

LAWS90052 Trade and Investment Law in China

Credit Points:	12.5
Level:	9 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: November, 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.
Contact:	Lecturers <u>Professor Jianqiang Nie</u> (http://www.law.unimelb.edu.au/staff/Jianqiang%20Nie) (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:	Trade and Investment Laws govern regulation of free trade and liberalisation and protection of investment. They are two of the most important and fast-developing legal subjects in China. This subject focuses on the nature, context and evolution of trade and investment law-making and enforcement in China with emphasis on several specific legal issues such as trade in goods, trade in services, intellectual property, trade remedies, government procurement, foreign investment entry into China, investment protection, promotion and administration, national security review, and trade and investment dispute resolution, The latest developments such as the pilot free trade zones and the new proposal to amend foreign investment legislation will also be explored. This subject is taught from the perspectives of both Chinese legal reform and

	<p>policy change and the evolution of international trade and investment systems. The lecturer is from a leading international law institute in China and was a practising lawyer in China.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # Nature, evolution and context of trade and investment law in China # Tariff and non-tariff barriers measures # Intellectual property # Trade in services # Anti-dumping, subsidies and countervailing # Government procurement # Foreign investment entry into China # Establishment and operation of foreign investment companies # Foreign investment protection and promotion # Administration and national security review # Trade and investment dispute resolution # Pilot free trade zones in China # New proposal to revise foreign investment law.
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 how trade and investment law are made and enforced in China # Be able to critically examine, analyse, interpret and assess legal issues related to trade and investment law in China # Understand and be able to engage with contemporary and controversial issues relating to Chinese trade and investment law # Have the cognitive and technical skill to independently examine, research and analyse complex legal issues relating to various aspects of trade and investment in China # Have the communication skills to clearly articulate and convey complex information regarding various aspects of the trade and investment law to relevant specialist and non-specialist audiences.
Assessment:	<p>Class participation (10%) Take-home examination (5,000-6,000 words as specified in the subject reading guide) (90%) (9 - 12 December) or 10,000 words research paper (90%) (30 January 2017) 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:	<p>www.law.unimelb.edu.au/subject/LAWS90052/2016</p>
Related Course(s):	<p>Graduate Diploma in Asian Law Graduate Diploma in International Economic Law Graduate Diploma in Legal Studies Master of Commercial Law Master of Law and Development Master of Laws Master of Public and International Law</p>