

## LAWS70141 Energy Regulation and the Law

<b>Credit Points:</b>	12.5
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2016, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.
<b>Time Commitment:</b>	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours 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>	<b>Melbourne Law Masters Students:</b> None <b>JD Students:</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 Student Equity and Disability Support.
<b>Coordinator:</b>	Prof Terence Daintith
<b>Contact:</b>	<b>Lecturers</b> <b>Professor Terence Daintith</b> ( <a href="http://www.law.unimelb.edu.au/staff/Terence%20Daintith">http://www.law.unimelb.edu.au/staff/Terence%20Daintith</a> ) (Coordinator) 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>	Adequate, reliable and sustainable supplies of energy are crucial to modern societies, and their assurance demands the close and continuous involvement of governments. This subject explains the challenges—affordability, security of supply, safety, control of monopoly, sustainability in an age of global warming—that the economic and technical characteristics of different energy sources present to governments in Australia, and analyses the regulatory tools that they have at their disposal for responding to such challenges. It shows how law can

	<p>function both as an essential vehicle for such regulation and as a constraint on its content. The lecturer is a leading international authority on oil and gas law and has published extensively in the field of regulation.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> <li># The nature of regulation, its development in Australia and its relationship with law</li> <li># General explanations and justifications for regulation</li> <li># The techniques of regulation</li> <li># Regulatory issues posed by the supply of different types of energy: <ul style="list-style-type: none"> <li># Mineral energies: coal, petroleum and uranium</li> <li># Network energies: electricity, gas</li> <li># Renewable energies</li> </ul> </li> <li># The Australian federal environment for energy regulation. Two or more case studies of Australian energy regulation: <ul style="list-style-type: none"> <li># Electricity and gas: from state monopolies to regulated national markets</li> <li># Mined energies: securing effective exploitation, managing resource conflicts</li> <li># Renewable energies: regulatory incentives</li> </ul> </li> <li># Cross-cutting issues in energy regulation: <ul style="list-style-type: none"> <li># Regulatory authorities</li> <li># Forms of regulation: prescription versus goal-based regulation; discretion versus rules; legislation versus contract</li> <li># Regulatory review and evaluation.</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 function of regulation in reaction to the energy industries and of the role of law in supporting and controlling such regulation in the Australian context</li> <li># Have a sound general knowledge of the Australian regulatory regimes for the types of energy covered in the subject</li> <li># Be able to critically examine, analyse, interpret and assess the legal rules and principles involved in Australian energy regulation</li> <li># Be able to relate Australian experience and practice in the field to experience and practice in other jurisdictions</li> <li># Understand the factors and processes driving or constraining regulatory reform in this field</li> <li># Have the cognitive and technical skills to generate critical and creative ideas relating to legal aspects of energy regulation</li> <li># Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal and regulatory issues relating to the energy industries</li> <li># Have the communication skills to clearly articulate and convey complex information regarding the field to relevant specialist and non-specialist audience.</li> </ul>
<b>Assessment:</b>	<p>Take-home examination (5,000-6,000 words as specified in the subject reading guide)(40%) (29 April - 2 May) 6,000 word research paper (60%) (1 June) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
<b>Prescribed Texts:</b>	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.</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/LAWS70141/2016">www.law.unimelb.edu.au/subject/LAWS70141/2016</a></p>
<b>Related Course(s):</b>	<p>Graduate Diploma in Construction Law  Graduate Diploma in Energy and Resources Law  Graduate Diploma in Environmental Law  Graduate Diploma in Government Law  Graduate Diploma in Legal Studies  Juris Doctor</p>

	Master of Commercial Law Master of Construction Law Master of Energy Systems Master of Energy and Resources Law Master of Environmental Law Master of Law and Development Master of Laws Master of Public Administration Master of Public Administration (Enhanced) Master of Public and International Law
<b>Related Majors/Minors/ Specialisations:</b>	Climate Change Tailored Specialisation Tailored Specialisation