Graduate Certificate in Law (LW60)

Year offered: 2011
Admissions: Yes
CRICOS code: 027286C
Course duration (full-time): 1 semester (Generic course and select majors only)
Course duration (part-time): 2 semesters
Domestic Fees (indicative): 2011: Full fee tuition $8,750 (indicative) per semester
International Fees (indicative): 2011: $11,125 (indicative) per semester
Domestic Entry: February and July
International Entry: February and July
Total credit points: 48
Standard credit points per full-time semester: 48
Standard credit points per part-time semester: 24
Course coordinator: Director, Graduate Programs
Campus: Gardens Point

Overview
This Certificate course allows students to enhance their knowledge in particular areas of interest in the law. Students may select units from one of the eleven majors offered or may elect to complete the course without a major.

Entry Requirements
Domestic students:
Prospective students must either:
(i) hold the degree of Bachelor of Laws or equivalent from QUT or equivalent institution;
OR
(ii) have a professional qualification in law and at least three years of professional legal experience after first admission to practice.

International students:
Prospective students must hold the degree of Bachelor of Laws or equivalent from QUT or equivalent institution.

Course Structure
Students must undertake a total of 48 credit points (4 units). This may be achieved in one of two ways:

1. Students may nominate a major from the list below and choose 48 credit points (4 units) from that particular major; OR
2. Students may complete a generic course by choosing the 48 credit points (4 units) from any major.

Majors:

NOTE: International students are normally only able to undertake a generic course.

Unit Information
Not all units are available in any one year. Generally, postgraduate units are offered on a two year rotational basis, and offered subject to staff availability and minimum enrolments being met.

Units may be offered in intensive, internal and external mode of study.
Note: Units offered in external mode are not available for off-shore study. Students who wish to enrol in units externally must be living in Australia. Only a small number of units are offered on an external basis each year.

*International students on student visas are able to enrol in a combination of intensive, external and internal units each semester. (This is subject to approval).

The course rules allows students to undertake a limited number of approved units from other schools at QUT or from other universities.

Articulation to the Master of Laws by Coursework
The Graduate Certificate in Law articulates into the Master of Laws (LW51) course.

Further Information
QUT School of Law
Phone +61 7 3138 2707
Fax +61 7 3138 1152
Email lawpg_enquiries@qut.edu.au

Course structure

Students must undertake a total of 48 credit points (4 units). This can be achieved in 1 of 2 ways:

OPTION 1 Students may nominate a major from the lists below and choose all 4 units from within that particular major; OR

OPTION 2 Students may complete a generic course by choosing 4 units from any of the lists below to the value of 48 credit points

Note: International students are normally only able to undertake a generic course

List of Majors available:
### Commercial Transactions

- **LWN022**: Banking and Finance Law
- **LWN025**: Research Project 1A
- **LWN030**: Mediation
- **LWN048**: Advanced Legal Research
- **LWN050**: Restrictive Trade Practices Law
- **LWN051**: Consumer Protection and Product Liability
- **LWN075**: International Commercial Transactions
- **LWN076**: International Commercial Disputes
- **LWN093**: Borrowers and Secured Lenders - Select Issues
- **LWN097**: Corporate Insolvency
- **LWN111**: Public Law and Government Commercial Activity
- **LWN113**: Law of Guarantees
- **LWN117**: Cyber Law and Policy
- **LWN119**: Employment Law
- **LWN120**: Select Issues in Media Law and Policy
- **LWN122**: Commercial Leases
- **LWN147**: Patent Law and Commercialisation
- **LWN151**: Select Issues in Property Law
- **LWN153**: Select Issues in Art, Culture and the Law
- **LWN159**: Electronic Litigation
- **LWN160**: Professional Liability & Property Transactions
- **LWN161**: Law and Policy of the World Trade Organisation
- **LWN162**: Australian Common Law System
- **LWN168**: Theories of Dispute Resolution
- **LWN172**: Special Topic in Commercial Law - Cross Border Insolvency
- **LWN093**: Borrowers and Secured Lenders - Select Issues
- **LWN097**: Corporate Insolvency
- **LWN145**: Corporate and Investment Regulation
- **LWN162**: Australian Common Law System
- **LWN168**: Theories of Dispute Resolution
- **LWN172**: Special Topic in Commercial Law - Cross Border Insolvency

