units are recognised by MARA as satisfying requisite academic knowledge for initial registration as a migration agent. Students should note however that there are additional requirements for registration as a migration agent. These include the requirement to be an Australian permanent resident or an Australian citizen, as well as meeting character requirements. Students should consult MARA for further information.

**Course Objectives:** At the completion of the Master of Laws (Applied Migration Law), students will be able to:

- critically assess and review conceptual frameworks, theories and principles and exhibit advanced technical knowledge of migration and administrative law employing independent judgement;
- interpret relevant requirements of the migration and administrative law contextualised by cross-disciplinary and industry knowledge to initiate creative, innovative solutions to multi-faceted problems which respect and value client diversity;
- demonstrate expert judgement in assessing complex law and facts and advocating in different ways for regulatory decisions for a range of stakeholders, including briefs of evidence, responses to official queries and written and oral arguments, while balancing the interests of individuals and public good;
- exemplify ethical and professional standards in the provision of migration law advice to clients both independently and also as a member of a team;
- exhibit responsibility and accountability for own learning and professional practice in collaboration with others and within broad parameters; and
- plan and execute a substantial research project using appropriate research, scholarly and professional skills which demonstrate intellectual independence and which contribute significantly to the knowledge and evidence base in the migration law discipline.

**Careers:** The course prepares graduates to gain employment as a Registered Migration Agent with the Office of the Migration Agents Registration Authority, or/and as a specialist migration lawyer, a community law advisor or advocate, a public servant with the Department of Immigration and Border Protection, in addition to work in a range of advisory roles with community and professional organisations. Graduates of the Master of Laws (Applied Migration Law) who complete the Minor Research Thesis within this course may be eligible to apply for entry into Higher Degree by Research (HDR) Doctoral programs including the Doctor of Philosophy (PhD) in Law.

Note: the Master of Laws (Applied Migration Law) is not an appropriate course for students seeking academic qualifications for initial admission to practice as an Australian lawyer. The appropriate courses for students who wish to achieve this outcome would be the Bachelor of Laws or the Bachelor of Laws (Graduate Entry) offered by the College of Law and Justice at Victoria University.

**Course Duration:** 2 years

**Admission Requirements:** An Australian Bachelor Honours degree (or equivalent); OR an Australian Bachelor degree (or equivalent) and the equivalent of at least two years full-time, documented, relevant professional experience.

**Admission Requirements Mature Age:** An Australian Bachelor Honours degree (or equivalent); OR an Australian Bachelor degree (or equivalent) and the equivalent of at least two years full-time, documented, relevant professional experience.

**Admission Requirements Other:** Applicants with a Graduate Certificate in Australian Migration Law and Practice are also eligible to enter this degree and will be eligible for Advanced Standing for all matching units completed in the Graduate Certificate course. Applicants who have successfully completed a Bachelor of Laws AND the Graduate Diploma in Legal Practice (or equivalent) may be eligible for Advanced Standing and/or recognition of prior learning up to a maximum of 96 credit points. Students who are current Australian legal practitioners or who hold an AQF Level 8 Graduate Diploma in Legal Practice (or equivalent), will be eligible to apply for Advanced Standing of up to a maximum of 96 credit points. Applicants who do not meet the criteria in the preceding paragraph, but who hold an Australian AQF Level 7 Bachelor's degree (or equivalent) in the cognate discipline of this course (law or migration studies) may apply for recognition of prior learning for up to a maximum of 48 credit points. Applicants relying on overseas qualifications taught in a language other than English as the basis of their application must also provide evidence of proficiency in the English language with an International English Language Testing System (IELTS) or equivalent overall score of 6.5 and no individual band score less than 6.0.

## COURSE STRUCTURE

To attain the Master of Laws (Applied Migration Law) students will be required to complete 192 credit points in total consisting of:

- 48 credit points (four units) prescribed by the Migration Agents Registration Authority (MARA);
- 72 credit points (six units) of additional core units;
- 48 credit points (four units) of elective migration law units; and
- 24 credit points comprised of either:

Option 1: Minor Research Thesis, Option 2: Capstone Research Project and the Practice ready Program (a Work Integrated Learning unit). Note 1 - Students with a background in the cognate area of this course, who have been admitted to the Master of Laws (Applied Migration Law) on the basis of their previous studies or experience in a legal, business or migration advice field, may be eligible for Advanced Standing and/or recognition of prior learning up to a maximum of 48 credit points. Note 2 - Students who are current Australian legal practitioners or those who hold an AQF Level 8 Graduate Diploma in Legal Practice (or equivalent), and have been admitted to the Master of Laws (Applied Migration Law) on this basis, may be eligible for Advanced Standing up to a maximum of 96 credit points. Due to the sequential nature of the MARA prescribed units, students must undertake these

units in the order listed below. Full-time students will find the units are taught sequentially within the same (extended) semester. Part-time students must complete the earlier-listed units before completing the later-listed units. On completion of the four MARA prescribed units, students may exit this course early with a Graduate Certificate in Australian Migration Law and Practice. On completion of the four MARA prescribed units and additional units totalling 48 credit points, students may exit this course early with a Graduate Diploma in Migration Law if they meet the completion requirements of that course.

Year 1, Semester 1

Migration Agents Registration Authority (MARA) Prescribed Units (4 units):

LML5000	Australian Migration Law	12
BL05606	Australia's Visa System	12
BL05607	Visa Compliance, Cancellation and Review	12
LML5001	Applied Migration Law	12

Year 1, Semester 2

BLB5513	Advanced Legal Research and Writing	12
BM05501	Business Ethics and Sustainability	12
LML7004	Advanced Australian Migration Law	12
LML7005	Advanced Review Considerations in Migration Law	12

Year 2, Semester 1

BLB5511	Plain English and Commercial Drafting	12
BLB5555	Commercial Contracts	12

PLUS 24 credit points (equivalent to 2 units of study) selected from the list of ELECTIVE units below

Year 2, Semester 2

24 credit points consisting of Option 1 OR Option 2

Option 1 (note: students need to have already completed the elective unit LLW7900 to undertake this Option):

LML7901	Minor Research Thesis	24
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OR

Option 2:

LML7902	Capstone Research Project	12
LML7006	Practice Ready Program	12

PLUS 24 credit points (equivalent to 2 units of study) selected from the list of ELECTIVE units below

ELECTIVE units in Master of Laws (Applied Migration Law)

LML7001	Current Issues in Migration Law and Practice	12
LML7002	Administrative Law Implications in Migration Matters	12
LML7003	Comparative Migration Law	12
LML7006	Practice Ready Program	12
LML7007	Refugee Law	12
LML7008	International Labour Mobility	12
LML7009	Migration Security and Human Trafficking	12
LML7010	Global Trends in International Migration	12
LLW7900	Research Methods for Law Thesis	12
LLW7000	Access to Justice: Current Issues A	12

**Graduate Certificate in Australian Migration Law and Practice**

**Course Code:**LTML

**Campus:**City Queen, For International On-Shore students, City Queen campus is the only available course location and all units must be undertaken by face-to-face mode. This course is also available to Domestic students face-to-face in Sydney and to all students via an online flexible mode of study throughout Australia and overseas..

**About this course:**The Graduate Certificate in Australian Migration Law and Practice aims to provide students with an understanding of Australian migration law and will enable existing migration practitioners, accountants, lawyers and other professionals to expand their areas of practice. Students who successfully complete all four units are recognised by the Migration Agents Registration Authority (MARA) as satisfying the knowledge requirement for initial registration as a migration agent.

**Course Objectives:**This course is designed to meet the needs of the migration agent industry and enhance the career prospects for students. At the completion of the Graduate Certificate in Australian Migration Law and Practice, students will be able to:

- Review conceptual frameworks and exhibit specialised technical knowledge of migration and administrative law employing independent judgement in their application in wide ranging contexts and communities;
- Interpret relevant requirements of the Migration Act contextualised in cross-disciplinary knowledge in order to initiate creative solutions to multi-faceted problems, while respecting and valuing the diversity of clients;
- Provide complex assessment of and advocate for regulatory decisions for a range of stakeholders in a number of ways, including briefs, responses and visa applications, while balancing the interests of individuals and public good; and
- Exemplify ethical and professional standards in the provision of migration law advice to clients both independently and also as a member of a team.

**Careers:**Graduates of the Graduate Certificate in Australian Migration Law and Practice who have achieved a minimum 50 per cent score on the Migration Agents Registration Authority (MARA) assessment items are recognised by the Authority as satisfying the knowledge requirement for initial registration as a migration agent. There are additional requirements for registration as a migration agent. These include the requirement to be an Australian permanent resident or an Australian citizen, as well as meeting character requirements. You should consult MARA for further information.

**Course Duration:**0.5 years

**Admission Requirements:**Domestic applicants with a Bachelor Degree in any discipline.

**Admission Requirements International:**Overseas applicants who satisfy the entry requirements for Australian resident students (or demonstrate equivalence) must provide evidence of: 1) proficiency in the English language: International English Language Testing System (IELTS or equivalent) - overall score of 6.5 and no individual band score less than 6.0. 2) A Bachelor degree or equivalent in any discipline.

**Admission Requirements Mature Age:**Domestic applicants with a Bachelor Degree in any discipline.

**Admission Requirements Other:**Applicants must also complete a 200 word statement detailing their interest in the course.

COURSE STRUCTURE

To attain the award of Graduate Certificate in Australian Migration Law and Practice students will be required to complete in total 48 credit points (equivalent to 4 units) consisting of:

- 48 credit points of Core studies (equivalent to 4 units)

Due to the sequential nature of the Core studies, students must undertake these units in the order listed below. Full-time students will find the units are taught sequentially within the same semester. Part-time students must complete the earlier-listed units before completing the later-listed units.

Core Units:

LML5000	Australian Migration Law	12
BLO5606	Australia's Visa System	12
BLO5607	Visa Compliance, Cancellation and Review	12
LML5001	Applied Migration Law	12

Professional Recognition:

Students who successfully complete the mandatory units of study are recognised by the Migration Agents Registration Authority (MARA) as satisfying the knowledge requirement for initial registration as a migration agent.

# SPECIALISATIONS

## LMAADV Advanced Legal Services

**Locations:** Footscray Park, City Queen

The advanced legal practice major prepares students for a career pathway in legal services and allied industries. For example, advanced legal services, paralegal, compliance officers in companies, financial institutions, non-government charitable organisations or in the civil service and the courts. There is a strong business focus and students will undertake a legal services project which enhances collegiality by simulating a range of activities routinely expected of professional paralegals.

LLW1000	Introduction to Public Law	12
BLB2120	Legal Writing and Drafting	12
BLB3130	Interviewing and Negotiation Skills	12
BMO3292	Business Ethics	12
LL02000	Principles of Property Law	12
LL03001	Legal Services Project	12
BLB1102	Contracts 1	12
LLW3000	Australian Administrative Law	12

## LMALAW Law Profession

**Locations:** Footscray Park, City Queen

The law profession major prepares students for a career pathway as a law clerk and other supporting legal roles including a legal secretary. This major has a strong practical focus as students will undertake a legal placement. This major is stepping stone for those students who may wish to continue their studies towards a bachelor of laws.

BLB1102	Contracts 1	12
BLB1115	Torts	12
BLB2120	Legal Writing and Drafting	12
BLB2125	Real Property Law	12
LLW1000	Introduction to Public Law	12
LLW3000	Australian Administrative Law	12
LLW3001	Law in Practice 1	12
LLW5004	Lawyers' Ethics and Professional Responsibility	12

## LMICOM Commercial and Corporate Law

**Locations:** Footscray Park, City Queen

This minor provides students with an understanding of the laws associated with the business and commercial world. There is a strong focus on financial regulation and business transactions. This minor complements the Advanced Legal Services Major as it is strongly aligned with a practical focus.

BLO2205	Corporate Law	12
BLO2206	Taxation Law and Practice	12
BLO3405	Law of Financial Institutions and Securities	12
LL02002	Conveyancing and Inheritance Law and Practice	12

## LMICRI Criminal Law

**Locations:** Footscray Park, City Queen

This minor introduces students to the rule of law and to the general doctrines and purposes of the criminal law. Students will also develop an understanding of the practical aspects of legal work as a member of the legal profession.

BLB2121	Legal Theory	12
BLB2122	Advocacy and Communication	12
BLB3138	Criminal Law 2	12
LLW1001	Criminal Law	12

## LMILAW Law in a Legal Context

**Locations:** Footscray Park, City Queen

This minor draws upon a number of contemporary legal issues and explores avenues to resolve them. This minor complements the Advanced Legal Practice major as it is strongly aligned with practical legal problem solving in a business context.

BLO2502	Transport Law	12
BLO3352	Legal Topics B	12
LL02001	Intellectual Property and Consumer Protection Principles	12
LLW3002	Alternative Dispute Resolution	12

## LMIPRI Private Law

**Locations:** Footscray Park, City Queen

This minor focuses on areas of the law that address human resources, contracts and protection of property, work product and personal rights. Students will examine the identification and management as well as resolution of disputes, in particular, litigation as a means of dispute resolution.

BLB3129	Intellectual Property Law	12
BLB4135	Australian Employment Law	12
LLW4000	Civil Procedure	12
LLW5000	Advanced Commercial Law	12

## LMIRIG Rights and The Law

**Locations:** Footscray Park, City Queen

This minor draws together contemporary issues from domestic law. Students will investigate the law as it relates to relationships and the protection of private and social rights. A cultural awareness around concepts of universality of human rights and the substance of universal human rights in diverse cultural contexts will also be examined.

BLB3136	Family Law in Society	12
BLB4140	Privacy and Media Law	12
BLO2401	Music Industry Law	12
BLB4145	Human Rights Law	12

# UNITS

## BLB1101 Australian Legal System in Context

**Locations:**Footscray Park, City Queen.

**Prerequisites:**Nil.

**Description:**This foundation unit BLB1101 introduces students to the 'nuts and bolts' of the Australian Legal system and legal reasoning. In addition, it offers a selection of socio-political contexts within which to situate and critically evaluate the contemporary Australian legal system. This unit provides a foundation for the study of law at Victoria University and, as such, successful completion is a pre-requisite for progression through the Law course. This unit: Provides students with a working foundation in the technical structure of Australian legal systems and legal reasoning, using applied practical teaching and learning methods; Exposes students to ways of making sense of Australian legal systems and legal process in a legal academic way, using selected contexts from criminal and private law; Introduces students to the broader contexts in which legal issues may arise, including the political, social, historical, philosophical and economic contexts; and Inducts students in the ways of the lawyer, including legal reasoning and appropriate language use and structure using reflective, applied and theory-based teaching and learning methods.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Analyse the components of Australian legal systems, and elaborate how these components intersect and interact, and how lawyers use these systems; 2. Communicate using appropriate professional legal language and express ideas and perspectives; 3. Situate and analyse Australian legal systems within broader contemporary social and political contexts; 4. Articulate and write about law in a coherent and professional way; and 5. Work collaboratively and independently to use legal reasoning, (including statutory interpretation and application of case law) to create and present logical structured answers to problem-style legal questions.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week. Normally to be delivered: - at City Queen campus as two hours of lectures and a 1-hour of tutorial/workshop per week; - at Footscray park campus as one hour of lecture plus a 2-hour tutorial/workshop per week; or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**(compilation text) 2015 Foundations of Law in Australia LexisNexis Melbourne University Law Review Association Third ed Australian Guide to Legal Citation Available in hard copy or online: <http://www.law.unimelb.edu.au/mulr/aglc> Additional readings as listed in Unit of Study Guide and/or unit's VU Collaborate space.

**Assessment:**Test, Online multiple choice tests (progressive assessment, Weeks 3-12), 10%. Assignment, VCAT-centred assignment (maximum 1500 words), 30%. Other, In-class team Legal Reasoning exercise (approx 500 words) (purely formative assessment), 0%. Examination, Written examination (2 hours), 60%. The total graded assessment in this unit is equivalent to 4000 words. In addition to the graded assessments listed above, there will be in-class formative assessment (ungraded) exercises, providing students with opportunities for feedback on their developing skills in legal reasoning (LO2,4,5; TLO3, GC2), and in teamwork (LO5, TLO5, GC2b).

## BLB1102 Contracts 1

**Locations:**City Queen.

**Prerequisites:**It is expected that students undertake BLB1101 Australian Legal System in Context and BLB1114 Legal Research Methods either prior to or concurrently with this unit.

**Description:**Contracts 1 provides students with the knowledge of the law of contract. The law of contract provides the rules which determine when one party is liable to another under or in connection with a contract. This is an extremely important area of law as contracts are created on a daily basis and form the basis of most commercial arrangements. Students will be exposed to relevant law of contract which govern the processes of formation of contract, interpretation of contract, performance as well as termination of contract.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Analyse the legal concept of a legally binding contract; 2. Identify, interpret and critically analyse contractual terms; 3. Identify and critically analyse circumstances in which contracts can be brought to an end or nullified in a variety of situations and the different types of remedies as well as rules relating to them 4. Critically analyse the existence of vitiating factors which vitiate consent to a contractual agreement and 5. Critically analyse the recent Australian legislative developments impacting contracts and argue the practical relevance of those principles to contemporary commercial dealings.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr

**Required Reading:**Thampapillai, D., Tan, V & Bozzi, C. (2012) Contract Law Text and Cases Oxford University Publishing Seddon, NC and Ellinghaus, MP 10th Cheshire & Fifoots Law of Contract Butterworths

**Assessment:**Assignment, Problem based case studies, 20%. Assignment, Problem based case studies, 30%. Examination, Final exam, 50%. The total assessment in this unit is equivalent to 4000 words.

## BLB1114 Legal Research Methods

**Locations:**Footscray Park, City Queen.

**Prerequisites:**Nil.

**Description:**This is a foundation unit for law students and others studying in the justice professions and involves three related areas- understanding legal discourse, application of legal research skills and developing legal literacy. Each focus area is delivered and assessed by a different strategy. Like any discipline, law uses its own language and media forms and the unit is designed to enable students to master these. Legal authorities must be recorded in a specific official format and discussion about these rules systems involves following conventional modes of expression. Law is fundamentally concerned with written text and this unit introduces a variety of genres within legal texts and encourages students to develop critical legal reading and comprehension strategies. Particular attention is given to the primary sources of law, legislation and case law, and to their interaction. Today, law graduates find themselves immersed in a legal environment dominated by statutory interpretation. In recognition of the fundamental importance of statutory interpretation to legal practice, students will be introduced to the rules and practice of statutory interpretation in a keystone module. The module examines the importance of context in statutory interpretation and the significance of interpretative choice, which renders statutory interpretation much more than just a technical process. By focusing on the technical and theoretical issues underlying statutory interpretation the module seeks to provide a basic introduction and guide which students can return to for reference throughout their course and, importantly, build on in subsequent units of study.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Contextualise legal research within problems relating to legal issues; 2. Locate and critically evaluate the impact of legal authorities- case law, legislation and regulatory instruments in wide ranging contemporary contexts; 3. Discuss the

evolving nature of statutory interpretation, including examining methods and conventions of statutory interpretation in traditional and modern contexts; 4. Adapt knowledge of humanities and social science research methods to contextualise and critically examine legal information; 5. Articulate opinions in an academic manner supported by research evidence and confirm development in legal literacy skills; and 6. Frame the discourse of law as one of many approaches to social problems and contextualise legal knowledge in relation to other academic, social and community discourses.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr This unit of study will be delivered as : - one 2-hour lecture plus one 1-hour tutorial per week at City Queen campus; and - one 1-hour lecture plus one 2-hour tutorial per week at Footscray Park campus. In addition, students are expected to attend three one-hour library classes in the early weeks of semester. It is expected that students will spend at least ten hours per week studying this Unit of Study (including lecture and tutorial time). This time should be made up of reading, research, working on exercises and team work. In periods where students need to complete assignments or prepare for tests, the workload may be greater.

**Required Reading:**(compilation text) 2015 Foundations of Law in Australia. LexisNexis Students are also required to purchase or download the Australian Guide to Legal Citation.

**Assessment:**Assignment, Identification and analysis of secondary sources, with reflection 1000 words, 30%. Exercise, Take home quiz, 20%. Assignment, Essay based on assigned research topic and court observation, 1500 words, 50%. Assignment 1 to include 1,000 words plus bibliography and footnotes. Take home Quiz open for one week on case law and statutory interpretation covering lecture and tute work. Assignment 2 1,500 words plus bibliography and footnotes. .

## BLB1115 Torts

**Locations:**Footscray Park, City Queen.

**Prerequisites:**BLB 1101 - Australian Legal System in ContextBLB 1114 - Legal Research Methods

**Description:**The unit of study will examine the principles of negligence and its role in allocating liability for personal injuries and economic loss. Defences, remedies and the assessment of damages for negligence will also be examined. The unit of study will also consider the appropriate context within which alternative compensation schemes might operate. Other torts will also be considered during the unit of study including areas such as trespass, and nuisance.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Articulate the essential elements of the major causes of action in tort; 2. Map the process by which actions in tort have developed over time and justify its current relevance; 3. Evaluate the arguments for and against "no-fault" legislative schemes as applicable to given problems in the area of tort law in current Australian society; 4. Explain the theoretical rationale for particular actions in tort; 5. Critically analyse the courts' interpretation of key sections of relevant legislation applicable to the torts studied; and 6. Contextualise knowledge of the law of negligence and trespass by analysing contemporary hypothetical fact situations and advise on likely possible legal outcomes in the manner of a legal practitioner advising and acting for a client.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr

**Required Reading:**Wrongs Act 1958 (Vic) (as amended) Clarke et Al 3rd ed Torts: a practical learning approach LexisNexis Butterworths Various other materials as directed by lecturer.

**Assessment:**Test, Test, 10%. Examination, Research assignment, 40%. Examination, Final Examination, 50%.

## BLB2119 Corporations Law 1

**Locations:**City Queen, City Flinders.

**Prerequisites:**BLB 1101 - Australian Legal System in ContextBLB 1114 - Legal Research Methods

**Description:**The aim of this unit is to introduce students to the corporation, the concept of corporate regulation and practical areas of Australian corporate law (including directors duties, share capital, the company constitution, shareholder rights and remedies, dividends, and insolvency). The unit enables students to explore, research, analyse and debate some of the significant contemporary issues in Australian corporate law, complementing the LLB course by preparing students to work in the globalised, sophisticated 21st century commercial world, whether as a corporate lawyer or another role.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Elaborate the relevant provisions of the Corporations Act 2001 (Cth) and, where applicable, common law and equity; 2. Analyse and explain applicable policies underlying rules and principles relating to corporations and their stakeholders in a 21st century setting; 3. Critically review complex legal problems in corporations law and recommend appropriate innovative resolutions; and 4. Demonstrate strong skills in legal research and writing, critical analysis, problem solving, and communication in relation to corporations law.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Lipton, Herzberg and Welsh, 2016 18th edn, Understanding Company Law, Sydney, Thomson Reuters,

**Assessment:**Assignment, Compulsory Assignment 1, 50%. Examination, Optional Assignment 2 OR Examination, 50%. The total assessment in this unit is equivalent to 5000 words.

## BLB2120 Legal Writing and Drafting

**Locations:**Footscray Park, City Queen, City Flinders.

**Prerequisites:**BLB 1101 - Australian Legal System in ContextBLB 1114 - Legal Research Methods In addition to the above pre-requisites, students must also have satisfactorily completed either BLB 1102 Contracts 1 OR BLO1105 Business Law.

**Description:**This unit of study focuses on enhancing and refining skills in good legal writing and drafting. It includes principles of plain English, effective written communication and drafting legal documents, including court documents and how to apply them in practice. The unit will cover the function and operation of a document, stages in preparing a document and structuring a document. Students will also learn about style, appearance, content and presentation of documents. The unit will further address legal rules of construction that apply to documents such as agreements, the use of precedents and rules of evidence and procedure that apply to court documents.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Scrutinise complex legal problems; conduct research and draft legal documents in plain English language; 2. Interpret and apply different types of legal writing and drafting techniques and conventions; 3. Locate, analyse, adapt and use relevant legal precedents for effective legal drafting; 4. Employ analytical, cognitive, and



written communication skills in producing context-specific legal documents, in contemporary Australian legal contexts; and 5. Utilise a variety of approaches to interpreting legal documents ("statutory interpretation") and understand how such approaches may inform the process of drafting legal documents in appropriate contexts.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Butt & Castle 2006 2nd edn. Modern Legal Drafting: A Guide to Using Clearer Language Cambridge Meehan 2013 3rd edn. Grammar for Lawyers Lexis-Nexis Stark 2013 Drafting Contracts: How and Why Lawyers Do What They Do Aspen Publishers

**Assessment:**Two assessment pieces one 30% and the second 70% Assignment, Drafting a letter of advice to a client, 30%. Assignment, Drafting a settlement agreement and affidavit, 70%.

## BLB2121 Legal Theory

**Locations:**City Queen.

**Prerequisites:**BLB 1101 - Australian Legal System in ContextBLB 1114 - Legal Research Methods

**Description:**This unit of study will examine key concepts and theories relevant to Legal Theory including: Natural Law; Liberalism; Positivism; Modernism; American Legal Realism; Feminism; Critical Legal Studies; Postmodernism and Critical Race Theory.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Critique the leading legal theories (especially in the Anglo-American jurisdictions) and justify their relevance to our society; 2. Contextualise the Law's connections with other disciplines (such as History, Philosophy, Sociology, and Political Science) as prevalent in contemporary settings; 3. Justify the relevance of conceptualization, epistemology (theory of knowledge), morality, ethics, and ideology, to law in contexts subject to change; 4. Analyse the theoretical underpinnings of substantive law already studied and sharper analytical tools and map their connections to future studies and practice; 5. Identify, research, evaluate and synthesise relevant knowledge and communicate (both orally and in writing) one's stand with initiative and judgement; and 6. Critically reflect on theoretical predispositions, and argue and justify one's own theoretical and normative perspectives on the law, and more generally.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Freeman, MDA 2014, 9th ed, Lloyd's Introduction to Jurisprudence Sweet and Maxwell, London Wacks, R 2012, 3rd ed, Understanding Jurisprudence: An Introduction to Legal Theory Oxford University Press, Oxford

**Assessment:**Essay, Case Study 1,500 words, 30%. Essay, Research Essay 2,500 words, 70%.

## BLB2122 Advocacy and Communication

**Locations:**City Queen, City Flinders.

**Prerequisites:**BLB 1101 - Australian Legal System in ContextBLB 1114 - Legal Research Methods

**Description:**The aim of this unit of study is to develop an understanding of the

practical aspects of legal work as a member of the legal profession. An introductory examination of the practical aspects of court presentations and contextualisation of the advocacy skills in the presentation of cases; including opening and closing cases, examination in chief, re-examination and cross examinations. An exploration of the basics of interviewing, drafting, briefing, negotiating and risk management techniques.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Discriminate between the types of oral argument and questioning most suitable when conducting the different stages of presenting cases in court (opening and closing cases, examination in chief, re-examination and cross examinations); 2. Construct and present persuasive oral legal argument to influence relevant professional and non-professional audiences; 3. Role-play common legal advocacy tasks in the manner of a legal practitioner appearing before a court or tribunal situation; and 4. Advocate with responsibility and accountability, verbally and in writing for a hypothetical client or cause towards resolution of the problem.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Perry, M. 2005 Hampel on Advocacy: A Practical Guide to Basics Leo Cussen Institute

**Assessment:**. Assignment, Research Assignment, 30%. Other, Oral exam including presentation and advocacy, 70%. Total assessment equivalent to 5000 words. .

## BLB2125 Real Property Law

**Locations:**City Queen, City Flinders.

**Prerequisites:**BLB 1114 - Legal Research MethodsBLB 1101 - Australian Legal System in ContextBLB 1102 - Contracts 1

**Description:**The focus of this unit is the concept and characteristics of rights and interests in land: their creation, acquisition, enjoyment and disposal, specifically in the Torrens title registration system in Victoria. This unit covers the Real Property component of the Priestley 11 area "Real and Personal Property".

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Elucidate a broad and coherent theoretical and technical knowledge with depth in the area of Real Property Law to a range of audiences; 2. Advocate solutions to complex problems with judgement and responsibility in advising and acting in matters involving Real Property Law; 3. Provide specialist advice and functions with responsibility and accountability in the area of Real Property Law related to the State of Victoria in Australia.; 4. Critically analyse and evaluate information to complete a range of activities in the study of Real Property Law; and 5. Adapt the necessary knowledge and skills to analyse, generate and transmit innovative solutions to unpredictable and sometimes complex contemporary problems in the area of Real Property Law.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Edgeworth B, Rossiter C.J, Stone M.A and O'Connor P, 2012 9th Sackville and Neave Australian Property Law Sydney, LexisNexis

**Assessment:**Assignment, 2500 words, 30%. Examination, 3 hour exam, 70%. Total assessment equivalent to 5000 words. .

## BLB3128 Criminal Law

**Locations:**City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research MethodsNil

**Description:**This unit of study will provide an examination of the content of substantive crimes and defences and some of the key procedural and evidentiary aspects of criminal trials. It will also provide an exploration of the various competing theories as to the bases of criminal behaviour. Finally the unit of study will examine key concepts with respect to sentencing policy in criminal cases.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically review the general principles of criminal liability derived both from common law and statute, in particular, the Crimes Act 1958 (Vic) in problem solving and decision making; 2. Adapt and apply the doctrine of precedent and the rules of statutory interpretation with initiative and judgement to contemporary hypothetical criminal law problems using inductive and deductive thought processes; and 3. Justify the answers to hypothetical problems questions using case and statute law as authority with creativity and intellectual independence.

**Required Reading:**The Crimes Act 1958 (Vic)Arenson, K., Bagaric, M., & Gillies, P. 2011 3rd Australian Criminal Law in the Common Law Jurisdictions Oxford Uni Press

**Assessment:**Assignment, research assignment (maximum 1500 words), 20%. Examination, Final Examination (3 hours), 80%.

## BLB3129 Intellectual Property Law

**Locations:**City Queen, City Flinders.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research Methods

**Description:**Intellectual Property Law is the method by which law seeks to regulate the commercial use of ideas, innovation and culture. Statute law has created property in the tangible artefacts produced from ideas. Patents, Designs and Trademarks have legislated systems of registration while copyright in Australia is governed by statute, but is also the subject of extensive international agreements. The unit also covers other forms of intellectual property such as Geographical Indications, Plant Breeders' Rights, and the protection of confidential information. Intellectual property has been profoundly affected by changes in technology with which law has had difficulty in keeping pace, yet ironically it is also intellectual property law which seeks to regulate this technology. This unit of study uses problem based learning to explore the practical application of intellectual property law and the social and ethical issues which arise from it, suggesting possibilities for further development.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Elucidate a coherent theoretical and technical knowledge with depth in the area of Intellectual Property Law to a range of audiences; 2. Advocate solutions to complex problems with judgement and responsibility in advising and acting in matters involving Intellectual Property Law; 3. Provide specialist advice and functions with responsibility and accountability in the area of Intellectual Property Law related to local and global settings; 4. Critically analyse and evaluate information to complete a range of activities in the study of Intellectual Property Law; and 5. Adapt the necessary knowledge and skills to analyse, generate and transmit innovative solutions to unpredictable and sometimes complex 21st century problems in the area of Intellectual Property Law.

