

LAWS40002 European Civil Law and Impact of the EU

Credit Points:	12.50
Level:	4 (Undergraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus.
Time Commitment:	Contact Hours: 24 hours, One x 2-hour seminar per week. Total Time Commitment: 96 hours.
Prerequisites:	Legal Method and Reasoning; Principles of Public Law; Torts; Legal Theory; or in each case their equivalents.
Corequisites:	None.
Recommended Background Knowledge:	None.
Non Allowed Subjects:	None.
Core Participation Requirements:	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: http://www.services.unimelb.edu.au/disability/ .
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Subject Overview:	<p>Part I of this subject consists of structure and operation of the European civil law:</p> <ul style="list-style-type: none"> # Historical formation of the civil law (with special emphasis on the Romano-Germanic components of this legal family); # Codes and codification (with special emphasis on the inter-action between legislature, judiciary and scholarship in the law-making process of contemporary European civil law); # Substantive law: selected issues from, inter alia, the law of torts, contract law, labour law. <p>Part II consists of legal order of the EU:</p> <ul style="list-style-type: none"> # Origins and objectives of the European Union (with focus on the distinction between the ECSC, Euratom, the EEC, the EC, and the EU); # Institutional structure (with emphasis on the role of each institution in the law-making process of the European Union); # The European Court of Justice (with emphasis on its unique role in ensuring compliance with EU law in the various member states); # Economic dimension of the EU: selected issues from, inter alia, the so-called four freedoms, competition policy, monetary policy; # Social dimension of the EU: selected issues from, inter alia, torts (product liability), contract (consumer protection), labour law (worker participation); # Relevance for Australia (the traditional civil/common law divide; substantive law).
Objectives:	To introduce students to a major legal family that is radically different from their own. To explore the impact of the legal order of the EU or the traditional civil law/common law divide.
Assessment:	Final open-book examination of three hours, 100%.
Prescribed Texts:	Printed materials will be available from the Melbourne Law School; Fundamentals of European Civil Law and Impact of the European Community (Vranken), Federation Press, 2010.

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:	<p>On completion of the subject, students should have developed the following generic skills:</p> <ul style="list-style-type: none"> # Attitudes towards knowledge that include valuing truth, openness to new ideas and ethics associated with knowledge creation and usage; # The capacity for close reading and analysis of a range of sources; # The capacity for critical and independent thought and reflection; # The capacity to solve problems, including through the collection and evaluation of information; # The capacity to communicate, both orally and in writing; # The capacity to plan and manage time; # Intercultural sensitivity and understanding. <p>In addition, on completion of the subject, students should have developed the following skills specific to the discipline of law:</p> <ul style="list-style-type: none"> # Ability to appreciate Australian legal scene from a broader, comparative perspective.