### Criminal Justice (for continuing students only)

- **JSN001**: Theories of Justice
- **JSN023**: Justice, Law and Democracy
- **JSN144**: Evidence in Organised Crime Investigations
- **LWN025**: Research Project 1A
- **LWN030**: Mediation
- **LWN048**: Advanced Legal Research
- **LWN129**: Contemporary Issues in Sentencing Law
- **LWN135**: Law, Justice and New Genetic Technologies
- **LWN162**: Australian Common Law System
- **LWN168**: Theories of Dispute Resolution
- **LWN191**: International Criminal Tribunals
- **LWN302**: Australian Criminal Law
- **LWN176**: Special Topic in Criminal Law (Combatting International Corruption)
- **LWN182**: Criminal Tribunals

### Criminology

- **LWN025**: Research Project 1A
- **LWN030**: Mediation
- **LWN048**: Advanced Legal Research
- **JSN102**: Applied Data Analysis Techniques For Criminology and Criminal Justice
- **LWN129**: Contemporary Issues in Sentencing Law
- **LWN135**: Law, Justice and New Genetic Technologies
- **LWN182**: Criminal Tribunals
- **LWN191**: International Criminal Tribunals
- **LWN162**: Australian Common Law System
- **LWN192**: Combating International Corruption
- **JSN101**: Justice and Human Rights
- **JSN113**: Theories of Crime
- **JSN104**: Transnational and Organised Crime
- **JSN111**: Terrorism and Political Violence
JSN113 Theories of Crime
LWN030 Mediation
LWN176 Special Topic in Criminal Law
LWN302 Australian Criminal Law

Environmental Law
LWN025 Research Project 1A
LWN030 Mediation
LWN048 Advanced Legal Research
LWN049 International Environmental Law
LWN060 Environmental Legal System
LWN061 Natural Resources Law
LWN062 Federal Environmental Law
LWN063 Comparative Environmental Law
LWN094 Energy Law
LWN095 Native Title and Indigenous Cultural Heritage Law
LWN131 Queensland State Lands: Law and Practice
LWN138 Comparative Cultural Heritage Law
LWN153 Select Issues in Art, Culture and the Law
LWN157 Comparative Native Title Law and Policy
LWN162 Australian Common Law System
LWN168 Theories of Dispute Resolution
LWN173 Special Topic in Environmental Law
LWN190 Antarctic Law and Governance
LWN196 Environmental Law and Practice
LWN202 Select Issues in Climate Change Law

Health Law
LWN025 Research Project 1A
LWN030 Mediation
LWN048 Advanced Legal Research
LWN135 Law, Justice and New Genetic Technologies
LWN149 Conception, Birth and the Law
LWN150 Death, Decisions and the Law
LWN155 Biotechnology Law
LWN162 Australian Common Law System
LWN163 Capacity, Guardianship and Administration
LWN164 Health Care Law and Ethics
LWN165 Children’s Health and the Law
LWN166 Consent To Treatment and Clinical Negligence

Theories of Crime
LWN168 Theories of Dispute Resolution
LWN174 Special Topic in Health Law
LWN194 Conceptual Issues in Medical Law
LWN195 Elder Law

Mediation
LWN030 Mediation

Advanced Legal Research
LWN048 Advanced Legal Research

International Environmental Law
LWN049 International Environmental Law

Environmental Legal System
LWN060 Environmental Legal System

Natural Resources Law
LWN061 Natural Resources Law

Federal Environmental Law
LWN062 Federal Environmental Law

Comparative Environmental Law
LWN063 Comparative Environmental Law

Energy Law
LWN094 Energy Law

Native Title and Indigenous Cultural Heritage Law
LWN095 Native Title and Indigenous Cultural Heritage Law

Queensland State Lands: Law and Practice
LWN131 Queensland State Lands: Law and Practice

Comparative Cultural Heritage Law
LWN138 Comparative Cultural Heritage Law

Select Issues in Art, Culture and the Law
LWN153 Select Issues in Art, Culture and the Law

Comparative Native Title Law and Policy
LWN157 Comparative Native Title Law and Policy

Australian Common Law System
LWN162 Australian Common Law System

Theories of Dispute Resolution
LWN168 Theories of Dispute Resolution

Special Topic in Environmental Law
LWN173 Special Topic in Environmental Law

Special Topic in Health Law
LWN174 Special Topic in Health Law

Select Issues in Media Law and Policy
LWN120 Select Issues in Media Law and Policy

