

195AA Master of Construction Law

Year and Campus:	2014 - Parkville
CRICOS Code:	074998C
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Level:	Graduate/Postgraduate
Duration & Credit Points:	100 credit points taken over 12 months full time. This course is available as full or part time.
Coordinator:	Professor Ian Bailey SC and Mr Matthew Bell
Contact:	<p>For more information, contact the Melbourne Law Masters office.</p> <p>Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au)</p> <p>Phone: +61 3 8344 6190</p> <p>Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)</p>
Course Overview:	<p>The specialisation in construction law has been tailored to give construction lawyers and professionals in building, construction, engineering and associated industries the specialised legal knowledge to take the next step in their careers. Working with teachers who are leaders in their fields, and fellow students from throughout Australia and around the world, students have a unique opportunity to gain a thorough understanding of this specialised area of law and its interaction with the commerce and practice of the industry.</p>
Learning Outcomes:	<p>A candidate who has successfully completed the degree should:</p> <ul style="list-style-type: none"> # Have an in-depth understanding of the common law principles and statutory regimes that impact upon construction and related projects in Australia and the relationship of such laws with the technical and commercial underpinnings of the industry # Have an appreciation of the international aspects of construction law and practice, including comparisons with that applicable in Australia # Have a comprehensive understanding of the principles underpinning the drafting of construction contracts and amendment of standard-form construction contracts # Be able to participate meaningfully in the avoidance, management and resolution of construction claims and disputes # Be able to contribute to key ongoing debates relating to construction law and practice.
Course Structure & Available Subjects:	<p>Students must complete eight subjects in total.</p> <p>Students without a law degree from a common law jurisdiction must complete Fundamentals of the Common Law (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/10054) as well as seven subjects from the prescribed list. Of those seven subjects, at least five must be from the Core Construction Law list.</p> <p>Students with a law degree from a common law jurisdiction must complete at least seven subjects from the prescribed list. Of those seven subjects, at least five must be from the Core Construction Law list. These students may choose an eighth subject from those available in the Melbourne Law Masters (excluding Fundamentals of the Common Law (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/10054)).</p> <p>Students may not study both Principles of Construction Law (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/10088) and Construction Law (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/10035) .</p>
Majors/Minors/ Specialisations	None
Subject Options:	<p>2014 Subjects</p> <p>Core Construction Law subjects</p>

- # **Advanced Construction Law (Formerly Advanced Construction Claims) LAWS70128** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10010>)
- # **Avoiding and Managing Construction Disputes LAWS70245** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10025>)
- # **Construction Contract Analysis and Drafting (Formerly Advanced Construction Contracts) LAWS70270** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10033>)
- # **Construction Dispute Resolution LAWS70133** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10034>)
- # **Construction Law (Formerly Construction Contracts) LAWS70176** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10035>)
- # **Construction Risk: Allocation and Insurance LAWS70149** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10037>)
- # **Construction: Principles into Practice LAWS70040** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10036>)
- # **Global Perspectives on Construction Law LAWS70450** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10175>)
- # **International Construction Law LAWS70139** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10059>)
- # **Managing Legal Risk in Construction (Formerly Legal Risk Management in Construction) LAWS70441** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10053>)
- # **Payment Matters in Construction Projects LAWS70239** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10086>)
- # **Principles of Construction Law LAWS70314** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10088>)
- # **Public Private Partnerships Law (Formerly Infrastructure Delivery B: Public Private Partnerships) LAWS70113** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10142>)
- # **Remedies in the Construction Context (Formerly Current Application of Legal Remedies) LAWS70112** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10096>)
- # **Specialised Construction Procurement Law LAWS70436** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10097>)

Other subjects

- # **Australian Consumer Law LAWS70380** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10024>)
- # **Bargaining at Work (Formerly Bargaining at Work and Industrial Action) LAWS70135** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10026>)
- # **Contract Interpretation (Formerly Commercial Contracts) LAWS70335** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10038>)
- # **Contract Termination LAWS70444** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10156>)
- # **Event Management Law LAWS70065** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10114>)
- # **Fundamentals of the Common Law LAWS70217** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10054>)
- # **International Commercial Arbitration LAWS70121** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10058>)
- # **Labour Standards under the Fair Work Act (Formerly Regulating Working Conditions) LAWS70197** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10080>)
- # **Mineral Law LAWS70268** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10083>)
- # **Petroleum Law LAWS70041** (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10023>)

