

## 730-467 Agency

<b>Credit Points:</b>	12.500
<b>Level:</b>	Undergraduate
<b>Dates &amp; Locations:</b>	This subject is not offered in 2008.
<b>Time Commitment:</b>	Contact Hours: One 2-hour seminar per week Total Time Commitment: Estimated total time commitment of 100 to 126 hours.
<b>Prerequisites:</b>	Legal Method and Reasoning; Principles of Public Law; Torts; Obligations; Contracts; Property or in each case their equivalents.
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	<p>&lt;p&gt;For the purposes of considering request for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Student Support and Engagement Policy, academic requirements for this subject are articulated in the Subject Overview, Learning Outcomes, Assessment and Generic Skills sections of this entry.&lt;/p&gt;         &lt;p&gt;It is University policy to take all reasonable steps to minimise the impact of disability upon academic study, and reasonable adjustments will be made to enhance a student's participation in the University's programs. Students who feel their disability may impact on meeting the requirements of this subject are encouraged to discuss this matter with a Faculty Student Adviser and Student Equity and Disability Support: &lt;a href="http://services.unimelb.edu.au/disability"&gt;http://services.unimelb.edu.au/disability&lt;/a&gt;&lt;/p&gt;</p>
<b>Coordinator:</b>	Dr D Brennan
<b>Subject Overview:</b>	<p>Agency arises where one person (the agent) has the power to create legal relations between a person authorising that power (the principal) and another person (a third party). The law of agency plays a significant role throughout commercial law. The subject commences by situating agency both within the system of private law and within a framework of economic policy. From this foundation the subject allows students to develop an understanding of the fundamentals of the law of agency. Those fundamentals: how agency is established between principals and agents; what obligations arise between principals and agents; the nature relations between agents and third parties; the nature relations between principles and third parties; the existence of prominent agency cases (such as those involving corporations and real estate) and the means by which agency is terminated.</p>
<b>Assessment:</b>	Written problem-solving task of 5000 words, 100% (due end of semester). Students must complete a 500-word outline of their proposed answer to the problem-solving task by the end of the ninth week of teaching (hurdle requirement).
<b>Prescribed Texts:</b>	Printed materials will be issued by the Faculty of Law. Agency Law (Simon Fisher), 2000, LexisNexis-Butterworths
<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>	<p>On completion of <i>Agency</i>, students should have developed the following generic skills:</p> <ul style="list-style-type: none"> <li># The capacity for close reading of a range of sources</li> <li># The capacity for critical and independent thought and reflection</li> <li># The capacity for deductive analysis</li> <li># The capacity to solve problems through the synthesis and evaluation of information</li> </ul>

In addition, and more specific to the discipline of law, students should be able to:

- # Assess the nature and role of a discrete Private Law legal institution
- # Analyse judgments, statutes and secondary materials which relate to a discrete Private Law legal institution, analysis which comprises:
  - # extracting the relevant aspects
  - # reconciling apparent conflicts and inconsistencies
- # Conduct legal research on issues relating to a discrete Private Law legal institution, research which comprises an ability to find, synthesise and analyse written material beyond that contained within the curriculum
- # Write legal opinions on particular scenarios, which comprises:
  - # identifying legal issues
  - # arriving at reasoned conclusions as to the rights and obligations of the parties
  - # commenting on the desirability or otherwise of the application of the law