Electronic Commerce Law
LWN125 Electronic Commerce Law

Law, Justice and New Genetic Technologies
LWN135 Law, Justice and New Genetic Technologies

Privacy Law
LWN139 Privacy Law

International and Comparative Intellectual Property Law
LWN146 International and Comparative Intellectual Property Law

Patent Law and Commercialisation
LWN147 Patent Law and Commercialisation

Select Issues in Art, Culture and the Law
LWN153 Select Issues in Art, Culture and the Law

Trademark Law
LWN154 Trademark Law

Biotechnology Law
LWN155 Biotechnology Law

Electronic Litigation
LWN159 Electronic Litigation

Special Topic in Technology Law
LWN177 Special Topic in Technology Law

Special Topic in Intellectual Property Law
LWN178 Special Topic in Intellectual Property Law

Copyright in the Digital Age
LWN179 Copyright in the Digital Age

Open Licensing: New Models For Intellectual Property
LWN180 Open Licensing: New Models For Intellectual Property

Intellectual Property Litigation
LWN181 Intellectual Property Litigation

Mediation
LWN030 Mediation

Australian Common Law System
LWN162 Australian Common Law System

Public International Law
LWN161 Law and Policy of the World Trade

International Law
LWN025 Research Project 1A
LWN030 Mediation
LWN048 Advanced Legal Research
LWN049 International Environmental Law
LWN075 International Commercial Transactions
LWN076 International Commercial Disputes
LWN115 Human Rights In Australian Law
LWN146 International and Comparative Intellectual Property Law
LWN158 Public International Law
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LWN190 Antarctic Law and Governance
LWN191 International Criminal Tribunals
LWN197 International Aid and Development Law: Policy and Practice
LWN199 Australian and Comparative Human Rights Law
LWN200 Education Law

LWN180 Open Licensing: New Models For Intellectual Property
LWN181 Intellectual Property Litigation

*NOTES*
- LWN048 Advanced Legal Research is strongly recommended for international students and for domestic students without an LLB.
- LWN162 Australian Common Law System is a compulsory unit for all international students to complete.

The units listed within all majors may be subject to change.

**Schedule of Units**

Not all units are offered in any one year.

For a schedule of unit offerings for 2010: please refer to http://www.law.qut.edu.au/study/courses/pgrad/periodmode.jsp

**Potential Careers:**
Academic, Barrister, Solicitor.

**UNIT SYNOPSISES**

**JSN001 THEORIES OF JUSTICE**
This unit is concerned with and/or clarifying the assumptions that underpin arguments about what is just or unjust within various spheres of contemporary Australian society. The unit provides a framework for evaluating the relative usefulness of various theories of justice in terms of their theoretical implications and practical applications. The unit focuses on the interface between justice, postmodernism and the law.

**Credit points:** 12  
**Campus:** External  
**Teaching period:** 2007 SEM-1  
**Incompatible with:** JSB411, LWN040

**JSN023 JUSTICE, LAW AND DEMOCRACY**
In this unit, students explore analyses of the major issues of social philosophy including justifications of liberty, harm to others, private property rights, distributive justice, environmental harms, help to others and criminal and offensive behaviour. Students also discuss links between law, justice and social institutions and how we might adjudicate between competing interests in society. Lawyers and other justice professionals, public administrators, and para-professionals working in the fields of law, justice or politics will find this unit useful in developing a theoretical foundation for understanding social institutions and how they interact with law and morality. Students develop critical
research and writing skills.
Credit points: 12  Campus: Kelvin Grove and External  Teaching period: 2007 SEM-2  Incompatible with: JSN005, LWN042

JSN101 JUSTICE AND HUMAN RIGHTS
Arguments concerning perceived problems of justice and injustice usually reveal conflicting ideas about what justice actually means both theoretically, and in practice. Justice and human rights go hand in hand both theoretically and in the practice of law enforcement and other criminal justice professions. You will require a sophisticated level of understanding of theories of justice and human rights in a social and criminal context if you are to effectively apply in practice the content knowledge you have acquired in the course of your post graduate study.
Equivalents: JSN001, JSP001, JSB411, LWN040  Credit points: 12  Campus: Internet and External  Teaching period: 2011 SEM-1

