

LAWS50080 Deals In Asia Pacific

Credit Points:	12.50																							
Level:	5 (Graduate/Postgraduate)																							
Dates & Locations:	This subject is not offered in 2012. 36 hours of seminar classes offered intensively over 7 days, or 12 weekly 3-hour seminars over a semester.																							
Time Commitment:	Contact Hours: 36 hours. Total Time Commitment: 144 hours.																							
Prerequisites:	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50025 Torts</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.50</td> </tr> </tbody> </table>			Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.50	LAWS50024 Principles of Public Law	Semester 1	12.50	LAWS50025 Torts	Semester 2	12.50	LAWS50026 Obligations	Semester 1	12.50	LAWS50027 Dispute Resolution	Semester 1	12.50	LAWS50029 Contracts	Semester 2	12.50
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Corequisites:	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50030 Property</td> <td>Not offered 2012</td> <td>12.50</td> </tr> </tbody> </table>			Subject	Study Period Commencement:	Credit Points:	LAWS50030 Property	Not offered 2012	12.50															
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Recommended Background Knowledge:	None.																							
Non Allowed Subjects:	None.																							
Core Participation Requirements:	<p>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/.</p>																							
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 examines the legal issues and practical challenges that arise in relation to cross-border transactions in Asia. Students will work through a joint venture transaction, which will be used as a point of reference throughout the subject. In this way, students will develop an																							

	<p>advanced and integrated understanding of the nature of cross-border transactions (involving parties and assets in different jurisdictions) and also the legal issues that are relevant to each stage of a complex transaction. These issues will include the following:</p> <ul style="list-style-type: none"> # The different legal and regulatory systems in the selected Asian jurisdictions; # The impact of applicable law (in a contractual context and otherwise), including the impact of different areas of law such as finance law, investment law and treaties, insolvency law and employment law; # Dispute resolution and the different options in a cross-border transaction; # The role of lawyers and the skills they require in a cross-border transaction (these include advisory skills, drafting skills, cross-cultural communication skills, negotiation skills and transaction management skills); and # The importance of legal due diligence in relation to counterparties and assets.
Objectives:	<p>A student who has successfully completed this subject should have an advanced understanding of, and be able to critically analyse:</p> <ul style="list-style-type: none"> # Fundamental aspects of the practice of commercial law from the perspective of a joint venture foreign investment transaction and the importance of understanding the different models and approaches; # The structure and operation of selected legal systems in Asia; # The interaction and different dynamics between policy, legal systems and commercial laws in Asia; # Practical commercial dispute resolution and contract management; # The role of commercial lawyers and the importance of developing a commercial awareness so that lawyers can function effectively as legal advisors in a cross-border context; # The challenges facing lawyers practising in a foreign jurisdiction; # The utility and limitations of comparative analyses of laws; and # Practical case studies relating to business and investment in Asia. <p>A student who has successfully completed this subject should also be able to:</p> <ul style="list-style-type: none"> # Apply this understanding and analytical capacity to new situations and contexts; and # Communicate their analysis in appropriate scholarly and professional formats.
Assessment:	<p>Class participation, including participating in simulated drafting and negotiation exercises that are designed to highlight the relevance and application of core skills at an advanced level (hurdle requirement). Students will be expected to participate actively in class and to draw on their collective experience in identifying, analysing and advising on the legal issues that are relevant to commercial transactions. Written client advice (1,500 words) on a legal issue concerning the joint venture transaction (30%). Students will be expected to produce a professional memorandum of advice that is based on in- depth research and analysis, and that explains a complex area of law in terms that are accessible to an informed lay-person. Three-hour, open-book examination (70%).</p>
Prescribed Texts:	Specialist printed materials will be made available from 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 and demonstrated expert skills, including:</p> <ul style="list-style-type: none"> # Cognitive skills to demonstrate mastery of theoretical knowledge and to apply that knowledge (including core legal principles and concepts studied in compulsory JD subjects) in the context of a complex cross-border transaction in Asia; # Cognitive, technical and creative skills to investigate, analyse and synthesise complex information, problems and concepts in a cross-jurisdictional context and from a comparative law perspective; # Cognitive, technical and creative skills to generate and evaluate complex ideas and concepts in relation to cross-border transactions in Asia at an abstract level, and the ability to translate those abstract ideas and concepts to practical problems, demonstrated in classroom discussion and in the interim assessment task;

- # Technical skills to design, evaluate and analyse complex legal structures and issues, as well as communication skills to advise legal and non-legal audiences on such structures and issues; and
- # Technical skills in relation to advising clients, negotiating transactions and drafting legal documentation in the context of a cross-border transaction in Asia.