**Class Contact:**Lecture2.0 hrsTutorial1.0 hrEquivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials,

workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points. For summer delivery - 6 weeks x 6 hours per week = 36 hours

**Required Reading:**Craig Collins and Heather Forrest Intellectual Property Law : Lexis Nexis Study Guide Lexis Nexis Dr William Van Caenegem 2nd Intellectual and Industrial Property Law Lexis Nexis Dr Alpana Roy Lexis Nexis QRC Lexis Nexis

**Assessment:**Assignment, Research essay prior to week 6, 30%. Essay, Research essay, 20%. Examination, Problem based Exam, 50%. Total assessment equivalent to 4000 words. .

## BLB3130 Interviewing and Negotiation Skills

**Locations:**City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research Methods

**Description:**This subject is a legal 'skills' subject. It may be quite different from other law subjects, both in format and sought outcomes. There is a nexus between the skills used in interviewing and those used in negotiating outcomes. This nexus will become apparent during the course of the Semester. The instruction in the Interviewing component of the subject is therefore relevant to the Negotiation component of the subject as a knowledge building block. The assessment weighting will reflect this.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Exemplify the fundamental skills of client interviewing within the context of legal practice; 2. Critically review complex negotiation scenarios and debate innovative strategies; 3. Strategise and conduct oral interviews in the manner of legal practitioners interviewing clients or other parties to legal action; 4. Adapt a range of ethical, innovative, competitive and cooperative negotiation strategies in wide ranging and challenging situations; and 5. Negotiate an outcome in the manner of a legal practitioner negotiating with or on behalf of parties to a legal dispute.

**Class Contact:**Lecture2.0 hrsTutorial1.0 hrEquivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Hyams, R, Campbell, S and Evans, A, 2014 2nd Edn Practical Legal Skills South Melbourne, Oxford University Press

**Assessment:**Assignment, Combined Interviewing & Negotiation Research Assignment, 30%. Examination, Oral exam practicum, 70%. The assessment in this Unit of Study will relate to learning in the workplace (simulated working environments). Learning in the workplace activities that will be included in this Unit of Study are: 1. Skills Practicums engaged in during tutorials and examination 2. Engagement with visiting guest lecturers. 3. Examination in Moot court.

## BLB3132 Securities Law

**Locations:**City Queen, City Flinders.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research MethodsNil

**Description:**This subject aims to examine the various types of securities that exist in our law. The emphasis of this course will be placed on corporate/investment securities. In this regard we will study some of the key areas including securities regulation, the role of stock exchanges, the rules regarding insider trading and stock market manipulation, disclosure regulation, the regulation of prospectuses and the conduct of securities market professionals, such as brokers and investment advisors. In this subject we will also study some of the other types of securities that exist,

which include securities over land and securities over personal property.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Exercise critical thinking and judgment in identifying and solving complex problems with intellectual independence regarding the basic principles of Australian securities law;
2. Critically review the application of knowledge of the institutional structure and legal rules affecting the regulation of 21st century securities markets;
3. Adapt knowledge and skills of key themes in securities law in prescribing innovative solutions to contemporary issues in the area; and
4. Critically review the historical development of securities law principles and practices and judge its impact on the current context.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Baxt, R., Black, A. & Hanrahan, P. 2008 7th Securities and Financial Services Law Sydney LexisNexis Butterworths Harris, J., Hargovan, A. & Adams, M 2013 4th Australian Corporate Law LexisNexis

**Assessment:** Test, Class Test, 50%. Essay, Written Essay, 50%. The total assessment in this unit is equivalent to 4,500 words.

### BLB3133 Comparative Commercial Law

**Locations:** City Queen.

**Prerequisites:** BLB 1101 - Australian Legal System in Context BLB 1114 - Legal Research Methods BLB 1102 - Contracts 1 Nil

**Description:** This unit of study will examine one or more areas of commercial law from a comparative perspective. The unit of study will provide an introduction to the field of comparative law and do this by examining one or more commercial law units of study. It is expected that areas which would be suitable for comparative analysis would include the corporate laws of a number of different countries, the insolvency law of different countries as well as the contract laws of different countries.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Distinguish the key features of commercial law that exist in common law and civil law legal systems;
2. Critically examine the differences and similarities between the commercial law of the common law and civil law systems that would contribute to a more equitable society/world;
3. Advocate the relevant options and legal remedies available to parties who are involved in inter jurisdictional disputes while respecting and valuing diversity; and
4. Review and predict the future importance of comparative commercial law in light of internationalism and economic globalisation and professional responsibilities towards local and global communities.

**Class Contact:** Subject to be delivered as a two week long intensive over the summer. Equivalent to 15 hours per week. Normally to be delivered as three hours of lectures, workshops or modules per day or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** To be advised.

**Assessment:** Assignment, Essay not exceeding 1,500 words, 30%. Examination, Take home examination not exceeding 3500 words., 70%.

### BLB3134 Taxation Law

**Locations:** City Queen, City Flinders.

**Prerequisites:** BLB 1101 - Australian Legal System in Context BLB 1114 - Legal Research Methods

**Description:** This unit provides an introduction to underlying principles and basic policy

concepts in the operation of Australian income tax laws. Preliminary matters such as residency, source and derivation are first considered. The major principles of income taxation are analysed, including the taxation of income, capital gains, fringe benefits and goods and services. The major principles of deductibility, including statutory modifications, are considered together with the timing rules. In addition, the fundamental administrative mechanisms and basic principles of tax planning are analysed together with anti avoidance provisions.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Synthesise fundamental areas of legal knowledge, including the underlying principles and concepts, related to taxation law in Australia;
2. Analyse the relevant legislative provisions and advocate resolutions to complex legal issues related to taxation matters covering such issues as residency, source, timing, understanding the income concept, deductibility and anti-avoidance provisions;
3. Initiate creative solutions to taxation problems based on thorough analysis, legal reasoning and research;
4. Identify, research, evaluate and synthesise relevant factual, legal and policy issues with initiative and judgement;
5. Elucidate legal principles, problems and possible solutions to both legal and non-legal audiences; and
6. Exemplify accountability for self-management of independent learning in a continuously changing 21st century professional world.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Burgess P, Cooper G, Stewart M and Vann, R. 2012 7th Cooper, Krever & Vann's Income Taxation: Commentary and Materials Thomson Reuters

**Assessment:** Assignment, 40%; Final examination, 60%. Assignment, Assignment, 40%. Examination, Final Examination, 60%. The total assessment in this unit is equivalent to 5,000 words.

### BLB3136 Family Law in Society

**Locations:** City Queen, City Flinders.

**Prerequisites:** BLB 1101 - Australian Legal System in Context BLB 1114 - Legal Research Methods Nil.

**Description:** The aims of this subject are to: - Introduce students to the principles and practice of Family Law in Australia. - Enable students to develop an understanding of the principles underlying development of the Family Law Act 1975 (Cth) and the amendments to it and other relevant legislation - Provide students with a comprehensive knowledge of the rationale for and the current law with respect to marriage, divorce, children and the financial aspects of relationship breakdown - Provide students with an appreciation of current family law issues and the likely future directions of the law in this area - Provide students with an appreciation of the law relating to de facto relationships and the linkages to family law.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Analyse the major issues in family law in contemporary Australian multicultural society;
2. Articulate the current law relating to children and the financial aspects of relationship breakdown and apply it to practical circumstances making professional judgements and decisions;
3. Analyse the principles of alternative dispute resolution in family law and evaluate its role in, and application to, complex family law disputes;
4. Articulate and evaluate the rationale for the development of family law as it currently stands in Australia and likely future directions; and
5. Contextualise the procedures adopted by the Family Court of Australia and the

Federal Magistrates' Court in dealing with wide ranging family law matters in contemporary society.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Eithne Mills & Marlene Ebejer 6th ed 2014 Family Law (Focus Series) LexisNexis Butterworths Family Law Act 1975 (Cth)

**Assessment:**Assignment, Written research paper (not exceeding 2,500 words) following instruction and in class experiential group task, 40%. Examination, Written examination (3 hours), 60%. The total assessment in this unit is equivalent to 5,000 words.

## BLB3137 Elements of Regulation

**Locations:**City Queen.

**Prerequisites:**BLB 1114 - Legal Research Methods/BLB 1101 - Australian Legal System in Context

**Description:**We are surrounded by pervasive systems of regulation, from formal statutory frameworks through to informal modes of governance, contractually-based systems, self regulation and rules-based communities and environments. This unit explores the nature of regulation through practical, problem based learning scenarios that simulate real regulatory environments and strategies. The legal power of regulatory systems in the shaping social structures is explored through the role of the ethical professional in evaluating and reforming regulatory systems.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically review regulatory theory and apply this knowledge to complex problems arising in practical regulatory environments, while also respecting diversity, culture and values of that environment;
2. Logically analyse real-world problems involving the role of regulation in the 21st century and recommended innovative solution that would contribute to a more equitable and sustainable world;
3. Demonstrate advanced interpretation and professional writing skills in the context of legal, governance and regulatory systems;
4. Interpret and adapt regulatory strategies including statutory theory and technological approaches to regulation to balance individual and public good; and
5. Critically discuss the role of power and theories of governance in law reform as relevant to contemporary contexts.

**Class Contact:**Class contact of three hours per week (normally 2 hours of lecture and 1 hour of tutorial or workshop) or higher frequency of classes when taught in Burst Mode (eg Summer semester).

**Required Reading:**Twining W and Miers D 2010 5th Ed How to Do Things with Rules London/Cambridge University Press

**Assessment:**Case Study, Case study exercise (1000 words), 30%. Project, Project report (3500 words + footnotes & bibliography), 70%.

## BLB3138 Criminal Law 2

**Locations:**Footscray Park, City Queen, City Flinders.

**Prerequisites:**BLB 1101 - Australian Legal System in Context/BLB 1114 - Legal Research Methods/LLW1001 - Criminal Law

**Description:**BLB3128 Criminal Law 1 examined many substantive crimes and their genesis in the common law or statute law. This unit is designed to build on and extend that knowledge, by considering laws and concepts such as , drug and terrorist laws, capital punishment, identity theft and due process and crime control. The unit is also designed to move students beyond an understanding of black letter law to contextualise operations of criminal law principles in contemporary social, economic

and political Australian environment. To that end consideration will be given to a range of topics including due process and crime control, euthanasia, law and order politics, sentencing theory and practice, and capital punishment.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Contextualise the general principles of criminal liability in the social, political, and economic demands of contemporary societies;
2. Debate the social, economic and political factors that motivate governments to create new criminal laws;
3. Argue and justify the need for due process more than crime control in a range of contemporary authentic situations and consequently to any functioning parliamentary democracy;
4. Discourse comprehensively the debate between free will and determinism and interpret the role of neurosciences in the debate; and
5. Plan and conduct a research assignment applying criminal law theory and rules to contemporary situations.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr

**Required Reading:**Prescribed reading is extensive and is available from E-Reserve in Library (Queen Street). Lectures notes are recorded and are available on VU Collaborate

**Assessment:**Assignment, Research assignment (1,000 words), 25%. Assignment, Research assignment (1,000 words), 25%. Examination, Final Examination (3 hours), 50%. The total assessment in this unit is equivalent to 5,000 words.

## BLB3139 Law Reform

**Locations:**City Queen.

**Prerequisites:**BLB 1114 - Legal Research Methods/BLB 1101 - Australian Legal System in Context

**Description:**Legal professionals are ethically obliged to contribute to law reform in all different kinds of practice. This unit involves students in a real law reform process with outcomes directed at practical social change. This unit also develops an understanding of law reform as a body of public policy research, the role of public accountability and the impact these considerations have on research methods, public consultation and presentation of report findings.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Explain the law reform process and the roles performed by institutions of law reform such as commissions of inquiry;
2. Research the operation of law in the context of society;
3. Engage with the policy and political context of law reform;
4. Appraise ethical review of legal issues and understanding of role of accountability in the governance of the public sector; and
5. Demonstrate an ability to work in teams and to consult with key stakeholders and community groups.

**Required Reading:**Opeskin B and Weisbrot D 2005 The Promise of Law Reform Federation Press: Sydney

**Assessment:**Report, Reflective learning report (1000 words + footnotes & bibliography), 30%. Project, Project report (3500 words + footnotes & bibliography), 70%. The total assessment in this unit is equivalent to 4,500 words.

## BLB4104 Commercial Arbitration Law

**Locations:**City Queen.

**Prerequisites:**BLB 1102 - Contracts 1/LLW5000 - Advanced Commercial Law/Nil

**Description:**This unit of study will cover the law relating to domestic arbitration in a comprehensive compass. It will enable students to gain knowledge of the law applicable to the initiation and conduct of an arbitration as a form of alternative dispute resolution and the obtaining and enforcement of an arbitral award. Specific topics covered will include matters preliminary to arbitration, disputes that may be

referred to arbitration, the arbitration agreement, enforcing the agreement to arbitrate, appointment of the arbitrator(s), challenges to the appointment of arbitrators, the Commercial Arbitration Act 2011 and its operation in relation to domestic arbitration, the role of arbitral institutions, domestic arbitration as opposed to an international arbitration, the role of the courts in respect of arbitration, rules applicable to the conduct of arbitrations, procedural powers of arbitrators, confidentiality of proceedings, the arbitral award, making the award, challenges to the award, enforcement of the award and appeals from arbitrators. The relationship of arbitration to other methods of dispute resolution will form part of the unit of study. The unit of study presupposes a good knowledge of contract and commercial law. In addition to the statutory basis for arbitration in Victoria students will be expected to read and discuss a number of leading cases dealing with arbitration since much of the law of arbitration is contained in the cases.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Negotiate the principles of commercial arbitration law in a range of complex cases;
2. Critically evaluate and apply relevant sections of the Commercial Arbitration Act 2011 (Vic) to wide ranging relevant cases;
3. Communicate clearly and interpret appropriate arbitration agreements to given case study and practical situations and propose innovative solutions;
4. Identify and assess (given facts and circumstances) matters which can be the subject of arbitration with professional accountability and judgement;
5. Critically review the powers and duties of an arbitrator;
6. Analyse important considerations in the appointment and removal of arbitrators; and
7. Advise the application of awards, judicial review of awards and enforcement of domestic awards.

**Class Contact:** Thirty-six hours of class contact comprising of a combination of lectures, tutorials and group discussions to be delivered in burst mode face-to-face in Summer or Winter semester.

**Required Reading:** Commercial Arbitration Act 2011 (Vic) International Arbitration Act 1974 (Cth) Supreme Court of Victoria Practice Note No 2 of 2010 - Arbitration Business Detailed reading lists are available through the VU Law library

**Assessment:** Presentation, Presentation, 30%. Test, In-class test, 20%. Assignment, Assignment (2,500 words), 50%. The total assessment in this unit is equivalent to 5,000 words.

### BLB4105 Commercial Arbitration Practice and Procedure

**Locations:** City Queen.

**Prerequisites:** BLB4104 - Commercial Arbitration Law

**Description:** The unit of study provides specialised professional education for those interested in working in commercial arbitration. It brings together a range of knowledge and skills that are needed to be arbitrators in the running of the arbitral process and include the conduct of preliminary and directions hearings; the conduct of the hearing proper including rulings, awards and costs.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Apply processes and procedures of commercial arbitration to a variety of complex and contemporary case studies;
2. Communicate clearly and prepare documents relevant to an arbitration by applying relevant sections of commercial arbitration legislation;
3. Analyse the necessary stages of a commercial arbitration, from commencement to the award; and
4. Apply relevant procedural rules governing the conduct of parties and arbitrators to an authentic commercial dispute scenario with professional judgement.

**Class Contact:** Equivalent to thirty six hours per semester normally delivered in burst mode over Summer or Winter semester, as a combination of lecture, seminar,

tutorial and/or workshop or a delivery mode as approved by the College of Law and Justice. When the unit is taught in Burst mode, students should set aside significant time around the Bursts of face to face classes for self-study and completion of assessment tasks. Summer and Winter semesters are by nature more concentrated than traditional semesters of classes.

**Required Reading:** Commercial Arbitration Act 1984 (Vic) Detailed reading lists are available through the VU Collaborate space for this unit and in the Unit of Study Guide.

**Assessment:** Assignment, Scenario problem questions (maximum 500 words), 20%. Assignment, Analysis of jurisdiction issues in an arbitration scenario (maximum 2,500 words), 30%. Presentation, Team Moot Arbitration (Presentation/role play), 40%. Other, Written Memorandum to Solicitors on Arbitration scenario (maximum length: 2 A4 pages), 10%. The total assessment in this unit is equivalent to 5,000 words.

### BLB4135 Australian Employment Law

**Locations:** City Queen.

**Prerequisites:** BLB1101 - Australian Legal System in Context BLB1114 - Legal Research Methods BLB1102 - Contracts 1 Nil

**Description:** The aim of this unit is to introduce students to the underlying principles that make up the employment contract. These principles are drawn from two sources. Whilst the employment contract is a creature of the common law, it is increasingly affected by legislative intervention. Thus, both the common law approach to the control of the employment contract as well as legislative modification will be considered.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Synthesise fundamental areas of legal knowledge including the underlying principles and concepts related to employment law in Australia, and advocate resolutions to complex legal issues of employment law related to employment contract, the terms of the employment contract, the type of employment contract and issues of dismissal and industrial action;
2. Initiate creative solutions to complex employment law problems based on thorough analysis, legal reasoning and research;
3. Identify, research, evaluate and synthesise relevant factual, legal and policy issues with initiative and judgement;
4. Elucidate legal principles, problems and possible solutions effectively to both legal and non-legal audiences; and
5. Exemplify accountability for self-management of independent learning in a continuously changing 21st century professional world.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Macken, O'Grady, Sappideen and Warburton 2011 7th ed Macken's Law of Employment Thomson Reuters, Sydney.

**Assessment:** Assignment, Written assessment, 40%. Examination, 3 hour open book examination, 60%. The total assessment in this unit is equivalent to 5,000 words.

### BLB4136 Equity and Trusts

**Locations:** City Queen, City Flinders.

**Prerequisites:** BLB2125 - Real Property Law BLB1101 - Australian Legal System in Context BLB1114 - Legal Research Methods

**Description:** Equity and trusts refers to those important doctrinal and remedial developments arising from the exercise of equitable jurisdiction by the courts. This unit of study will cover the historical development and content of equity; the concept of a trust, creation of express trusts, the nature of implied, resulting and constructive

trusts; the concept of fiduciary obligations with particular reference to commercial settings and trustee's duties; Equity's supervision and control of trust powers and discretionary powers generally; the nature and significance of equitable remedies including the distinction between remedies of a personal and proprietary nature.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review collaboratively the historical reasons for a distinctive equitable jurisdiction;
2. Implement equitable principles in the resolution of a range of problems with initiative and professional judgment;
3. Theorise the principles that are relevant to both common law and equitable remedies and contextualise to authentic contemporary issues;
4. Convey equitable doctrines and their underlying themes with peer groups and professional communities of practice; and
5. Postulate the proper role of the general principles of law and equity in its social context.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Radan, C., Stewart, C (2013) Principles of Australian Equity & Trusts LexisNexis Butterworths

**Assessment:** Exercise, Online Quiz, 10%. Assignment, Research Assignment - Essay 2500 words, 40%. Examination, Final Examination, 50%.

### BLB4138 Conflict of Laws

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil

**Description:** This unit of study aims to give students an understanding of the methods by which all conflict disputes are resolved as well as an appreciation of the impact of the federal nature of our Constitution on the resolution of these disputes. Topics covered: Courts in one jurisdiction sometimes have to deal with cases involving a foreign law element, which arises from the law of another Australian State or Territory or that of another country. Conflict of Laws or Private International Law, as it is sometimes called, Examines the principles (including the constitutional principles) in relation to four main issues: the court's jurisdiction over the parties; the choice of law; the recognition and enforcement of foreign judgments (including those of other Australian courts); and the resolution of conflicts between different national laws. The law in relation to choice of law decisions is studied in the context of specific areas of law (eg. contracts, torts, property, succession and matrimonial causes).

**Credit Points:** 12

**Class Contact:** Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Davies, M., Staniforth, R. and Geoffrey, L., 1997, *Conflict of Laws: Commentary and Materials*, Butterworths, Sydney, Australia.

**Assessment:** Assignment (2,500 words), 40%; Final examination, 60%.

### BLB4140 Privacy and Media Law

**Locations:** City Queen.

**Prerequisites:** BLB1114 - Legal Research Methods BLB1101 - Australian Legal System in Context

**Description:** This unit of study introduces students to key issues in the nexus between law and both privacy and media (both traditional media and social media). The media (through print and electronic forms) is an increasingly pervasive social force,

negotiating social meaning and providing a forum for social issues. The potential for abuse and manipulation has seen an escalating level of regulation of media, both through formal legal apparatus and through self-regulatory systems. The impact of globalisation, centralisation of media control and convergent media simultaneously act to make the regulation of the media a more complex issue than it once was. This subject explores the regulation of media from the perspective of an autonomous media practitioner and explores key issues in media law and justice.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Elucidate a coherent critical, theoretical and technical knowledge with depth and social and global context in the area of Privacy and Media Law to a range of audiences;
2. Advocate solutions to complex practical problems with judgement and responsibility in advising and acting in matters involving Privacy and Media Law;
3. Provide specialist advice and functions with responsibility and accountability in the area of Privacy and Media Law related to local and global settings;
4. Critically analyse and evaluate information to complete a range of activities in the study of Privacy and Media Law; and
5. Adapt the necessary knowledge and skills to analyse, generate and transmit innovative solutions to unpredictable and complex 21st century problems in the area of Privacy and Media Law.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** Butler, D & Rodrick, S 2015 5th Australian Media Law Thomson Reuters

**Assessment:** Case Study, Moot and presentation (750 words), 15%. Assignment, Assignment (1500 words), 35%. Examination, Final exam, 50%.

### BLB4141 International Trade Law

**Locations:** Footscray Park, City Queen, City Flinders.

**Prerequisites:** BLB1101 - Australian Legal System in Context BLB1102 - Contracts 1BLB1114 - Legal Research Methods

**Description:** The aim of this unit of study is to provide a general introduction to the sources, nature and the scope of international trade law. It includes the functions and process of the World Trade Organisation, a detailed analyses of principles in the agreements of the Uruguay Round, the international trade dispute resolution regime, and trade related aspects such as services, intellectual property, agricultural products, and the functions of the International Monetary Fund and the World Bank.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review contemporary policies and legal issues in international trade regulation and its relevance to Australia;
2. Evaluate the concept of free trade and justify the international structures that foster the liberalisation of international trade;
3. Inspect and assess the United Nations convention on Contracts for the International Sale of Goods, 1980 (CISG), UNIDROIT Principles of International Commercial Contracts, Hague Convention on the Law applicable to International Commercial Contracts, and the Principles of European Contract Law and interrogate its impact on contemporary trade worldwide; and
4. Inspect and appraise INCOTERMS 2000 and the Uniform Customs and Practices for Documentary Credits (UCP 500).

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** Students must have access to the required text Mercurio B,

Trakman L, Kolsky L and Zeller B, (2010) International Business Law South Melbourne, Australia: Oxford University Press The Text "International Business Law" provides thorough coverage of the major legal issues affecting Australian businesses involved in international trade, enabling students to understand both the law itself and its applications. The authors have combined a range of case extracts and other materials with incisive commentary to create a student-friendly textbook that is Australia-specific, but with international applications.

**Assessment:** Presentation, Student presentation, 20%. Essay, Essay, 30%. Examination, Take home examination, 50%. Students will cover all four LOs via their assessments.

### BLB4142 Advanced Legal Research Dissertation

**Locations:** City Queen.

**Prerequisites:** BLB1101 - Australian Legal System in Context/BLB1114 - Legal Research Methods This unit is only available to students who have been enrolled in Bachelor of Laws (BLAW), Bachelor of Laws (Graduate Entry) (BLGE), Bachelor of Laws/Bachelor of Arts (BLAA), Bachelor of Laws/Bachelor of Business (BBLC, BBL, BLBA, BLBE, BLBF, BLBI, BLBM, BLBT, BLBU or BLEV) since PRIOR to 2015.

**Description:** The unit of study involves advanced legal research and writing on a topic of the student's choice. In consultation with the unit of study co-ordinator, students select their own research topics and formulate their research program. The topic should not duplicate a topic undertaken by a student in respect of coursework units of study for which a significant paper was written and submitted. The research and writing must be completed during one semester under the supervision of a member of staff and will involve the writing of a research paper of 6000 words.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Exemplify high level competency in legal research in respect of all categories of research materials: primary and secondary; domestic and foreign;
2. Conceptually map the intersection between theory and practice with intellectual independence;
3. Extrapolate and interpret legal research implications, knowledge and skills to provide solutions to complex legal problems related to local and global communities;
4. Exercise critical thinking and judgement in the learning and application of law, drawing on knowledge of research principles and methods of law and cognate disciplines;
5. Design and implement a research study to investigate an original question through analysis, critical review and interpretation of relevant data;
6. Compose a scholarly advanced legal research dissertation presenting a clear and coherent exposition of knowledge and ideas to a variety of audiences; and
7. Troubleshoot and manage a research project to successful completion.

**Class Contact:** Seminar 2.0 hrs As this unit involves the completion of an individual research dissertation, significant private study will be required. Seminars will also be conducted to assist students in developing and their research question and conduction their research - Unit Coordinator will provide further details at the beginning of each semester.

**Required Reading:** Australian Guide to Legal Citation, 3rd ed., Melbourne University Law Review website at: [mulr.law.unimelb.edu.au/go/AGLC3](http://mulr.law.unimelb.edu.au/go/AGLC3)

**Assessment:** Research Paper, 6000 words due week 12, 100%.

### BLB4143 Public International Law

**Locations:** City Queen, City Flinders.

**Prerequisites:** BLB1101 - Australian Legal System in Context/BLB1114 - Legal Research Methods/BLB3128 - Criminal Law/LLW1000 - Introduction to Public Law/Nil.

**Description:** This unit of study provides an overview of the key legal principles, rules, norms and players that operate at the international level. It compares and contrasts

the hallmarks of the Australian domestic legal system with that of the international system, focussing on sources of law, State responsibility, dispute resolution and enforcement mechanisms, and emerging themes for the future.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Elucidate a coherent critical, theoretical and technical knowledge with depth and social and global context in the area of Public International Law to a range of audiences;
2. Advocate solutions to complex practical problems in Public International Law with judgement and responsibility in advising and acting;
3. Provide specialist advice and functions with responsibility and accountability in the area of Public International Law in both global and local settings;
4. Critically analyse and evaluate information to complete a range of activities in the study of Public International Law; and
5. Adapt the necessary knowledge and skills to analyse, generate and transmit innovative solutions to unpredictable and complex 21st century problems in the area of Public International Law.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice Unit of study equal to 12 credit points.

**Required Reading:** Stephen Hall, 2014 4th Principles of International Law LexisNexis Butterworths Gillian Triggs, 2011 2nd International Law: Contemporary Principles and Practices LexisNexis Butterworths

**Assessment:** Assignment, Essay not exceeding 3000 words, 40%. Examination, Final Examination, 60%. The total assessment in this unit is equivalent to 5,000 words.

### BLB4144 European Union Law

**Locations:** City Queen, City Flinders.

**Prerequisites:** BLB1101 - Australian Legal System in Context/BLB1114 - Legal Research Methods/Nil.

**Description:** This unit of study primarily examines EU law and integration in their political, social and economic contexts. It covers a range of topics and issues including: European integration and the EU legal order: foundations, defining events, constitution; the sources of EU law, legislative acts, general principles of law and international agreements; the relationship between EU law and national law: direct effect and supremacy over conflicting national law; judicial remedies; ECJ: reasoning and techniques; enforcement of EU law; EU trade law and policy: the free movement of goods, workers and services and freedom of establishment; competition law and policy; anti-discrimination law; and future directions.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Elucidate a coherent critical, theoretical and technical knowledge with depth and social and global context in the area of European Union Law to a range of audiences;
2. Advocate solutions to complex practical problems involving EU Law;
3. Provide specialist advice and functions with responsibility and accountability in the area of EU Law;
4. Critically analyse and evaluate information to complete a range of activities in the study of EU Law; and
5. Adapt the necessary knowledge and skills to analyse, generate and transmit innovative solutions to unpredictable and complex 21st century problems in the area of EU Law.

**Class Contact:** Seminar 3.0 hrs Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Foster, Nigel (2014) 4th edition EU Law Directions Oxford University Press European Union Consolidated edition of Treaty on the Functioning of

the European Union (TFEU) (downloadable from <http://eur-lex.europa.eu>)

**Assessment:** Test, In class test, 10%. Assignment, Assignment (3000 words), 30%. Examination, Final Examination (3 hour) open book, 60%. The total assessment in this unit is equivalent to 5,000 words.

### BLB4145 Human Rights Law

**Locations:** City Queen.

**Prerequisites:** BLB 1101 - Australian Legal System in Context/BLB 1114 - Legal Research Methods

**Description:** BLB 4145 Human Rights Law will familiarise students with the international human rights system and the institutions and mechanisms that enforce human rights law. This course takes a thematic approach, considering the sources and scope of international Human Rights Law, major issues and dilemmas in human rights enforcement and the emergence of new themes within the human rights movement. Weeks 1-3 consider the legal foundation and scope of human rights. Weeks 4-6 outline the international institutions and mechanisms that seek to enforce human rights norms and law. Weeks 7-12 examine contemporary issues and developments in Human Rights Law.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Contextualise theoretical and technical knowledge of international human rights law and international institutions and enforcement mechanisms under the UN system through collaboratively analysing of contemporary issues;
2. Analyse and evaluate the effectiveness of international institutions in terms of functions, processes and outcomes;
3. Identify and analyse the challenges associated with, complex problems in human rights law from theoretical and practical perspectives and propose creative alternatives;
4. Contextualise and interpret the interface between international and domestic law and, the implications of international human rights law for Australian domestic law and practice; and
5. Advocate creative solutions by generating and transmitting cultural awareness around concepts of universality of human rights and the substance of universal human rights in diverse cultural contexts.

**Class Contact:** Lecture 2.0 hrs/Tutorial 1.0 hr/Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** McBeth, Nolan and Rice, 2011 *The International Law of Human Rights*, Oxford University Press Smith, 2012 5th edn *International Human Rights* Oxford University Press

**Assessment:** Presentation, Tutorial Presentation, 15%. Assignment, 2000 word Research Paper, 35%. Examination, Open book, 50%. The total assessment in this unit is equivalent to 5,000 words.

