

# LAWS70469 Construction Law

<b>Credit Points:</b>	12.5									
<b>Level:</b>	7 (Graduate/Postgraduate)									
<b>Dates &amp; Locations:</b>	2015, Parkville This subject commences in the following study period/s: Semester 1, Parkville - Taught on campus.									
<b>Time Commitment:</b>	Contact Hours: 28 hours. Total Time Commitment: 144 hours.									
<b>Prerequisites:</b>	<ul style="list-style-type: none"> <li># Enrolment in MC-CONMG2Y Master of Construction Management; OR</li> <li># Completion of either BLAW10001 Principles of Business Law or ABPL90290 Fundamentals of Built Environment Law; OR</li> <li># Otherwise with permission of the subject coordinator.</li> </ul>									
<b>Corequisites:</b>	None									
<b>Recommended Background Knowledge:</b>	None									
<b>Non Allowed Subjects:</b>	<table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS70314 Principles of Construction Law</td> <td>February, August</td> <td>12.50</td> </tr> <tr> <td>BLAW40001 Construction Law</td> <td>Not offered 2015</td> <td>12.50</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS70314 Principles of Construction Law	February, August	12.50	BLAW40001 Construction Law	Not offered 2015	12.50
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BLAW40001 Construction Law	Not offered 2015	12.50								
<b>Core Participation Requirements:</b>	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a> .									
<b>Coordinator:</b>	Mr Wayne Jovic									
<b>Contact:</b>	Melbourne Law School Student Centre Email: <a href="mailto:law-studentcentre@unimelb.edu.au">law-studentcentre@unimelb.edu.au</a> (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475									
<b>Subject Overview:</b>	<p>This subject builds upon the general legal principles and methodologies studied by students in earlier subjects. It provides detailed treatment of selected topics, tailored to the need for professionals within the building and construction industry to have an advanced and integrated understanding of the role of law and its application to the industry.</p> <p>Topics to be covered include: the regulatory framework (including security of payment and building regulations); contract methodologies and selection (including traditional and alternative forms of contract); subcontract issues; causes of action, and liability, arising in contract, negligence and on other grounds; insurance and performance security; and dispute resolution and avoidance.</p>									
<b>Learning Outcomes:</b>	<p>Students who successfully complete the subject will be able to demonstrate an advanced understanding of the following specialised areas, practical skills and analytical modes:</p> <ul style="list-style-type: none"> <li># The evolving interplay between common law and legislative regulation in the construction industry, and the appropriateness of current and proposed reforms in the area;</li> <li># Legal research and analysis, including the ability to apply legal modes of reasoning to commonly-encountered causes of dispute in the construction industry;</li> <li># Recommendation of appropriate contract delivery methodologies (including hybrid models) and dispute avoidance and resolution modes;</li> </ul>									

	<ul style="list-style-type: none"> <li># The way in which standard forms contracts in common use in the industry deal with key issues such as time, payment and quality; and</li> <li># The impact of interdisciplinary perspectives upon construction practice.</li> </ul>
<b>Assessment:</b>	In-class test held mid-semester (20%); Take-home exam (5,000 word limit) (80%).
<b>Prescribed Texts:</b>	Ian Bailey and Matthew Bell, Construction Law in Australia (3rd ed, Thomson Reuters, 2011).
<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>Generic Skills:</b>	<p>On successful completion of the subject, students will have developed the following skills to the advanced level appropriate to interdisciplinary professionals working in the construction industry:</p> <ul style="list-style-type: none"> <li># The capacity for close reading and analysis of a range of sources relevant to construction law;</li> <li># The capacity to engage in critical thinking and to bring to bear a range of conceptual analyses upon a given subject matter;</li> <li># The capacity for independent thought and reflection on issues and principles relevant to construction law;</li> <li># The capacity to articulate knowledge and understanding of complex ideas relating to construction law in written form;</li> <li># The ability to engage in interdisciplinary work;</li> <li># The further enhancement of academic writing that engages with various modes of expression including descriptive, analytical and critical forms; and</li> <li># The ability to confront unfamiliar or challenging issues and to consider appropriate ethical responses.</li> </ul>
<b>Related Majors/Minors/Specialisations:</b>	Building Building Systems and Trade Specialties Corporate Management Cost Management Policy Project Management