

LAWS70206 Banking and Secured Finance

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2015, Parkville This subject commences in the following study period/s: June, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
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/
Coordinator:	Assoc Prof Paul Ali
Contact:	For more information: 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:	The Global Financial Crisis (GFC) has led to a re-evaluation worldwide of many well-established methods for raising funds and managing credit risk. From a legal perspective, this involves an enquiry into the relationship between lenders and borrowers and the legal instruments that lenders have at their disposal to mitigate the risk of a borrower's default. This subject is designed to provide students with an overview of the fundamental principles under Australian law relating to the provision of credit to consumers and businesses and the legal design of key financing transactions. These range from 'vanilla' unsecured loans to those supported by guarantees and enterprise-wide security interests and, finally, to more complex structures.

	<p>This subject also provides an overview of recent Australian reforms in the field of banking and finance law.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # The financier–borrower relationship and key governance issues in banking and finance transactions # Building blocks of banking and finance transactions # Law relating to guarantees and security interests # Legal design of more complex banking and finance transactions # Recent legal reforms.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the legal principles of Australian banking and finance law, including recent developments in this field # Be able to critically examine, analyse, interpret and assess these principles; # Be an engaged participant in debate regarding emerging and contemporary issues in this field # Have a sophisticated appreciation of, and the ability to engage in, well-reasoned and expressed policy and law reform debates concerning recent developments in banking and finance law # Have an advanced understanding of the legal principles that arise under Australian law in banking and finance transactions # Have the cognitive and technical skills to generate critical and creative ideas relating to banking and finance transactions, and to critically evaluate the key principles of Australian banking and finance law # Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to banking and finance transactions # Have the communication skills to clearly articulate and convey complex information regarding the field of banking and finance law to relevant specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of banking and finance law.
Assessment:	<p>Take-home examination (100%) (14-17 August) or 10,000 word research paper (100%) (28 September) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
Prescribed Texts:	<p>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.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Links to further information:	<p>www.law.unimelb.edu.au/subject/LAWS70206/2015</p>
Notes:	<p>This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists.</p>