### BLB4146 Wills and the Administration of Estates

**Locations:** City Queen, City Flinders.

**Prerequisites:** BLB 1101 - Australian Legal System in Context/BLB 1114 - Legal Research Methods

**Description:** Wills and the Administration of Estates concerns those principles related to property when a person dies. The legal requirements for making a valid will are explored together with what is to occur if a person dies without making a declaration of their testamentary intention. Associated concepts include the granting of probate, duties and powers of executors and administrators together with the alteration and interpretation of a will.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Collaborate and critically review the cultural values expressed in the law of succession in the context of multicultural Australia;
2. Implement the legal requirements involved in making a valid will exemplifying professional judgment;
3. Theorise the principles that are relevant to interpretation of a valid will to a range of professional and non-professional audiences;
4. Canvass the process of administering an estate where there is no valid will in wide ranging circumstances; and
5. Postulate the proper role of the law when challenging dispositions made by a testator/testatrix.

**Class Contact:** Lecture 2.0 hrs/Tutorial 1.0 hr/Equivalent to three hours per week. One two hour lecture and one one-hour seminar per week. Unit of study equal to 12 credit points.

**Required Reading:** Mackie K 2013 *Principles of Australian Succession Law* Butterworths LexisNexis Croucher R, Vines, P 2013 *Succession: Families, Property and Death* LexisNexis Butterworths

**Assessment:** Assignment, Research Assignment 2,500 words, 40%. Examination, Final Examination, 60%. The total assessment in this unit is equivalent to 5,000 words.

### BLB5511 Plain English and Commercial Drafting

**Locations:** Online, City Queen.

**Prerequisites:** Nil.

**Description:** One of the main reasons why legal language is sometimes difficult to understand is that it is often very different from ordinary English. The writing conventions are different: sentences often have apparently peculiar structures, foreign phrases are sometimes used instead of English phrases and unusual pronouns are employed. In recent times, society has challenged the continued usefulness, and even validity, of traditional forms of legal writing and demanded a move towards the plain English drafting. This unit considers in detail the role of plain English in modern legal writing, with particular emphasis on contract drafting, and submission and advice writing. This unit will have a practical focus with students being required to engage in class discussions to examine the principles and techniques for writing law in plain English using real commercial documents.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review the formation of plain English guidelines and reconstruct documents comprehensible by non-professional audiences;
2. Draft comprehensive commercial legal documents of wide ranging complexity using plain English;
3. Apply plain English guidelines when drafting in a business and commercial setting; and
4. Advocate in plain English, regulatory decisions for a range of stakeholders in a number of ways, including briefs, responses and visa applications, while balancing the interests of individuals and public good.

**Class Contact:** Equivalent to 36 hours per semester normally to be delivered as a combination of tutorial and/or online delivery mode as approved by the College of Law and Justice.

**Required Reading:** Butt, P (2013) 3rd edition *Modern Legal Drafting - A guide to using clearer language* Cambridge University Press

**Assessment:** Assignment, Practical Assignment requiring students to draft a range of legal and commercial documents (3,500 words), 50%. Assignment, Redrafting Exercise requiring students to redraft a series of legal documents using plain English (3,500 words), 50%.

### BLB5513 Advanced Legal Research and Writing

**Locations:** Online, City Queen.



**Prerequisites:** Nil.

**Description:** This unit of study provides a comprehensive introduction to research methodologies in law, including the consideration of possible research topics for academic thesis/dissertations. Included in the unit of study matter of the course are examinations of the research process, considerations of ethical issues in legal research, problem definition and the research proposal, survey research, questionnaire design, quantitative research in law, and an exploration of different research paradigms and writing styles in legal research.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Interrogate and interpret legislation and case law as well as secondary legal materials and theorise about the applicability and limitations of experimental, survey and case study research; 2. Review, analyse and critique discipline-based legal knowledge to identify and interrogate complex problems and develop a broad perspective of discipline-related research undertakings, in the context of a fragmenting and globalising legal order; and 3. Conceptually map the research process identifying researchable problems and interdisciplinary approaches to investigating legal controversies and develop a defensible conceptual framework for research.

**Class Contact:** Seminar 7.5 hrs Equivalent to 36 hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** Wadsworth, Y. (2011) 3rd edition *Everyday Evaluation On the Run: The user-friendly introductory guide to effective evaluation* Crows Nest, NSW: Allen & Unwin

**Assessment:** Literature Review, Applying research methodology to legal issues and/or ethical issues in the workplace (1,000 words), 40%. Assignment, Applied legal research assignment on developing and responding to a request for tender (2,000 words), 50%. Presentation, Group presentation evaluating the effectiveness of a project, 10%.

## BLB5520 Dissertation

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil.

**Description:** Students will be required to select a research topic and negotiate the topic, research questions and research method in consultation with an appointed supervisor. A dissertation of 15,000 words is required for the standard degree, and 25,000 words for the Honours degree.

**Credit Points:** 24

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Research and write a dissertation paper of a publishable quality.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 24 credit points.

**Required Reading:** There are no required readings as such due to the varied nature of individual student's dissertation paper.

**Assessment:** Dissertation, Dissertation Paper, 100%.

## BLB5551 Introduction to Superannuation and Its Regulatory Environment

**Locations:** City Queen.

**Prerequisites:** Nil

**Description:** Retirement Savings in Australia - A Global Perspective, Retirement Savings, Programmes Around the World, The Demographic Imperative, Global responses to the problem, The Australian Response, Income in retirement - how much is enough?, The Development of Superannuation Funds, The birth of superannuation

funds, Expansion of benefits and coverage, Impact of tax and social security, Work force coverage and award superannuation, Problems with award and superannuation Superannuation guarantee charge, Choice of fund, Types of Superannuation Schemes, The Service Providers, Types of Investment Vehicles, Key investment characteristics, Superannuation investment vehicles, Average asset holdings of superannuation funds, Legal and Taxation Issues, Taxation, Regulatory framework, Superannuation Funds Assets, Assets - current position, Changes in preferred savings vehicles, Overview of Main Fund Types, The main fund types, Corporate Funds, Master trusts, Industry funds, Public sector funds, Review

**Credit Points:** 12

**Learning Outcomes:** At the end of this topic you should be able to: describe the development of superannuation in Australia; distinguish between defined benefit funds and accumulated benefit funds; identify the roles of the various service providers in superannuation; describe the key investment characteristics of each of the main classes of superannuation vehicles; outline the current state of superannuation assets in Australia and trends seen in superannuation holdings; outline the basic taxation issues to be considered in superannuation investments; differentiate between corporate funds, master trusts, public sector funds and industry funds on the basis of key superannuation issues.

**Class Contact:** Up to thirty-six hours, normally to be delivered as a combination of lecture, seminar, tutorial and/or workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The Australian Tax Practice 4 Volume loose-leaf service. Quinlivan, Beth, 1997, *The Dictionary of Superannuation* (available from the offices of the Association of Superannuation Funds of Australia), phone (02) 9264 9300, fax (02) 9264 8824.

**Assessment:** One research assignment (2,500 words), 50%; Final Examination, 50%.

## BLB5552 Duties of Superannuation Trustees

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil

**Description:** Who may be a Trustee? What is a trust? Trustee requirements; SIS restrictions; Roles of a Trustee; Legal Custodian; Executive officer; Fiduciary; Duties of a Trustee; Equitable duties; SIS duties; Partial codification of duties; Trustee subject to private law; Powers of a Trustee; Exercising a power; Types of power; Liability of a Trustee; Personal liability under law of equity; Liability of directors of a corporate trustee; Limitation of liability in trust deed; Statutory protection; Liability indemnity insurance; Right of reimbursement; Penalties under SIS; Becoming a Trustee; Considerations; Appointment; Retirement; Policy committees; Future of Trusteeship; Review.

**Credit Points:** 12

**Learning Outcomes:** At the end of this topic you should be able to: define the roles of a trustee as a legal custodian, executive officer and fiduciary; list and define the fiduciary duties imposed by the law of equity upon trustees; list and define the statutory duties imposed upon trustees of regulated superannuation funds by SIS; describe the powers of a trustee; understand the liability of trustees and the limitations of that liability; appreciate the impact of recent initiatives on the future of superannuation fund trusteeship.

**Class Contact:** Up to 36 Hours normally to be delivered as a combination of lecture, seminar, tutorial and/or workshop or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** Quinlivan, Beth, 1997, *The Dictionary of Superannuation* (available from the offices of the Association of Superannuation Funds of Australia), phone (02) 9264 9300, fax (02) 9264 8824. 2002/2003 Australian Master

Superannuation Guide, CCh Australia, phone 1300 300 224. The Australian Financial Review Dictionary of Investment terms, County Investment Management, 2000, Fifth Edition (also available at [www.investco.com.au](http://www.investco.com.au) website). The Australian Tax Practice, 4 Volume, loose-leaf service.

**Assessment:**One research assignment (2,500 words), 50%; Final Examination, 50%.

### BLB5553 Superannuation Compliance Framework

**Locations:**City Queen, City Flinders.

**Prerequisites:**(Nil)

**Description:**Overview: Why keep records and have information systems? What records are kept? Who keeps these records? For how long are these records maintained? How long a period are records to be kept? Compliance, Influencing Records, Legislation, Type of fund, Benefit type, Member Records, Basic member data, Tax Film Number, Records for defined benefit funds, Records for defined contribution plans, Plan Accounting Records, Introduction, Contribution income, Investment assets, Investment, Benefit payments, Fund expenses, Fund liabilities, Financial statement, New Members, Eligibility versus compulsion, Joining a plan, Reporting to Members, Annual statement, Information relating to significant events, Information on request, Benefit Payments, Information to members, Processing termination payments, Other administrative considerations, Plan Returns and Reports, ASIC requirements, Public offer funds, Annual reports to members, APRA requirements, Audit requirements, Other annual report, Current Issues, Casual employees, Fund choice, Member investment choice, Divorce, What is a rollover? What can be rolled over? What can't be rolled over? Tax reasons for rolling over, How rollovers are taxed? Roll over options, Consolidating benefits, Superannuation funds and RSAs, Approved Deposit Funds, Annuities, Review.

**Credit Points:** 12

**Learning Outcomes:**At the end of this topic you should be able to: describe the Commonwealth Government's power to regulate superannuation under the Constitution; explain the principles of common law relevant to superannuation, trust law and fiduciary principles; outline the standards under the Superannuation Industry (Supervision) Act 1993 (Cth) and accompanying Regulations (SIS) which superannuation funds are required to meet for concessional tax treatment; distinguish between complying and non-complying superannuation funds and outline the taxation treatment of complying and non-complying superannuation funds, under the Income Tax Assessment Act 1936 (Cth) (1936 Tax Act); explain what member investment choice is, and outline the effects on trustees of a fund offering member investment choice; outline the regulation of funds which fall under the Corporations Act rather than SIS; explain the regulatory structure and taxation of life insurance companies; outline the compulsory provision of superannuation by employers, including the Superannuation Guarantee Charge; outline the changes established by the Financial Services Reform Act (FSR) and the Family Law Legislation Amendment (Superannuation) Act; understand the effect of recent developments.

**Class Contact:**Up to thirty-six hours normally to be delivered as a combination of lecture, seminar, tutorial and/or workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Quinlivan, Beth, 1997, The Dictionary of Superannuation (available from the offices of the Association of Superannuation Funds of Australia), phone (02) 9264 9300, fax (02) 9264 8824. 2002/2003, Australian Master Superannuation Guide, CCh Australia, phone 1300 300 224. The Australian Financial Review Dictionary of Investment terms from County Investment Management, 2000, Fifth Edition (also available at [www.investco.com.au](http://www.investco.com.au) website). The Australian Tax Practice, 4 Volume, loose-leaf service.

**Assessment:**One research assignment (2,500 words), 50%; Final Examination, 50%.

### BLB5554 Taxation of Superannuation

**Locations:**City Queen, City Flinders.

**Prerequisites:**Nil.

**Description:**The unit of study gives an overview of the policy and legislative framework for the taxation of superannuation. It covers superannuation contributions, the taxation of superannuation funds in Part IX of the Income Tax Assessment Act 1936 (Cth), reasonable benefit limits, the taxation of eligible termination payments and the taxation of pensions and annuities.

**Credit Points:** 12

**Learning Outcomes:**Students will have a detailed understanding of the policies, technical rules and current practical problems involved in the taxation of superannuation.

**Class Contact:**Up to thirty-six hours normally to be delivered as a combination of lecture, seminar, tutorial and/or workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Robert M. C. Brown et al, Australian Superannuation Practice, Australian Tax Practice, Sydney. 1988 - to date (loose leaf) CCH Australia, 2004, Superannuation: Taxation Materials, CCH Australia, Sydney.

**Assessment:**Research assignment (2,500 words), 50%; Final Examination, 50%.

### BLB5555 Commercial Contracts

**Locations:**City Queen.

**Prerequisites:**Nil.

**Description:**The unit of study gives an overview of the fundamentals of contract law and will enable students to understand the principles and their application to commercial transactions. It will examine the historical development of contract, its place in economic and other theories of law and the impact of globalisation on domestic contract regimes.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Apply the fundamental principles of contract law and apply them to complex commercial transactions;
2. Identify and explain the essential elements of a valid and enforceable contract;
3. Discuss the structure of commercial contracts and explain key terms in contracts;
4. Critically analyse a range of strategies for negotiating business contracts;
5. Articulate legal risks that might arise during the negotiation of commercial contracts;
6. Discuss strategies for managing commercial contracts and managing the performance of contractual obligations;
7. Critically evaluate the application of key consumer protection provisions under the Australian Consumer Law and the application of key anti-competition provisions under the Competition and Consumer Act 2010 (Cth) in commercial transactions; and
8. Apply relevant provisions of the Personal Property Securities Act 2009 (Cth) in commercial transactions, and explain the nature of government and insurance contracts in commercial transactions.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial, online discussion and/or workshops or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**J W Carter, E Peden and G Tolhurst (2012) 6th Ed Contract Law in Australia LexisNexis K E Lindgren (2011) 12th Ed Vermeesch and Lindgren's Business Law of Australia LexisNexis Melbourne University Law Review (2010) 3rd Ed Australian Guide to Legal Citation Melbourne University Law Review

**Assessment:** Assignment, Practical Assignment 1, 10%. Assignment, Practical Assignment 2, 40%. Examination, Final Examination, 50%. The above assessments are equivalent to 6,000 words.

### **BLB5557 Commercial Arbitration Law**

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil.

**Description:** This unit of study will cover the law relating to domestic arbitration in a comprehensive compass. It will enable students to gain knowledge of the law applicable to the initiation and conduct of an arbitration as a form of alternative dispute resolution and the obtaining and enforcement of an arbitral award. Specific topics covered will include matters preliminary to arbitration, disputes that may be referred to arbitration, the arbitration agreement, enforcing the duty to arbitrate, appointment of the arbitrator(s), challenges to the appointment of arbitrators, the Commercial Arbitration Act 2011 and its operation in relation to domestic arbitration, the role of arbitral institutions, what is domestic arbitration as opposed to an international arbitration, the role of the court in respect of arbitration, rules applicable to the conduct of arbitrations, procedural powers of arbitrators, confidentiality of proceedings, the arbitral award, making the award, challenges to the award, enforcement of the award and appeals from arbitrators. The relationship of arbitration to other methods of dispute resolution will form part of the unit of study. The unit of study presupposes a good knowledge of contract and commercial law. In addition to the statutory basis for arbitration in Victoria students will be expected to read and discuss a number of leading cases dealing with arbitration since much of the law of arbitration is contained in the cases.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students should be able to: 1. Critically apply the principles of commercial arbitration law with professional judgement and responsibility in a range of complex, authentic cases, 2. Critically evaluate and apply relevant sections of the Commercial Arbitration Act 2011 (Vic) to interpret wide ranging relevant cases, 3. Interpret appropriate arbitration agreements to given case studies and practical situations and propose innovative solutions to hypothetical stakeholders, 4. Identify and assess (given facts and circumstances) matters which can be the subject of arbitration with professional accountability and develop new ideas, 5. Critically review the powers, duties and appropriate professional ethical standards of an arbitrator, 6. Conceptually map important considerations in the appointment and removal of arbitrators and justify the adaptation of these considerations to contemporary hypothetical situations, 7. Advise the application of awards, judicial review of awards and enforcement of domestic awards in a range of local and international cases.

**Class Contact:** Thirty-six comprising of a combination of lectures, tutorials and group discussions to be delivered in either burst mode or face-to-face over one semester.

**Required Reading:** Commercial Arbitration Act 2011 (Vic) International Arbitration Act 1974 (Cth) Supreme Court of Victoria Practice Note No 2 of 2010 - Arbitration Business

**Assessment:** Test, In class test, 20%. Presentation, In class presentation, 30%. Examination, Final examination, 50%. The total assessment in this unit is equivalent to 5,000 words.

### **BLB5558 Commercial Arbitration Practice and Procedure**

**Locations:** City Queen.

**Prerequisites:** BLB5557 - Commercial Arbitration Law

**Description:** The unit of study provides specialised professional education for those working in commercial arbitration. It brings together a range of knowledge and skills that are needed by arbitrators in the running of the arbitral process. These skills

include the conduct of preliminary and directions hearings; the conduct of the hearing proper including rulings, awards and costs.

**Credit Points:** 12

**Learning Outcomes:** A thorough knowledge of the conduct of an arbitration from directions hearing through to the handing down of a final arbitral award.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Commercial Arbitration Act 1984 (Vic)

**Assessment:** Seminar Participation, 20%; Role Play Moot Arbitration, 80%.

### **BLB5559 International Commercial Arbitration**

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study introduces students to international arbitration and deals with the following topics: the relevant legal instruments creating jurisdiction, the role and work of arbitral institutions, pre-commencement considerations, gathering and dealing with evidence, commencing an arbitration proceeding, nominating and challenging arbitrators, challenging the jurisdiction of the tribunal, interim protective measures, disclosure and discovery, procedural orders and interim awards, oral and written arguments, opening statements, techniques of examination, awards including: \*awards on jurisdiction and applicable law, partial awards and final awards, \*awards on interest and awards on costs, the correction of awards and additional awards and the enforcement and setting aside of awards.

**Credit Points:** 12

**Learning Outcomes:** Students will understand and evaluate the role of arbitration in international commercial disputes.

**Class Contact:** Equivalent to thirty-six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Marcus Jacobs, 1992, International Commercial Arbitration in Australia: Law and Practice, Law Book Co, Sydney.

**Assessment:** Two practical exercises during the course, 50%; One research essay or case study (2500 words), 50%.

### **BLB5560 Judgement, Decision and Award Writing**

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil.

**Description:** Parties who resort to the Arbitral process, whatever its results for them, need assurance that they have a fair hearing. To a small extent, information as to this can come from the conduct of the Arbitrator during the hearing. But the major source of such information is the judgement, decision and award of the Arbitrator. Such documents must accurately disclose the cast of mind of the Arbitrator. They must convey a logical train of thought in the decision making. They must convey that evidence or other materials upon which the Arbitrator has acted and why he has done so. They must convey that evidence or other material upon which the Arbitrator is not prepared to act and why. They must convey a sufficient understanding of the relevant legislation and authorities and the manner in which the Arbitrator has used them in decision making. They must convey a sufficient understanding in the Arbitrator of the Advocates submissions and why some have been upheld and some rejected. Hence the necessity for this unit of study for Arbitrators. It is also necessary for Advocates in that it enable them to detect flaws and errors in judgements and decisions made in the Arbitral process.

**Credit Points:** 12

**Learning Outcomes:** A thorough knowledge of the principles of judgment, decision

and award writing.

**Class Contact:** One semester, thirty six hours over a 4-day intensive period. Unit of study equal to 12 credit points.

**Required Reading:** Commercial Arbitration Act 1984 (Vic) International Arbitration Act 1974 (Cth).

**Assessment:** Take home examination paper or term paper at election of candidate. The writing of a judgement, decision etc upon an agreed set of facts.

### **BLB6001 Cultural Diversity and Community Participation in Crime Control**

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil

**Description:** The unit of study considers recent community based approaches to crime control, policing, criminal justice and treatment of offenders and victims. It considers how cultural values and formations influence perceptions of crime and responses to it within communities, both local and transnational. Case studies include the roles of informal networks, local governance, customary norms and diversion programs. As well as academic insights, students will gain experience as regulators with community relations such as the conduct of consultations and meetings.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Johnston, L. and Shearing, C., 2002, *Governing Security: Explorations in Policing and Justice*, Routledge, London. Strang, H. and Braithwaite, J. (ed), 2001, *Restorative Justice and Civil Society*, Cambridge University Press, Melbourne.

**Assessment:** One research assignment (2500 words), 50%; One group exercise (2500 words), 50%.

### **BLB6002 Compliance and Self-Regulation: the Corporate Role**

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil

**Description:** The unit of study studies recent strategies that seek to guide systems and personnel within corporations to take responsibility for preventing and remedying harm. It highlights the emergence of the compliance officer and considers how these officers might deal effectively with external regulatory agencies and with their own executives and colleagues. As well as academic insights, students will gain experience as regulators with the design of internal processes, such as ethics and oversight committees, plans and audits.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Parker, C., 2002, *The Open Corporation: Effective Self-Regulation and Democracy*, Cambridge University Press, Melbourne. Clough, J. and Mulhern, C., 2002, *The Prosecution of Corporations and their Officers*, Oxford University Press, Melbourne.

**Assessment:** One case study (2500 words), 50%; One essay (2500 words), 50%.

### **BLB6003 Cross-Border Regulation**

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil

**Description:** The unit of study traces the growth of functional regulatory networks and international organizations (such as Interpol, OECD, IOSCO and the Basle Committee) and the development of informal understandings, cooperative

procedures, codes of conduct and international standards for regulation. It considers their relationships with private centers of power and the authority of nation states.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Braithwaite, J. and Drahos, P., 2000, *Global Business Regulation*, Cambridge University Press. Stessens, G., 2000, *Money Laundering: A New International Law Enforcement Model*, Cambridge University Press, Cambridge. Deflem, M., 2002, *Policing World Society: Historical Foundations of International Police Cooperation*, Oxford University Press, Oxford.

**Assessment:** One report (2500 words), 50%; One research assignment (2500 words), 50%.

### **BLB6004 Multi-Jurisdictional Criminal Justice**

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil

**Description:** The unit of study follows the characteristic steps through which criminal and other regulatory offences are prosecuted and defended. It assesses the variety of means which are employed to mediate the conflicts of law that arise. These include the use of constitutional and legislative documents, civil liberties and human rights, choices of law and location, conflict of laws doctrine, and extradition and enforcement of judgements treaties.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Kittichaisaree, K., 2001, *International Criminal Law*, Oxford University Press, Melbourne. Hirst, M., 2003, *Jurisdiction and the Ambit of the Criminal Law*, Oxford University Press, Oxford.

**Assessment:** One report (2500 words), 50%; One case assignment (2500 words), 50%.

### **BLB6005 Research Methods and Professional Standards**

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil.

**Description:** The unit of study identifies the range of professionals involved today in regulatory policy making, such as accountants, engineers, lawyers, medical specialists and psychologists. Through case studies, it compares the approaches they take to research, the formulation of issues, the weighing of evidence and the recommendation of reforms. Topics include the identification of hazards and harms, the determination of breaches, and the treatment of offenders. It examines the ways their expertise is subjected to scrutiny, both internally within codes of professional conduct and externally in the courts and the new administrative law.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Fieckelton, I. and Seby, H., 2002, *Expert Evidence: Law, Practice, Procedure and Advocacy*, 2nd edn, Lawbook Co, Sydney. Freeman, M. and Reece, H. (eds), 1998, *Science in Court*, Ashgate, Aldershot.

**Assessment:** One case study (2500 words), 50%; One essay (2500 words), 50%.

### **BLB6007 Public Interest Litigation and Civil Remed**

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil

**Description:** Both the common law and legislative schemes provide regulatory agencies and private citizens with opportunities to sue wrongdoers for civil remedies. Through case studies and practice guides, the unit of study explores the uses made of civil action. It considers such innovations in litigation as class actions, conditional fees, and civil penalties and responses to litigiousness like case management, ADR, limitation of liability and statutory insurance funds. The civil action will be compared with other strategies including criminal prosecution and law reform campaigns. This unit will be taught with input from a public interest law centre such as the consumer law centre, environmental defender's office or the public interest advocacy centre.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Australian Law Reform commission, Civil and Administrative Penalties, Discussion Paper 65, April 2002, PIAC. Symes, T., Renger, M. and Paradise, N., 1996, Environmental Litigation, Federation Press, Sydney.

**Assessment:** One research assignment (2500 words), 50%; One practical exercise (preparation and delivery of brief), 50%.

### **BLB6608 Contemporary Regulatory Policy and Law**

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil

**Description:** Pursuing case studies, the unit of study evaluates the experience with different regulatory strategies, including the strategy of criminalizing conduct, and alternative approaches such as self-regulation, risk management, economic incentives, civil liability, administrative procedures, private contracting and public provision.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Baldwin, R. and Cave, M., 1999, Understanding Regulation: Theory, Strategy and Practice, Oxford University Press, Oxford. Campbell, D. and Picciotto, S. (eds), 2002, New Directions in Regulatory Theory, Blackwell, Oxford.

**Assessment:** One literature study (2500 words), 50%; One research assignment (2500 words), 50%.

### **BLB6630 Tax Administration and Practice**

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study examines the procedural requirements for the efficient tax administration and practice and covers the following topics: (a) the universal concept of income and self assessment in the Australian taxation system; (b) the interaction of section 51 and section 55 of the Constitution with the Income Tax Assessment Act 1936 and the power of the Commissioner in respect of taxation; (c) the power of the Commissioner to issue notices of assessment and the reliance on section 175 for the validity of assessment and section 177 as conclusive evidence of the tax liability; (d) the objection, review and appeal process to challenge the validity of the assessment; (e) the Freedom of Information Act as an effective tool for the taxpayer to obtain information from the Australian Taxation Office; (f) the private ruling system and the legal effect of a private ruling; (g) the Commissioner's power to access information and documents under section 263, 264 and 264A of the Income Tax Assessment Act; (h) the taxpayer's claim to legal professional privilege; (i) the structure of administrative penalties and the Commissioner's

discretionary power.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will have a sound knowledge and understanding of the following:

- the power and the authority of the Commissioner to impose income tax;
- the statutory framework provided in sections 263, 264 and 264A of the Income Tax Act 1936 giving power to the Commissioner to gather information and documents for the proper administration of the tax legislation;
- the procedure adopted by the Commissioner to serve a notice of assessment, a notice of amended assessment and recovery of outstanding tax liability;
- the taxpayer's defence to recovery proceedings, objections and appeal process to challenge the notice of assessment;
- ATO Rulings and principles in relation to penalty provisions;
- procedure for the application of private rulings to the Commissioner and the legal effect of private rulings;
- the penalty tax regime and the Commissioner's discretionary power to impose and remit penalties; and
- the criminal offences and consequences arising from breaches of the tax legislation.

**Class Contact:** Equivalent to thirty-six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of the unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### **BLB6631 Taxation of Trusts, Companies and Partnerships**

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study aims to provide an analysis of the law relating to the following: (a) the meaning of Trust and Trust Estate; (b) the position of a beneficiary and a trustee in relation to tax liability in general; (c) the special position of infants and beneficiaries under a disability in relation to tax liability under a trust; (d) the nature of beneficiary's interest in fixed and unit trusts; (e) the legal consequences and tax implications arising from deceased estates; (f) issues of capital gains and losses arising under Part IIIA; (g) tax consequences for 'New Generation' trust stripping schemes; (h) withholding tax liability of non-resident beneficiaries of Australian trusts; (i) the application of the 'use test' for interest deductions; (j) the rules in relation to company tax liability by private, public companies and shareholders receiving income by way of dividends; (k) the responsibility of company directors in relation to tax liability by the company; (l) the tax rules in relation to partnership and tax liability by the partners.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will have a thorough knowledge and understanding of the following:

- the relevant trust relationship;
- whether the Commissioner can ignore the trust relationship in certain situations;
- the position of trustees and beneficiaries: liability to tax in general;
- the operation of the provisions of Part IIIA of the Income Tax Act;
- the tax position of a beneficiary under a legal disability and presently entitled and a beneficiary not under a legal disability and presently entitled;
- the nature of a beneficiary's interest in fixed, unit trusts, discretionary trusts and deceased estates;
- Trustees: compliance with Act and payment of Tax.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6632 Capital Gains Tax: Principles and Problems

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study aims to provide the student with a sound knowledge and understanding of the Capital Gains Tax regime by studying the following topics: (a) the history of Capital Gains Tax in Australia: economic, fiscal and political considerations; (b) the design and structure of the Capital Gains Tax regime; (c) the essential elements of the Capital Gains Tax Legislation: 'asset' 'acquisition' and 'Capital Gains Tax event'; (d) the relationship of Capital Gains Tax provisions with other provisions in the Act; (e) capital gains receipts as a special kind of income: 'statutory income'; (f) the identification of a Capital Gains Tax event; (g) the extensive meaning of 'property': creating contractual and other rights; (h) the exceptions and exemptions to capital gains and losses; (i) special circumstances and reliefs under the roll-over provisions; (j) special concessions for small business; (k) the effect of death upon the asset; (l) Capital Gains Tax consequences for non-residents making a capital gains or loss; (m) Capital Gains Tax and the value shifting regime; (n) the transfer of assets as a result of court orders.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will have:

- an understanding of the historical background of taxation of Capital Gains in Australia;
- an up to date knowledge of the Capital Gains Tax statutory framework;
- a capacity to identify the events that trigger the operation of the Capital Gains Tax legislation and be able to advise;
- a capacity to identify and differentiate between capital and income for the purpose of the Capital Gains Tax legislation;
- a working knowledge of the calculation of capital gains and losses.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as

approved by the College of Law and Justice. Unit of study equal to 12 credit points.  
**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6633 Issues and Principles in Gst Legislation

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study aims to analyse and explain the way the GST legislation operates by looking at the following topics: (a) what is GST? (b) what is the meaning of 'supply' and 'supplier' in the context of the GST legislation; (c) GST liability and input tax credits; (d) the requirement of registration for GST purposes; (e) basis of accounting, tax periods and payment of GST; (f) GST-free supplies; (g) the application of GST to groups and joint ventures; (h) GST: financial supplies; (i) GST: buying and selling a business as the supply; (j) GST: real property as the supply. The effect of the 'margin' method; (k) GST: imports and exports of goods; (l) GST related offences: penalties and criminal consequences.

