

## LAWS70239 Payment Matters in Construction Projects

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2010, Parkville This subject commences in the following study period/s: August, Parkville - Taught on campus.
<b>Time Commitment:</b>	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.
<b>Prerequisites:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Corequisites:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Recommended Background Knowledge:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Non Allowed Subjects:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Core Participation Requirements:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Contact:</b>	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
<b>Subject Overview:</b>	Principal topics will include: <ul style="list-style-type: none"> <li># Payment processes under construction contracts, including treatment under standard forms and the impact of the security of payment legislation enacted in various jurisdictions</li> <li># History and policy underpinnings of the security of payment legislation, including comparison of the regimes in Australia, the United Kingdom, New Zealand and elsewhere</li> <li># Tax issues arising in construction projects, including GST</li> <li># Processes to resolve payment disputes, including those under security of payment legislation (with detailed consideration of bases for judicial review of such processes)</li> <li># Associated issues, including set off, securing payment to workers and subcontractors, and means of dealing with the consequences of late payment.</li> </ul>
<b>Objectives:</b>	A student who has successfully completed this subject should: <ul style="list-style-type: none"> <li># Understand how payment processes are dealt with in construction projects</li> <li># Have a detailed understanding of the law and industry practice relevant to these matters, especially payment claims procedures, security of payment, statutory adjudication processes, set off and tax, along with how these are reflected in project contracts</li> <li># Be able to provide meaningful advice about the various options that are available to a range of industry participants in structuring and administering projects in relation to these matters (including the avoidance and resolution of disputes in relation to payment)</li> <li># Be able to contribute meaningfully to ongoing industry debates about optimal ways of dealing with these matters at a policy level.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%) (8-11 October) or 10,000 word research paper (100%) (2 December) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	Visit the subject website for more information
<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>	Visit the Melbourne Law Masters website for more information about this subject.

<b>Links to further information:</b>	<a href="http://www.masters.law.unimelb.edu.au/">http://www.masters.law.unimelb.edu.au/</a>
<b>Related Course(s):</b>	Master of Environment Master of Environment Postgraduate Certificate in Environment Postgraduate Diploma in Environment