

LAWS70112 Current Application of Legal Remedies

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2010, Parkville This subject commences in the following study period/s: April, Parkville - Taught on campus.
Time Commitment:	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.
Prerequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Corequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Recommended Background Knowledge:	Visit the Melbourne Law Masters website for more information about this subject.
Non Allowed Subjects:	Visit the Melbourne Law Masters website for more information about this subject.
Core Participation Requirements:	Visit the Melbourne Law Masters website for more information about this subject.
Contact:	For the most up-to-date information about this subject, contact the Melbourne Law Masters Office by email at law-masters@unimelb.edu.au or phone 8344 6190 or alternatively visit the subject website: www.masters.law.unimelb.edu.au
Subject Overview:	Principal topics will include: <ul style="list-style-type: none"> # Contractual terms, including construction of express terms, implied terms (at law, ad hoc), recent High Court of Australia developments, the implied duty to cooperate and the status of the claimed implied obligation of good faith in contract # Equitable remedies for breach of fiduciary duty # Interlocutory injunctions, including practical application # Status of recovery in tort for pure economic loss # The history and development of quantum meruit claims leading to a consideration of: quantum meruit under a contract having no agreed price; restitution claims where there is no contract, or an unenforceable contract, where the contractor claims that the owner has been unjustly enriched.
Objectives:	A student who has successfully completed this subject should have: <ul style="list-style-type: none"> # An understanding of the interpretation of express contractual terms and recent developments in the law as to implied terms # An understanding of remedies relevant to breach of joint venture agreements, including equitable damages, accounts of profits and constructive trusts # An understanding of the legal principles relevant to the granting of interlocutory relief by way of injunction # An understanding of the development, and the current state, of the law concerning damages for pure economic loss # An understanding of recovery on a quantum meruit basis, based on both a contract without an agreed price and restitution after an unjust enrichment.
Assessment:	Take-home examination (100%) (28-31 May)
Prescribed Texts:	Visit the subject website for more information
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	Visit the Melbourne Law Masters website for more information about this subject.

**Links to further
information:**

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