

## LAWS70380 Australian Consumer Law

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| <b>Credit Points:</b>                    | 12.5   |
| <b>Level:</b>                            | 7 (Graduate/Postgraduate)  |
| <b>Dates &amp; Locations:</b>            | 2015, Parkville<br>This subject commences in the following study period/s:<br>September, Parkville - Taught on campus.   |
| <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>                    | 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 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>Coordinator:</b>                      | Assoc Prof Jeannie Paterson  |
| <b>Contact:</b>                          | For more information:<br>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> )<br>Phone: +61 3 8344 6190<br>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>                 | Australia has a detailed and comprehensive consumer protection regime dealing with the supply of goods and services, including financial products, to consumers. Primary legislation is the Australian Consumer Law (ACL), found in schedule 2 of the <i>Competition and Consumer Act 2010</i> (Cth), equivalent provisions in the <i>Australian Securities and Investments Commission Act 2001</i> (Cth) (ASIC Act), applying to financial services and products, and, for consumer credit, the <i>National Consumer Credit Protection Act 2009</i> (NCCP Act). This subject provides participants with a detailed knowledge of key features of the Australian Consumer Law and of the common law principles and policy imperatives that underpin it. The lecturer is one of the Law School's team of private lawyers with specialist expertise in consumer law.<br><br>Principal topics include:   |

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|                                      | <ul style="list-style-type: none"> <li># Purposes of consumer protection law</li> <li># The regulatory toolkit</li> <li># Common law doctrines underlying the legislative regime</li> <li># Enforcement and remedies.</li> <li># Key regimes under the ACL, ASIC Act and NCCP Act: <ul style="list-style-type: none"> <li># Misleading or deceptive conduct</li> <li># Unconscionable conduct</li> <li># Interest rate caps and responsible lending</li> <li># Consumer guarantees and implied terms</li> <li># Liability for defective products</li> <li># Unfair contract terms.</li> </ul> </li> </ul>   |
| <b>Learning Outcomes:</b>            | <p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have an advanced and integrated understanding of the legal principles governing consumer protection law in Australia and the common law doctrines relevant to those regimes</li> <li># Be able to critically examine, analyse, interpret and assess the effectiveness of these legal regimes</li> <li># Be an engaged participant in debates surrounding emerging and contemporary issues in the development of Australian consumer protection law</li> <li># Have a sophisticated appreciation of the factors and processes driving reform of the consumer protection regime in Australia</li> <li># Have an advanced understanding of situations in which consumer protection issues may arise in commercial transactions</li> <li># Have a detailed understanding of the interaction between common law doctrines and consumer protection legislation</li> <li># Have the cognitive and technical skills to generate critical and creative ideas relating to effective consumer protection strategies and to critically evaluate existing legal theories and strategies for the protection of consumers</li> <li># Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to effective consumer protection strategies and regimes</li> <li># Have the communication skills to clearly articulate and convey complex information regarding consumer protection to relevant specialist and non-specialist audiences</li> <li># Be able demonstrate autonomy, judgment and responsibility in the field of consumer protection law.</li> </ul> |
| <b>Assessment:</b>                   | Class participation (10%) Take-home examination (90%) (13-16 November) A minimum of 75% attendance is a hurdle requirement.   |
| <b>Prescribed Texts:</b>             | 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.  |
| <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/subject/LAWS70380/2015">www.law.unimelb.edu.au/subject/LAWS70380/2015</a>  |
| <b>Notes:</b>                        | 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.   |