

LAWS50029 Contracts

Credit Points:	12.50
Level:	5 (Graduate/Postgraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus. Seminars.
Time Commitment:	Contact Hours: Two 2-hour seminars per week. Total Time Commitment: 144 hours.
Prerequisites:	LAWS50023 Legal Method and Reasoning; LAWS50024 Principles of Public Law; LAWS50025 Torts; LAWS50026 Obligations; LAWS50027 Dispute Resolution.
Corequisites:	None.
Recommended Background Knowledge:	None.
Non Allowed Subjects:	None.
Core Participation Requirements:	The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving these inherent academic requirements are encouraged to contact the Disability Liaison Unit: http://www.services.unimelb.edu.au/disability/ .
Coordinator:	Assoc Prof David Brennan
Contact:	Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
Subject Overview:	This subject studies: <ul style="list-style-type: none"> # The content of contracts; # Invalidating factors in contract formation; and # The termination of contracts. <p>The study of content includes express terms and implied terms. The study of invalidating factors includes misinformation (mistake, misrepresentation, misleading conduct), abuse of power (duress, undue influence, third party impropriety, unconscionable dealing, unconscionable conduct) and illegality. The study of termination includes termination for breach, for failure of condition and by frustration, and includes some consideration of the proprietary consequences of contracts.</p>

Objectives:	<p>The aim of this subject is for students to develop an understanding of the foundations of the law of contract through close reading of cases, statutes and scholarly writing and through participation in class discussion. It is expected that on completion of the subject students should have a sound understanding of the law relating to the identification and interpretation of contract terms, and the grounds on which a contract can be rescinded or terminated, and will be able to:</p> <ul style="list-style-type: none"> # Analyse and challenge the basis of relevant contract law decisions; # Identify relevant principles in cases and statutes; # Apply those principles to particular fact situations to reach well-reasoned conclusions about the rights and obligations of the parties in those fact situations; # Develop creative arguments as to ways in which the relevant principles could be applied to novel fact situations; and # Evaluate relevant principles and analyse particular problems from a range of theoretical and/or comparative perspectives.
Assessment:	Take Home Examination (100%).
Prescribed Texts:	Prescribed text and/or printed materials 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>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.
Related Course(s):	Juris Doctor