**Credit Points:** 12

**Learning Outcomes:** A student who has completed this subject will have a thorough knowledge and understanding of the following:

- the aims, objectives and policy behind the GST legislation;
- the statutory framework of the GST legislation including its structure and rules;
- the impact that GST has on business procedures and practices;
- the way GST applies and operates;
- who carries the burden of GST: collection and remittance;
- the special rules of GST exemptions and GST-free supplies;
- the way GST applies to real estate.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6634 International Taxation and Transfer Pricing

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study aims to provide the student with an understanding of the way the Australian taxation system deals with matters of international taxation by studying the following topics: (a) the universal concept of income that underpins the Income Tax Assessment Act 1936; (b) the concepts of 'resident' and 'non-resident' according to the Income Tax Assessment Act 1936 (c) the avoidance of double taxation and the Double Tax Agreements between Australia and other contracting parties; (d) the interaction between the domestic law, the International Agreement Act and the Double Tax Agreements; (e) the OECD Model Convention and

the Double Tax Agreements; (f) the role of the courts in interpreting Double Tax Agreements; (g) the power of the Commissioner to gather information from overseas jurisdictions about enquiries in taxation matters; (h) the OECD policy on international tax practices; (i) world trends in tax policy; (j) recent developments in transfer pricing; (k) recent developments and practical problems in controlled foreign corporation (CFC) rules.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed this subject will have a thorough understanding of the following:

- the provisions in the Australian taxation system dealing with international taxation;
- the way the Income Tax Assessment Act 1936 interacts with overseas jurisdictions;
- the various provisions in the Double Tax Agreements between Australia and the other contracting parties in relation to certain taxes of non-residents;
- the taxation of trust distribution, dividends and income to foreign residents from an Australian source;
- the taxation of income, trust receipts and dividends by an Australian resident from a foreign source;
- the power of the commissioner to gather information in relation to an audit from a foreign taxing authority;
- the way the OECD Model Convention deals with matters of international taxation.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6635 Taxation and Investment Law in Asia

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** The unit of study examines the following: (a) the key elements and factors in the evolution of the regime for foreign investment; (b) the regulatory framework related to foreign investment; (c) the role of national government in investment promotion policies and programs; (d) the salient features of the off-shore company regime in Labuan as a tax haven in the Asian-Pacific region; (e) the legal implications of the ASEAN Free Trade Agreement as a consequence of the Common Effective Preferential Tariff (CEPT); (f) the potential impact of AFTA (Asian Free Trade Agreement) and ASEAN Preferential Trade Agreement to improve economic co-operation in the Asian Pacific region; (g) the importance of bilateral tax agreements between Australia and the Asian countries in relation to transfer pricing and the operation of Part IVA of the Income Tax Act; (h) tax considerations in structuring the ownership of an international business; (i) tax aspects of cross-border mergers and acquisitions; (j) tax planning for out-bound investments.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will have a sound knowledge of:

- the taxation regimes of the countries in the Asian region;
- the various incentives that such countries provide for the attraction of foreign capital;
- a comparison of the taxation incentives offered by the countries in the Asian region;
- Labuan as a tax haven in the Asian-Pacific region;
- the economic, legal and taxation systems of the countries in the Asian Pacific region;
- the advantages and disadvantages for foreign investors wishing to invest in such countries.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6636 Anti-Avoidance Provisions in Australia, the US and European Union Countries

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** Topics to be studied include: (a) the legislative framework and operation of Part IVA as a general anti avoidance provision in Australia; (b) the deficiency of sec. 260 of the Act and the background to Part IVA; (c) issues about the operation of Part IVA in the light of recent decisions; (d) the identification of a scheme, tax benefit and dominant purpose for the operation of Part IVA; (e) dividend stripping arrangements falling within Part IVA; (f) the international exchange of information on tax matters contained in the OECD Model Convention and the UN Model Convention and the rights of tax payers to review; (g) overview of anti avoidance practice in the US and European Union countries and a comparison with Part IVA provisions; (h) the role of the tax profession in relation to tax avoidance.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will:

- have a thorough understanding of the policy underlying the anti-avoidance provisions;
- have a thorough understanding of the relationship of the anti-avoidance provisions to the preservation of the revenue base of the state;
- the law relating to anti-avoidance in Australia and other selected countries;
- have a thorough understanding of the impact on tax structures so as to be able to advise in the area;
- be able to scrutinize a commercial transaction and establish whether the motivation dominant purpose and benefit behind the scheme of the taxpayer were designed for tax planning or tax avoidance;
- have a sound knowledge of the legislative framework of Part IVA;

- have an up to date knowledge of the courts' interpretation of the elements constituting a scheme for the purpose of Part IVA;
- have a thorough understanding of the procedures adopted by the Australian Taxation Office and foreign taxing authorities to gather information regarding an international commercial transaction with tax avoidance implications.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6637 Legal Professional Privilege: Current Developments

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study aims to provide an analysis and historical development of the legal professional privilege by studying the following topics: (a) the government's right to access information and documents to ensure the taxpayers pay their full taxes and that the provisions of the tax legislation are observed; (b) the common law development of the legal professional privilege to protect the individual right to privacy and self incrimination; (c) the ATO powers of access provided in the statutory framework of sections 263, 264 and 264A of the Income Tax Assessment Act 1936; (d) the interaction between legal professional privilege and access powers; (e) the rationale for legal professional privilege and the content of the privilege; (f) exceptional circumstances which render legal professional privilege inapplicable, waiver and abrogation of the privilege by legislative intent; (g) legal professional privilege and third party communication; (h) the Commonwealth Evidence Act 1995 and legal professional privilege; (i) the Commissioner's perspective on the legal professional privilege; (j) proposals for reform of the law on legal professional privilege.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will have a thorough knowledge and awareness of the following:

- the historical development of the law on legal professional privilege;
- the competing interests of the individual's right to privacy and the state's right to access information and documents;
- the extensive powers of access contained in sections 263, 264 and 264A of the Income Tax Assessment Act 1936;
- the remedies available to the taxpayer: injunctive relief, judicial review and freedom of information;
- the circumstances in which legal professional privilege may be claimed and exemptions to the rule;
- challenges of legal professional privilege and how the claim of privilege is handled by the Australian Taxation Office.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6638 Criminal Law, the Tax Adviser and the Tax Payer

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study examines the criminal law risks for the tax adviser and the taxpayer by analysing the following areas: (a) the structure of the criminal code and the general principles and responsibility under the laws of the Commonwealth; (b) the law of complicity as it applies to tax advisers; (c) the potential criminal liability of tax advisers and the dividing line between discharging one's professional obligation and participating in a criminal enterprise; (d) the necessity to identify the client, dealing with the client and the potential conflict of interest; (e) the operation of the Commonwealth Evidence Act 1995 and the limitation on legal professional privilege; (f) the Commissioner's access and information gathering powers under section 263 and section 264 of the Income Tax Assessment Act 1936: some issues for tax advisers and criminal law practitioners.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will have an understanding of:

- the changing role and landscape of the tax adviser in the commercial world;
- the Australian taxation system based on the assumption of honesty;
- the criminal law risks involved in tax practice for both the tax adviser and the taxpayer;
- the fine distinction between tax avoidance and tax planning schemes from a criminal law point of view;
- the caution and steps to be employed by the tax adviser in promoting and advising on a tax scheme;
- the courts' unpredictability in determining a particular commercial transaction as an illegal scheme under Part IVA and the conclusion of fraudulent behaviour by the tax adviser;
- matters and issues that the tax adviser should not overlook in offering tax advice;
- the criminal law as it applies to international tax advisers and their clients.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6639 Advanced Taxation of Capital Gains

**Locations:** City Queen.



**Prerequisites:** Nil.

**Description:** This unit of study examines the statutory framework of the Capital Gains Tax legislation and the way it applies in practice by studying the following topics: (a) the notion of asset in the context of the Capital Gains Tax legislation; (b) what constitutes a disposal and 'deemed' disposal as a CGT event; (c) the calculation of the cost base of the asset, capital gains and losses; (d) involuntary disposal of asset; (e) the special rules for non-arm's length transactions; (g) Capital Gains Tax consequences in restructuring mergers, consolidations and roll-overs; (h) Capital Gains Tax consequences in marriage break-down roll-overs as a result of court orders; (i) Capital Gains Tax rules for non-residents; (j) Capital Gains Tax and double tax agreements; (k) Capital Gains Tax and the value shifting rules.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will have a thorough knowledge of the following:

- the policy, economic and fiscal considerations behind the introduction of the Capital Gains Tax legislation;
- an overview of the statutory framework of the Capital Gains Tax legislation;
- the way net capital gains and losses are calculated;
- the events that trigger the operation of the Capital Gains Tax legislation;
- the application of Capital Gains Tax legislation to trusts, companies and partnerships;
- when an asset becomes a CGT asset and the end of a CGT asset;
- general CGT exemptions and exempt taxpayers under the legislation;
- Capital Gains Tax consequences of a deceased estate.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6640 Taxation in Multinational Companies

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study examines the Income Tax Assessment Act 1936 provisions that apply to multinational companies that operate within Australia by studying the following topics: (a) The concept of multinational corporations; (b) The problems of taxing corporations; (c) The rules relating to the taxation of multinational companies; (d) anti-avoidance provisions affecting the operations of multinational companies; (e) the operation of double tax treaties to multinational companies.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will have a thorough understanding of:

- the law and practice in relation to the taxation of multinational companies operating within Australia;

- the law and practice in relation to multinational companies with Australian interests operating outside Australia;
- the relationship between the double tax treaties and multinational companies in relation to taxation.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

### BLB6641 Reform and Social Analysis of Tax Legislation

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study aims to provide the student with a critical assessment of the social consequences of tax law by studying the following areas: (a) the historical development of the Australian taxation system; (b) the concept of tax as an economic tool to achieve an equitable distribution of wealth in society; (c) the fluid concept of fairness and social justice within the fiscal policies and taxation system in Australia; (d) the relationship between the Australian taxation system and the management of the economy; (e) is there scope within the Australian taxation system for the family rather than the individual being the taxpayer?; (f) the Australian taxation system is based on convenience and expediency rather than social justice; (g) the Australian taxation system should take into account 'bracket creep'; (h) Australian public attitudes to taxation: distributive justice and equality of opportunity; (i) why religious and charitable institutions are treated differently by the Australian taxation system; (j) the fiscal policies of the major political parties; (k) tax reform as an implement of social change.

**Credit Points:** 12

**Learning Outcomes:** A student who has successfully completed the subject will have an understanding of:

- the history of tax;
- the role of tax in society;
- the process of tax reform;
- the manner in which tax reform is implemented;
- the role of tax as an implement of social change;
- the relationship between tax and the economic philosophies in society.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** The tax legislation and the course materials which will be issued to the students prior to the commencement of the unit of study.

**Assessment:** Minor thesis of 2000 words within six weeks of commencement of unit of study, 30%; Research thesis of 6000 words on a topic chosen by the student and approved by the lecturers of the unit of study. Such thesis to be completed within four weeks from the completion of the unit of study, 70%.

## BLO1105 Business Law

**Locations:**Footscray Park, VU Sydney, City Flinders.

**Prerequisites:**PROHIBITION: This unit is not available to law students at VU or elsewhere, whether undertaking a single, combined or honours level law degree.

**Description:**This unit aims to provide students with an understanding and awareness of the basic principles of Contract Law, a familiarity with relevant case law and an introduction to the statutory provisions pertinent to the course. The instructional methodology is also aimed at providing students with a format from which they may develop an understanding of legal reasoning as it applies to the analysis of contractual relationships. This Unit aims to provide students with a working knowledge and overview of the legal system. Students will understand and be able to speak, write and read comprehensively in the language and terminology of Business Law. Students will gain an appreciation of contract and business law issues. Students will learn skills they can apply in their working life to avoid problem situations, and awareness of possible areas requiring reform. Students will learn techniques to locate the appropriate law to apply law to a contract problem.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Identify legal issues in common business law scenarios, analyse and discuss the stakeholders legal rights and responsibilities;
2. Accurately articulate and explain the legal rights, duties and responsibilities of parties in a business context;
3. Research, apply and accurately reference the appropriate law from particular statutes and case law relevant to specified contexts;
4. Demonstrate a working knowledge of the law relating to contract issues by analysing problem scenarios and applying relevant legal principles to advise on likely possible legal outcomes; and
5. Clearly articulate individual interpretation of business law issues and application of relevant knowledge to others.

**Class Contact:**Lecture2.0 hrsTutorial1.0 hrEquivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**A link to download the "Business Law Manual", is available from the unit VU Collaborate site. Other selected readings will be made available via the unit VU Collaborate site.Parker D and Box G, 2013 3rd ed Business Law for Business Students Sydney, Thomson Custom Publishing

**Assessment:**Test, Online or in class, 10%. Assignment, Essay, 30%. Other, Tutorial Participation, 10%. Examination, Final Exam, 50%.

## BLO2205 Corporate Law

**Locations:**Footscray Park, VU Sydney, City Flinders.

**Prerequisites:**BLO1105 - Business LawPROHIBITION: This unit is not available to any law students at VU or elsewhere whether enrolled in a single, combined or honours level law degree.

**Description:**This unit examines the principles relating to different business organisations. Students will critically review non-corporate business forms including associations, sole trader, partnerships, trusts and joint ventures. More particularly, the unit of study provides students with a sound understanding of the principles of company law and develop their ability to apply those principles to situations they may encounter in their professional lives. Topics covered include: types of companies; registration of a company; corporate personality; corporate veil and lifting the corporate veil; company constitution; contracts made by the company; prospectus provisions; share capital; loan capital and security; directors and officers, directors duties; fraud on the minority and oppression of minority shareholders.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Appraise the different legal frameworks of various business structures available for conducting business, and understand and apply statute law and common law in related problem solving;
2. Differentiate between the various types of companies, the effect of incorporation on each of them and explain the separate entity doctrine;
3. To be able to contextualise the role of the company constitution in the internal regulation of each of those types of companies and the powers of the corporation, its managers and agents to engage in dealings with "outsiders". Conceptualise the nature of shares and share capital requirements of the company and the regulatory framework of capital raising by the company;
4. Determine and articulate duties of directors and other officers and their important role in corporate governance in contemporary changing Australian and multinational scenarios; and
5. Argue the rights of shareholders and remedies available to shareholders when their rights are affected. Identify when a company is in financial distress and be able to prescribe the types of options available to companies in financial distress facing external administration.

**Class Contact:**Lecture2.0 hrsTutorial1.0 hrEquivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Lipton, P, Herzberg, A and Welsh, M 2016 18th edition Understanding Company Law Sydney, Thomson Reuters Students should possess their own copies of the Corporations Act 2001 (latest edition). CCH, Corporations and Securities Legislation Latest Edition; or Butterworths, Australian Corporations Legislation; Latest Edition; or Law Book Company Ltd, Companies and Securities Legislation.

**Assessment:**Case Study, Case study- including multiple choice online case study task, 10%. Assignment, Essay, 30%. Examination, Final Examination (Open Book), 60%.

## BLO2206 Taxation Law and Practice

**Locations:**Footscray Park, VU Sydney, City Flinders.

**Prerequisites:**NOT COMPATIBLE: BLB4135 Taxation law PRE-REQUISITE: Before undertaking this unit, students must have successfully completed either BLO1105 Business Law OR BLB1102 Contracts 1. PROHIBITION: This unit is not available to students enrolled in ANY single or combined law degree at VU or elsewhere. Law students who wish to undertake Tax law studies are directed to undertake the unit BLB3134 Taxation law.

**Description:**The aim of this unit is to introduce students to the general principles of the taxation laws of Australia through a study of the Income Tax Assessment Act 1936 and Income Tax Assessment Act 1997 and other important legislative provisions as well as a study of the common law applying to taxation principles.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Elucidate an understanding of theoretical and technical knowledge of taxation law principles as they apply through both legislation and common law;
2. Apply taxation law for both individuals and business entities in Australia;
3. Analyse some of the theoretical issues applying to taxation law, both in Australia and in other jurisdictions;
4. Apply taxation principles to make basic calculations as required by a practitioner in taxation practice;
5. Analyse, generate and transmit solutions to complex problems in relation to taxation matters;
6. Describe the various agencies and administrative bodies who can give further information on taxation issues as required; and
7. Exemplify accountability for self-management of independent learning in a continuously changing 21st century professional world.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Coleman, C, Hanegbi, R, Jogarajan, S, Krever, R, Obst, W, Teoh, J, Ting, A, (2016), Principles of Taxation Law Thomson Reuters.

**Assessment:**Assignment, Essay (2,000 words), 30%. Examination, Final examination (3 hours), 70%. Students only need receive a result of 50% overall, not a pass in both the exam and the assignment.

## **BLO2207 Employment Law**

**Locations:**Footscray Park.

**Prerequisites:**BLO1105 - Business Law This unit is incompatible with BLO4135 and BLO5513. Students who have completed either of these units are precluded from undertaking this unit. This unit is also not available to any students currently enrolled in any law course at VU or elsewhere. Law students wishing to undertake employment law studies are advised to undertake BLO4135.

**Description:**The unit challenge students to develop knowledge and skills in the area of Employment Law. Topics include: an introduction to Australian labour law; the sources of Australian employment law; the nature of the employment relationship; the content of the contract of employment, express terms, implied terms; recruitment and limits of managerial control over hiring; termination and remedies at common law; statutory remedies for arbitrary termination; preventative legislation; discrimination in employment; occupational health and safety issues; reforming the system. This unit is not compatible with BLO4135

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:  
1. Appraise the factors that determine the existence of the employment relationship in a wide range of situations;  
2. Contrast and compare the employment relationship with other type of work relationships;  
3. Authenticate the terms of an employment contract through its establishment;  
4. Critically evaluate the role of legislation on the employment relationship in contemporary Australia;  
5. Advise the rights and duties that arise from the employment relationship in given situations; and  
6. Argue factors that shape the development of the employment relationship in 21st century work settings.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Price & Nielsen 4th ed Principles of Employment Law Thomson Reuters Recommended reading: Sappideen, O'Grady, Riley, Macken's Law of Employment, Thomson Reuter's 8th edn.

**Assessment:**Assignment, Assignment, 30%. Examination, Final Examination, 70%.

## **BLO2401 Music Industry Law**

**Locations:**Footscray Park.

**Prerequisites:**Students are highly recommended to undertake BEO2403 prior to undertaking this unit.

**Description:**The aim of this unit is to explain the main legislative provisions giving copyright protection, copyright implications in various music products including broadcasts, sampling and new technologies. Students will be expected to explain the role of a music publisher and a record company, options in recording and publishing contracts and relevant international perspectives.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Argue the main legislative provisions which give copyright protection in the music industry and propose ethical and creative solutions to authentic, complex problems in the area;  
2. Analyse and assess the implications of copyright and contracts in various music product formats and environments as applicable to the changing 21st century context;  
3. Advise with professional judgement, music industry players on the legal implications of their activities; and  
4. Identify and compare music law from a variety of international perspectives and discuss challenges from a contemporary Australian standpoint.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Simpson, S. latest Music Business Omnibus

**Assessment:**Presentation, Presentation, 10%. Assignment, Assignment (1,000 words), 20%. Assignment, Assignment (1,000 words), 20%. Examination, Examination (2.5 hours), 50%.

## **BLO2502 Transport Law**

**Locations:**Online, City Queen.

**Prerequisites:**Nil.

**Description:**Transport Law is unique in that it provides domestic and international students with the opportunity to study both maritime (or shipping) law and aviation law. These two areas of law relate to the world's most important means of personal and commercial transportation. This unit aims to familiarise students with the Australian legal system and its regulation of Aviation Law and Maritime Law including important commercial legal principles and regulatory frameworks relevant to key aspects of aviation and maritime transport operations within Australia and overseas. Some of the topics include contractual aspects of aviation- and maritime- related transactions and applicable international conventions, proprietary- and security-related interests in aircraft and marine vessels and insurance and liability considerations associated with aviation and maritime operations, including employment.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:  
1. Critically review the Australian legal system and its regulation of Aviation Law and Maritime Law and of national and international aviation and maritime systems and the laws that govern them;  
2. Contextualise knowledge and skills of the domestic and international regulatory environments governing Australian aviation and maritime operations, including domestic and international bodies to contemporary issues in the area;  
3. Resolve authentic problems relating to the contractual aspects of aviation- and maritime- related transactions, including applicable international conventions with initiative and judgment;  
4. Advocate the application of proprietary- and security- related interests in aircraft and marine vessels in contemporary cases; and  
5. Propose and justify creative resolutions to significant insurance and liability issues associated with aviation and maritime operations, including employment with professional responsibility.

**Class Contact:**Online delivery mode (Semester 1): Weekly online seminar of 3 hours duration over 12 weeks Face to Face delivery mode (Semester 2): Weekly 3 hour seminar

**Required Reading:**Bartsch, R. 4th edn Aviation law in Australia Thomson Reuters Law Book Co Davies, M., & Dickey, A. 3rd edn Shipping Law Thomson Reuters Law Book Co

**Assessment:**Test, Online Test, 20%. Essay, Essay (2000 words), 40%. Essay, Essay (2000 words), 40%.

## BLO3351 Legal Topics A

**Locations:**Footscray Park.

**Prerequisites:**BLO2205 - Corporate Law

**Description:**This unit of study is designed to assist students in their future careers by enlarging their understanding of certain areas of law, which are of particular relevance in a business context. The topic selection varies but past topics have included the law relating to: intellectual property, securities industry, consumer protection, insurance, employment, bailments and liens, privacy and censorship. Special legal topics have been introduced as required.

**Credit Points:** 12

**Class Contact:** Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**To be advised by lecturer.

**Assessment:**Research paper, 50%; Final examination, 50%.

## BLO3352 Legal Topics B

**Locations:**Footscray Park.

**Prerequisites:**BLO1105 - Business Law This pre-requisite does not apply to courses ABSJ and ABSL.

**Description:**This unit of study is intended to increase students' knowledge of areas of the law that will assist them to contribute in the business community. The selection of topics includes: alternative dispute resolution; administrative law; the law relating to wills, probate and administration; special legislation which will include an examination of the resolution of disputes under the Family Law Act 1975.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Diagnose situations requiring the application of the principles of alternative dispute resolution and propose ethical and innovative resolutions;
2. Interpret the functions and processes involved in administrative law, succession law, human rights, equal opportunity and anti-discrimination law in complex contemporary issues;
3. Research, apply and appropriately reference the appropriate law and policy from particular statutes, case law, treaties and conventions; and
4. Advocate the relevant law relating to administrative decisions; wills and probate issues; human rights, equal opportunity and discrimination issues; and family law issues in resolving complex problems in multicultural Australian contexts.

**Class Contact:** Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Latimer, P. 2013 32nd Australian Business Law CCH

Recommended Texts: Vermeesch R. B and Lindgren K. E., Business Law of Australia, 12th edition, Butterworths (2012)

**Assessment:**Presentation, Student presentations, 10%. Assignment, Research Assignment 2500 words, 30%. Examination, Final Examination 2.5 hours (all topics), 60%.

## BLO3405 Law of Financial Institutions and Securities

**Locations:**Footscray Park, City Flinders.

**Prerequisites:**Prior to undertaking this unit, Students must have successfully completed BLO1105 Business Law OR BLB1102 Contracts Law.

**Description:**The unit investigates the legal framework within which bank and non-bank Authorised Deposit-taking Institutions (ADIs) operate. Students will critically

review their regulation under legislation, the general law and the Industry Codes; the assessment and operation of securities accepted by them; and the legal consequences of a borrower's insolvency. Topics to be investigated include: the legal setting of the Australian banking system, nature of the banker customer relationship, the conduct of financial institutions and their responsibilities to customers, cheques, negotiable instruments, securities, credit cards and electronic banking services, and insolvency.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically analyse legal issues commonly arising in the Australian financial and banking industries;
2. Determine and articulate the legal rights, duties and responsibilities of parties in a banker-customer relationship to achieve a balance of individual and public interest;
3. Interpret and apply legislation, case law and industry codes to problem scenarios; and
4. Review current legal issues affecting the banking sector.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**A Tyree, 2014 8th Ed Banking Law in Australia LexisNexis

**Assessment:**Presentation, Tutorial presentation, 5%. Assignment, Case study, 25%. Examination, Open book exam, 70%.

## BLO3451 Catering and Hotel Law

**Locations:**Footscray Park.

**Prerequisites:**BLO1105 - Business Law

**Description:**The aim of the unit of study is not to impact a rigorous legal training but to produce intelligent lay persons informed of the legal obligations, rights and privileges attaching to their future professions. Particular areas of the law to be looked at include various aspects of business law and consumer protection law, liquor control, innkeepers, gaming and food law. This unit of study covers the interpretation, comprehension and application of the body of law affecting the hospitality industry. Although the unit of study does not pretend to be exhaustive, it is hoped that it will provide the student with a working knowledge of where relevant law is to be found, what such law consists of, and how it is practically applied.

**Credit Points:** 12

**Class Contact:** Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Vermeesch, R.B. and Lindgren, K.E., Business Law in Australia, CCH.

**Assessment:**Tests, assignments and examinations, 100%.

## BLO5010 Fundamentals of Insurance Law

**Locations:**Industry, Online, City Queen, City Flinders.

**Prerequisites:**Nil.

**Description:**This unit of study will focus on core legal principals underlying modern general insurance practice including the principles of utmost good faith, indemnity, subrogation, contribution, insurable interest and proximate cause. It will start by addressing common law principles before moving to a discussion of key legislation affecting the insurance industry and market practice in Australia, drawing parallels and contrasting with equivalent legislation in other jurisdictions where applicable. Applicable legislation, regulations and industry codes of practice examined include the Insurance Contracts Act 1984, Corporations Act 2001 (Financial Services Reform

provisions), and prudential regulation such as the Insurance Act 1973.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit of study, students should be able to:

- explain the main elements of common law and legislation affecting the Australian insurance market and outline possible differences in selected other jurisdictions;
- describe and apply (given facts and circumstances) the principles of utmost good faith, indemnity, subrogation, contribution, insurable interest and proximate cause in relation to insurance contracts in respect of a common law position, a policy subject to the Insurance Contracts Act, and a Marine Insurance Contract;
- explain and apply the relevant sections of the Insurance Contracts Act 1984, Corporations Act 2001 (Financial Services Reform provisions), and prudential regulation such as the Insurance Act 1973 to given case study and practical situations; and
- provide appropriate advice in relation to policy administration, disputes, claims settlement and compliance issues.

**Class Contact:** This unit of study will be delivered through a combination of distance learning, regular mini assignments and on-line tutorials. Students will be expected to undertake additional self study to complete an assessed assignment and a final examination.

**Required Reading:** Manning, A (2010) Mannings Six Principles of General Insurance Mannings of Melbourne Pty Ltd Kelly, David and Ball, Michael (2001) Principles of Insurance Law In Australia and New Zealand Butterworths Mann, Peter and Lewis, Candice (2012) Annotated Insurance Contracts Act Law Book Co, Sydney Tomasic, Roman and Bottomley, Stephen (2002) Corporations Law in Australia Federation Press

**Assessment:** Assignment, Online discussion participation and report, 20%.

Assignment, Case studies, 30%. Examination, Final examination consisting of a combination of short and essay style questions requiring more detailed responses, 50%.

### **BLO5011 The Insurance Market- Practice and Regulation**

**Locations:** Industry, Online, City Queen, City Flinders.

**Prerequisites:** Nil.

**Description:** This unit of study will help students develop an appreciation and understanding of the insurance industry, including the origins and development of insurance, the modern insurance market, market forces and practice, an awareness and fundamental understanding of the range of products and product lines available and insurable risks confronting (a) an individual and (b) a small business, an understanding of the concepts of risk, peril, hazard, loss and uncertainty, the general construction of a typical insurance policy, information required for hazard analysis and rating, and an overview of the function, principles and types of reinsurance contracts.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit of study, students should be able to:

- describe the historical context to the modern insurance market and the origins of key insurance principles including reinsurance and explain the market forces shaping the modern market;
- critically evaluate the "insurability" of a given risk with reference to the theoretical framework;
- assess, for a given personal or business circumstance, some major areas of insurable risk exposure and be able to provide examples of commercial and personal insurance products which might be required by a given client and be able to discuss the advantages and disadvantages of each;
- describe the typical content of an insurance policy and explain the function of (a) operative clause (b) PDS, (c) exclusions, (d) conditions and warranties, (e) claims provisions and (f) definitions; and
- analyse and compare essential elements of insurance contracts for different providers and make recommendations for a client based on such an analysis including identify potential gaps.

**Class Contact:** This unit of study will be delivered through a combination of distance learning, regular mini assignments and on-line tutorials. Students will be expected to undertake additional self study to complete an assessed assignment and a final examination.

**Required Reading:** Manning, A (2011) It May Happen to Me! The Essential Guide to General Insurance Mannings of Melbourne Bickelhaupt, D.L. (2010) General Insurance R D Irwin Berwick, G. (2007) The Executives Guide to Insurance and Risk Management Quality Results Pty Ltd trading as QR Consulting Berliner, Baruch (2010) The Limits of Insurability of Risks Prentice-Hall

**Assessment:** Test, Online test, 20%. Assignment, Case study incorporating policy comparison exercise, needs analysis and making recommendations, 40%. Examination, Final examination consisting of a combination of short and essay style questions requiring more detailed responses, 40%.

### **BLO5012 Introduction to Property Insurance**

**Locations:** Industry, Online, City Queen, City Flinders.

**Prerequisites:** Nil.

**Description:** This unit of study focuses on the underwriting and transaction of commercial property insurance including risk assessment and needs analysis, consideration of exposures, assessment of policy wordings, terms and conditions, risk selection and rating, operation of a profitable property portfolio and the handling of property losses. The unit of study will illustrate the various principles and legal background to property insurance underwriting, broking and claims handling through a study of applicable cases and examples.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit of study, students should be able to:

- assess a property risk with reference to the core considerations of occupation, construction, location and protection;
- identify, isolate and assess the risks for various cover elements including critically evaluate possible gaps in coverage given a particular property risk and policy wording;
- critically evaluate the effectiveness of risk mitigation strategies for property risks and recommend appropriate lines of investigation to assess a risk;

- critically evaluate package policy wordings using tools available on the market including assessing replacement value conditions, extra cost of reinstatement, exclusions and extensions to the basic cover; and
- identify important considerations in property claims assessment and apply legal principles in the assessment of claims including contribution, subrogation, onus of proof, ultimate good faith and proximate cause.

**Class Contact:** This unit of study will be delivered through a combination of distance learning, regular mini assignments and on-line tutorials. Students will be expected to undertake additional self study to complete an assessed assignment and a final examination.

**Required Reading:** Malcolm Hyde, Brendan McCarthy and James Deacon (2009) Property Insurance Law and Claims Witherby Insurance and Legal Berwick, G. (2007) The Executives Guide to Insurance and Risk Management Quality Results Pty Ltd trading as QR Consulting

**Assessment:** Other, Telephone interview, file note and letter activity, 20%. Assignment, Case study incorporating an analysis of a complex property insurance risk, 40%. Examination, Final examination consisting of a combination of short and essay style questions requiring more detailed responses, 40%.

