

LAWS70133 Construction Dispute Resolution

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2010, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Visit the Melbourne Law Masters website for more information about this subject.
Prerequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Corequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Recommended Background Knowledge:	Visit the Melbourne Law Masters website for more information about this subject.
Non Allowed Subjects:	Visit the Melbourne Law Masters website for more information about this subject.
Core Participation Requirements:	Visit the Melbourne Law Masters website for more information about this subject.
Coordinator:	Mr Andrew Stephenson
Contact:	For the most up-to-date information about this subject, contact the Melbourne Law Masters Office by email at law-masters@unimelb.edu.au or phone 8344 6190 or alternatively visit the subject website: www.masters.law.unimelb.edu.au
Subject Overview:	Principal topics will include: <ul style="list-style-type: none"> # Residential construction disputes in Victoria # Practice and procedure in the Supreme Courts of New South Wales and Victoria and the Federal Court of Australia, considering differences and assessing where best practice lies # Domestic arbitration - legislative framework: Why it is currently out of fashion and how it can be improved # International arbitration as an option for construction disputes: Why it is the superior form of dispute resolution for cross-border disputes and lessons that can be learnt from procedures developed in international arbitration. Includes discussion about enforcement of the agreement and awards issued by international arbitrators # Expert determination - strengths and weaknesses # Adjudication under New South Wales and Victorian security of payment legislation, comparing both to the schemes in the United Kingdom and other jurisdictions # Proportional liability, contributory negligence, contribution and third parties.
Objectives:	A student who has successfully completed this subject should: <ul style="list-style-type: none"> # Understand the provenance of forms of dispute resolution in the construction industry # Be familiar with and understand the legislation governing construction dispute resolution # Be able to manage all stages of a construction litigation, arbitration, expert determination or adjudication # Be able to critically assess and advise on different tactics and strategies for construction dispute resolution.
Assessment:	10,000 word research paper (100%) (28 June) on a topic approved by the subject coordinator
Prescribed Texts:	Visit the subject website for more information
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:	Visit the Melbourne Law Masters website for more information about this subject.
Links to further information:	http://www.masters.law.unimelb.edu.au/