

LAWS70270 Construction Contract Analysis and Drafting

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2012, Parkville This subject commences in the following study period/s: October, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	Successful completion of Advanced Construction Law or Construction Law
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 aims to develop advanced skills in the use and analysis of contracts in the construction law context. It provides an opportunity for detailed review and comparative analysis of four standard forms in common use in Australia (including an internationally used FIDIC form), as well as exposure to best practice in plain English drafting techniques. Students are responsible, under expert guidance, for producing drafting and analysis via group exercises. Aligned closely with the classroom activities, assessment tasks test advanced skills in drafting and analysis, including by way of detailed drafting exercises. The subject is taught by Mr Matthew Bell and Mr David Bennett QC, who bring extensive experience to the classroom in the techniques of contract drafting and interpretation. The subject is designed to develop and enhance students' abilities to draft, analyse and administer construction contracts. The focus of the subject is, therefore, upon in-depth analysis and comparison of a number of standard forms in use in the industry. Principal topics will include:

	<ul style="list-style-type: none"> # Drawing out techniques for contract drafting, interpretation and analysis # Engaging at a sophisticated level with the ongoing debate within the industry as to the role and utility of standard-form contracts # Guidance in drafting techniques. <p>The DLA Piper Prize is awarded to the student placed first overall in this subject</p>
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Have an in-depth understanding of the provisions of standard-form construction contracts, especially those relating to key matters including variations, money, time and defects # Be able to analyse and appraise the pros and cons of different standard-form contracts for various applications # Be able to make informed decisions regarding the amendment of standard-form contracts, and be able to confidently draft such amendments # Be able to contribute to the debate on ways to improve contractual arrangements used in the construction industry # Be able to draft effective contractual provisions.
Assessment:	Take-home examination (100%) (12 pm 7 December to 5 pm 10 December) or Drafting assignment (100%) (24 January 2013)
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 subject.
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/5154