### BLO5013 Introduction to Liability Insurance

**Locations:** Industry, Online, City Queen, City Flinders.

**Prerequisites:** Nil.

**Description:** This unit of study focuses on the underwriting and transaction of commercial liability insurance including risk assessment and needs analysis, consideration of exposures, assessment of policy wordings, terms and conditions, risk selection and rating, operation of a profitable liability portfolio and the handling of public and product liability claims. The unit of study will illustrate the various principles and legal background to liability insurance underwriting, broking and claims handling through a study of applicable cases and examples. It also introduces management and professional liability lines, as a foundation for further more advanced study in these specialised and technical insurance product lines.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit of study, students should be able to:

- describe and explain the various areas of common law, statute and contract law which could give rise to an exposure under a liability insurance contract;
- describe the responsibilities of a manufacturer and distributor under current legislation in Australia;
- evaluate factors to be taken into account in the underwriting of commercial liability risks;
- explain common elements of a package policy wording including operative clause, definitions, cover, exclusions, extensions, claims provisions and the difference between claims made and claims incurred policies; and
- critically evaluate exposures not covered by a broadform liability wording and possible modifications of cover required for particular situations and clients.

**Class Contact:** This unit of study will be delivered through a combination of distance learning, regular mini assignments and on-line tutorials. Students will be expected to undertake additional self study to complete an assessed assignment and a final

examination.

**Required Reading:** Ashton, R and Derrington, D (2004) The Law of Liability Insurance Butterworths Trindade, F and Cane, P (2011) The Law of Torts in Australia Oxford University Press

**Assessment:** Assignment, Case Study incorporating an analysis of a commercial liability insurance risk, 40%. Examination, Final Examination consisting of a combination of short and essay style questions requiring more detailed responses, 60%.

### BLO5400 Sport and the Law

**Locations:** City Flinders.

**Prerequisites:** Nil.

**Description:** This unit of study addresses sport policies and practices in the context of the Australian legal system and the law. An overview of the Australian legal system will be followed by an examination of a number of applied legal issues in sport which include: statutory requirements for sport and sport science institutions, injury liability, duty of care, health and safety, anti-discrimination and equal opportunity, contracts, restraint of trade and other trade practices. Consideration will also be given to the legal implications of the introduction of new communication and medical technologies in sporting organisations and practices, natural justice and sport tribunals, defamation, and contract law.

**Credit Points:** 12

**Learning Outcomes:** To alert students to the wide range of legal issues involved in sport and recreation; To provide students with an understanding of the legal issues involved in commercial aspects of sport and the running of sporting organisations; To give students confidence to deal with legal issues in sport and recreation, including taking part in discussions and making oral presentations; To teach students the ability to read and write in a law style; and To teach students to become competent consumers of legal advice and to recognise the circumstances when they should seek such advice.

**Class Contact:** Equivalent to thirty-six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Healey, D., 1996, Sport and Law, 2nd edn, UNSW Press, Sydney.

**Assessment:** Papers/presentations, 50%; Examinations, 50%.

### BLO5406 Law for Events

**Locations:** City Flinders.

**Prerequisites:** Nil.

**Description:** The unit of study aims to examine events regulations/statutes, contracts and agreements, insurance and liabilities (local, national and international), workers awards, compensation, benefits, entitlements, working environment considerations and requirements, impact on local community, with an emphasis on the practitioner's perspective.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** To be advised by lecturer.

**Assessment:** Minor assignment, 40%; Major assignment, 60%.

### BLO5513 Law of Employment

**Locations:** City Flinders.

**Prerequisites:** Nil.

**Description:** This unit critically examines aspects of industrial law required for highly

skilled professional practice in the vocational aspects of employment laws. Students will respond to authentic problems, proficiently applying and adapting the skills necessary to propose optimal solutions to legal problems which may arise in contemporary and emerging industrial arenas. Critical and creative thinking will inform strategizing techniques and the ability to substantiate or validate innovative resolutions to challenges which may arise in professional practice such as contract of employment; termination of employment; worker's safety; and equal opportunity law.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review the ways in which the common law impacts on the employment relationships;
2. Identify and apply legislation that applies to the employer/employee relationship including occupational health and safety legislation;
3. Critically reflect upon theoretical approaches informing legal principles and analyse their application across a range of employment contract categories;
4. Discriminate between the rights and responsibilities of parties to a contract of employment in a dispute situation;
5. Critique the legitimacy of a termination of employment and justify conclusions through the presentation of corroborating evidence;
6. Analyse scenarios representing common employment disputes to recommend suitable resolution measures or outcomes and to hypothesise likely outcomes; and
7. Exemplify professional judgement in applying the procedures for establishing an enterprise bargain agreement that demonstrates a critical understanding of the organisation or section's community practice/values and an individual's responsibilities within these.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Van der Waarden 3rd ed Outline of Employment Law Lexis Nexis  
**RECOMMENDED READINGS:** Macken, O'Grady, Sappideen, Warburton, The Law of Employment, 6th ed. Thomson Reuters

**Assessment:** Assignment, Research Assignment 3000 words, 30%. Examination, Examination 3 hours with 15 min reading time, 70%.

### **BLO5537 Business Law**

**Locations:** City Flinders.

**Prerequisites:** Nil.

**Description:** This unit of study aims to: provide students with a working knowledge and overview of the legal system - students will understand and be able to speak, write and read in the language and technology of business law; provide students with an appreciation of contract and tort law issues - students in their working life should be able to avoid problem situations, and possibly be more aware of the need for reform in particular areas; and, to enable students to learn the techniques of finding the appropriate law when necessary to apply law to a contract problem. The unit of study includes: an introduction to the law, an examination of the litigation process, onus of proof, the sources of law in Australia, precedent, the court system and tribunals in Victoria; criminal and the law of tort as it relates to business; a study of the law of negligence with a particular emphasis on professional liability for negligent statements and advice; the definition of a contract and the information of contractual situations examining rules of offer and acceptance etc.; termination of offers, rules of consideration, revocation of offer and acceptance, intention to be legally bound, certainty and terms; a study of breach of contract of non fulfilment of particular terms in the contract; an examination of the different remedies available under the law; the interaction of tort law with contract; statutory schemes relating to

contract with particular reference to the Trades Practices Act 1974 (Cth) and to the Goods (Sales and Leases) Act 1981 (Vic); discharge of contract by different occurrences such as frustration, mutual agreement, illegality and mistake.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Identify the contractual legal issues in a business situation;
2. Set out the rights, duties and responsibilities of different parties in a business context;
3. Directly extract the appropriate law from particular statutes and case law; and
4. Have a working knowledge of the law of contract, negligence and related commercial law issues.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Parker, D. and Box, G., Business Law for Business Students, (most recent edition), Thomson Custom Publishing. Latimer, P., Australian Business Law, (most recent edition), CCH.

**Assessment:** Research assignment, 40%; Examination, 60%.

### **BLO5538 Company Law**

**Locations:** City Flinders.

**Prerequisites:** BLO5537 - Business Law

**Description:** To provide students with: a working knowledge and overview of company law; an appreciation of the company forms, the advantages and disadvantages attached to this business organisation; and to enable students to learn the techniques of finding the appropriate law when they wish to apply law to a company principle. The unit of study includes: historical background to Corporations Law, registration and its legal effects; types of companies and the process of incorporation; corporate constitution, fundraising and the protection of investors; corporate management; rights of minority shareholders; law of meetings; takeovers; share capital; loan capital; insolvency.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. An understanding of the principles of corporations law;
2. An understanding of the relevant provisions of the Corporations Act 2001 (Cth) and of the common law and equity;
3. Be able to apply the relevant law relating to the creation, operation and winding up of companies;
4. Be familiar with the contexts in which laws relating to companies are significant;
5. Be able to find the relevant law and law reform proposals relating to companies;
6. Be able to analyse applicable policies underlying rules and principles relating to companies; and
7. Have improved skills in legal research and writing, critical analysis, problem solving, advocacy, client presentation and communication.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** To be advised by lecturer.

**Assessment:** Mid-semester Test, 20%; Essay, 20%; Final examination, 60%.

### **BLO5539 Australian Income Tax Law and Practice**

**Locations:** VU Sydney, City Flinders.

**Prerequisites:** BLO5540 - Business and Company Law

**Description:** This unit explores the income tax regime in Australia, through a critical review of the Income Tax Assessment Act 1936 and Income Tax Assessment Act 1997, as well as other important legislative provisions relevant to the GST and Fringe Benefits Tax. The concepts that make up the notion of taxable income and

how tax payable is calculated will be interrogated from a range of perspectives. Australia's Goods and Services Tax (the GST) and Fringe Benefits Tax (FBT) and its application in wide ranging settings will be reviewed. Key taxation issues relating to a range of business structures including sole traders, partnerships, trusts and companies will also be analysed in this unit.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review relevant legislative provisions from the Income Tax Assessment Act 1936 and Income Tax Assessment Act 1997 in identified contexts and situations;
2. Argue convincingly drawing on key provisions from Australia's tax legislation legislative provisions to resolve complex problems;
3. Resolve tax problems by applying the role of the common law in Australia's income tax system and principles from key tax cases;
4. Critique the role of Taxation Rulings in Australia's income tax system and interpret Taxation Rulings on topics relevant to the unit;
5. Interrogate the interaction between the GST, Fringe Benefits Tax and Income Tax in Australia; and
6. Exemplify professional judgements and advise on issues relating to tax payable by individuals, and companies and other business structures in order to calculate an amount of tax payable or advise on a dispute that may alter the amount of tax payable.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr Three hours per week delivered as 1 seminar once a week.

**Required Reading:** C Coleman, R Hanegbi, S Jogarajan, R Kiever, W Obst, J Teoh, A Ting, 2016 Principles of Taxation Law Thomson Reuters

**Assessment:** Assignment, Individual Research Assignment, 30%. Examination, Test (Optional) 20%, 0%. Examination, Individual final exam (open book = 70%) (50% if Optional test is taken), 70%. The above assessments have a total equivalent word count of 7000 to 8000 words. Graded Assessment consists of: (1) Assignment (30%) AND (2) either of the following (at the student's option): (a) Test (20%) AND individual open book Exam (50%); OR (b) individual open book Exam (70%).

## BLO5540 Business and Company Law

**Locations:** VU Sydney, City Flinders.

**Prerequisites:** Nil.

**Description:** This unit of study examines two broad and distinct areas of the law starting with the law of contract. Contract Law is the building block for all further study of law. The unit will critically examine the basic principles of contract law and interrogate the nature and legal consequences of contract, formation of contract, legal capacity, performance of contract, breach of contract and remedies. The second part of the unit will critically review relevant laws in relation to company law. Topics covered include: types of companies; corporate personality; company constitution; contracts made by the company; share capital and loan capital; directors and officers duties; shareholders remedies. The coverage of these topics however will be minimal and students will demonstrate high levels of personal autonomy and accountability and information literacy as they evaluate complex ideas and concepts and apply established legal frameworks to contemporary business situations and companies. This unit will equip the students with knowledge of relevant business rules and regulations to help them in managing contemporary business organisations dynamically and efficiently.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review the Australian legal system and institutions relevant to commercial actors and advisors and argue its relevance in managing contemporary business organisations;
2. Critically examine the general areas of contract and corporate law and regulation encountered by commercial actors in local and global settings;
- 3.

4. Justify legal rules in an ex post manner (i.e. apply to a predetermined set of facts, leading to a determinate outcome) or ex ante (the shadow of the law provides incentives for commercial actors to re-frame their transactions to achieve a commercially preferred outcome) in a range of given situations; and
5. Deconstruct commercial transactions and exchanges within a legal framework and apply relevant legal rules and principles to resolve complex problems with creativity and initiative.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and / or workshop or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** Fitzpatrick J, Symes C, Veljanovski A, Parker D. (2013) 2nd Business and Corporations Law Lexis Nexis Butterworths

**Assessment:** Assignment, Case Study - 500 words, 10%. Assignment, Research Assignment - 2,000 words, 30%. Examination, Final Examination - 3 hours (all topics), 60%.

## BLO5550 Law for the Hospitality Industry

**Locations:** City Flinders.

**Prerequisites:** Nil.

**Description:** The unit of study includes: an introduction to the law; an examination of the litigation process and resolution of disputes; the sources of law, precedent and the court system; the law of contract; the law of employment and discrimination; insurance law; innkeepers liability; trade practices and consumer protection; the tort of negligence; liquor licensing including types of licences, licensee's duties and obligations; gaming law and food law.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty-six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Atherton, T.C. and Atherton, T.A., 1998, Tourism, Travel and Hospitality Law, LBC.

**Assessment:** Presentation, 10%; Research Paper, 30%; Final examination, 60%.

## BLO5555 Industrial Law

**Locations:** City Flinders.

**Prerequisites:** Nil.

**Description:** This unit of study aims to familiarise students with the legal foundations and operations of the federal industrial relations systems. This unit of study considers the role of the constitution, enforcement, federal tribunals, the laws relating to trade union structure and security, and the right to strike.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** To be advised by lecturer.

**Assessment:** Test, 60%; Class Papers, 40%.

## BLO5602 Advanced Australian Immigration Law

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study aims to provide students with the ability to demonstrate an understanding of and an ability to interpret provisions of the Migration Act, regulations and case law pertaining to migration. Through cases studies, classroom and online discussion as well as their own reading and interactions with lecturers



who are current practitioners in the migration industry, students will develop the capacity to solve and analyse migration problems at an advanced level.

**Credit Points:** 12

**Learning Outcomes:** On completion of this unit, students should be able to:

- interpret provisions of the Migration Act, regulations and case law;
- solve and analyse migration problems at an advanced level; and
- apply the relevant law relating to work as a migration agent.

**Class Contact:** Equivalent to thirty-six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Mary Crock and Laurie Berg Federation Press, 2011 1 Immigration, Refugees and Forced Migration - Law, Policy and Practice in Australia, Federation Press, 2011

**Assessment:** Assignment, Assignment task requiring students to interpret provisions of the Migration Act and apply the relevant laws to various scenarios, 30%.

Examination, Final exam consisting of a combination of short and essay style questions requiring analysis, evaluation & application of migration law & issues, 70%.

### BLO5603 Administrative Law and Practice

**Locations:** City Queen, City Flinders.

**Prerequisites:** Nil.

**Description:** This unit of study aims to provide students with the ability to develop knowledge and skills in the area of Administrative Law in a migration context. The unit uses a combination of migration law cases, other legal cases, authentic migration law documentation, lectures from current practitioners and workshops practising the application of legislation to cover such topics as the institutional framework of modern governments in Australia, various ideological perspectives on the nature and role of government, understanding the legislative and administrative system of government and recent legislation in the field of administrative law with reference to the role of the Ombudsman, AAT Tribunals, freedom of information, and the Courts.

**Credit Points:** 12

**Learning Outcomes:** On completion of this unit, students should be able to:

- apply administrative law in a migration context including the institutional framework of modern governments in Australia and the various ideological perspectives on the nature and role of government;
- evaluate the legislative and administrative system of government; and
- identify, describe and analyse important and relevant administrative law issues in the migration agent industry.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Douglas R and Jones M (2008) 6th edition Administrative Law Federation Press

**Assessment:** Assignment, Assignment task requiring students to apply and evaluate administrative law in a migration context, 30%. Examination, Final examination consisting of a combination of short and essay style questions requiring more detailed responses, 70%.

### BLO5604 Refugee Law and Practice

**Locations:** City Queen, City Flinders.

**Prerequisites:** BLO5605 - Australian Immigration Law

**Description:** The unit of study aims to provide participants with an understanding and a working knowledge of Australian Refugee Law and Practice. Topics include: The international context Australian refugee legislation (historical/present) Primary application The Refugee Review Tribunal Judicial Review Judicial Interpretation

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students should be able to:

- apply Australian refugee law in an international context;
- critically evaluate the operation of refugee law in the context of society; and
- Apply the United Nations Convention and Protocol relating to the status of refugees.

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** UNHRC (1992) Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees Geneva, UNHCR

**Assessment:** Examination, Open Book Final Examination, 100%.

### BLO5606 Australia's Visa System

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study provides participants with specialised knowledge and skills related to the Australian visa system, including requisite application procedures and investigation of case law to support submissions to government. There is a practical focus on the legal context for migration agents, the legislative and policy framework around Australia's visa system, the various mechanisms of migration control, key visa classes and their requirements, visa application processes and visa conditions.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Interpret and apply relevant requirements of the Migration Act and Regulations and relevant Commonwealth Government policy and procedures in relation to the Australian visa system;
2. Identify the appropriate visa category to meet the needs of a variety of clients;
3. Deduce the requirements and application procedures for a range of different visas;
4. Propose and justify alternative pathway solutions to meet client needs; and
5. Interrogate and apply relevant case law in a simulated environment.

**Class Contact:** Equivalent to thirty-six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Immigration Advice & Rights Centre Inc. Chapters 7-21 The Immigration Kit Online (<http://www.iarc.asn.au>) Springvale Legal Centre (2014) Part 14 - Immigration Lawyers Practice Manual Victoria Thomson Reuters Students will also be provided with course notes via VU Collaborate. Student are also required to purchase the textbook Australian Migration Legislation Collection published by LexisNexis containing excerpts of relevant legislations which they are expected to read where relevant.

**Assessment:** Assignment, Assignment Task requiring students to interpret case law

and the Migration Act and to provide solutions to complex scenarios, 20%. Assignment, Mock File requiring students to identify appropriate visa and alternative pathway solutions to meet a client's needs, 35%. Examination, Final Examination (MARA Common Task), 45%.

### **BLO5607 Visa Compliance, Cancellation and Review**

**Locations:**City Queen.

**Prerequisites:**Due to the sequential nature of units and assumed knowledge, students must complete the following units either concurrently with this unit or prior to undertaking this unit: - LML5000 Australian Migration Law - BLO5606 Australia's Visa System.

**Description:**This unit of study provides participants with specialised knowledge regarding the requirements for compliance with the Australian visa regulatory framework. It also focuses on review and appraisal of visa pathways to meet client needs and the preparation of appropriate submissions to government. A varied range of learning activities will support knowledge and skills development related to immigration compliance powers and the implications of non-compliance. Such activities include practical exercises to examine the general regulatory context as well as specific issues such as refusal, compliance and cancellation of visas, review processes and the preparation of review documentation.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Identify and elaborate the requirements and procedures relating to refusals, compliance and other sanctions, appeals and reviews;
2. Formulate and justify alternative pathway solutions to meet clients' needs in a simulated environment;
3. Compile and generate appropriate submissions to government on behalf of clients; and
4. Initiate and implement appropriate strategies for providing effective advice to clients.

**Class Contact:**Workshop8.0 hrsEquivalent to thirty-six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Immigration Advice & Rights Centre Inc. Chapters 22-23 The Immigration Kit Online (<http://www.iarc.asn.au>) Springvale Legal Centre (2014) Part 14 - Immigration Lawyers Practice Manual Victoria Thomson Reuters Students will also be provided with course notes via VU Collaborate. Student are also required to purchase the textbook Australian Migration Legislation Collection published by LexisNexis containing excerpts of relevant legislations which they are expected to read where relevant.

**Assessment:**Assignment, Assignment Task focused on visa cancellations and consequential review rights, including role play, 15%. Assignment, Assignment Task requiring students to prepare a submission to government, 40%. Examination, Final Examination (MARA Common Task), 45%.

### **BLO5610 New Zealand Immigration Law**

**Locations:**City Queen.

**Prerequisites:**Nil.

**Description:**This unit of study aims to provide students with a theoretical and practical understanding of New Zealand Immigration Law and practice. Topics include: Professional Responsibilities of an Immigration agent in New Zealand Temporary residence class visas Specific temporary residence visas (including work, visitor and study visas) Permanent residence class visas Specific permanent residence class visas (including family, special category, skilled migrant, residence from work and business category visas) Migration compliance and deportation liability Review and

appeals process Refugee and protection status claims

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

- Apply the social, ethical and legal obligations of a practising New Zealand Immigration Adviser;
- Evaluate a client's potential to satisfy visa requirements;
- Analyse appropriate legislation and policy to provide effective immigration advice;
- Prepare submissions, client memos, letters of advice and visa applications to represent a client through the New Zealand visa application process;
- Hypothesise outcomes of complex client scenarios.

**Class Contact:**Equivalent to thirty six hours per semester. This unit is delivered as a combination of face-to-face and online lectures, seminars, tutorials and/or workshops or a delivery mode as approved by the College of Law and Justice. This unit of study is equivalent to 12 credit points.

**Required Reading:**NZ Government Latest Immigration Act 2009 NZ legislative authority NZ Government Latest Immigration (Visas, Entry Permission and Related Matters) Regulations 2010 NZ legislative authority

**Assessment:**Presentation, Students work in groups to prepare an individual presentation based on a NZ immigration authority sanction decision., 20%. Assignment, Students analyse practical client scenarios and prepare client documentation required of the role., 30%. Test, Students complete online tests to check their understanding., 10%. Examination, Students analyse practical client scenarios and prepare a range of client documentation required of the role., 40%. Presentation (20%): Students work in groups to identify issues, analyse and prepare a presentation on a NZ immigration authority sanction decision. (Graduate capabilities: 1, 3, 5) Assignment (30%): Students prepare a variety of client documentation based on a practical client scenario. (Graduate capabilities: 1, 3) Tests (10%): Students complete online multiple choice tests to check their learning. Tests are released fortnightly. (Graduate capabilities: 1). Examination (40%): Students use relevant legislation and policy to analyse practical client scenarios and develop a range of client documentation required of the role. (Graduate capabilities: 1, 3) Feedback will be provided on each assessment component.

### **BLO5738 Financial Institutions Law**

**Locations:**City Flinders.

**Prerequisites:**Nil.

**Description:**The unit of study examines the following areas: The Australian Financial System: - a review of the regulation of banks and NBFs; the Reserve Bank and its functions; the regulation and deregulation of the Australian finance industry. The relationship between Financial Institutions and Customers: an examination of the legal character of the relationship; the duties of the customer and of the financial institution; the duty of secrecy and the impact of the Commonwealth Privacy Act and of the Financial Transactions Reports Act on the duty of secrecy; the role of the Code of Banking Practice; the impact of the Trade Practices Act on the dealings of financial institutions with customers and third parties. Consumer Credit regulation under the Consumer Credit Code. Lending and Securities; - a review of bankers' lending criteria and the types and legal characteristics of securities accepted by them - in particular the personal guarantee, mortgage and debenture fixed and floating charges; the enforcement of debts through insolvency or winding-up proceedings, and the enforcement of securities. Payment methods: - this topic covers negotiable

instruments (including cheques); consumer and commercial electronic funds transfer and regulation under the EFT Code of Conduct. Law Reform Issues.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** To be advised by lecturer.

**Assessment:** Assignments and Internal assessment, 40%; Presentation, 10%; Examination, 50%.

### **BLO6502 Law for Management**

**Prerequisites:** Nil.

**Description:** An introduction to law, including historical origins of our legal system, the sources of law, the doctrine of precedent and the court hierarchy, the adversary system. Also examination of types of precedent, history of tort of negligence and the rules of statutory interpretation and the identification of the essential elements in the formation of a contract. Examination of the elements of contract including the distinction between a condition, a warranty and an innominate term. Examination of Misrepresentation, Duress, Undue influence, Unconscionability. Consideration of the concept of a tort and the difference between the types of tort. Different types of business structures; sole traders; partnerships, joint ventures; incorporated and unincorporated associations and company law; a survey of the legal rules regulating administrative action.

**Credit Points:** 12

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Latimer, P., Australian Business Law (latest edition), CCH.

**Assessment:** Class Participation, 10%; Examination, 50%; Assignment, 40%.

### **BLO7700 Thesis (Full Time)**

**Locations:** City Flinders.

**Prerequisites:** Nil.

**Description:** The thesis will report on independently conducted research which demonstrates the student's ability to clearly define a problem, and to undertake a detailed literature search and review of the relevant theoretical and practical literature on the topic area. All students who enter the program will initially discuss possible research topics with a member of staff and the Course Director. The minor thesis is to be completed by the end of six months for full-time students and twelve months for part-time students.

**Credit Points:** 36

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 36 credit points.

**Required Reading:** To be advised by lecturer.

**Assessment:** Thesis, 100%.

### **BLO7701 Thesis (Part Time)**

**Locations:** City Flinders.

**Prerequisites:** Nil.

**Description:** The thesis will report on independently conducted research which demonstrates the student's ability to clearly define a problem, and to undertake a detailed literature search and review of the relevant theoretical and practical literature on the topic area. All students who enter the program will initially discuss possible research topics with a member of staff and the Course Director. The minor

thesis is to be completed by the end of six months for full-time students and twelve months for part-time students.

**Credit Points:** 18

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 2 X 18 credit points.

**Required Reading:** To be advised by lecturer.

**Assessment:** Thesis, 100%.

### **BLO8002 Phd Research (Full Time)**

**Locations:** City Flinders.

**Prerequisites:** Please Enquire.

**Description:** The unit of study is designed to provide training and education with the objective of producing a graduate with the capacity to conduct research independently at a high level of originality and quality in the field of business. Students should uncover new knowledge either by the discovery of new facts, the formulation of theories or the innovative reinterpretation of known data and established ideas. The final thesis is expected to be well-written and to reveal an independence of thought and approach, a deep knowledge of the field of study and to have made a significant original contribution to knowledge.

**Credit Points:** 48

**Class Contact:** Unit of study is 48 credit points per semester.

**Required Reading:** Please enquire

**Assessment:** Research Thesis, Research Thesis, 100%.

### **BLO8003 Phd Research (Part Time)**

**Locations:** City Flinders.

**Prerequisites:** Nil.

**Description:** The unit of study is designed to provide training and education with the objective of producing a graduate with the capacity to conduct research independently at a high level of originality and quality in the field of business. Students should uncover new knowledge either by the discovery of new facts, the formulation of theories or the innovative reinterpretation of known data and established ideas. The final thesis is expected to be well-written and to reveal an independence of thought and approach, a deep knowledge of the field of study and to have made a significant original contribution to knowledge..

**Credit Points:** 24

**Class Contact:** Equivalent to thirty six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial and or/workshop or a delivery mode as approved by the College of Law and Justice. Unit of study is equal to 12 X 24 credit points

**Required Reading:** Please enquire.

**Assessment:** Research Thesis, Research Thesis, 100%.

### **BLO9800 Research Thesis (Full Time)**

**Locations:** City Flinders.

**Prerequisites:** Please Enquire.

**Description:** Completion of a major thesis under the supervision of an experienced member of staff from the School of Law.

**Credit Points:** 48

**Class Contact:** Unit of study is 48 credit points per semester.

**Required Reading:** Please enquire

**Assessment:** Research thesis, 100%.

## BLO9801 Research Thesis (Part Time)

**Locations:**City Flinders.

**Prerequisites:**Please Enquire.

**Description:**Completion of a major thesis under the supervision of an experienced member of staff from the School of Law.

**Credit Points:** 24

**Class Contact:**Unit of study is 24 credit points per semester.

**Assessment:**Research Thesis, 100%.

## LCM6000 Australian Legal System and Process

**Locations:**City Queen.

**Prerequisites:**Nil.

**Description:**Courts and tribunals as institutions are shaped by a combination of legal principles, historical structures and modern procedures. The unit of study will cover the purpose, values and role of courts and tribunals and review the history and origins of common law and the principles underlying Australian jurisprudence. These will be contrasted with those of other legal systems, including civil law and customary law. Key concepts in Australian law, including the rule of law, the adversarial system, trial by jury, and natural justice, will be explored alongside the role of court and tribunal administrators within this framework.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Analyse and conceptually map the components of Australian legal systems, including how these components intersect and interact, integrating the roles and responsibilities of court staff in these systems;
2. Present a coherent and sustained argument exemplifying a high level of personal autonomy, accountability and professionalism;
3. Critically analyse the Australian legal system in relation to other systems of legal knowledge and practice demonstrating scholarly rigor; and
4. Contextualise contemporary legal challenges within a broader social and political context to innovate recommendations that are generalisable across the legal system.

**Class Contact:**Seminar 7.5 hrs

**Required Reading:**A resource pack containing collated materials including legislation, regulations and journal articles will be provided.

**Assessment:**Research Paper, Research project (5,000 words), 70%. Presentation, Class presentation on current issue in Australian legal system, 10%. Case Study, Commentary on comparative legal systems (2,000 words), 20%.

## LLO2000 Principles of Property Law

**Locations:**City Queen.

**Prerequisites:**BLB 1114 - Legal Research Methods/BLB 1101 - Australian Legal System in Context/BL01105 - Business Law Prohibition/Anti-Requisite: This unit is not available to students who have already completed BLB 2125 Real Property Law. This unit cannot be undertaken by students enrolled in BLAW, BLGE, BLAA, BBLL, LHLW, LHLG, LHLA, LHLB due to the significant overlap with a core unit in those degrees: BLB 2125 Real Property Law.

**Description:**The focus of this unit is the concepts and characteristics of rights and interests in land: their creation, ownership, acquisition and disposal, specifically in the Torrens title registration system in Victoria. This unit is aimed at students seeking knowledge and skills for a career in legal support services; it is not the unit required for completion of the LL.B.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Interpret, articulate and apply the principles, approaches, rules and exceptions relevant to interests in and transactions concerning land;
2. Adapt property law

principles, rules and exceptions to solve complex real-world problems involving property law in the manner of a paralegal; 3. Research, analyse, interpret and communicate ideas persuasively both orally and in writing to resolve problems as a student of legal services; and 4. Demonstrate a commitment to professionalism through modelling professional behaviours, acting ethically and responsibly, including meeting deadlines and communicating appropriately.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Edgeworth, Rossiter, Stone & O'Connor 9th Sackville & Neave: Australian Property Law LexisNexis

**Assessment:**Other, Continuous assessment. Team presentations in tutorials, 20%. Portfolio, Portfolio of para-legal style tasks and reflection on learning, 30%. Examination, Examination (2 hours), 50%.

## LLO2001 Intellectual Property and Consumer Protection Principles

**Locations:**City Queen.

**Prerequisites:**BL01105 - Business Law Prohibition./ anti-requisite: This unit is NOT available to students enrolled in any law degree whether combined, single or at an honours level due to the significant overlap with the BLB 3129 Intellectual property Law unit in those degrees. Law students wishing to undertake studies in this area of the law are directed to undertake BLB 3129.

