

## LAWS70268 Mineral Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2012, Parkville This subject commences in the following study period/s: July, 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>	None.
<b>Corequisites:</b>	None.
<b>Recommended Background Knowledge:</b>	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.
<b>Non Allowed Subjects:</b>	None.
<b>Core Participation Requirements:</b>	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: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Coordinator:</b>	Prof Michael Crommelin
<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.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	Mineral resources have shaped Australia's history, economy, society and environment for more than 150 years, and continue to do so. The exploitation of these resources involves governments, as proprietors and regulators, together with private enterprise, as explorers and developers. The complex relationship between governments and private enterprise provides the central theme of the subject. Australia's federal system of government adds to the complexity of that relationship. The subject begins by identifying fundamental legal principles of mineral exploration and production that transcend jurisdictional boundaries. It then examines the application of these principles in statutory title regimes in selected Australian jurisdictions. The Australian approach to these matters is considered in the international context of foreign mineral regimes. Principal topics will include:

	<ul style="list-style-type: none"> <li># Mineral exploration and production</li> <li># Meaning of 'mineral'</li> <li># Property in minerals</li> <li># Australian mineral legislation</li> <li># Common law of minerals</li> <li># Statutory titles</li> <li># Security of title</li> <li># Trespass and disclosure</li> <li># Dealings and registration</li> <li># Private royalties</li> <li># Access to land</li> <li># State agreements</li> <li># Minerals in Commonwealth places</li> <li># Government royalties</li> <li># Mineral resource rent taxation</li> <li># Uranium</li> <li># Foreign regimes</li> <li># Case study 1: <i>Mineral Resources (Sustainable Development) Act 1990 (Vic)</i></li> <li># Case study 2: <i>Mining Act 1971 (SA)</i></li> <li># Case study 3: <i>Mineral Resources Act 1989 (Qld)</i>.</li> </ul>
<b>Objectives:</b>	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># Understand the law relating to mineral exploration and production in Australia</li> <li># Be familiar with the statutory regimes governing mineral exploration and production in selected Australian jurisdictions</li> <li># Be able to apply the relevant law to problems arising in relation to mineral exploration and production in Australia</li> <li># Understand the law relating to mineral exploration and production in selected foreign jurisdictions.</li> </ul>
<b>Assessment:</b>	Take-home examination (50%) (7–10 September) 5,000 word research paper (50%) (8 October) on a topic approved by the subject coordinator
<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>
<b>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5281">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5281</a>