

LAWS70206 Banking and Finance Law

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2010, Parkville This subject commences in the following study period/s: July, 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:	Assoc Prof Paul Ali
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"> # The banker/lender-borrower relationship # Building blocks of banking and finance transactions: Loan agreement/bill facility, guarantee, security interest, security trust, priority arrangements and hedging instruments # Legal structure of conventional corporate borrowers and exotic borrower-entities (including structured finance entities, trusts, general and limited liability partnerships and cell companies) # Key corporate governance issues in banking and finance transactions (including capacity/ authority for corporate and non-corporate borrowers, duties of the officers of the borrower and issues in relation to 'lender liability' for lenders) # Issues relating to title and lesser proprietary interests in assets used to support banking and finance transactions # Law relating to guarantees and security interests, including a detailed comparison of the Australian/United Kingdom company charges regime and the Australian Personal Property Securities Bill (and its United States, Canadian and New Zealand equivalents) # Legal design of more 'advanced' banking and finance transactions, including securitisation, structured finance and the secured financing of aircraft, intellectual property and other exotic assets # Legal design of new credit risk management instruments, in particular credit derivatives # International initiatives to harmonise cross-border banking and finance transactions, including the Unidroit Convention on International Interests in Mobile Equipment, UN Convention on the Assignment of Receivables in International Trade and the UNCITRAL Working Group on Security Interests.
Objectives:	A student who has successfully completed this subject should: <ul style="list-style-type: none"> # Have a broad understanding of key banking and finance law principles # Have developed the skills to identify legal issues or considerations that arise in typical banking and finance transactions.
Assessment:	10,000 word research paper (100%) (21 October) on a topic approved by the subject coordinator

Prescribed Texts:	Visit the Melbourne Law Masters website for more information about this subject.
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/