**Description:**Protection of intellectual property and protection of consumers are prominent issues in the 21st century. Within this unit, students examine the current laws applicable to protect consumers and also those applying to protect intellectual property. Consumer protections topics may include misleading or deceptive conduct, consumer guarantees, unfair contract terms and unconscionable conduct. Protection of intellectual property rights gives a broad understanding of the general principles and protections available for inventions and ideas. This unit examines these areas from a practical perspective, and is aimed at students in the practical professional areas of legal services or business.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Review the principles behind consumer protections laws and describe the types of behaviours from which consumers are protected by statutory provisions governing consumer contracts and misleading or deceptive conduct;
2. Articulate the different legal regimes for protection of intellectual property, including the key criteria for each regime as relevant to 21st century contexts;
3. Map the major steps involved to gain legal protection for patents, copyright and designs;
4. Adapt legal theory, rules and approaches to contemporary problems involving sometimes complex consumer protection issues;
5. Adapt legal theory, rules and approaches to contemporary problems involving wide ranging intellectual property issues;
6. Research, analyse, interpret and communicate ideas persuasively both orally and in writing to a variety of audiences; and
7. Demonstrate a commitment to professionalism through modelling professional behaviours, acting ethically and responsibly, including meeting deadlines and communicating appropriately.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**To be advised

**Assessment:**Case Study, Written scenario case studies (2), 40%. Examination, Examination 2.5 hours, 60%.

## LLO2002 Conveyancing and Inheritance Law and Practice

**Locations:**City Queen.

**Prerequisites:**Prior to commencing this unit, students must have successfully completed: - BL01105 Business Law OR BLB1102 Contracts; and - LLO2000 Principles of Property Law OR BLB2125 Real Property Law; and - BLB2122 Legal Writing and Drafting.

**Description:**This unit is designed to provide students with knowledge of the legal principles and practical steps involved in conveyancing of land in transactions relating to inheritance, wills, probate and administration of a deceased estate. Aimed at students seeking knowledge and skills for paralegal work, this unit could count as a 'non-law' elective unit for students undertaking a Bachelor of Laws degree at Victoria University.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Map the key steps and processes involved in conveyancing of land and in inheritance matters (from execution of wills, through probate to administration of a deceased estate); 2. Apply relevant legal rules and practices to solve hypothetical contemporary complex real-world scenarios involving conveyancing issues in the manner of a paralegal; 3. Apply relevant legal and practices to solve hypothetical contemporary complex real-world scenarios involving wills, probate and administration of deceased estates in the manner of a paralegal; 4. Research, analyse, interpret and communicate ideas persuasively both orally and in writing to resolve problems as a professional; and 5. Demonstrate a commitment to professionalism through modelling professional behaviours, acting ethically and responsibly, including meeting deadlines and communicating appropriately.

**Class Contact:**Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorial workshops, or a three-hour interactive seminar, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**To be advised

**Assessment:**Portfolio, Portfolio of Wills and probate-related artefacts and practical tasks and reflection on learning, 40%. Portfolio, Portfolio of Conveyancing related artefacts and practical tasks and reflection on learning, 60%.

## LLO3001 Legal Services Project

**Locations:**City Queen.

**Prerequisites:**BLB1114 - Legal Research MethodsBLB1101 - Australian Legal System in ContextThis unit is only available to students enrolled in LBS who have competed at least 192 credit points.

**Description:**This is a project-based unit in which students work collaboratively in teams to complete a multi-faceted project. The project is designed to simulate a range of activities routinely expected of professional paralegals. The types of activities will include legal research, compiling an issues paper, and creating a folio of practical tasks for simulated client files. This unit synthesises real world or simulated legal services industry work with study concepts. Legal Service Project also develops capabilities through reflective practice, both in small groups and through individual study in applied contexts and develops capacities and accountabilities for own learning as well as continuous learning.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Develop and utilise a collaborative community of practice; 2. Locate and analyse a range of sources of information and synthesise the relevant information and ideas to create a legal issues paper on a real-work problem; 3. Synthesise workplace and academic learning using practical contexts as a mechanism for applied legal learning; and 4. Reflect critically, take a skills inventory and engage in

career planning.

**Class Contact:**This unit has weekly one-hour workshops, plus weekly journaling research and journaling tasks which together involve a time commitment that is equivalent to contact-based units of study.

**Required Reading:**There is no prescribed text. Materials and instructions will be supplied weekly via the Online Learning and Management System.

**Assessment:**Journal, Online reflective journaling, 0%. Report, Issues Paper Research Report (2500 words), 40%. Portfolio, Folio, 60%.

## LLW1000 Introduction to Public Law

**Locations:**Footscray Park, City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research MethodsStudents must undertake BLB1101 Australian Legal System in Context and BLB1114 Legal Research Methods either prior to or concurrently with this unit.

**Description:**This is a foundation level unit in law. The unit of study will examine key concepts in Australian public law including constitutionalism, the rule of law and the separation of powers, and techniques and principles of constitutional and statutory interpretation. It will examine the principal Commonwealth and State legislative powers, institutions and techniques of government. It will examine limitations on governmental power including express and implied constitutional guarantees of rights and freedoms and will evaluate their adequacy. This unit provides introduction to the 'Priestley 11' areas of knowledge covered in LLW3000 Australian Administrative Law and LLW5002 Advanced Constitutional Law, and to the law elective BLB4143 Public International Law.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Exemplify broad and coherent theoretical and technical knowledge in the area of Australian public law and its application to government; 2. Conceptually map the intersection between theory and practice and an understanding of the lawyer's role in applying public law for public and client benefit; 3. Analyse, extrapolate and interpret legal research implications, knowledge and skills to provide solutions to complex legal problems related to Australian public law and government as demonstrated through a research essay and problem and essay based examination; 4. Exercise critical thinking and judgement in the learning and application of Australian public law, drawing on knowledge of research principles and methods of law and cognate disciplines, especially political science; 5. Investigate contemporary Australian public law questions through analysis, review and interpretation of relevant data; and 6. Apply knowledge and skills in the area of Australian public law in a research essay and problem and essay based examination.

**Class Contact:**Lecture2.0 hrsTutorial1.0 hrWorkshop1.0 hrEquivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. In addition, a weekly 1 Hour Writing Workshop series for first year students will also be offered as transition/first year experience enhancement and to assist with development of formal written 'plain English' and legal literacy. For summer unit delivery, the equivalent contact hours will be 12 hours per week over 7 weeks of intensive delivery.

**Required Reading:**Clark D, 2013 4 Introduction to Australian Public Law LexisNexis Butterworth

**Assessment:**Presentation, Tutorial Oral presentation, 15%. Research Paper, Essay 2,000 words, 35%. Examination, a problem and essay based exam, 50%.

## LLW1001 Criminal Law

**Locations:**City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in Context/BLB1114 - Legal Research Methods

**Description:**This unit satisfies the prescribed area of Priestley 11 knowledge for Criminal Law and Criminal Procedure as set out in Schedule 1 of the Legal Profession Uniform Admission Rules 2015 (NSW). LLW1001 Criminal Law is a core law subject for the LLB degree. It covers substantive criminal law, criminal procedure, and sentencing. Substantive criminal law refers to the law that creates criminal offences. Offences can generally be categorised into offences against the person (homicide offences, assault, sexual offences), property offences (burglary, theft, obtaining financial advantage or property by deception), inchoate offences (conspiracy, incitement or attempt in relation to an existing offence) and complicity (the extent to which a person can be held liable for the actions of another person). Of course, an understanding of criminal liability also requires an understanding of defences. Criminal procedure refers to the court's process by which it determines whether or not a defendant has committed an offence. It includes topics such as the classification of offences, processes to compel appearance, bail, preliminary examination, trial of indictable offences. Sentencing refers to the process by which a court determines the appropriate "punishment" to impose upon a person who is found guilty. An understanding of sentencing requires an understanding of what sentences are available to a court, the principles of proportionality, totality, instinctive synthesis, parsimony, as well as an understanding of what circumstances will aggravate and what circumstances will mitigate a sentence.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically review the general principles of criminal liability derived both from common law and statute, in particular, the Crimes Act 1958 (Vic) in problem solving and decision making;
2. Critically review the relevant aspects of criminal procedure, their purpose and how they apply to hypothetical problems.
3. Adapt and apply the doctrine of precedent and the rules of statutory interpretation to contemporary hypothetical criminal law problems using inductive and deductive thought processes;
4. Justify the answers to hypothetical problem questions using case and statute law as authority with creativity and intellectual independence.

**Class Contact:**Lecture3.0 hrsTutorial1.0 hr3 hours of lectures PLUS 1 hour of Tutorial

**Required Reading:**Required Texts/ Legislation Kenneth J Arenson and Mirko Bagaric, 2015 Criminal Processes and Investigative Procedures - Victoria and Commonwealth LexisNexis State of Victoria The Crimes Act 1958 (Vic) Victorian Parliament Penny Crofts 6th Edn Criminal Law Elements LexisNexis. Nash G 2016 Annotated Criminal Legislation Victoria 2016-2017 LexisNexis Recommended Text: The following is recommended below Anthony, T; Crofts, P; Crofts, T; Gray, S; Loughnan, A; Naylor, B Waller & Williams 12th edn Criminal Law Text and Cases 2013

**Assessment:**Assignment, Research assignment (2,000 words), 40%. Examination, Final Examination (3 hours PLUS 30 min reading time), 60%.

## LLW2000 Torts 2

**Locations:**City Queen.

**Prerequisites:**BLB1115 - Torts/BLB1101 - Australian Legal System in Context/BLB1114 - Legal Research MethodsThis unit is not available to students who have previously completed the former unit BLB1125 Torts 2

**Description:**This unit integrates the civil law of defamation and economic torts and explores the overlapping causes of action from other areas of the law such as legislation. The unit also explores more deeply the area of negligence causing pure economic loss, first introduced in the subject Torts BLB1115. Additional topics

covered may include the range of actions in trespass to goods including the areas of conversion and detinue, privacy, breach of statutory duty and liability in tort for consequential-relational economic loss. Emphasis is placed on critical review of the role and boundaries of tort law; exploring current issues and the likely future directions of tort law.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Exemplify and review the torts introduced in the subject Torts BLB1115, including claims in negligence for pure economic loss and breach of statutory duty in contemporary settings;
2. Advise resolutions to complex problem situations by applying the current law relating to defamation, torts providing compensation for pure economic loss, torts relating to personal property, misuse of legal powers and statutory breach and discuss likely possible legal outcomes;
3. Appraise and assess authentic and hypothetical factual scenarios to identify the action(s) appropriate to the circumstances and apply the relevant law to the scenario in the manner of a practitioner advising and acting for a client;
4. Review the manner in which torts co-exist and interact with other causes of action;
5. Evaluate the rationale for the development of actions in torts and collaboratively brainstorm likely future directions in tort law; and
6. Investigate a specific area of torts law in a critical and innovative manner.

**Class Contact:**Seminar3.0 hrsEquivalent to three hours per week. Normally to be delivered as two hour seminars once to twice per week or workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Clarke, A, Devereux, J, Werren, J and O'Reilly, J 3rd ed Torts: A Practical Learning Approach LexisNexis Butterworths Martin Davies and Ian Malkin 7th ed Focus Torts Lexis Nexis Butterworths Defamation Act 2005 (Vic) Wrongs Act 1958 (Vic)

**Assessment:**Test, In-class test, 20%. Assignment, Research Assignment, 30%. Examination, Exam (3 hour duration), 50%.

## LLW2001 Competition Law and Policy

**Locations:**City Queen.

**Prerequisites:**BLB1114 - Legal Research Methods/BLB1101 - Australian Legal System in Context/Prohibition/ Anti-requisite: This unit is not available to students who have successfully completed the former unit BLB2123 Trade Practices Law and Policy

**Description:**On completion of this unit students should have a greater appreciation and critical understanding of Competition Law in Australia including the relevant provisions of the Competition and Consumer Act 2010(Cth) and where applicable Common Law.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Apply the relevant provisions of the Competition and Consumer Act 2010 (Cth) and where applicable Common Law to authentic contemporary situations to solve complex problems;
2. Investigate issues related to competition law and its underlying policies in Australia;
3. Evaluate applicable policies underlying the rules and principles of competition law with initiative and judgement; and
4. Articulate and present (both collaboratively and individually) accurate elucidation and interpretation of the current law on defined areas of Competition law.

**Class Contact:**Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**J.Duns & A.Duke, 2011 3rd edn Competition Law Cases & Materials Lexis Nexis Butterworths

**Assessment:** Presentation, Tutorial presentation, 10%. Examination, Research based essay question, 30%. Examination, Problem based case study/ies, 60%. The total assessment in this unit is equivalent to 4,000 words.

### LLW3000 Australian Administrative Law

**Locations:** Footscray Park, City Queen, City Flinders.

**Prerequisites:** BLB 1114 - Legal Research Methods/BLB 1101 - Australian Legal System in Context/LLW1000 - Introduction to Public Law/Nil.

**Description:** Administrative law refers to those principles that supervise and control the executive powers of government. This unit of study will cover both common law and statutory processes. Particular attention is given to Commonwealth jurisdiction relating to such matters as internal review, merits review, judicial review, freedom of information and the role of the ombudsman.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review the role of Administrative Law in contemporary Australia;
2. Conceptually map relevant principles to the resolution of a range of complex Administrative Law problems;
3. Distil Administrative Law doctrines and their underlying themes collaboratively and with accountability for own learning and professional practice;
4. Rationalise appropriate Administrative Law remedies in wide ranging situations; and
5. Elucidate a sound appreciation of Administrative Law in the current changing social context.

**Class Contact:** Lecture 2.0 hrs/Tutorial 1.0 hr/Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Two texts for this unit Douglas, Rand Head, M 2014 7th edn Administrative Law/M Douglas and Jones's Federation Press Head, M 2012 3rd edn Administrative Law: Context and Critique Federation Press

**Assessment:** Test, Online Quiz, 10%. Assignment, Research Assignment- Essay 2,500 words, 40%. Examination, Exam, 50%.

### LLW3001 Law in Practice 1

**Locations:** Online.

**Prerequisites:** BLB 1114 - Legal Research Methods/BLB 1101 - Australian Legal System in Context/Prohibition/Anti-requisite: - Students who have previously completed BBB3200 Professional Legal Practice OR BLB 1103 Law In Practice 1 are not eligible to enrol in this unit.

**Description:** Law in Practice uses the student's own workplace as a foundation for interrogation of the practice of law. Integral to this is learning how to apply a body of knowledge to professional work as a legal practitioner. A thematic approach is taken, using inquiry into responsibilities of professional practice, ethical duties, ways of being a legal professional and development of legal literacies. As an integral VLS learning in the workplace and community offering, this unit synthesises curriculum based real world legal industry work and LLB study concepts. Law in Practice also develops capabilities through reflective practice, both in small groups and through individual study in applied contexts and develops capacities and accountabilities for own learning as well as continuous learning.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Observe, analyse, compare and critique a range of legal industry workplaces and practices including socio-political context, organisational structure, work culture, professional responsibilities, and ways these elements intersect in contemporary Australian work settings;
2. Network, develop and utilise communities of practice;

3. Synthesise workplace and academic learning using practical contexts as a mechanism for applied legal learning; and
4. Reflect critically, take a skills inventory and engage in career planning.

**Class Contact:** Weekly research and journaling tasks have a time commitment that is equivalent to contact-based units of study. There are also two face-to-face one-hour workshops focused on curriculum and assessment.

**Required Reading:** There is no prescribed text. Materials and instructions are supplied weekly via the Online Learning and Management System.

**Assessment:** The assessment scheme has four components as listed below: Journal, Hurdle assessment. On-line journals, 0%. Essay, Workplace analysis, 30%. Essay, Case/Theme study, 60%. Practicum, Workplace professionalism and participation, 10%. Total word Length 4000 words.

### LLW3002 Alternative Dispute Resolution

**Locations:** City Queen.

**Prerequisites:** BLB 1101 - Australian Legal System in Context

**Description:** This unit of study provides an introduction to processes for resolving disputes. It focuses on negotiation and mediation in the context of current issues resulting in commercial disputes. The unit interrogates the theory underlying negotiation and mediation and critically reflects on the contexts in which they are used. It investigates the causes of commercial conflicts, analyses the roles and objectives of alternative dispute resolution (ADR) processes, court-based ADR and non-court ADR, including obligation in ADR, enforcing ADR outcomes, confidentiality and admissibility in ADR. ADR accreditation and future trends in ADR are also reviewed and discussed in the unit.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Apply and justify ADR theory, practice and processes in negotiation to disputes both individually and working with others;
2. Exemplify a model of mediation and working with others to plan and organise task allocation, develop and justify an approach to resolving problems in a specific context;
3. Critically analyse current legal issues in ADR, utilising growing lifelong learning skills to develop relevant ideas and perspectives; and
4. Advocate the practical, policy and philosophical reasons for dispute resolution, with reference to a developing understanding of the role of culture, values and dispositions in a justice system.

**Class Contact:** Lecture 2.0 hrs/Tutorial 1.0 hr/24 hours of lectures 12 hours of tutorials

**Required Reading:** Required Texts Tania Sourdin 4 Alternative Dispute Resolution Thomson Reuters

**Assessment:** Assignment, Letter of Advice Pre ADR Process (indiv or group), 25%. Test, Online Short Answer Test (indiv), 20%. Assignment, Letter of Advice Post ADR Process inc short presentation (indiv or group), 30%. Case Study, Deed Of Settlement 1500 words (indiv or group), 25%.

### LLW3003 Court and Tribunal Internship

**Locations:** City Queen.

**Prerequisites:** BLB 1101 - Australian Legal System in Context/BLB 1114 - Legal Research Methods/BLB 2122 - Advocacy and Communication/LLW4000 - Civil Procedure/Enrolment in this unit is also dependent on approval by the Unit Coordinator with places capped depending on the number of times the unit is offered and the specific workplaces in which it is offered. Admission to this unit is competitive. A written application is required; selection is based on GPA, written applications and interviews.

**Description:** This is an umbrella unit designed for intensive Court and Tribunal Internships offered in the College of Law and Justice such as the Supreme Court

Internship and County Court Internship. It is intended that future internships will be developed with additional bodies. It will involve lectures by judges, tribunal members or other officials on the role of the institution and their roles within it, attendance at hearings or other institutional legal processes, and briefings on the functions of registries, libraries and other parts of the institution. Upon completion of the unit students will have a practical and detailed understanding of the how the particular court, tribunal or legal institution works and will be able to consolidate and synthesise their observer experiences in constructing a deeper understanding of legal concepts, legal knowledge, skills and practice and professional conduct.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Analyse legal concepts critically through reflective practice;
2. Interpret experiences as an observer in order to develop as a lifelong learner;
3. Construct new ideas and understandings about court, tribunal and institutional structures and processes, working both individually and with others to propose and critique decisions;
4. Apply a consolidated body of legal knowledge, professional conduct rules and ethical practice; and
5. Reflect critically on and analyse the impact of culture and values on justice, power and inequalities in the legal system.

**Class Contact:** Seminar 3.0 hrs The breakdown of contact hours varies according to the specific internship. Depending upon the internship program, there may be between 33 and 56 contact hours in total for semester, normally comprising: 4 to 6 intensive days (7 hours each day = 28 to 42 hours total) 3 to 6 x 2 hour workshops; and 1 x 2 hour assessment session (group presentations)

**Required Reading:** Unit Workbook provided by Coordinator.

**Assessment:** The assessment for the unit will comprise a 1,000 word literature review basis for a 2,000 word reflective research paper and a group presentation. In addition to the graded assessment, an additional hurdle assessment applies: students will be required to attend all contact sessions due to the core nature of this unit's observational learning provided by the Court and Tribunal setting. Literature Review, Literature review (1,000 words), 15%. Assignment, Reflective research paper (2,000 words), 35%. Presentation, Group Presentation (for individual contribution), 25%. Presentation, Group Presentation (for group contribution), 25%. Other, Hurdle requirement: attendance for all contact sessions, 0%. The total assessment in this unit is equivalent to 5,000 words.

## LLW3005 Corporate Insolvency

**Locations:** City Queen.

**Prerequisites:** BLB 1102 - Contracts 1 BLB 2119 - Corporations Law 1

**Description:** This unit is designed to introduce students to the operation of corporate insolvency law within Australia. The unit will pay particular attention paid to the application of Chapter 5 of the Corporations Act 2001 (Cth) and the Supreme Court (Corporations) Rules 2013 (Vic), and explore the meaning of "insolvent", including external administration (separate topics to cover receivership, administration and liquidation), voidable transactions (separate topics to cover insolvent trading, uncommercial transactions, unfair preferences and defences to voidable transactions), Deeds of Company Arrangement, Recovering Outstanding Debts (Statutory Demands, issuing proceedings and appointing receivers and managers) and Issuing Proceedings for and Defending Insolvent Transactions. The focus will be on corporate insolvency law within Australian and will involve written problem based and practical assessment. Upon successful completion of the unit students will have a thorough understanding of the Australian corporate insolvency regime and possess the theoretical knowledge and practical skills necessary to commence a legal career within the insolvency sector.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Contextualise and interpret the various kinds of debts and insolvency in relation to Chapter 5 of the Corporations Act 2001 (Cth) and the Supreme Court (Corporations) Rules 2013 (Vic);
2. Negotiate the process of appointing an external administrator to a company and prioritise the requirements/protocols that an insolvency practitioner must comply with during an appointment as an external administrator;
3. Role play as a creditor and insolvency practitioner in issuing of proceedings, defend proceedings to recover an outstanding debt (secured and unsecured), and wind up applications and voidable transactions using tools available to recover outstanding debts;
4. Formulate suggestions to creditors, debtors, directors and insolvency practitioners on legal issues related to Australian insolvency law (including competing interests and rights) in relation to an insolvent or near insolvent company; and
5. Cross-examine, research and critically assess contemporary complex issues/case studies that relate to insolvency law within Australia.

**Class Contact:** Lecture 2.0 hrs Tutorial 1.0 hr The unit will be delivered in a blended mode with interactive face-to-face sessions based upon readings and materials in the Corporate Insolvency unit guide and the VU Collaborate site. Students will be expected to engage with the prescribed materials and/or relevant activities in advance on VU Collaborate, and be prepared to actively contribute in the face-to-face session, explore the issues raised by the prescribed material, and debate/solve practical problems.

**Required Reading:** Murray and Harris, Key's Insolvency: Personal & Corporate Law & Practice (9e 2015), Thomson Reuters Chapter 5 of the Corporations Act 2001 (Cth); and Supreme Court (Corporations) Rules 2013 (Vic).

**Assessment:** Three pieces of assessment. Other, Short quiz that sets out various questions relating to issuing a wind up application in the Supreme Court of Victoria., 10%. Test, Problem based test. Students provided with a set of facts for each question., 30%. Examination, Students to be provided with a brief of facts, correspondence between the parties and a creditor's statutory demand., 60%.

## LLW4000 Civil Procedure

**Locations:** City Queen, City Flinders.

**Prerequisites:** BLB 1101 - Australian Legal System in Context BLB 1114 - Legal Research Methods Nil

**Description:** This unit of study will examine the identification and management as well as resolution of disputes, in particular, litigation as a means of dispute resolution. The unit will cover alternative dispute resolution (ADR) methods but will focus on rules of civil procedure in the Supreme, County and Magistrate's courts of Victoria. The unit will also touch on court rules and processes in the federal jurisdiction but the emphasis will be on the more important and common court processes in the state jurisdiction and principles of civil litigation such as parties, jurisdiction, pleadings, discovery, interrogatories, interlocutory applications, enforcement and appeals. This unit meets the Victorian Legal Admissions Board requirements for Civil Procedure.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Elucidate principles of dispute resolution;
2. Distinguish procedural law from substantive law and demonstrate the differences between them;
3. Analyse and canvass procedural issues arising from disputes such as parties, jurisdiction, forum, governing law and applicable rules;
4. Recommend appropriate and creative modes of dispute resolution for a variety of disputes and apply the appropriate rules and processes to resolve them with professional judgement;
5. Devise an appropriate course of action and apply appropriate court rules and procedures in the



adversary system to reach an expeditious resolution for a range of disputes occurring in contemporary society; 6. Communicate clearly using appropriate language and present a coherent argument and an independent exposition of ideas; and 7. Correctly use the Australian Guide to Legal Citation where required.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week. This unit is delivered by lectures, tutorials, workshops, modules or a delivery mode as approved by the College of Law and Justice. Face-to-face delivery mode: - 2-hour lecture and 1-hour tutorial per week over 12 weeks totalling 36 hours; or - Intensive 12 3-hour seminars, workshops or modules adding up to 36 hours.

**Required Reading:**Andrew Hemmings & Tania Penovic, (2015) Civil Procedure in Australia LexisNexis Butterworths

**Assessment:**Assignment, Case study, 30%. Assignment, Draft originating process and/or pleading, 20%. Examination, Examination, 50%.

## LLW4001 Asian Law Studies

**Locations:**City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research MethodsNil

**Description:**This unit will examine the historical development of the legal systems and particular laws of selected Asian nations and the roles of culture, religion, customary law and/or political philosophy in shaping those systems and laws that currently prevail in these countries. Key areas that will be looked into are the modernisation of these nations' constitutions, the administration of justice, the structure and framework of civil dispute resolution, the criminal justice system and the independence of the judiciary. Particular issues arising under each of these nations' laws will be explored, such as different perspectives of family law. Due to the breadth of the subject-matter, the content will necessarily be introductory by adopting an overview and broad-brush approach.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Research and critically review the constitutions, legal systems and some of the fundamental laws of each nation under study and evaluate them from a 21st century standpoint; 2. Interrogate the respective frameworks of the legal systems and fundamental laws of these nations; 3. Critically analyse, canvass and distil contemporary issues arising from particular laws of the different jurisdictions under study and advocate ethical resolutions; 4. Hypothesise lessons that may be learnt from the study of these nations and apply them to Australia's legal system and laws with creativity and intellectual independence; 5. Communicate clearly, both orally and in writing use appropriate language and present a coherent argument and an independent exposition of ideas; and 6. Correctly use the Australian Guide to Legal Citation where required.

**Class Contact:**Face-to-face delivery mode: 2-hour Lecture and 1-hour tutorial per week over 12 weeks totalling 36 hours or 12 3-hour seminars intensively adding up to 36 hours. Online delivery mode: Notes and materials delivered on-line. Equivalent to 36 hours.

**Required Reading:**There is no prescribed text book. Notes on the nations under study and associated reading materials as well as advanced resources will be provided via Blackboard and/or email.

**Assessment:**Research Paper, Major research paper, 70%. Research Paper, Minor research paper or online exam, 30%. The total assessment in this unit is equivalent to 5,000 words.

## LLW4002 Australian Migration Law

**Locations:**City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research Methods

**Description:**This unit of study provides students with broad and coherent theoretical and technical knowledge and skills related to a specialist branch of administrative law, Australian migration law. Students will examine how Australian migration law works and consider migration policy, practice and procedures. Through case studies, class discussion and assessment tasks, students will review the general principles of statutory interpretation in relation to migration law with particular emphasis on the Migration Act 1958 (Cth) and the Migration Regulations 1994 (Cth). The philosophy underpinning the Australian migration system, the structure of the migration law and practice framework, and the concept of Australian citizenship will be examined. The statutory concept of entry to Australia will be a focus, as will the way non-citizens are controlled and represented. Students will be able to discuss, analyse and suggest solutions to contemporary migration problems.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically analyse the development of citizenship and migration law in contemporary Australia;
2. Conceptually map the categorisation of non-citizens in a legal context;
3. Critically exemplify professional practice in the review and analysis of legislative systems relevant to lawyers practising in migration law, including the Migration Act 1958 (Cth) and Migration Regulations 1994 (Cth) as well as case law and policy;
4. Interrogate authentic complex problems drawing on Australian migration law, including migration policy, practice and procedures and propose ethical solutions demonstrating accountability and responsibility; and
5. Advocate innovative solutions in collaboration with peers, to wide ranging problems in the area of migration, to hypothetical clients.

**Class Contact:**This unit is delivered in burst mode face-to-face. The unit is equivalent to thirty-six hours per semester and combines face-to-face classes, tutorials and discussion.

**Required Reading:**Catriona Cook et al (2014) 9th edition Laying Down the Law LexisNexis Springvale Legal Centre (2014) Part 14 - Immigration Lawyers Practice Manual Victoria Thomson Reuters Fitzroy Legal Service Inc. Chapter 22 - Immigration The Law Handbook 2015

(<http://www.lawhandbook.org.au/handbook/ch22s01.php>) Students will also be provided with course notes via VU Collaborate and two folders containing excerpts of relevant legislations which they are expected to read where relevant.

**Assessment:**Assignment, Assignment Task requiring students to resolve problems relating to migration law (2,000 words), 30%. Examination, Final Examination, 70%.

## LLW4003 Australia's Visa System

**Locations:**City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research Methods

**Description:**This unit of study provides students with knowledge and skills relevant to the Australian visa system and investigation of case law to support submissions to government. This unit has a practical focus on the legislative and policy frameworks pertaining to Australia's visa system, the various mechanisms of migration control, key visa classes and their requirements, visa application processes and visa conditions. Operations of the visa system and the various categories of entrants are examined. Visa classes are also considered. Learning activities and assessment tasks encourage students to develop cognitive, technical and communications skills through discussing and critically analysing issues, scenarios and complex problems from the field of visa categories and visa processes within the broader context of citizenship.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review major permanent visa programs in Australia, justifying their importance and applicability in contemporary times; 2. Interrogate the temporary entry visa programs in Australia and explain their purpose; 3. Interpret and apply relevant requirements of the Migration Act 1958 (Cth) and the Migration Regulations 1994 (Cth) and relevant Commonwealth Government policy and procedures in relation to the Australian visa system in interrogating contemporary visa problems; 4. Exemplify professional judgement by identifying the appropriate visa category to meet the needs of a variety of clients; and 5. Communicate clearly to hypothetical clients visa refusal, cancellation and review as well as appeal processes with responsibility and cultural sensitivity.

**Class Contact:** This unit is delivered in burst mode. The unit is equivalent to thirty-six hours per semester and combines face-to-face and online lectures, tutorials and discussion.

**Required Reading:** Immigration Advice & Rights Centre Inc. Chapters 7-21 The Immigration Kit Online (<http://www.iarc.asn.au>) Springvale Legal Centre (2014) Part 14 - Immigration Lawyers Practice Manual Victoria Thomson Reuters Students will also be provided with course notes via VU Collaborate and two folders containing excerpts of relevant legislations which they are expected to read where relevant.

**Assessment:** Assignment, Assignment Task requiring students to resolve problems relating to visas (2,000 words), 30%. Examination, Final Examination, 70%.

## LLW4004 Sports Law

**Locations:** Footscray Park, City Queen.

**Prerequisites:** BLB1115 - Torts BLB1102 - Contracts 1BLB1101 - Australian Legal System in Context BLB1114 - Legal Research Methods Additional requirement: each student must arrange a minimum of 6 hours work experience or fieldwork in a sporting club or sporting association, or other sports-related fieldwork as approved by the unit Coordinator to occur within the semester of studying this unit. Prohibition: This unit is not available to students who have already successfully completed AHS3503 Legal Issues in Sport and Recreation

**Description:** This unit of study is designed to develop students' awareness of the role of law and the myriad of interlinking legal issues potentially involved in sport. Topics will include an examination of legal issues in areas including anti-doping, gambling and match fixing; diversity and anti-discrimination, and health and safety related to liability, player contracts (rights and protection), violence, injury, and risk management including choice of legal structure for sporting organisations. A student-sourced fieldwork experience in a sporting club or sporting association is required to consolidate this theoretical learning.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review and present knowledge of key legal areas and their application to sport; 2. Interrogate and review a range of legal issues commonly arising in contemporary sporting contexts; 3. Assess relevant legal principles, legislation and rules to issues arising in sport contexts; 4. Negotiate the application of law in the policies, practices and culture of a sporting organisation or club working both autonomously and collaboratively with relevant stakeholders; and 5. Exemplify ethical judgement and professional accountability in the application of the law to contextualise, minimise and solve problems in a range of applied practical cases in elite and/or community-based sport organisations.

