

LAWS90014 Construction Law and Projects in Asia

Credit Points:	12.5
Level:	9 (Graduate/Postgraduate)
Dates & Locations:	This subject is not offered in 2016.
Time Commitment:	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.
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 the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	For more information: 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:	<p>This subject will provide a detailed overview of construction law, projects and practice in five representative Asian jurisdictions: the People's Republic of China, Taiwan, Hong Kong SAR, Singapore and South Korea. Through exposure to detailed explanation, analysis and case studies, students will gain an integrated and advanced understanding of the key features of each jurisdiction, both in isolation and in a comparative context. Students will develop their capacity to operate and advise in and across these jurisdictions as well as deriving lessons for application in their home jurisdiction.</p> <p>Dr Arthur McInnis is the principal subject lecturer for the course and is the former head of the Construction Practice Group at Clifford Chance in Hong Kong. He has published extensively and lectured widely on construction topics throughout Asia. His co-lecturer, James Forrest, a partner with King & Wood Mallesons, brings to the classroom extensive and diverse experience advising in the region, in relation to project structures, procurement systems and contract drafting.</p> <p>The subject provides a detailed introduction to construction law, projects and practice in five Asian jurisdictions with reference to:</p>

	<ul style="list-style-type: none"> # The size and importance of opportunities and trends in their construction sectors # Their key legal and regulatory frameworks, tender practices, and project management norms # The principal standard forms of contract in use # Recent Build-Own-Transfer, Build-Lease-Transfer, and Design-Build-Finance-Operate projects and planned public private partnerships in economic and social infrastructure # New developments surrounding modelling systems for monitoring cost, quality, and risk factors for sponsors, contractors and consultants # Their resource management, financing, innovation and competitiveness on a comparative basis in the development of their construction sectors in the wider Australasian building and projects market # Detailed case studies on construction, currently planned to include the Shanghai World Finance Centre; planning, financing, construction and appraisal of the Anhwa school project in Korea; recent NEC procured pilot projects in Hong Kong; tendering, construction, operation and issues surrounding the Taiwan High Speed Rail project; and tendering, financing, construction and proposed operation of the Singapore Sports Hub.
Learning Outcomes:	<p>A student who has successfully completed this subject will be able to demonstrate an advanced and integrated understanding, in respect of the People's Republic of China, Taiwan, Hong Kong SAR, Singapore and South Korea, of:</p> <ul style="list-style-type: none"> # The law and regulatory environment as applied to construction projects # The relative size, sophistication, importance and operation of their construction sectors # The nature and characteristics of the standard forms of contract in use # The relevant principles for planning for, and tendering, award and administration of, construction contracts # Recent representative project experience and future prospects # Select methods of project evaluation in current use # Notable challenges to construction contracting and project development # Critical success factors for construction projects, as well as recognising global connectedness into the region with Australasia and the lessons to be derived from such connections.
Assessment:	Take-home examination (100%) (28-31 August) or 10,000 word research paper (100%) (30 September) on a topic approved by the subject coordinator
Prescribed Texts:	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.
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
Links to further information:	www.law.unimelb.edu.au/subject/LAWS90014/2015
Notes:	This subject has a quota of 30 students. Please refer to the website 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) for further information about the management of subject quotas and waitlists.
Related Course(s):	<ul style="list-style-type: none"> Graduate Diploma in Asian Law Graduate Diploma in Construction Law Graduate Diploma in Legal Studies Master of Commercial Law Master of Construction Law Master of Laws Master of Public and International Law