

730-806 Construction Contracts

Credit Points:	12.500
Level:	Graduate/Postgraduate
Dates & Locations:	2008, This subject commences in the following study period/s: Semester 1, - Taught on campus. Semester 2, - Taught on campus.
Time Commitment:	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidate's background and experience.
Prerequisites:	Prerequisites Candidates without a common law degree must complete Rights and Liabilities in Construction (http://www.masters.law.unimelb.edu.au/go/objectid/E96C15A8-B0D0-AB80-E2FF6B74E08BF5F8/view/overview/sid/3522), it is designed to equip students with a broad overview of the legal principles which are fundamental to study of further subjects within the program. These subjects should, therefore, be undertaken at the start of students' course of study. The compulsory nature of either or both of these subjects may be waived where a candidate demonstrates exceptional experience and expertise in relation to such fundamental legal principles. Application for such waiver must be made in writing to the Program Manager.
Corequisites:	N.A.
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	N.A.
Coordinator:	Mr J Sharkey, Mr D Bennett
Subject Overview:	<p>Objectives:</p> <p>A candidate who has successfully completed the subject should:</p> <ul style="list-style-type: none"> # Understand the roles and relationships of parties involved in construction projects # Understand tendering and contract formation # Be able to properly assess and negotiate risk allocation in construction contracts # Be familiar with the use of standard-form contracts, sub-contracts and conditions of engagement for consultants # Be aware of and be able to evaluate the appropriateness of different forms of construction contracts, including alternative and innovative contractual arrangements # Have an appreciation of the key principles of construction law # Have an enhanced ability to provide constructive legal advice to parties engaging in construction projects # Gain an enhanced ability to analyse judgments and provide constructive legal advice. <p>Syllabus:</p> <p>An introduction to construction contracts, including standard forms and terms, with reference to:</p> <ul style="list-style-type: none"> # Roles, relationships and obligations of the parties to construction contracts and consultancy agreements # Risk allocation and management in construction contracts: Procurement, contract choices and insurance considerations # Tendering and contract formation # The use of standard-form contracts and sub-contracts and conditions of engagement # Performance, completion, suspension and determination # Consultancy agreements and design responsibility

	<ul style="list-style-type: none"> # Sub-contracts, assignment, nomination and novation # Alternative and innovative forms of contracting # Security for performance # Case analysis.
Assessment:	Take-home examination (100%) Semester 1: 23-26 May Semester 2: 10-13 October or Research paper 10,000 words (100%) Semester 1: 23 June Semester 2: 1 December (topic approved by the subject coordinator)
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.
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:	Please see the Subject Objectives for this information.
Links to further information:	For the latest information on this subject, please visit: http://www.masters.law.unimelb.edu.au/subject/730806