**Class Contact:** Seminar 3.0 hrs Thirty (36) hours for one semester, comprising online lectures, out of class independent reading and assignments; plus burst mode face-to-face tutorials and seminars. It is anticipated that this unit will be taught in burst

mode, with approximately 15 hours face-to-face in burst mode plus 15 hours on-line, plus 6 hours student-sourced work experience or fieldwork in a sporting club or sporting association, or other sports-related fieldwork as approved by the unit Coordinator.

**Required Reading:** Thorpe, D, Buti, A, Fridman, C and Jonson P (2013) 2nd ed Sports Law Oxford Details of additional reading will be supplied through the Unit of Study Guide and/or university's e-learning management system

**Assessment:** Test, Short Answer, 1 hour, 20%. Report, Fieldwork/Work experience Project Report, 30%. Other, Contribution to class discussions (in class and online), 10%. Assignment, Written answers to hypothetical problem-style questions, 40%. The total assessment in this unit is equivalent to 5,000 words.

## LLW4005 Current Issues in Migration Law and Practice

**Locations:** Online, City Queen.

**Prerequisites:** LLW4002 - Australian Migration Law BLO5606 - Australia's Visa System The pre-requisite BLO5606 does not apply to students enrolled in LBWP, LHWP, LHLA, LHLB, LHLC, LHGE, LHLW".

**Description:** Migration law in Australia is an extremely complex and dynamic field of practice where legislation changes on a frequent basis. It is therefore important for practitioners to maintain currency in their knowledge and skill so they can respond quickly to changes in the regulatory regime and better advise their clients in planning and making migration applications. This unit of study will explore current issues in migration practice and the impact of recent case law decisions on the interpretation of the Migration Act 1958 (Cth), Migration Regulations 1994 (Cth) and associated legislation. This unit will also use practical cases examples to discuss topical issues resulting from the operation of the Migration Agents Regulations 1998, the Procedures Advice Manual (PAM), Migration Series Instructions (MSI) and the United Nations Documents on migration law.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Analyse critically, evaluate and transform information with respect to current legislative changes and the impact of judicial interpretation in migration law and practice both at the individual and corporate levels; 2. Critically analyse complex problems and current issues in migration law and practice and transmit solutions, balancing individual and public good; 3. Transmit knowledge, skills and ideas in the area of migration, communicating clearly to professional and non-professional audiences; and 4. Critically reflect on the changes and driving factors shaping migration policy, its impact on clients, and design issues in migration law.

**Class Contact:** Equivalent to 36 hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** Kamand, Suhad (2013) 8th edition The Immigration Kit: A Practical Guide to Australia's Immigration Law Federation Press Springvale Legal Centre Chapter 14.1 Immigration Law Lawyers Practice Manual Victoria Thomson Reuters Goddard, J, Germov R, Papadopoulos, P (2014) Australian Immigration Law (online boseleaf service) LexisNexis Vrachnas, J, Bagaric, M, Dimopoulos, P, Pathinayake, A (2011) 3rd edition Migration and Refugee Law: Principles and Practice in Australia Cambridge University Press

**Assessment:** Assignment, Problem solving exercise based on a hypothetical situation (750 words), 15%. Assignment, Review and analysis of recent cases on migration law (1,500 words), 25%. Essay, Research Essay based on current issues in migration law and practice (2,000 words), 60%.

## LLW4006 Current Issues A: Access to Justice

**Locations:** City Queen.

**Prerequisites:**BLB1114 - Legal Research MethodsBLB1101 - Australian Legal System in ContextBLB2122 - Advocacy and Communication

**Description:**This undergraduate level unit is aimed primarily towards undergraduate LLB honours level students. The unit of study examines current issues relevant to courts and justice, and in particular access to justice. Topics will change from semester to semester according to the expertise of the teaching staff. Likely topic areas include: victims in the criminal justice system, family violence; white collar crime and integrity; access to justice in courts and for communities with non-English speaking backgrounds (NESB). This is an advanced level unit aimed primarily at students in the 3rd year or above of their LLB programs.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically review and reflect on theoretical and technical complex problems and current issues in access to justice and propose a solution that indicates sensitivity to contextual, ethical and cultural dimensions of the problem, balancing individual and public good;
2. Interpret contemporary debates in the area of courts and tribunals and contribute to the understanding of complex issues in access to justice, communicating clearly to professional and non-professional audiences; and
3. Critically reflect on the changes and driving factors shaping policy relevant to courts, tribunals and access to justice, and its impact on stakeholders.

**Class Contact:**This unit of study will be delivered in seminar format, normally in Burst mode over Summer or Winter semester.

**Required Reading:**Prescribed and recommended readings will be listed on the unit's space in the university's learning management system.

**Assessment:**Presentation, In-class presentation of an issue or case study, 30%. Research Paper, Written report (maximum 2,000 words), 70%.

## LLW5000 Advanced Commercial Law

**Locations:**City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research MethodsBLB1102 - Contracts 1

**Description:**Advanced Commercial Law (LLW5000) builds upon the principles of contract law analysed in BLB1102 Contracts 1. Advanced Commercial Law involves an examination of fundamental commercial law principles beyond the common law and equitable principles of contract law studied in BLB1102 Contracts 1. Advanced Commercial Law involves an examination of common law and statutory principles associated with fundamental proprietary, relational and regulatory aspects of contractual relationships. Advanced Commercial Law involves advanced knowledge and skills for legal practitioners and other professionals working in the legal profession as well as for students undertaking further learning.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically analyse the nature and types of personal property rights and apply the relevant legal principles associated with the transfer and ownership of personal property in wide ranging situations;
2. Critically review and apply legal principles giving rise to an agency relationship and to a bailment relationship in contemporary commercial contexts;
3. Advocate the main obligations and rights of sellers and buyers under the Goods Act 1958 (Vic) with professional responsibility and accountability;
4. Interrogate the key consumer protection provisions under the Australian Consumer Law in complex commercial transactions; and
5. Resolve problems related to Personal Property Securities Act 2009 (Cth) in commercial transactions with initiative and professional judgement.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials,

workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**KE, Lindgren 2011 12th ed Vermeesch and Lindgren's Business Law of Australia LexisNexis

**Assessment:**Research Paper, Research based Written Legal Advice, 50%. Assignment, Problem based case study/ies, 50%. The total assessment in this unit is equivalent to 6,000 words.

## LLW5001 Corporations Law 2

**Locations:**City Queen.

**Prerequisites:**BLB2119 - Corporations Law 1BLB1114 - Legal Research MethodsBLB1101 - Australian Legal System in Context

**Description:**The aim of this unit is to explore some important practical areas of Australian corporations law (including fundraising, takeovers, continuous disclosure and market misconduct) for students already familiar with principles of corporations law through BLB2119 Corporations Law 1; to explore the corporate law regimes of other jurisdictions and to compare Australia's regulation of corporations with the regime of some other jurisdictions.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically review the rules and underlying policies of, corporations law in Australia at an advanced level;
2. Analyse relevant provisions of the Corporations Act 2001 (Cth) and, where applicable, common law and equity, and contrast and compare with similar statutory provisions in select overseas jurisdictions;
3. Construct proposed changes to the rules and general regulatory framework specifically applying to corporations doing business in Australia; and
4. Plan and produce a research essay which critically analyses Australia's corporate law in an international context.

**Class Contact:**Lecture 2.0 hrs Tutorial 1.0 hr 2 Hours of lectures and 1 hour tutorial per week. Plus 7 hours of private study/assignment writing per week.

**Required Reading:**Lipton, Herzberg and Welsh, 2014 17th edn Understanding Company Law Sydney, Thomson Reuters

**Assessment:**Essay, Essay (3000 words), 30%. Essay, Final Exam, 70%.

## LLW5002 Advanced Constitutional Law

**Locations:**City Queen, City Flinders.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research MethodsLLW1000 - Introduction to Public Law

**Description:**The unit of study will build on LLW1000 Introduction to Public Law. It examines key concepts in Australian constitutional law including techniques and principles of constitutional interpretation. The unit also investigates principal Commonwealth and State legislative powers and interrogates the extent of the major powers granted to the Commonwealth. The unit also discusses limitations on governmental power including express and implied constitutional guarantees of rights and freedoms and the concept of separation of powers.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Exemplify advanced theoretical and technical knowledge in the area of Australian constitutional law and its application to government, including high level competency in legal research in respect of all categories of research materials: primary, especially legislation and cases, and secondary; domestic and foreign;
2. Conceptually map the intersection between theory and practice with intellectual independence and make professional judgements in applying constitutional law for public and client benefit in contemporary settings;
3. Analyse, extrapolate and interpret legal research implications, knowledge and skills to provide solutions to complex legal

problems related to Australian constitutional law and government as demonstrated through a research essay and problem-based examination; 4. Exercise critical thinking and judgement in the learning and application of Australian constitutional law, drawing on knowledge of research principles and methods of law and cognate disciplines, especially political science; 5. Design and implement a research study to investigate an Australian constitutional law question through analysis, critical review and interpretation of relevant data; and 6. Apply knowledge and skills in the area of Australian constitutional law in recommending ethical resolutions to complex legal issues.

**Class Contact:**Lecture2.0 hrsTutorial1.0 hrEquivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Williams, G, Brennan, S and Lynch, A (2014) 6th Blackshield and Williams Australian Constitutional Law and Theory The Federation Press Harvey, M, Longo, M, Ligertwood, J, Babovic, D, Parker, D (2014) 2nd Constitutional Law LexisNexis

**Assessment:**Three types of assessment Other, Quiz, 10%. Assignment, Research assignment, 40%. Examination, Final exam, 50%. The total assessment in this unit is equivalent to 5,500 words.

### LLW5003 Evidence and Criminal Procedure

**Locations:**City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research MethodsLLW1001 - Criminal Law

**Description:**This unit of study covers the principles of the law of evidence, a branch of procedural law dealing with the proof of facts before courts and tribunals. It considers these principles in the context of civil and criminal trials, their application to parties and particular rules relating to the burden and onus of proof, relevance, character and credibility, corroboration, restrictions on access to information, testimony, opinions and the exclusionary rule against hearsay and its exceptions including admissions in criminal investigations. It focuses on the uniform Evidence Act and its application to criminal trials in particular and principles of statutory interpretation including common law codification. It critiques the forms of proof used in the common law adversarial trial and recent legislative reforms including changes resulting from social, political and technological developments including globalisation, digitalisation, civil rights and the search for effective and efficient dispute resolution procedures.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Conceptually map and integrate the relevant principles of evidence law and criminal procedure with the relevant substantive law; 2. Apply autonomous knowledge of evidence and criminal procedure law and other substantive law with well-developed judgment and responsibility to resolving complex issues of proof exemplifying creative and innovative problem solving; 3. Analyse and evaluate the impact of social, political and technological developments on the balancing of ethical and human rights claims around principles of evidence and criminal procedure law under globalisation; 4. Critique the strengths and weaknesses of the methodology of the adversarial trial and its inclusionary and exclusionary rules as a form of inquiry and fact finding; 5. Critically apply interpretative legal rules relating to legislation and case law including codification of common law principles in complex contemporary cases; 6. Collaborate and utilise advanced skills to select primary and secondary sources and apply research methods to evaluate and synthesis principles of evidence and criminal procedure law as law reform; and 7.

Advocate and transmit knowledge, skills and ideas about principles of law to a range of professional and non-professional audiences.

**Class Contact:**Lecture2.0 hrsTutorial1.0 hrEquivalent to three hours per week.

Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Required texts no. 1 Recommended Reading nos 2, 3, 4 Odger S. 2016 12th ed Uniform Evidence Law Pymont/ThompsonReuters Heydon JD 1992 loose-leaf 1992 Cross on Evidence Butterworths Heydon, JD 2014 10th ed Cross on Evidence LexisNexis Ligertwood A and Edmond G 5th ed Australian Evidence Butterworths Support Materials: The class materials and tutorial problems and additional readings found on VU Collaborate provide the materials covered each week in lectures and tutorials.

**Assessment:**Presentation, Case presentation, moot court, 15%. Research Paper, Group assignment, 35%. Examination, 2.5 hour exam, 50%. The total assessment in this unit is equivalent to 6,000 words.

### LLW5004 Lawyers' Ethics and Professional Responsibility

**Locations:**City Queen.

**Prerequisites:**BLB1101 - Australian Legal System in ContextBLB1114 - Legal Research Methods

**Description:**Intended to be studied in the latter part of students' course, this unit of study will examine the legal profession within the Australian context (in particular, Victoria) and the professional standards of the law profession. It will consider the general ethical responsibilities of the legal practitioner; the duties owed by the practitioner to the law, the court, the client (including the basic principles of holding trust money), fellow practitioners and the public. The focus will be on the regulation of the legal profession, the professional conduct of legal practitioners and the practical application of legal ethics in professional practice. This unit meets the Council of Legal Education's requirements for Ethics and Professional Responsibility.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Research relevant information on principles of legal ethics and legal practitioners' ethical obligations; 2. Canvas the framework for the regulation of the legal profession and the professional conduct of legal practitioners to a variety of audiences; 3. Elucidate and critically reflect on principles of legal ethics and legal practitioners' ethical obligations in professional legal practice in 21st century contexts; 4. Analyse and canvass ethical issues that commonly occur in professional legal practice in contemporary multicultural Australia and apply the relevant principles to creatively resolve those issues with accountability and responsibility; 5. Devise and innovate arguments from existing principles to support or counter propositions for reform in legal ethics; 6. Communicate clearly, both orally and in writing, use appropriate language and present coherent arguments and independent exposition of ideas; and 7. Correctly use the Australian Guide to Legal Citation where required.

**Class Contact:**Lecture2.0 hrsTutorial1.0 hrThis unit is delivered by lectures, tutorials, workshops, modules or a delivery mode as approved by the College of Law and Justice. Face-to-face delivery mode:- 2-hour lecture and 1-hour tutorial per week over 12 weeks totalling 36 hours; or - Intensive 12 3-hour seminars, workshops or modules adding up to 36 hours.

**Required Reading:**Dal Pont G, 2013 5th edn. Lawyers' Professional Responsibility Pymont, Thomson Reuters Gino Dal Pont, Lawyers' Professional Responsibility 5th Ed (2013) or such text as may be prescribed by the unit co-ordinator from time to time

**Assessment:** Assignment, Assignment, 30%. Examination, Examination, 70%. The total assessment in this unit is equivalent to 5,500 words.

## LLW5900 Advanced Legal Research Methods

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study provides an advanced program of research training for students of proven academic ability. It provides structured and systematic examination of the nature, aims and methodologies of legal research as a foundation for dissertation design and writing. Included in the unit of study content are examinations of fundamental aspects of the legal research process, including problem definition, methodology, design of the research proposal, considerations of ethical issues, quantitative research in law, questionnaire and survey design, interdisciplinary approaches to investigating legal controversies, comparative research and the publication of legal research. Also included is a systematic review of the main online research tools for finding primary and secondary legal sources, including foreign legal materials. Overall, the unit provides students the opportunity to apply and modify investigative, analytical and critical skills gained and developed through the coursework units to the resolution of a legal problem.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Exemplify high level competency in legal research in respect of all categories of research materials: primary and secondary; domestic and foreign;
2. Conceptually map the intersection between theory and practice with intellectual independence;
3. Exercise critical thinking and judgement in the learning and application of law, drawing on knowledge of research principles and methods of law and cognate disciplines; and
4. Extrapolate and interpret legal research implications, knowledge and skills and create a research plan to provide solutions to complex legal problems related to local and global communities.

**Class Contact:** Equivalent to three hours per week. Normally to be delivered as two hours of lectures and one hour of tutorials, workshops or modules or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Bott, B & Talbot-Stokes, R 2012 5th Nemes and Coss' Effective Legal Research LexisNexis

**Assessment:** Presentation, Student Presentation, 20%. Research Paper, Research Proposal (2000 words), 40%. Examination, Take home examination, 40%.

## LLW5901 Advanced Legal Research Dissertation

**Locations:** City Queen.

**Prerequisites:** BLB 1114 - Legal Research Methods BLB 1101 - Australian Legal System in Context LLW5900 - Advanced Legal Research Methods

**Description:** This unit provides for completion of the thesis requirement of the LLB Honours course and is a direct follow on from LLW5900 Advanced Legal Research Methods. This unit of study follows on from LLW5900 - Advanced Legal Research Methods. This unit requires a student to write a 7000 - 9000 advanced legal dissertation based on the proposal created in LLW5900. The unit provides students the opportunity to apply and modify investigative, analytical and critical skills gained and developed through coursework units and LLW5900 to the resolution of a legal problem through a written dissertation. The research and writing must be completed during one semester under the supervision of a member of staff.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically review and interpret legal research implications as an ongoing process in providing solutions to complex legal problems related to local and global

2. Exercise critical thinking and judgement in developing and reviewing a research plan, including the learning and application of law, drawing on knowledge of research principles and methods of law and cognate disciplines;
3. Design and implement a research study to investigate an original question through analysis, critical review and interpretation of relevant data;
4. Compose a scholarly advanced legal research dissertation presenting a clear and coherent exposition of knowledge and present research findings and ideas to an audience consisting of peers and/or interested academic personnel; and
5. Troubleshoot and manage a research project to successful completion.

**Class Contact:** Seminar 2.0 hrs Due to the nature of this unit, significant time is spent by students engaging in independent research and study. Class contact hours are normally to be delivered as lectures, seminars, workshops, consultation with research mentors, or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:** Australian Guide to Legal Citation, 3rd ed., Melbourne University Law Review website at: [mulr.law.unimelb.edu.au/go/AGLC3](http://mulr.law.unimelb.edu.au/go/AGLC3)

**Assessment:** Thesis, 7000-9000 WORDS DUE WEEK 12, 100%.

## LLW5903 Mooting Competition

**Locations:** City Queen.

**Prerequisites:** BLB 1114 - Legal Research Methods Admission to this unit is by competitive application. The unit will be capped depending on the number of competitions offered from year to year. Criteria for selection will include course progression, marks in relevant units, experience or skills in mooting, debating or other advocacy experience. Applications are open in May of each year.

**Description:** A moot has been defined to involve a discussion of a hypothetical case as part of an academic exercise. Student participants are expected to construct their own knowledge, by conducting legal research and making an active effort to interpret and abstract meaning from case, statute and scholarly writings and relating this to the "simulated reality" provided by the mooting environment. The situated or experiential learning environment provided by mooting enables students to find theoretical knowledge and apply it in a practical sense. Students assume the role of advocates before a simulated bench. They research and prepare the case, draft and submit a written outline of argument, construct opposing arguments on the legal issues raised and present (and defend) those arguments before a simulated bench. Students perform the roles of both a solicitor, with respect to the outline of argument and factual investigation, as well as a barrister, with respect to the oral delivery of arguments. Students will be allocated to teams for various external mooting competitions in which they will represent Victoria University, College of Law and Justice. These will vary from year to year, but may include: Michael Kirby Contract Law Moot; Administrative Appeals Tribunal Moot; Jessup Moot; International Maritime Law Moot; Shine Torts Law Moot; International Vis Moots and the International ADR Moot.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Critically analyse practical legal problems to identify the legal issues with a view to solving them;
2. Plan and execute a legal research task independently;
3. Analyse appropriate case law, legislation and secondary materials;
4. Working both individually and in a team, interpret and apply case law and legislative provisions in solving a legal problem;
5. Construct persuasive written summaries of complex legal arguments;
6. Articulate complex legal arguments in a persuasive manner, including responding to judges' or arbitrators' questions;
7. Anticipate and rebut opposing party's arguments in oral hearings; and
8. Evaluate ethical, social and professional responsibilities in legal situations.

**Class Contact:** This unit will have weekly seminars, online discussions and regular practice moots. Students in this unit are required to prepare for a mooting competition approved by the Unit Coordinator. Due to the nature of this unit, students should expect to spend considerable time engaged in private and group study, developing and practicing their mooting skills.

**Required Reading:** Joel Butler 2nd ed Australasian Mooting Manual LexisNexis Butterworths Additional Materials and instructions are supplied weekly by the Online Learning and Management System (VU Collaborate).

**Assessment:** Other, Participation: Active participation in the compulsory seminars, 10%. Other, Team Written Memorandum (approximately 1500 words for each of the appellant/applicant and respondent), 40%. Presentation, Oral Presentation (Individual assessment): graded in the final practice moot before competition, 50%. The Seminar participation and Oral presentation (final Practice Moot) assessments are marked as individual assessments; the Written Memorandum is marked as a group assessment task.

### LLW7000 Access to Justice: Current Issues A

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** The unit of study examines current issues relevant to courts, tribunals and justice, and in access to justice. Topics will change from semester to semester according to the expertise of the teaching staff. Likely topic areas include: victims in the criminal justice system; family violence; white collar crime and integrity; access to justice in courts and tribunals for communities with non-English speaking backgrounds; and self-represented litigants.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to: 1. Critically analyse complex problems and current issues in access to justice and propose innovative solutions, balancing individual and public good; 2. Interpret contemporary debates in the area of courts and tribunals and contribute to the understanding of complex issues in access to justice, communicating clearly to professional and non-professional audiences; and 3. Critically reflect on the changes and driving factors shaping policy relevant to courts, tribunals and access to justice, its impact on stakeholders.

**Class Contact:** This unit of study will be delivered in seminar format, normally in Burst mode over Summer or Winter semester.

**Required Reading:** Prescribed and recommended readings will be listed on the unit's space in the university's learning management system.

**Assessment:** Presentation, In-class presentation of a an issue or case study, 30%. Research Paper, Written report (maximum 5,000 words), 70%. The total assessment in this unit is equivalent to 8,000 words.

### LLW7900 Research Methods for Law Thesis

**Locations:** Online, City Queen.

**Prerequisites:** Nil.

**Description:** This unit of study will ensure that students have a solid understanding of research approaches to undertake a thesis in the discipline of law. This unit aims to develop students' ability to integrate the basic principles of quantitative and qualitative research methods with a contemporary approach to data analysis. The unit will provide graduates with the skills to conduct applied research that is relevant to developing new legislation and evaluating the effectiveness of existing laws, examining legal controversies, exploring ethical aspects of new legislation and legal policies. The unit is structured to ensure that the legal research process, from defining the research question, to producing a literature review, selecting and designing

appropriate research methods, developing an ethics application, to conducting and presenting research is systematically demonstrated by students in incremental learning activities and assessment tasks. Students will understand the differences between quantitative and qualitative research methods and why and when researchers use either or both approaches. Students will consider dissemination and presentation of their research with a view to communicating research outcomes to maximise exposure to a variety of stakeholders (e.g. the legal community, government, community groups, etc.).

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Undertake a preliminary literature review demonstrating highly developed research skills in relation to location, analysis and synthesis of primary and secondary legal sources relevant to a legal research question or project;
2. Design research methodologies appropriate for a legal problem;
3. Theorise and develop a research question including a justified methodology that responds to the question selected, for a significant piece of independent legal research;
4. Articulate the ethical considerations in conducting research and elaborate the processes for applying for ethics approval;
5. Design an appropriate method to gather qualitative and/or quantitative data; and
6. Demonstrate characteristics of effective legal writing.

**Class Contact:** This unit will be organised with 12 x 2 hour seminars delivered online or in burst mode. Students are expected to engage in both online and face-to-face learning activities. Furthermore, students are also expected to undertake considerable independent learning (minimum of 7 hours a week) that will be, in part, directed from further recommended readings and questions posed both in class and online. Students' independent learning will also be directed by the requirements of assessment tasks. Students will be expected to attend face-to-face classes and synchronous online session as well as contribute to online discussions each week.

**Required Reading:** Details of readings will be provided to students via the unit's online learning space.

**Assessment:** Assignment, Preliminary Research Plan including research question (800 words), 10%. Literature Review, Preliminary Literature Review (1,500 words), 20%. Exercise, Data Collection Exercise and Reflection (800 words), 20%. Assignment, Research Methodology Evaluation and Justification (900 words), 20%. Project, Research Proposal (3,000 words), 30%. The total assessment in this unit is equivalent to 7,000 words. .

### LLW8900 Law (Full-Time)

**Locations:** City Queen.

**Prerequisites:** Nil.

**Description:** The Doctor of Philosophy (PhD) at Victoria University is VU's Doctoral Degree (Research) program, and qualifies individuals who acquire and apply a substantial body of knowledge to research, investigate and develop new knowledge, in one or more fields of investigation or scholarship. This unit contributes to the research student's progress towards the production of a thesis in an approved thesis format for independent examination by at least two external expert examiners of international standing. In this unit of study the student will be expected to demonstrate progress towards thesis completion as per the Learning Outcomes below.

**Credit Points:** 48

**Learning Outcomes:** On successful completion of this unit, the student will be able to demonstrate significant progress towards demonstration of: expert understanding of a substantial body of theory and its practical application at the frontier of a field of work or learning, including substantial expert knowledge of ethical research principles and methods applicable to the field intellectual independence and cognitive skills to

undertake a systematic investigation, reflect critically on theory and practice and evaluate existing knowledge and ideas, including identifying, evaluating and critically analysing the validity of research studies and their applicability to a research problem expert cognitive, technical and creative skills to: design, develop and implement a research project/s to systematically investigate a research problem develop, adapt and implement research methodologies to extend and redefine existing knowledge manage, analyse, evaluate and interpret data, synthesising key ideas and theorising within the context of key literature expert communication skills to explain and critique theoretical propositions, methodologies and conclusions; to disseminate and promote new insights; and to cogently present a complex investigation of originality, or original research, both for external examination and to specialist (eg. researcher peers) and non-specialist (industry and/or community) audiences through informal interaction, scholarly publications, reports and formal presentations. capacity to reflect on, develop and evaluate strategies for achieving their own learning and career goals. intellectual independence, initiative and creativity in new situations and/or for further learning ethical practice and full responsibility and accountability for personal outputs autonomy, authoritative judgment, adaptability and responsibility as an expert and leading scholar

**Class Contact:**Regular meetings with supervisor and participation in agreed research professional development activities.

**Required Reading:**To be determined in consultation with the supervisors.

**Assessment:**The student will demonstrate substantial progress towards completion of the research thesis through formal meetings with their thesis supervisors, who will provide formative feedback. The unit will be assessed by the supervisory team, the College and University through 6-monthly progress reports. Thesis, Research Thesis, Pass/Fail.

### LLW8901 Law (Part-Time)

**Locations:**City Queen.

**Prerequisites:**Nil.

**Description:**The Doctor of Philosophy (PhD) at Victoria University is VU's Doctoral Degree (Research) program, and qualifies individuals who acquire and apply a substantial body of knowledge to research, investigate and develop new knowledge, in one or more fields of investigation or scholarship. This unit contributes to the research student's progress towards the production of a thesis in an approved thesis format for independent examination by at least two external expert examiners of international standing. In this unit of study the student will be expected to demonstrate progress towards thesis completion as per the Learning Outcomes below.

**Credit Points:** 24

**Learning Outcomes:**On successful completion of this unit, the student will be able to demonstrate significant progress towards demonstration of: expert understanding of a substantial body of theory and its practical application at the frontier of a field of work or learning, including substantial expert knowledge of ethical research principles and methods applicable to the field intellectual independence and cognitive skills to undertake a systematic investigation, reflect critically on theory and practice and evaluate existing knowledge and ideas, including identifying, evaluating and critically analysing the validity of research studies and their applicability to a research problem expert cognitive, technical and creative skills to: design, develop and implement a research project/s to systematically investigate a research problem develop, adapt and implement research methodologies to extend and redefine existing knowledge manage, analyse, evaluate and interpret data, synthesising key ideas and theorising within the context of key literature expert communication skills to explain and critique theoretical propositions, methodologies and conclusions; to disseminate and

promote new insights; and to cogently present a complex investigation of originality, or original research, both for external examination and to specialist (eg. researcher peers) and non-specialist (industry and/or community) audiences through informal interaction, scholarly publications, reports and formal presentations. capacity to reflect on, develop and evaluate strategies for achieving their own learning and career goals. intellectual independence, initiative and creativity in new situations and/or for further learning ethical practice and full responsibility and accountability for personal outputs autonomy, authoritative judgment, adaptability and responsibility as an expert and leading scholar

**Class Contact:**Regular meetings with supervisor and participation in agreed research professional development activities.

**Required Reading:**To be determined in consultation with the supervisors.

**Assessment:**The student will demonstrate substantial progress towards completion of the research thesis through formal meetings with their thesis supervisors, who will provide formative feedback. The unit will be assessed by the supervisory team, the College and University through 6-monthly progress reports. Thesis, Research Thesis, Pass/Fail.

### LML5000 Australian Migration Law

**Locations:**City Queen.

**Prerequisites:**Nil.

**Description:**This unit of study provides participants with specialised knowledge and skills related to of Australian migration law, policy, practice and procedures. Migration agents require a solid grounding in the Australian legal system in preparation for their professional life. Through applied case studies and class discussion, students will review the general principles of statutory interpretation and the ethics and statutory responsibilities of being a migration agent. Students will broaden their existing disciplinary expertise to include an appreciation of professional codes of conduct, ethics and professional practice within this speciality and the role of the Migration Agents Registration Authority. The philosophy of the Australian migration system, the structure of the legislative framework for migration law and practice and the conceptualisation of Australian citizenship will all be addressed and evaluated. Learning activities and assessment tasks will require students to identify, develop and apply investigative tools commonly used by migration agents to locate relevant information upon which to base sound decision-making in migration cases.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Review, analyse and synthesise specialist knowledge in order to interpret and apply the provisions of the Migration Act and Regulations, case law and policy;
2. Propose and justify alternative solutions to complex problems in migration law, policy and administrative practices; and
3. Critically evaluate the distinction between ethical and unethical operational practices.

**Class Contact:**Workshop8.0 hrsEquivalent to thirty-six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice. This unit of study is one unit in a series of four units that are taught sequentially across an extended (24-week) semester. This unit is the first unit in that sequence and so is normally taught across weeks 1-8 of the semester. Unit of study equal to 12 credit points.

**Required Reading:**Catriona Cook et al (2014) 9th edition Laying Down the Law LexisNexis Springvale Legal Centre (2014) Part 14 - Immigration Lawyers Practice Manual Victoria Thomson Reuters Fitzroy Legal Service Inc. Chapter 22 - Immigration The Law Handbook 2016

(<http://www.lawhandbook.org.au/handbook/ch22s01.php>) Students will also be provided with course notes via VU Collaborate. Student are also required to purchase

the textbook Australian Migration Legislation Collection published by LexisNexis which containing excerpts of relevant legislations which they are expected to read where relevant.

