

# LAWS70368 Law of Intergovernmental Relations

<b>Credit Points:</b>	12.5
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2015.
<b>Time Commitment:</b>	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.
<b>Prerequisites:</b>	Students will be expected to have some familiarity with constitutional law and/or the practical operation of government in Australia.
<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 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: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information: 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> ) Phone: +61 3 8344 6190 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>	Intergovernmental relations permeate every aspect of Australian government. It is not possible to fully understand Australian law without an appreciation of how it is affected by arrangements between the Commonwealth and the states. Corporations law, mining law, environmental law, medical law and a host of other fields are based, in one way or another, on arrangements of this kind. This unique subject deals with the complex and opaque framework of law and practice by which intergovernmental arrangements are structured. It demonstrates that the framework is changing, through new legislation, intergovernmental agreements and constitutional interpretation, and offers students the knowledge and skills to follow and critically assess these developments for themselves. The use of examples from current intergovernmental arrangements makes this an intensely practical subject. The subject design also presents the big picture in a way that encourages the class to reflect on the significance of the phenomenon of intergovernmental co-operation as a whole. While the subject has a primarily Australian focus, international students who are curious about multi-level government may find it of interest for this reason as well. Both members of the teaching team have long experience in the area

	<p>and bring to the subject a rich mix of theoretical understanding and practical insight, from Australia and elsewhere.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># General constitutional principles</li> <li># The intergovernmental relations map</li> <li># References of power: Constitution section 51(38)</li> <li># Techniques for uniform law</li> <li># Grants and agreements</li> <li># Intergovernmental institutions</li> <li># Executive cooperation</li> <li># Cooperation between courts</li> <li># The High Court and intergovernmental cooperation</li> <li># Administrative law and intergovernmental cooperation</li> <li># Fiscal federalism and intergovernmental relations.</li> </ul>
<b>Learning Outcomes:</b>	<p>This subject is designed to give students a thorough grasp of the constitutional and legal framework for intergovernmental arrangements in Australia and arrangements of a supranational character involving Australia.</p> <p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># Understand the constitutional position of Commonwealth, state and local governments in Australia and its relevance to intergovernmental relations</li> <li># Understand the role of intergovernmental arrangements in Australia</li> <li># Be able to distinguish different forms of intergovernmental arrangements and the purpose for which each is used</li> <li># Have a good working knowledge of the constitutional and legal rules which apply to intergovernmental arrangements</li> <li># Appreciate the key similarities and difference between intergovernmental relations at the national and supra-national levels.</li> </ul>
<b>Assessment:</b>	<p>Take-home examination (100%) or 10,000 word research paper (100%) on a topic approved by the subject coordinator</p>
<b>Prescribed Texts:</b>	<p>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.</p>
<b>Breadth Options:</b>	<p>This subject is not available as a breadth subject.</p>
<b>Fees Information:</b>	<p>Subject EFTSL, Level, Discipline &amp; Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a></p>
<b>Links to further information:</b>	<p><a href="http://www.law.unimelb.edu.au/subject/LAWS70368/2013">www.law.unimelb.edu.au/subject/LAWS70368/2013</a></p>
<b>Notes:</b>	<p>This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> (<a href="http://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</a>) for further information about the management of subject quotas and waitlists.</p>
<b>Related Course(s):</b>	<p>Master of Public Administration Master of Public Administration (Enhanced)</p>