

# LAWS70230 Commercial Law in Asia

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2012, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
<b>Prerequisites:</b>	None.
<b>Corequisites:</b>	None.
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None.
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Coordinator:</b>	Dr Benny Tabalujan
<b>Contact:</b>	For more information, contact the Melbourne Law Masters office. Email <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) or phone +61 3 8344 6190. Alternatively, visit our website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	The emergence of Asia as an economic powerhouse is driving enormous interest in doing business in the region. This subject provides students with an opportunity to examine commercial law in an Asian context. Although parallels can be drawn between Asian jurisdictions in terms of their economic and legal development, their commercial law systems are too diverse to treat them uniformly or in great depth. Instead, the focus is on analysing key legal aspects of doing business in Asia – including contracts, business entities, international trade, competition law, dispute resolution and the role of lawyers – by reference to systems and case studies in various Asian jurisdictions. Singapore and Australia will be used as reference jurisdictions. The lecturer previously worked as a lawyer and academic in Hong Kong and Singapore and has written extensively on specific Asian business law topics. Principal topics will include:

	<ul style="list-style-type: none"> <li># Commercial context of Asian laws: Introduction and contextual case study</li> <li># Contracts</li> <li># Business entities</li> <li># Foreign investment</li> <li># World Trade Organization (WTO) and international trade regulation</li> <li># Competition law</li> <li># Finance</li> <li># Courts</li> <li># The role of lawyers</li> <li># The regulation of foreign lawyers in Asia</li> <li># Dispute resolution.</li> </ul>
<b>Objectives:</b>	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># Have an understanding of the theoretical and practical challenges to the study of Asian legal systems from the perspective of commercial law</li> <li># Understand fundamental aspects of the practice of law in the context of commercial transactions in Asia</li> <li># Understand the interaction between Asian legal systems, government policy and commercial laws</li> <li># Have an insight into practical commercial dispute resolution and contract management issues in Asia</li> <li># Understand how international agreements, including the World Trade Organization (WTO), influence trade</li> <li># Understand the utility and limitations of comparative analysis of laws</li> <li># Be able to respond effectively to practical case studies relating to commercial transactions in Asia.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%) (12 pm 9 November to 5 pm 12 November) or 10,000 word research paper (100%) (12 November) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
<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>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5143">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5143</a>