

LAWS70210 Resources Joint Ventures

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: September, 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.
Time Commitment:	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.
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	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.
Non Allowed Subjects:	None
Core Participation Requirements:	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.
Coordinator:	Prof Michael Crommelin
Contact:	Lecturers Professor Michael Crommelin AO (http://www.law.unimelb.edu.au/staff/Michael%20Crommelin) (Coordinator) Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	The exploitation of mineral and petroleum resources involves substantial risk. The resources joint venture provides a commercial opportunity to manage this risk. It is a particular legal relationship: an association of persons (natural or corporate) to engage in a common undertaking to generate a product to be shared among the participants. Management of the undertaking is divided: the participants determine some matters by agreement at the outset of the relationship; the power to determine other matters is vested in a committee on which the participants are represented and entitled to vote; a manager (or operator) is appointed by the participants to conduct agreed activities, on their behalf, within the scope of the common

	<p>undertaking (exploration, development production). This subject examines the legal issues involved in this complex relationship, together with ancillary transactions (such as farmouts). In doing so, it considers the capacity of the common law to respond to commercial imperatives. It also evaluates the effectiveness of legal documentation employed in establishing the joint venture relationship.</p> <p>The lecturer, a former Dean of Melbourne Law School, has published extensively in the fields of energy and resources law and served as President of the Australian Mineral and Petroleum Law Association.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # Statutory titles, government agreements and production-sharing agreements # Farmouts # Joint ventures and operations # Unit development # The operator/manager # Fundamentals of contract law and property law # Assignment # Liability # Default # Disclosure and confidentiality # Sole risk # Termination # Codification.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the legal principles relating to selected project structures and transactions employed in the exploration for and exploitation of natural resources in Australia and overseas # Be able to critically examine, analyse, interpret and assess the effectiveness of these legal principles # Be an engaged participant in debate regarding emerging and contemporary issues in the field # Have a sophisticated appreciation of the commercial factors driving the evolution of the legal framework for such project structures and transactions # Have an advanced understanding of situations in which legal disputes may arise within these project structures and transactions # Have the cognitive and technical skills to generate critical and creative ideas relating such project structures and transactions, and to critically evaluate existing legal theories, principles and concepts with creativity and autonomy # Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues arising from the use of such project structures and transactions in Australia and overseas # Have the communication skills to clearly articulate and convey complex information regarding such project structures and transactions to relevant specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of resources joint ventures.
Assessment:	<p>Take-home examination (5,000-6,000 words as specified in the subject reading guide) (100%) (21 - 24 October) or 10,000 word research paper (100%) (7 December) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
Prescribed Texts:	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>

Links to further information:	www.law.unimelb.edu.au/subject/LAWS70210/2016
Related Course(s):	Graduate Diploma in Construction Law Graduate Diploma in Energy and Resources Law Graduate Diploma in Legal Studies Master of Commercial Law Master of Construction Law Master of Energy and Resources Law Master of Laws