

## LAWS40034 Advanced Administrative Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	4 (Undergraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2011.
<b>Time Commitment:</b>	Contact Hours: Two 2-hours per week attendance at a tribunal hearing of the Commonwealth Administrative Appeals Tribunal or the Victorian Civil and Administrative Tribunal. Total Time Commitment: 144 hours.
<b>Prerequisites:</b>	Principles of Public Law; Constitutional Law; Administrative Law; or in each case their equivalents.
<b>Corequisites:</b>	None.
<b>Recommended Background Knowledge:</b>	None.
<b>Non Allowed Subjects:</b>	None.
<b>Core Participation Requirements:</b>	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: <a href="http://www.services.unimelb.edu.au/disability/">http://www.services.unimelb.edu.au/disability/</a> .
<b>Contact:</b>	Melbourne Law School Student Centre Email: <a href="mailto:law-studentcentre@unimelb.edu.au">law-studentcentre@unimelb.edu.au</a> ( <a href="mailto:law-studentcentre@unimelb.edu.au">mailto:law-studentcentre@unimelb.edu.au</a> ) Tel: +61 3 8344 4475
<b>Subject Overview:</b>	Advanced Administrative Law builds upon the foundation material studies in the compulsory administrative law classes. It seeks to extend students understandings of the theoretical issues underlying the exercise of public power and the way those theories operate in the practice of administrative law. Topics include an introduction to the theoretical issues underlying administrative law, the role of the State, the governmental structures that influence the administrative law system, the principles of good administration and the protection of individual rights. An examination then follows of the nature of discretionary decision-making, and theories of decision-making; practical applications of the theories; the requirement of giving reasons for decisions; freedom of information legislation, both Commonwealth and State and internal and external review of decisions, including the administrative appeals mechanisms; a theoretical review of judicial review; the practice of judicial review, with special reference to the Commonwealth experience; principles expressed in judicial review, including procedural fairness; public law issues such as justifiability, standing and rule-making; and the public/private divide.
<b>Objectives:</b>	At the conclusion of this subject, students should be able: <ul style="list-style-type: none"> <li># To comprehend the theoretical framework within which administrative law operates, and the different views held about this;</li> <li># To understand the relationship between the theoretical basis of administrative law, and its practical expression;</li> <li># To describe the administrative law rules and principles covered during the subject;</li> <li># To evaluate and discuss the policy issues arising from the areas covered in the subject;</li> <li># To recognize the context within which administrative law practice occurs.</li> </ul>
<b>Assessment:</b>	Reflective essay of 3,500-4,500 words (due end of semester), 60% and a journal report of 1,500-3,000 words (due mid-semester), 40%.
<b>Prescribed Texts:</b>	Printed materials will be available from the Melbourne Law School.

<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>