JSN102 APPLIED DATA ANALYSIS TECHNIQUES FOR CRIMINOLOGY AND CRIMINAL JUSTICE
The content of this Unit is based on an assumption that students have a solid knowledge of research methodologies. This includes: an understanding of qualitative and quantitative research paradigms; principles of sampling; and various methods of collecting data. This Unit will build on that knowledge and provide students with an understanding of the techniques that can be used to analyse both quantitative and qualitative data. These skills are important for those working in criminal justice and related fields in order for them to not only process research data but also to make sense of research results published in reports, journals and other publications.
Equivalents: JSN018, JSN163, JSP163, JSP063  Credit points: 12  Campus: Internet and External  Teaching period: 2011 SEM-1

JSN104 TRANSCONTINENTAL AND ORGANISED CRIME
Antirequisites: JSB982  Credit points: 12  Campus: Internet and External

JSN111 TERRORISM AND POLITICAL VIOLENCE
In this unit you will be taught the defining characteristics of terrorism and why it is described as both a political and criminal act. During the unit you will be exposed to different types of terror tactics and will investigate particular terror groups that are currently operating on a national, regional and international scale. This unit will explore the characteristics of terrorist organizations and examine how recent developments in technology and finance allow them to flourish. The unit will provide students with the opportunity to critically engage with counter-terror tactics, assess whether the tactics engage with the terror threat as a political or criminal one, and evaluate their effectiveness.

Antirequisites: JSB985  Credit points: 12  Campus: Internet and External  Teaching period: 2011 SEM-2

JSN113 THEORIES OF CRIME
The main aim of this unit is to introduce you to the study of theoretical criminology. This unit will address the social context of crime but is not exclusively sociological. The study of criminology is essentially multi-disciplinary and this is reflected in the diversity of theoretical approaches. Theory is typically offered as distinct from methods of research, however, together they provide the foundation for policy and practice. The unit provides an analytical framework in order to critically assess the epistemological claims and justifications found in criminological theory. Criminological theories are viewed embedded governmental practices aimed at ensuring the regulation and control of particular 'problem populations'.
Antirequisites: JSB272, JSB231, JSB018  Credit points: 12  Campus: Internet and External  Teaching period: 2011 SEM-1

JSN144 EVIDENCE IN ORGANISED CRIME INVESTIGATIONS
In recognition of the limitations of traditional law enforcement methods in dealing with organised crime and corruption, the Commonwealth and some State governments have granted more extensive powers to their police services and created inquisitorial commissions equipped with special coercive powers. The aim of this unit is firstly, to assist investigators and other professionals to appreciate the impact of rules of evidence in this specific context, secondly, to understand how these new powers can be more effectively exercised, and thirdly, to inform those representing persons who are the subject of such exercise on how best they can protect the rights of their clients.
Credit points: 12  Campus: Kelvin Grove and External  Teaching period: 2007 SEM-2

LWN022 BANKING AND FINANCE LAW
This unit includes the following topics: the new regulatory scheme imposed by the Financial Services Reform Act 2001 (Cwlth) and the Australian Securities and Investments Commission Act 2001 (Cwlth); the commercial use of bills of exchange; statutory protection of financial institutions in relation to the payment and collection of cheques; the operation of bank accounts and payment mechanisms such as electronic funds transfers; select issues arising out of the banker-customer relationship: the banker's right of set-off, liens, combination of accounts, 'charge backs', appropriation of payments, the effect of orders for the redirection of debts and Mareva orders on financial institutions; alternative dispute resolution under the revised Code of Banking Practic
Contact hours: 2 per week  Campus: Gardens Point

CRICOS No. 00213J ABN 83 791 724 622
LWN025 RESEARCH PROJECT 1A
In this unit, students undertake a supervised research project of about 10,000 words over one semester approved by the Teaching, Learning and Curriculum Committee. Students should refer to the relevant course rules for the maximum credit point limit of Research Project units allowed to be undertaken as part of their course and how to apply to undertake this unit.
Credit points: 12 Contact hours: 26 hours in total
Campus: Gardens Point Teaching period: 2011 SEM-1 and 2011 SEM-2

