

# LAWS70011 Equity and Commerce

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2010, Parkville This subject commences in the following study period/s: August, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Visit the Melbourne Law Masters website for more information about this subject.
<b>Prerequisites:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Corequisites:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Recommended Background Knowledge:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Non Allowed Subjects:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Core Participation Requirements:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Coordinator:</b>	Assoc Prof Elise Bant
<b>Contact:</b>	For the most up-to-date information about this subject, contact the Melbourne Law Masters Office by email at <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> or phone 8344 6190 or alternatively visit the subject website: <a href="http://www.masters.law.unimelb.edu.au">www.masters.law.unimelb.edu.au</a>
<b>Subject Overview:</b>	Principal topics will include: <ul style="list-style-type: none"> <li># Fiduciary obligations, particularly in relation to joint ventures (such as mining joint ventures) and partnerships</li> <li># The nature of the fiduciary obligations, including the avoidance of conflicts of interest and the duty not to profit from a fiduciary position</li> <li># Remedies for breach of obligation, with special reference to compensation and the imposition of the constructive trust</li> <li># Trusts in a commercial context</li> <li># The role of estoppel in commercial negotiations</li> <li># Breach of confidence</li> <li># Equitable remedies.</li> </ul>
<b>Objectives:</b>	A student who has successfully completed this subject should: <ul style="list-style-type: none"> <li># Understand the relevance of equitable doctrines and remedies to modern commercial transactions</li> <li># Understand the interaction of equity and statute in resolving commercial disputes</li> <li># Be aware of the discretionary considerations that inform the application of doctrines and the award of equitable remedies</li> <li># Appreciate the potential for further development in equitable doctrines and remedies.</li> </ul>
<b>Assessment:</b>	Seminar paper presentation (10%) 3 hour examination (90%) (17 September, pm) or 10,000 word research paper (90%) (21 October) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	Visit the subject website for more information
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	Visit the Melbourne Law Masters website for more information about this subject.

**Links to further  
information:**

<http://www.masters.law.unimelb.edu.au/>