

LAWS70056 Banking and Finance in Asia

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2012, Parkville This subject commences in the following study period/s: July, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	None.
Corequisites:	None.
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None.
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of 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 who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	For more information, contact the Melbourne Law Masters office. Email law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) or phone +61 3 8344 6190. Alternatively, visit our website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	This subject is designed around two fundamental questions in relation to banking and finance in Asia: how finance is provided by banks in Asia and how banks can recover debt. These two questions in turn depend on a number of subsidiary questions, including how banks are governed and regulated, the relationship between banks and their customers and the impact of law and legal institutions. This subject provides students with insights into the legal frameworks in selected Asian jurisdictions governing banking regulation and insolvency and the chief forms of debt recovery mechanisms. It achieves this by looking at a number of case studies in selected Asian jurisdictions, including China, Singapore, Japan and Indonesia. With over 20 years of combined experience in Asia, both in practice and in research, the two lecturers have written and published extensively in this area. Principal topics will be selected from the following: # Managing debt recovery and insolvency litigation in Asia # The economic crisis and banking and corporate insolvency in East Asia

	<ul style="list-style-type: none"> # Recent theories in banking and insolvency law # Central banks in East Asia # Accounting and disclosure standards # Bank ownership and control # Deposit insurance # The role of non-bank financial institutions # Bank reconstruction options in East Asia # Debt renegotiation structures in East Asia # Case studies: <ul style="list-style-type: none"> # Banking practice in selected East Asian jurisdictions # Debt recovery in selected East Asian jurisdictions.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand banking and insolvency frameworks in selected key East Asian jurisdictions # Understand the relationships between the legal frameworks in Asia for banking and insolvency # Understand key concepts of contemporary insolvency law theory # Understand the chief forms of debt recovery mechanisms usually applied in Asia # Have a detailed knowledge of case studies in banking law and corporate debt recovery from selected Asian economies (may include China, Singapore, Japan and Indonesia) # Appreciate the effect of the financial crisis on commercial regulation in Asia # Be aware of current banking and debt recovery issues for investors in East Asia.
Assessment:	Take-home examination (100%) (12pm 31 August to 5pm 3 September) or 10,000 word research paper (100%) (15 October) on a topic approved by the subject coordinator
Prescribed Texts:	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 subje
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
Links to further information:	http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5131