LWN030 MEDIATION
The ADR movement has developed at a rapid pace in Australia and internationally with mediation being incorporated into the practices of most courts and tribunals as well as at the private level. This unit examines the theory and skills of mediation. The aim of this unit is to provide a coherent knowledge and understanding of mediation theory as well as developing mediation skills relevant to ongoing learning and professional practice.
Credit points: 12 Contact hours: 26 hrs in total
Campus: Gardens Point Teaching period: 2011 6TP1 and 2011 5TP8

LWN036 SELECT ISSUES IN INTELLECTUAL PROPERTY LAW
This unit examines a range of contemporary issues in the broad field of intellectual property law. Topics include: Copyright protection for digital works; the Copyright Law Review Committee (CLRC) Reports; defences in relation to computer program (reverse engineering); the protection of facts and the Database proposals; collective administration of copyright; fair dealing; copyright protection of Indigenous art and culture; moral rights and performers' rights; contracting out and the future of copyright in the digital age; patent protection for computer programs; current issues in Trade Marks (including domain names and geographical indications).
Contact hours: 26 hrs in total Campus: Gardens Point

LWN046 ADVANCED PLANNING LAW
To practice effectively in the growing area of Environmental and Town Planning Law it is essential that practitioners have a detailed knowledge of the principals of town planning, relevant statutory instruments and the practice and procedure of the Planning and Environment Court. It is advisable for those practising in this area to be aware of the legislative changes that have taken place in the recent past and what is proposed for the future. It is an area where the State Government has and will continue to make considerable changes.
Credit points: 12 Contact hours: 2 hrs per week
Campus: Gardens Point Teaching period: 2011 SEM-1

LWN048 ADVANCED LEGAL RESEARCH
Legal Research at an advanced level is a fundamental part of postgraduate legal study both for coursework and more particularly thesis and dissertation purposes. Exposure to a structured course on the nature, aims and techniques of legal and other research is essential to a proper foundation in postgraduate research skills at an advanced level. Advanced Legal Research is also highly recommended for those students who have completed their undergraduate degree in a jurisdiction other than Australia.
Credit points: 12 Contact hours: 26 hours in total
Campus: Gardens Point Teaching period: 2011 6TP2 and 2011 SEM-2

LWN049 INTERNATIONAL ENVIRONMENTAL LAW
International environmental law is a dynamic area of international law with implications for the management of natural resources both in Australia and at the global level. This unit introduces students to the fundamental principles structuring international environmental law, discusses the principal institutions, cases and treaties in this field and explores the impact of international environmental obligations on natural resource management in Australia. The unit highlights the particular challenges facing international environmental lawyers seeking the protection and enhancement of the global environment, as well as international environmental issues of contemporary concern.
Credit points: 12 Contact hours: 26 hours in total
Campus: Gardens Point Teaching period: 2011 SEM-1

LWN050 RESTRICTIVE TRADE PRACTICES LAW
All countries that rely on markets and competition to allocate resources and satisfy the needs of consumers have a set of rules designed to deal with problems of market failure caused by one or more firms possessing market power. Such firms are able to undermine the competitive process by engaging in anti-competitive behaviour. This unit considers this Law.
Credit points: 12 Contact hours: 2 hrs per week
Campus: Gardens Point and External Teaching period: 2011 SEM-2

LWN051 CONSUMER PROTECTION AND PRODUCT LIABILITY
This unit is divided into two main parts. The first part considers the statutory and common law actions that are available to protect consumers from misleading or deceptive conduct and unfair marketing practices. Emphasis is given to the role played by the Trade Practices Act in relation to conveyancing and land transactions, financial services and advertising. Unconscionable conduct is also considered. The second part of the unit is concerned with statutory and common law actions available when loss or damage is
suffered as a result of defective products. Remedies and defences are considered throughout the course.

Credit points: 12  Contact hours: 2hrs per week  
Campus: Gardens Point and External  
Teaching period: 2010 SEM-1

LWN060 ENVIRONMENTAL LEGAL SYSTEM

Environmental law and its related unit Natural Resources Law have become significant areas of professional legal practice over the last decade or so. A number of firms of solicitors have set up units in their practices specialising in these areas. At the same time, these branches of the law have emerged as significant areas for research and publication. Most law schools have undergraduate courses in environmental law and several have introduced postgraduate courses in these areas. There is a growing demand for courses in these areas at postgraduate level on the part of those wishing to study the subject for the first time and also on the part of those seeking to expand their existing knowledge and understanding of these areas. This unit complements the unit in Natural Resources Law. Together these two courses create the framework within which further study is possible either by way of further units or more focused research papers.

