

LAWS50029 Contracts

| Credit Points: | 12.5 | | | | | | | | | | | | | | | |
|--|---|----------------|----------------------------|----------------|--------------------------------------|----------|-------|------------------------------------|------------|-------|-----------------------|------------|-------|------------------------------|------------|-------|
| Level: | 5 (Graduate/Postgraduate) | | | | | | | | | | | | | | | |
| Dates & Locations: | 2016, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus. | | | | | | | | | | | | | | | |
| Time Commitment: | Contact Hours: 48 hours Total Time Commitment: 144 hours | | | | | | | | | | | | | | | |
| Prerequisites: | Successful completion of all the below subjects: <table border="1" data-bbox="389 546 1485 864"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> </tbody> </table> | Subject | Study Period Commencement: | Credit Points: | LAWS50023 Legal Method and Reasoning | February | 12.50 | LAWS50024 Principles of Public Law | Semester 1 | 12.50 | LAWS50026 Obligations | Semester 1 | 12.50 | LAWS50027 Dispute Resolution | Semester 1 | 12.50 |
| Subject | Study Period Commencement: | Credit Points: | | | | | | | | | | | | | | |
| LAWS50023 Legal Method and Reasoning | February | 12.50 | | | | | | | | | | | | | | |
| LAWS50024 Principles of Public Law | Semester 1 | 12.50 | | | | | | | | | | | | | | |
| LAWS50026 Obligations | Semester 1 | 12.50 | | | | | | | | | | | | | | |
| LAWS50027 Dispute Resolution | Semester 1 | 12.50 | | | | | | | | | | | | | | |
| Corequisites: | None | | | | | | | | | | | | | | | |
| Recommended Background Knowledge: | None | | | | | | | | | | | | | | | |
| Non Allowed Subjects: | None | | | | | | | | | | | | | | | |
| Core Participation Requirements: | The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend 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 must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support. | | | | | | | | | | | | | | | |
| Coordinator: | Mr Matthew Bell | | | | | | | | | | | | | | | |
| Contact: | Email: law-aso@unimelb.edu.au (mailto:law-aso@unimelb.edu.au) Phone: +61 3 8344 4475 Website: www.law.unimelb.edu.au/jd (http://www.law.unimelb.edu.au/jd) | | | | | | | | | | | | | | | |
| Subject Overview: | This subject studies: <ul style="list-style-type: none"> # The content of contracts; # Invalidating factors in contract formation; and # The termination of contracts. | | | | | | | | | | | | | | | |

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| | The study of content builds on the foundations laid in Obligations Law, and includes express terms and implied terms. The study of termination includes termination for breach, for failure of condition and by frustration, and includes some consideration of the proprietary consequences of contracts. The study of invalidating factors includes misinformation (mistake, misrepresentation, misleading conduct), abuse of power (duress, undue influence, third party impropriety, unconscionable dealing, unconscionable conduct) and illegality. |
| Learning Outcomes: | <p>The aim of this subject is for students to develop a comprehensive understanding of the foundations of the law of contract through close reading of cases, statutes and scholarly writing and through participation in class discussion. It is expected that on completion of the subject students should have a sound understanding of the law relating to the identification and interpretation of contract terms, and the grounds on which a contract can be rescinded or terminated, and will be able to:</p> <ul style="list-style-type: none"> # Critically analyse and challenge the basis of relevant contract law decisions; # Identify relevant principles in cases and statutes; # Apply those principles to particular fact situations to reach well-reasoned conclusions about the rights and obligations of the parties in those fact situations; # Develop creative arguments as to ways in which the relevant principles could be applied to novel fact situations; and # Evaluate relevant principles and analyse particular problems from a range of theoretical and/or comparative perspectives. |
| Assessment: | Optional interim assessment of a one hour exam. During first half of semester (30%); AND A 2 hour exam. During scheduled examination period (70%);OR A 3 hour exam. During scheduled examination period (100%). The specific due date of the above assessment will be available to students via the LMS. |
| Prescribed Texts: | Jeannie Paterson, Andrew Robertson and Arlen Duke, Contract Cases and Materials, 13th Edition, 2015. Specialist printed materials will also be made available from the Melbourne Law School. |
| 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 |
| Generic Skills: | <p>On completion of the subject, students should have developed the following skills:</p> <ul style="list-style-type: none"> # The capacity for close reading and critical analysis of a range of sources relevant to contract law; # The capacity for critical, independent and creative thought and reflection on the role and function of contract law; # The capacity to solve complex problems related to contract law, including through the collection, analysis and evaluation of information; and # The capacity to communicate effectively, both orally and in writing, to specialist and non-specialist audiences alike. |
| Related Course(s): | Juris Doctor Juris Doctor/Master of Business Administration |