

LAWS40067 Principles of Construction Law

Credit Points:	12.50
Level:	4 (Undergraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: Semester 1, Parkville - Taught on campus. Lecture: combined with subject BLAW40001 Construction Law; Tutorial (for LLB students only): classroom based and streamed.
Time Commitment:	Contact Hours: One 2-hour lecture per week and one 1-hour tutorial per fortnight. Total Time Commitment: 144 hours.
Prerequisites:	Obligations; Contracts; Torts; or in each case their equivalent.
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/ .
Coordinator:	Mr Matthew Bell
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Subject Overview:	<p>This subject provides a grounding in the specialist legal and commercial knowledge required in order to practice as a construction lawyer in Australia and overseas. This involves, primarily, the application to specific construction circumstances of principles of contract and negligence (including the detailed construction law treatment of defective work, failures to complete on time and variations to work scope).</p> <p>A knowledge of how other areas of law and commerce impact upon the work of a construction lawyer will also be gained, including in respect of: contract drafting, the role and nature of standard forms, bases for commercial negotiation, project procurement, trade practices, insurance, litigation, dispute avoidance and alternative dispute resolution.</p>
Objectives:	At the completion of the subject, students should be able to: <ul style="list-style-type: none"> # Understand broadly the commercial and industry context within which construction law operates in Australia and overseas; # Identify the key components of the legislative and regulatory framework governing the construction industry; # Evaluate the appropriateness of different procurement models in the delivery of construction projects; # Understand how causes of action in breach of contract, negligence and misleading and deceptive conduct under the <i>Trade Practices Act</i> both inform construction contract drafting and negotiation and apply to construction disputes; # Recommend appropriate methods of dispute resolution and avoidance for situations commonly arising in the construction industry; # Understand the role, within the context of construction law practice, of specialist areas of law including insurance, performance security, trade practices and professional liability.

Assessment:	5,000-word legal research assignment on a topic approved by the subject coordinator, due end of semester (100%) OR Take-home exam (mid-semester) (40%) AND Final open-book two-hour exam (60%).
Prescribed Texts:	Printed materials will be available from the Melbourne Law School.
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>At the completion of the subject students should have developed the following generic skills:</p> <ul style="list-style-type: none"> # The capacity for close reading and analysis of a range of sources; # The capacity to engage in critical thinking and to bring to bear a range of conceptual analyses upon a given subject matter; # The capacity for independent thought and reflection; # The capacity to articulate knowledge and understanding of complex ideas in written form; # The ability to engage in interdisciplinary work; # The further enhancement of academic writing that engages with various modes of expression including descriptive, analytical and critical forms; # The capacity to plan and manage time; # The ability to confront unfamiliar or challenging issues and to consider appropriate ethical responses.
Notes:	The 5,000-word assignment qualifies as a substantial piece of legal writing for honours purposes.