

# LAWS70206 Banking and Finance Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2011, Parkville This subject commences in the following study period/s: June, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
<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>Coordinator:</b>	Assoc Prof Paul Ali
<b>Contact:</b>	For more information, contact the Melbourne Law Masters office. Email <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) or phone +61 3 8344 6190. Alternatively, visit our website: <a href="http://www.masters.law.unimelb.edu.au">www.masters.law.unimelb.edu.au</a> ( <a href="http://www.masters.law.unimelb.edu.au/">http://www.masters.law.unimelb.edu.au/</a> )
<b>Subject Overview:</b>	Principal topics will include: <ul style="list-style-type: none"> <li># The banker/lender–borrower relationship</li> <li># Building blocks of banking and finance transactions: Loan agreement/bill facility, guarantee, security interest, security trust, priority arrangements and hedging instruments</li> <li># Legal structure of conventional corporate borrowers and exotic borrower-entities (including structured finance entities, trusts, general and limited liability partnerships and cell companies)</li> <li># Key corporate governance issues in banking and finance transactions (including capacity/ authority for corporate and non-corporate borrowers, duties of the officers of the borrower and issues in relation to 'lender liability' for lenders)</li> <li># Issues relating to title and lesser proprietary interests in assets used to support banking and finance transactions</li> <li># Law relating to guarantees and security interests, including a detailed comparison of the Australian–United Kingdom company charges regime and the Australian Personal Property Securities Bill (and its US, Canadian and New Zealand equivalents)</li> <li># Legal design of more 'advanced' banking and finance transactions, including securitisation, structured finance and the secured financing of aircraft, intellectual property and other assets</li> <li># Legal design of new credit risk management instruments, in particular credit derivatives</li> <li># International initiatives to harmonise cross-border banking and finance transactions, including the Unidroit Convention on International Interests in Mobile Equipment, the United Nations (UN) Convention on the Assignment of Receivables in International Trade and the UNCITRAL Working Group on Security Interests.</li> </ul>
<b>Objectives:</b>	A student who has successfully completed this subject should: <ul style="list-style-type: none"> <li># Have a broad understanding of key banking and finance law principles</li> <li># Have developed the skills to identify legal issues or considerations that arise in typical banking and finance transactions.</li> </ul>

<b>Assessment:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
<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>