

LAWS70351 Contemporary Chinese Law and Practice

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	This subject is not offered in 2014.
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 and critique 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 to 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) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	<p>The recent spectacular 'rise of China' as an economic and regional power has been accompanied by both major legal change and increased foreign investment. China now exerts significant global influence and is subject itself to the profound influences of globalisation. The ways in which the Chinese legal system functions are of critical importance to an increasing range of actors both within and outside China. The divergence between law and practice highlights the challenges faced in entrenching the rule of law as a core tool of governance. Taught by a world-recognised expert in Chinese law, this subject offers insights into Chinese law and its reform in the country that will have the most influence on the path of the 'Asian century'. It focuses on contemporary issues in economic and civil law reform. It provides insights into how the economic regulatory framework is given effect in practice by examining the powers and functioning of Chinese legal institutions from the centre to the region; dispute resolution both formal and informal, criminal law and human rights issues as they impact on commercial relationships.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # Law and economic reform # Regulation of fundamental economic and civil relationships including property and contract # Historical context of the current law and practice # Constitutional issues # Institutions of the Chinese legal system (courts, legislatures, government agencies, central and local governments and lawyers)

	<ul style="list-style-type: none"> # Dispute resolution—formal and informal # Criminal law and human rights issues # Undertaking research in Chinese law.
Learning Outcomes:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Be familiar with the nature of the Chinese legal system, including the distinct nature of Chinese law-making, judicial processes and governmental operation # Understand the interaction between law and the economic reform process in China, including its impact on foreign investment # Be able to conduct research on Chinese legal questions in a manner which reflects awareness of the specific context of Chinese law # Be able to analyse critically claims about the operation of the Chinese legal system.
Assessment:	Take-home examination (100%) (1 – 4 August) or 10,000 word research paper (100%) (10 September) 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. Details regarding any prescribed texts will be provided prior to the commencement of the 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:	www.law.unimelb.edu.au/subject/LAWS70351/2014