- # [Planning and Development Law \(Formerly Planning Law\) LAWS70349](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10150) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10150>)
- # [Project Finance LAWS70205](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10092) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10092>)
- # [Resources Joint Ventures LAWS70210](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10125) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10125>)
- # [Statutes in the 21st Century LAWS70404](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10098) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10098>)
- # [Toxics, Waste and Contamination Law LAWS70464](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10177) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10177>)
- # [Workplace Health and Safety LAWS70053](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10106) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10106>)

All Subjects

Offered in 2014

- # [Advanced Construction Law \(Formerly Advanced Construction Claims\) LAWS70128](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10010) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10010>) #
- # [Australian Consumer Law LAWS70380](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10024) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10024>) #
- # [Avoiding and Managing Construction Disputes LAWS70245](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10025) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10025>) #
- # [Bargaining at Work \(Formerly Bargaining at Work and Industrial Action\) LAWS70135](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10026) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10026>) #
- # [Construction Contract Analysis and Drafting \(Formerly Advanced Construction Contracts\) LAWS70270](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10033) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10033>) #
- # [Construction Dispute Resolution LAWS70133](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10034) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10034>) #
- # [Construction Law \(Formerly Construction Contracts\) LAWS70176](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10035) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10035>) #
- # [Construction Risk: Allocation and Insurance LAWS70149](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10037) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10037>) #
- # [Construction: Principles into Practice LAWS70040](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10036) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10036>) #
- # [Contract Interpretation \(Formerly Commercial Contracts\) LAWS70335](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10038) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10038>) #
- # [Contract Termination LAWS70444](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10156) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10156>) #
- # [Design and Construct Contracting LAWS70127](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=5508) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=5508>)
- # [Environmental Law \(Formerly Environmental Law: Science and Regulation\) LAWS70100](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=5565) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=5565>)
- # [Event Management Law LAWS70065](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10114) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10114>) #
- # [Fundamentals of the Common Law LAWS70217](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10054) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10054>) #
- # [Global Perspectives on Construction Law LAWS70450](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10175) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10175>) #
- # [Infrastructure Delivery Law \(Formerly Infrastructure Delivery A: Principles and Practice\) LAWS70032](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=5200) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=5200>)
- # [International Commercial Arbitration LAWS70121](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10058) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10058>) #
- # [International Construction Law LAWS70139](http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10059) (<http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10059>) #

	<p># <u>Labour Standards under the Fair Work Act (Formerly Regulating Working Conditions) LAWS70197</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10080) #</p> <p># <u>Managing Legal Risk in Construction (Formerly Legal Risk Management in Construction) LAWS70441</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10053) #</p> <p># <u>Mineral Law LAWS70268</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10083) #</p> <p># <u>Payment Matters in Construction Projects LAWS70239</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10086) #</p> <p># <u>Petroleum Law LAWS70041</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10023) #</p> <p># <u>Planning and Development Law (Formerly Planning Law) LAWS70349</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10150) #</p> <p># <u>Principles of Construction Law LAWS70314</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10088) #</p> <p># <u>Project Finance LAWS70205</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10092) #</p> <p># <u>Public Private Partnerships Law (Formerly Infrastructure Delivery B: Public Private Partnerships) LAWS70113</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10142) #</p> <p># <u>Remedies in the Construction Context (Formerly Current Application of Legal Remedies) LAWS70112</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10096) #</p> <p># <u>Residential Construction Law LAWS70329</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=5230) #</p> <p># <u>Resources Joint Ventures LAWS70210</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10125) #</p> <p># <u>Specialised Construction Procurement Law LAWS70436</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10097) #</p> <p># <u>Statutes in the 21st Century LAWS70404</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10098) #</p> <p># <u>Toxics, Waste and Contamination Law LAWS70464</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10177) #</p> <p># <u>Workplace Health and Safety LAWS70053</u> (http://www.law.unimelb.edu.au/index.cfm?objectid=2B184510-CD30-11E0-BF760050568D0140&sid=10106) #</p>
Breadth Tracks:	<p>None</p> <p>Available Breadth Tracks</p>
Entry Requirements:	<p># A degree in a relevant discipline and the equivalent of at least two years of full-time, documented, relevant professional experience; or</p> <p># A degree in law leading to admission to legal practice (LLB, JD or equivalent), at honours standard or equivalent; or</p> <p># A degree in law leading to admission to legal practice (LLB, JD or equivalent) and the equivalent of at least two years of full-time, documented, relevant professional experience; or</p> <p># A degree in a relevant discipline, successful completion of four subjects in a cognate graduate diploma and the equivalent of at least one year of full-time, documented, relevant work experience.</p>
Core Participation Requirements:	<p>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 and critique 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 to 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: www.services.unimelb.edu.au/disability/</p>