**Assessment:**Assignment, Assignment Task requiring students to evaluate court decisions on migration law, 20%. Assignment, Assignment Task requiring students to provide alternatives to complex problems in migration law, policy and administrative practices, 35%. Examination, Final Examination (MARA Common Task), 45%.

### LML5001 Applied Migration Law

**Locations:**City Queen.

**Prerequisites:**Due to the sequential nature of units and assumed knowledge, students must complete the following units either concurrently with this unit or prior to undertaking this unit: - LML5000 Australian Migration Law - BLO5606 Australia's Visa System.

**Description:**This unit of study provides participants with the requisite knowledge and skills to practise as a professional migration agent. The focus is on planning, delivery and communicating effective migration services for clients. The participants will identify personal and professional development needs and develop lifelong learning plans. Topics include: Working with interpreters Ethics and ethical decision making Submission and letter writing Cultural diversity Fee agreements Contracts File management Application documentation

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to: 1. Formulate and justify specialised consultancy advice to effectively meet clients' needs in a range of situations and levels of complexity; 2. Strategise communication plans and procedures for interactions with key stakeholders including clients and government; 3. Prepare visa applications according to requisite regulations; and 4. Plan, organise and deliver effective migration services.

**Class Contact:**Workshop8.0 hrsEquivalent to thirty-six hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice. Unit of study equal to 12 credit points.

**Required Reading:**Lewis, Gordon D., Kyrou, Emilos J 3rd edition Handy Hints on Legal Practice The Law Book Company Students will also be provided with course notes via VU Collaborate. Student are also required to purchase the textbook Australian Migration Legislation Collection published by LexisNexis containing excerpts of relevant legislations which they are expected to read where relevant.

**Assessment:**Assignment, Assignment Task focused on various elements of migration practice, 10%. Assignment, Assignment Task requiring students to prepare a submission to government (MARA Common Task), 30%. Practicum, Phone Interview (MARA Common Task), 20%. Assignment, File Note based on phone interview, 20%. Assignment, Letter of Advice focused on the provision of migration law advice, 20%.

### LML7001 Current Issues in Migration Law and Practice

**Locations:**City Queen.

**Prerequisites:**LML5000 - Australian Migration LawBLO5606 - Australia's Visa System

**Description:**Migration law in Australia is an extremely complex and dynamic field of practice where legislation changes on a frequent basis. It is therefore important for practitioners to maintain currency in their knowledge and skill so they can respond quickly to changes in the regulatory regime and better advise their clients in planning and making migration applications. This unit of study will explore current issues in migration practice and the impact of recent case law decisions on the interpretation of the Migration Act 1958 (Cth), Migration Regulations 1994 (Cth) and associated legislation. This unit will also use practical cases examples to discuss topical issues

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resulting from the operation of the Migration Agents Regulations 1998, the Procedures Advice Manual (PAM), Migration Series Instructions (MSI) and the United Nations Documents on migration law.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically review the current legislative changes and the impact of judicial interpretation in relation to migration law and practice both at individual and corporate levels; 2. Critically analyse complex problems and current issues in migration law and practice and propose innovative solutions, balancing individual and public good; 3. Interpret contemporary debates in the area of migration and contribute to the understanding of complex issues in migration law, communicating clearly to professional and non-professional audiences; and 4. Critically reflect on the changes and driving factors shaping migration policy, its impact on clients, and design issues in migration law.

**Class Contact:**Lecture8.0 hrsEquivalent to 36 hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Kamand, Suhad (2013) 8th edition The Immigration Kit: A Practical Guide to Australia's Immigration Law Federation Press Springvale Legal Centre Chapter 14.1 Immigration Law Lawyers Practice Manual Victoria Thomson Reuters Goddard, J, Germov R, Papadopoulos, P (2014) Australian Immigration Law (online baseleaf service) LexisNexis Vrachnas, J, Bagaric, M, Dimopoulos, P, Pathinayake, A (2011) 3rd edition Migration and Refugee Law: Principles and Practice in Australia Cambridge University Press

**Assessment:**Assignment, Problem solving exercise based on a hypothetical situation (1,000 words), 15%. Assignment, Review and analysis of recent cases on migration law (2,000 words), 25%. Essay, Research Essay based on current issues in migration law and practice (3,500 words), 60%.

### LML7002 Administrative Law Implications in Migration Matters

**Locations:**City Queen.

**Prerequisites:**LML5000 - Australian Migration LawBLO5606 - Australia's Visa SystemBLO5607 - Visa Compliance, Cancellation and Review

**Description:**This unit of study will provide students with a broad understanding of a body of knowledge and theoretical concepts including skills in the area of administrative law in a migration context. The unit uses a combination of contemporary migration law cases, other legal cases, authentic migration law documentation, lectures from current practitioners and workshops practising the application of legislation to explore topics such as the institutional framework of modern governments in Australia, various ideological perspectives on the nature and role of government, understanding the legislative and administrative systems of government and recent legislation in the field of administrative law with reference to the role of the Commonwealth Ombudsman, the Migration Review Tribunal, Refugee Review Tribunal and Administrative Appeals Tribunal, freedom of information legislation, and the Courts. This unit will also examine other ancillary review mechanisms such as ministerial intervention and the significance of 'privative clause' legislation.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Critically review administrative law in a migration context including the institutional framework of modern governments in Australia and the various ideological perspectives on the nature and role of government; 2. Cross examine the legislative and administrative system of government and argue their significance on the migration agent; 3. Critically analyse and interpret important and relevant



administrative law issues in the contemporary Australian migration agent industry; and 4. Interpret the relevant law and interrogate a wide range of cases with professional judgement respecting and valuing diversity.

**Class Contact:** Equivalent to 36 hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** Douglas, R and Head, M (2014) 7th edition Douglas and Jones's Administrative Law Federation Press Kamand, Suhad (2013) 8th edition The Immigration Kit: A Practical Guide to Australia's Immigration Law Federation Press Springvale Legal Centre Chapter 14.1 Immigration Law Lawyers Practice Manual Victoria Thomson Reuters Goddard, J, Germov R, Papadopoulos, P (2014) Australian Immigration Law (online looseleaf service) LexisNexis Cane, P and McDonald, L (2012) 2nd edition Principles of Administrative Law: legal regulation of governance Oxford University Press Cane, P and McDonald, L (2013) 2nd edition Cases and materials for principles of administrative law Oxford University Press

**Assessment:** Assignment, Practical Exercise testing students' knowledge and problem solving skills in applying administrative law in a migration matter (750 words), 10%. Assignment, Assignment requiring students to research and evaluate administrative law implications in a migration context (2,500 words), 35%. Examination, Final Examination, 55%. The total assessment in this unit equates to 7,000 words.

### LML7003 Comparative Migration Law

**Locations:** City Queen.

**Prerequisites:** LML5000 - Australian Migration Law BLO5606 - Australia's Visa System

**Description:** This unit of study examines the migration legislative framework and visa structure across a number of countries, such as Canada, Malaysia, New Zealand, Singapore, United Kingdom and the United States of America. It aims to provide students with the knowledge and skills to critically evaluate the considerations that different governments adopt in developing migration legislation and policies. This unit has a practical focus, and a particular emphasis on the commonalities and differences between Australia's and New Zealand's legal system in relation to migration law. Authentic case studies will be used to comparatively discuss the two countries' regulatory system of migration, citizenship requirements, and review and appeals processes.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to: 1. Cross-examine the key features of the migration legislative framework and visa structure of a number of common and civil law countries and review its implications to individuals and communities; 2. Review and predict the future importance of migration law in light of internationalism and economic globalisation and professional responsibilities towards local and global communities; 3. Advocate the relevant visa options and review and appeals mechanisms available to parties making migration applications for a number of different countries; 4. Adapt knowledge of contemporary New Zealand migration legislation and policy including the Immigration Act 2009 and the Immigration (Visas, Entry Permission and Related Matters) Regulations 2010 and Immigration Adviser's Licensing Act 2007 to resolve complex immigration problems; 5. Critically review and contextualise the Australian migration law framework and New Zealand migration law framework to interrogate cases from those jurisdictions; and 6. Debate international comparative migration law issues in a scholarly and persuasive manner.

**Class Contact:** Seminar 8.0 hrs Equivalent to 36 hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** Tennent, Doug (2010) Immigration and Refugee Law LexisNexis Butterworths Legislation Series (2014) Immigration Legislation LexisNexis

**Assessment:** Essay, Research Essay evaluating the migration legislative framework between Australia and other countries (2,000 words), 30%. Assignment, Practical Exercise requiring students to demonstrate knowledge of New Zealand's migration legislation and policy (1,500 words), 20%. Assignment, Practical Exercise requiring students to prepare a submissions in support of migration applications in New Zealand (1,500 words), 20%. Examination, Final Examination, 30%. The total assessment in this unit equates to 8,000 words.

### LML7004 Advanced Australian Migration Law

**Locations:** City Queen.

**Prerequisites:** LML5000 - Australian Migration Law BLO5606 - Australia's Visa System BLO5607 - Visa Compliance, Cancellation and Review LML5001 - Applied Migration Law

**Description:** This unit of study builds on the fundamental migration law principles examined in the prerequisite subjects to provide students with a sophisticated theoretical understanding of complex provisions of the Migration Act 1958, Migration Regulations 1994, case law and migration policies that applies in migration practice. The unit will focus on developments in advanced migration matters and clearance issues (such as border protection legislation, immigration detention, and removal and deportation requirements), character and section 501 cases, temporary and permanent work visas, and complex considerations when advising on family and business visas. Advanced issues in ethics, confidentiality and legal professional privilege in migration matters will also be considered in this unit.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to: 1. Interpret provisions of the Migration Act 1958 (Cth), Migration Regulations 1994 (Cth), associated legislation and current case law in relation to contemporary migration issues in Australia; 2. Critically analyse migration problems at an advanced level and propose creative resolutions with responsibility and accountability; 3. Interrogate authentic and complex cases applying the relevant principles of migration law with professional judgement; 4. Synthesise the principles enunciated by Tribunals and Courts; and 5. Debate complex ethical dilemmas balancing individual and public good and with respect for diversity.

**Class Contact:** Lecture 8.0 hrs Equivalent to 36 hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:** Kamand, Suhad (2013) 8th edition The Immigration Kit: A Practical Guide to Australia's Immigration Law Federation Press Springvale Legal Centre Chapter 14.1 Immigration Law Lawyers Practice Manual Victoria Thomson Reuters Crock, M and Berg, L (2011) Immigration, Refugees and Forced Migration - Law, Policy and Practice in Australia Federation Press Goddard, J, Germov R, Papadopoulos, P (2014) Australian Immigration Law (online looseleaf service) LexisNexis Vrachnas, J, Bagaric, M, Dimopoulos, P, Pathinayake, A (2011) 3rd edition Migration and Refugee Law: Principles and Practice in Australia Cambridge University Press

**Assessment:** Assignment, Research assignment (interpret relevant provisions of the Migration Act and Regulations and apply relevant laws to various scenarios (3,500 words), 40%. Examination, Final Examination, 60%. The total assessment in this unit equates to 7,000 words.

### LML7005 Advanced Review Considerations in Migration Law

**Locations:** City Queen.

**Prerequisites:**LML5000 - Australian Migration LawBLO5606 - Australia's Visa SystemBLO5607 - Visa Compliance, Cancellation and ReviewLML5001 - Applied Migration Law

**Description:**This unit of study provides students with the opportunity to examine the practical aspects of merits and judicial review mechanisms in migration law. The unit will cover the administrative processes and jurisdiction of different tribunals (the Migration Review Tribunal, Refugee Review Tribunal and Administrative Appeals Tribunal) and their role in reviewing decisions made in respect of migration applications, the scope of the Minister's power to intervene in the decision making process, and other avenues of legal redress. The focus of the unit will then shift to exploring the process and practical issues of judicial review, including the Hickman principle and 'privative clause' legislation. This unit will equip students with the theoretical knowledge and practical skills to draft grounds for an application for judicial review through the use of case studies.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Interrogate the review mechanisms of migration law in Australia and apply to complex and wide ranging situations;
2. Appraise the impact of merits and judicial review on contemporary migration matters;
3. Communicate, appear before a review tribunal or court and prepare submissions in support of review applications of wide ranging complexity;
4. Implement legal analysis and evaluation skills gained through the examination and synthesis of relevant legislation, court decisions and rulings; and
5. Negotiate and mediate for authentic client cases applying theoretical knowledge and research skills.

**Class Contact:**Lecture8.0 hrsEquivalent to 36 hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Kamand, Suhad (2013) 8th edition The Immigration Kit: A Practical Guide to Australia's Immigration Law Federation Press Springvale Legal Centre Chapter 14.1 Immigration Law Lawyers Practice Manual Victoria Thomson Reuters Goddard, J, Germov R, Papadopoulos, P (2014) Australian Immigration Law (online boseleaf service) LexisNexis

**Assessment:**Assignment, Assignment examining the review mechanisms and its impacts on a migration problem (2,000 words), 30%. Other, Mock File requiring students to (1) prepare a submission and (2) to appear before a review tribunal (equivalent to 4,500 words), 70%.

## LML7006 Practice Ready Program

**Locations:**Industry, Online, City Queen.

**Prerequisites:**LML5000 - Australian Migration LawBLO5606 - Australia's Visa SystemBLO5607 - Visa Compliance, Cancellation and ReviewLML5001 - Applied Migration Law

**Description:**This unit of study is a practical, interactive course designed to equip students with the relevant practical skills and knowledge to practice as a migration agent and to establish and operate a migration agency. The unit will cover topics such as ethics and professional practice, accounts management, business management, file management, interviewing, statutory interpretation, preparing applications and submissions, and advocating a case. Students will be provided opportunities to apply theoretical and practical knowledge to a practical simulated work environment and to observe professional practice within a migration agency context.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Exemplify ethical principles, intercultural understanding and the obligations

2. Adapt efficient client file management, accounts and business management principles when operating a migration agency, including implementing the compliance requirements imposed by the Code of Conduct;
3. Communicate clearly and effectively with clients, including ascertaining facts and information from clients and delivering advice to clients while respecting and valuing diversity and maintaining confidentiality;
4. Evaluate continuously the changing legislative and regulatory regime as it applies to the contemporary migration agent; and
5. Analyse and troubleshoot complex problems in relation to operating a migration agency.

**Class Contact:**Equivalent to 36 hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Migration Institute of Australia (2013) 3rd edition Practice Ready Manual Migration Institute of Australia Migration Institute of Australia, FCG Legal Pty Ltd and Victoria University (2012) 5th edition Australian Immigration Companion Migration Institute of Australia Kamand, Suhad (2013) 8th edition The Immigration Kit: A Practical Guide to Australia's Immigration Law Federation Press Goddard, J, Germov R, Papadopoulos, P (2014) Australian Immigration Law (online boseleaf service) LexisNexis Kyrour, E, Lewis, G and Dinelli, A (2004) 3rd edition Lewis and Kyrour's Handy Hints on Legal Practice Thomson Reuters

**Assessment:**Other, Mock Client Interview, 70%. Assignment, interpret relevant provisions of the Migration Act and Regulations and other relevant legislation and apply relevant laws to various scenarios, 30%. The total assessment in this unit equates to 1,750 words.

## LML7007 Refugee Law

**Locations:**City Queen.

**Prerequisites:**LML5000 - Australian Migration LawBLO5606 - Australia's Visa System

**Description:**This unit of study provides students with a theoretical understanding of refugee law and its practical application in Australia and in the international context. The unit will examine the international legal regime for the protection of involuntary migrants, the UN Refugee Convention's definition of refugee, Australia's visa system and application procedures relating to onshore and offshore refugees, the operation of the Refugee Tribunals, judicial review and judicial interpretation. Merits and judicial review principles in relation to protection visa applications will also be considered.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Interrogate the international and domestic development of refugee law and critically review the impact of judicial review on contemporary refugee and humanitarian visa applications;
2. Cross examine and apply case law and research to support specific protection visa applications, including communicating submissions in for protection visas in the context of primary and merits review applications;
3. Critically analyse, evaluate and synthesise relevant legislation, court decisions and rulings by the Refugee Review Tribunal and courts and apply to authentic complex cases and new situations and for further learning;
4. Critically evaluate the constantly evolving and changing refugee law in the context of contemporary Australian society and the migration agent's or migration lawyer's responsibilities within this area;
5. Adapt the United Nations Convention and Protocol relating to the status of refugees and initiate new ideas related to judicial review of applications; and
6. Interpret and discourse complex global refugee issues and the law with peers and professionals.

**Class Contact:**Equivalent to 36 hours per semester normally to be delivered as a combination of lecture, seminar, tutorial or workshop, or a delivery mode as approved by the College of Law and Justice.

**Required Reading:**Hathaway, J and Foster, M (2014) 2nd edition *The Law of Refugee Status* Cambridge University Press Hathaway, J (2005) *The Rights of Refugees under International Law* Cambridge University Press United Nations High Commissioner for Refugees (1992) *Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees* UNHCR

**Assessment:**Assignment, Research Assignment (3,500 words), 40%. Examination, Final Examination, 60%. The total assessment in this unit is equivalent to 7,000 words.

## LML7008 International Labour Mobility

**Locations:**City Queen.

**Prerequisites:**LML5000 - Australian Migration LawBL05606 - Australia's Visa System

**Description:**Today's global economy and the increasing ease for cross border movement of labour has economic, social, political and legal implications for Australia's migration framework. This unit of study explores the intersection of migration and labour law in that context with a focus on Australia's initiatives to encourage and regulate migration to this country. Topics covered include the contextual background, the processes for labour-related temporary and permanent migration to Australia, the migrant worker's employment structure, integration and the legal protection of migrant rights.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Cross-examine, interpret and apply relevant requirements of the Migration Act 1958 and Regulations 1994 and relevant Commonwealth Government policy and procedures to complex and unpredictable problems in relation to labour-related employer-nominated and employer-sponsored migration;
2. Interpret and apply relevant requirements of the Migration Act 1958 and Regulations 1994 and relevant Commonwealth Government policy and procedures to creatively resolve complex problems in relation to skilled migration visas to Australia;
3. Critically evaluate and provide professional advice to complex hypothetical labour-migration problems to clients or government bodies with a high level of responsibility, personal autonomy and independence;
4. Critically analyse and interpret multifaceted evidence related to Australian labour migration law and practice and apply to different bodies of knowledge and new situations;
5. Analyse the relevance and argue the applicability of international instruments for the regulation of migration and the protection of migrants in contemporary global contexts;
6. Mediate on complex issues raised by international migration from the perspectives of both countries of origin and destination, balancing both individual and national good;
7. Advocate and recommend innovative measures to deal with gaps in contemporary migration legislation and policies; and
8. Communicate and defend these theoretical propositions to specialist and non-specialist audiences in a professional and scholarly manner.

**Class Contact:**This unit will be taught predominantly by flexible online delivery modes. Class contact will be via online (synchronous and asynchronous activities) and two days of burst mode face-to-face class contact.

**Required Reading:**Kamand, Suhad (2013) 8th edition *The Immigration Kit: A Practical Guide to Australia's Immigration Law* Federation Press Goddard, J, Germov R, Papadopoulos, P (2014) *Australian Immigration Law* (online looseleaf service) LexisNexis Jockel, M (2009) *457 Visa Law: Addressing Australia's Skilled Labour Shortage* Thomson Reuters Vrachnas J, Bagaric, M, Dimopoulos, P and Pathinayake, A (2011) 3rd edition *Migration and Refugee Law: Principles and Practice in Australia* Cambridge University Press

**Assessment:**Case Study, Case Studies on permanent employment visa and temporary

work visas (3,000 words), 40%. Case Study, Case studies on skilled migration (3,000 words), 40%. Essay, Critical Reflection on Australian labour mobility-related migration law (2,000 words), 20%. The total assessment in this unit equates to 8,000 words.

## LML7009 Migration Security and Human Trafficking

**Locations:**City Queen.

**Prerequisites:**LML5000 - Australian Migration LawBL05606 - Australia's Visa System

**Description:**This unit of study provides students with an advanced understanding of the current legislative framework in migration security. Local and international regulations, law reform proposals and Australia's obligations under the Convention on Transnational Organised Crime (CTOC), the relationship between the CTOC and the Trafficking and Migrants Protocols, and the administration of the CTOC at the international level in relation to the prevention of human trafficking will be considered. It will also examine emerging issues of human trafficking such as trafficking in the context of labour recruitment practices, and international marriage migration, and Australia's responses to such. Other topics include border protection issues and the legal issues relevant both to the traffickers and the potential migrants.

**Credit Points:** 12

**Learning Outcomes:**On successful completion of this unit, students will be able to:

1. Cross-examine, interpret and apply relevant requirements of the Commonwealth Criminal Code Act, Migration Act 1958 and Regulations 1994, relevant Commonwealth Government policy and procedures and international law and conventions to complex and unpredictable problems in relation to human trafficking and migration-related border security;
2. Interpret and apply relevant requirements of the Migration Act 1958 and Regulations 1994 and relevant Commonwealth Government policy and procedures to creatively resolve complex problems in relation to immigration detention and bridging visas;
3. Conceptually map the Convention on Transnational Organised Crime (CTOC), and the relationship between the CTOC and the Trafficking and Migrants Protocols in international law and synthesise and adapt information to new situations in professional practice;
4. Critically evaluate and mediate the implementation of the Trafficking Protocol obligations to cooperate, prevent and protect trafficked persons in Australian law, balancing individual and public good;
5. Interview and provide professional advice to complex hypothetical migration protection and human trafficking problems to clients or government bodies, with a high level of responsibility, personal autonomy and independence;
6. Research, analyse and interpret evidence related to complex issues and problems in migration security and human trafficking with a high level of autonomy, creativity and initiative; and
7. Elucidate and defend proposed hypothetical solutions to specialist and non-specialist audiences in a scholarly and professional manner with a high level of accountability.

**Class Contact:**This unit is delivered using flexible, blended approaches to learning. Students will be expected to engage with materials, discussions and activities in a combination of online and burst mode learning.

**Required Reading:**United Nations Office on Drugs and Crime *United Nations Convention against Transnational Organized Crime* (<http://www.unodc.org/unodc/en/treaties/CTOC/>) United Nations Office on Drugs and Crime *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (<http://www.unodc.org/unodc/en/treaties/CTOC/>) United Nations Office on Drugs and Crime *Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime* (<http://www.unodc.org/unodc/en/treaties/CTOC/>)

**Assessment:** Assignment, Assignment requiring critical evaluation of the Convention on Transnational Organised Crime and associated Protocols (2,000 words), 25%. Case Study, Case Studies on human trafficking, migration-related border security, immigration detention and bridging visas issues, 35%. Research Paper, Research Issues Paper (3,500 words), 40%. The total assessment in this unit equates to 8,000 words.

### LML7010 Global Trends in International Migration

**Locations:** City Queen.

**Prerequisites:** LML5000 - Australian Migration Law/LML5001 - Applied Migration Law

**Description:** International migration is a large and growing phenomenon that is growing in scope, complexity and impact. Understanding the complex dynamics behind international migration is essential to improving the legislative framework and policies to address the multiple causes and consequences of these movements of people. This unit of study explores the domestic and international legal regimes regarding migration, examining laws, major legal cases and regulatory frameworks.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to: 1. Conceptually map the contemporary international legal frameworks that set out the rights of migrants and the responsibilities of governments and Australia's responsibilities within these; 2. Critically evaluate contemporary international migration issues and debate innovative recommendations exemplifying professional responsibility in balancing the good of global communities; 3. Advocate the positive and negative impacts of international migration on source, transit, and destination countries to professional and non-professional audiences; 4. Interpret legislative provisions and analyse complex migration problems and propose creative, ethical, culturally sensitive resolutions; 5. Interrogate wide ranging and authentic cases and apply the relevant principles of migration law in resolving these; and 6. Critically review theoretical knowledge, emerging trends and evolving situations in professional practice and abstract knowledge with creativity and initiative to facilitate further learning.

**Class Contact:** This class will be taught predominantly by online delivery modes. Students will be expected to engage in independent learning and to pace their learning to keep on track during the semester.

**Required Reading:** Students will be provided with a collection of required readings.

**Assessment:** Case Study, Case Studies requiring students to assess the impacts of international migration, 30%. Research Paper, Research Issues Paper (4,500 words), 70%. The total assessment in this unit equates to 7,000 words.

### LML7901 Minor Research Thesis

**Locations:** City Queen.

**Prerequisites:** BLB5513 - Advanced Legal Research and Writing/LLW7900 - Research Methods for Law Thesis

**Description:** This unit allows a student to critically interrogate a research question or problem in an area of law relevant to their chosen course of study. The unit provides students the opportunity to apply and modify investigative, analytical and critical skills gained and developed through coursework units and BLB5513 Advanced Legal Research and Writing, to the critical analysis of a legal issue through a substantial written dissertation. Established theories to different bodies of knowledge or practice will be critiqued in the context of a scoped investigation and recommended solutions will be contextualised to a specified community/organisation in an ethical and socially responsible manner. In this unit, students are required to create a minor thesis (15,000 words) on an approved topic related to their law studies. In addition to their thesis, students will make an oral presentation on their research work.

**Credit Points:** 24

**Learning Outcomes:** On successful completion of this unit, students will be able to:

1. Identify and scope a research problem and design and implement a research plan to investigate the issue through analysis, critical review and interpretation of relevant data; 2. Apply evaluative and critically reflective research techniques and professional judgement to conduct competent, defensible, ethical and socially responsible research; 3. Conceptually map the intersection between theory and practice with intellectual independence; 4. Extrapolate and interpret legal research implications, knowledge and skills to provide solutions to complex legal problems related to local and global communities; and 5. Compose a scholarly minor thesis presenting a clear and coherent exposition of knowledge and ideas to a variety of specialist and non-specialist audiences.

**Class Contact:** Independent research in addition to regular meetings with the supervisor.

**Required Reading:** Melbourne University Law Review (2010) 3rd edition Australian Guide to Legal Citation Melbourne University Law Review Association Inc Margaret McKerchar 2010 Design and Conduct of Research in Tax, Law and Accounting Thomson Reuters

**Assessment:** Thesis, Written minor thesis (15,000 words), 100%.

### LML7902 Capstone Research Project

**Locations:** Industry, City Queen.

**Prerequisites:** BLB5513 - Advanced Legal Research and Writing

**Description:** In this unit, students carry out a work-related research project under the guidance and supervision of an appropriate academic staff. Students will explore complex problems, analyse results, and interpret evidence with regard to different bodies of knowledge and practice and advocate recommendations. The unit also requires students to communicate these propositions to specialist and non-specialist audiences both orally and in writing in a scholarly manner as a professional, balancing individual and public good.

**Credit Points:** 12

**Learning Outcomes:** On successful completion of this unit, students will be able to: 1. Apply theoretical knowledge, technical and creative skills to systematically investigate, analyse and synthesise complex information with a high level of personal autonomy and independence; 2. Initiate, plan and manage a significant workplace-related project, including managing multiple stakeholders; 3. Analyse and interpret evidence with regard to different bodies of knowledge and practice with creativity and initiative; and 4. Communicate these theoretical propositions to specialist and non-specialist audiences both orally and in writing in a scholarly manner as a professional.

**Class Contact:** Independent research in addition to regular meetings with the supervisor.

**Required Reading:** Students will be required to review literature relevant to their chosen research project.

**Assessment:** Other, Project Plan (1,000 words), 10%. Literature Review, Review of Literature relevant to the research project (2,000 words), 15%. Report, Research Report on project and outcomes (5,000 words), 75%. The total assessment in this unit is equivalent to 8,000 words.

### ZCC5001 Private International Law/Conflict of Laws

**Locations:** City Queen.

**Prerequisites:** Students must be engaged in practice as a Notary or be seeking an appointment as a Public Notary in Victoria or in another jurisdiction.

**Description:** This unit of study aims to understand how and when Courts will make

use of foreign laws to resolve legal disputes in which such law is raised. The unit of study covers the structure of Conflict of Laws, domicile and residence, jurisdiction of courts at Common Law, staying of actions and declining jurisdiction at Common Law, recognition and enforcement of foreign judgements at Common Law, obligations - contracts and torts, property - immovables and movables, husband and wife, the law of succession and concluding theoretical issues.

**Credit Points:** 24

**Class Contact:** Unit study equal to 24 credit points.

**Required Reading:** To be advised by lecturer.

**Assessment:** Students will work at their own pace through the module, with assistance from the unit of study guide, and submit assignments.

### **ZCC5002 Notarial Practice - Theory**

**Locations:** City Queen.

**Prerequisites:** Students must be engaged in practice as a Notary or be seeking an appointment as a Public Notary in Victoria or in another jurisdiction.

**Description:** This unit of study aims to provide an in-depth knowledge of the work of a Notary including notarial acts, Bill of Exchange and other professional functions. This unit of study comprises a theoretical and practical overview of Notarial practice to equip students with the professional and technical skills to practice as a Notary.

**Credit Points:** 24

**Class Contact:** Unit of study equal to 24 credit points.

**Required Reading:** To be advised by lecturer.

**Assessment:** Students will work at their own pace through the module, with assistance from the unit of study guide, and submit assignments.

### **ZCC5003 Comparative Law**

**Locations:** City Queen.

**Prerequisites:** Students must be engaged in practice as a Notary or be seeking an appointment as a Public Notary in Victoria or in another jurisdiction.

**Description:** This unit of study aims to gain overview of the world's legal systems that will assist Public practising in countries in the Asia-Pacific Region, especially those with culturally diverse domestic populations maintaining connections to homelands, concentrating on the role of the Notary in civil law transactions such as the formation of contracts, the assignment of property and other transactions requiring notarial completion.

**Credit Points:** 24

**Class Contact:** Unit of study if equal to 24 credit points.

**Required Reading:** To be advised by lecturer.

**Assessment:** Students will work at their own pace through the module, with assistance from the unit of study guide, and submit assignments.

### **ZCC5004 Notarial Practice - Practical**

**Locations:** City Queen.

**Prerequisites:** Students must be engaged in practice as a Notary or be seeking an appointment as a Public Notary in Victoria or in another jurisdiction.

**Description:** This unit of study comprises a theoretical and practical overview of Notarial practice to equip students with the professional and technical skills to practise as a Notary. Areas covered include the structure and authority of the profession, characteristics and use of the notarial act including Bills of Exchange and Shipping Protests, and conduct and discipline of the profession including use of interpreters and translations and cultural awareness in dealing with clients from culturally diverse backgrounds.

**Credit Points:** 24

**Class Contact:** Unit of study is equal to 24 credit points.

**Assessment:** Students will work at their own pace through the module, with assistance from the unit of study guide, and submit assignments.

