

# LAWS70314 Principles of Construction 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: February, Parkville - Taught on campus. July, Parkville - Taught on campus. August, 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>	This subject is: a) Strongly recommended for construction law students without a law degree from a common law jurisdiction b) Recommended for law graduates who have not undertaken prior study in construction law or practised as a construction lawyer for more than two years c) Not available to students who have undertaken prior study in construction law or practised as a construction lawyer for more than two years. Students undertaking this subject should do so before undertaking other construction law subjects.
<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>	Mr Matthew Bell
<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: # Overview of the regulatory regime for construction contracting # Causes of action in construction disputes: Contract, tort, statutory, including misleading and deceptive conduct; other, including quantum meruit and proportionate liability # Contracting methodologies # Contract administration: Standard forms of contract, tendering and contract preparation, and minimising legal exposure # Role and liability of superintendent # Issues relating to sub-contracts # Variations, defective work and latent conditions # Time, programming and liquidated damages # Contractual mechanisms for payment and security of payment legislation # Security for performance # Insurance

	<ul style="list-style-type: none"> <li># Dispute avoidance procedures and alternative dispute resolution</li> <li># Construction litigation</li> <li># Arbitration: Domestic and international.</li> </ul>
<b>Objectives:</b>	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># Comprehend the legislative and regulatory framework governing the construction industry</li> <li># Understand broadly the commercial and industry context within which construction law operates in Australia and overseas</li> <li># Be able to evaluate the appropriateness of different delivery models in the procurement of construction projects</li> <li># Understand how causes of action in breach of contract and negligence both inform construction contract drafting and negotiation and apply to construction disputes</li> <li># Be able to recommend appropriate methods of dispute resolution and avoidance for situations commonly arising in the construction industry</li> <li># Understand the role, within the context of construction law practice, of specialist areas of law including insurance, performance security, trade practices and professional liability.</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>