

730-611 Equity and Commerce

Level:	Graduate/Postgraduate
Dates & Locations:	2009, This subject commences in the following study period/s: August, - 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 candidates background and experience.
Prerequisites:	N.A.
Corequisites:	N.A.
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	N.A.
Coordinator:	Prof Michael William Bryan
Subject Overview:	<p>Objectives:</p> <p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the relevance of equitable doctrines and remedies to modern commercial transactions # Understand the interaction of equity and statute in resolving commercial disputes # Be aware of the discretionary considerations that inform the application of doctrines and the award of equitable remedies # Appreciate the potential for further development in equitable doctrines and remedies. <p>Syllabus:</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # Fiduciary obligations, particularly in relation to joint ventures (such as mining joint ventures) and partnerships # The nature of the fiduciary obligations, including the avoidance of conflicts of interest and the duty not to profit from a fiduciary position # Remedies for breach of obligation, with special reference to compensation and the imposition of the constructive trust # Trusts in a commercial context # The role of estoppel in commercial negotiations # Breach of confidence # Equitable remedies.
Assessment:	Seminar paper presentation (10%) Examination 3 hours (90%) (18 September, pm) or Research paper 10,000 words (90%) (29 October) (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/730611>