Graduate Attributes:	<p>Advanced understanding of the changing knowledge base in the relevant area(s) of law The specialist focus of the Melbourne Law Masters, the constant review and renewal of subjects and courses to ensure coverage of recent developments, the range and expertise of instructors from Australia and around the world, and regular advice from MLM advisory boards combine to ensure that courses and subjects reflect emerging knowledge and ideas. Ability to investigate, evaluate, synthesise and apply existing knowledge in the relevant area(s) with creativity and initiative Small classes, a discussion-based environment and the emphasis on quality teaching and learning create an environment in which knowledge is exchanged, critically examined and adapted to current circumstances. Well-developed problem solving abilities, characterised by flexibility of approach Most subjects approach knowledge by reference to various issues or problems. Students are required to critically analyse problems and identify and develop a range of appropriate solutions through class discussion, individual study and assessment tasks. Advanced competencies in legal research and analysis Class preparation and class discussions are designed to enhance these skills, which are tested in all forms of assessment. All graduates of an LLM will have demonstrated, through subject assessment, the ability to use their research skills to plan, develop and execute substantial research-based project(s) and/or piece(s) of scholarship. Capacity to effectively communicate complex legal ideas and theories, orally and in writing, to a variety of audiences Classroom discussion and formal presentations provide an opportunity to hone oral communication skills, and written assessment tasks are graded in part on written communication skills. Appreciation of the design, conduct and reporting of original research Research papers and other research tasks are expected to attain a degree of creativity, originality and discovery that befits a postgraduate program of the highest quality, and students are encouraged and assisted to publish original work of a high standard in refereed journals. Capacity to manage competing demands on time and ability to work with a high level of autonomy and accountability The demanding nature of graduate study requires effective time-management skills from all students and an ability to work independently and be accountable for commitment to study and output, as demonstrated through class attendance, engagement and assessment. The rigour of our programs, whether undertaken part-time or full-time, ensures that all successful graduates have enhanced time-management skills and the ability to work with relative autonomy. Profound respect for truth and intellectual integrity, including the ethics of scholarship Some subjects have a substantive ethical component. All instructors have a respect for intellectual integrity and are skilled scholars or practitioners in their own right. Appreciation of the way in which knowledge provides a foundation for leadership Instructors in the Melbourne Law Masters are leaders in their fields, and many subjects involve visiting academics, exposing students to a wider array of leaders in a range of legal fields. The Law School is committed to the significance of knowledge, which informs all regular programs and a wide range of additional activities. Capacity to value and participate in teamwork Small class sizes and an intensive teaching format are valuable in encouraging group dynamics and teamwork. Understanding of the significance and value of knowledge to the wider community Law and legal knowledge are a community resource. In some subjects, this perspective is covered explicitly by the syllabus and the manner in which issues are treated in class. In addition, our diverse student body ensures that a range of perspectives on the way law impacts on the community are identified and analysed. Capacity to engage with issues in contemporary society Our programs focus on the most up-to-date legal knowledge, analysing current issues and problems through the curriculum design, classroom discussion and assessment tasks. International students are also invited to participate in extracurricular activities to aid understanding of Australian law and legal institutions. Advanced working skills in the use of new technology The most advanced IT infrastructure is available to Melbourne Law Masters students in the Law Library, the Moot Court Room, classroom settings and for private study.</p>
Links to further information:	http://www.law.unimelb.edu.au/course/195/2014