Credit points: 12  Contact hours: 26 hrs in total  
Campus: Gardens Point

LWN061 NATURAL RESOURCES LAW

This unit includes the following: the principles and concepts of natural resources law in Queensland dealing with the ownership and control of natural resources, providing access to these resources, controlling the operational side of the development of these resources, and recognising commercial structures for achieving these operational objectives; an assessment of a number of developed and evolving mechanisms for achieving these objectives such as policy objectives, management plans, incentives and inducements, market instruments and property rights. Examples include land, water and fisheries.

Credit points: 12  Contact hours: 26 hrs in total  
Campus: Gardens Point and External  
Teaching period: 2011 5TP7

LWN062 FEDERAL ENVIRONMENTAL LAW

This unit includes the following: the history of Commonwealth involvement in environmental management; the Inter-Governmental Agreement of 1992; relevant paragraphs of s. 51 of the Constitution; judicial interpretation of the paragraphs; impact of ss 90, 92 and 109 of the Constitution; federal legislation dealing with offshore development, marine environment protection, environmental impact assessment, national estate, wildlife conservation, Great Barrier Reef, hazardous waste and industrial chemicals, world heritage, ozone protection, ecologically sustainable development, climate changes, and biological diversity.

Prerequisite(s): nil  Corequisite(s): nil  Contact hours: 26 hrs in total  
Campus: Gardens Point  
Incompatible with: nil

LWN063 COMPARATIVE ENVIRONMENTAL LAW

This unit addresses the principles of environmental regulation in other jurisdictions and the range of policy and legal instruments being utilised to achieve environmental objectives. Jurisdictions include European countries such as the United Kingdom and Greece, the European Union, South Africa, India, New Zealand and the USA.

Credit points: 12  Contact hours: 26hrs in total  
Campus: Gardens Point  
Teaching period: 2010 SEM-2

LWN065 CONSTRUCTION AND ENGINEERING LAW

Preparation of construction and engineering contracts has now become a distinct area of legal practice with many firms having established sections which specialise in this area. A sound knowledge of the standard forms used in the industries and the special principles of law applicable to this area is essential for those wishing to practise in the area. This unit provides the knowledge sought by current and future practitioners and those considering embarking upon research in this area.

Credit points: 12  Contact hours: 26hrs in total  
Campus: Gardens Point  
Teaching period: 2010 SEM-2

LWN075 INTERNATIONAL COMMERCIAL TRANSACTIONS

This unit on international trade law addresses the legal problems that arise in the formation and operation of commercial transactions of an international nature. Its scope is largely confined to the sphere of private law. Topics covered include: the international trade law and environment; harmonisation and unification of law; international contracts (characteristics, comparative law, negotiating and drafting, choice of law); international sale of goods (trade terms, standard conditions, uniform law); carriage of goods by sea; payment in a documentary sale, and other financing mechanisms; marketing arrangements (agency, distributorship, subsidiary, joint venture).

Credit points: 12  Contact hours: 26hrs in total  
Campus: Gardens Point  
Teaching period: 2011 SEM-2

LWN076 INTERNATIONAL COMMERCIAL DISPUTES

This unit addresses legal issues regarding the resolution of commercial disputes in international trade. It is concerned with disputes in respect of international commercial relationships of a private law nature. Dispute resolution mechanisms (such as litigation, arbitration and alternative dispute resolution) are examined, and their effectiveness evaluated, in the light of the legal and practical realities in the international trade environment. Students are introduced to a range of commercial practices, national regulation, and
international uniform rules, model laws and conventions. **Prerequisite(s):** nil  **Corequisite(s):** nil  **Credit points:** 12  **Contact hours:** 2 hrs per week  **Campus:** Gardens Point  **Teaching period:** 2009 SEM-2  **Incompatible with:** LWN023

**LWN083 ESTATE PLANNING**
In recent years there has been a renewed interest in all aspects of estate planning. During the period when death duties were imposed at both the State and Federal levels, professional interest in this area was high as the public perceived its need for expert professional advice, particularly as it related to the structuring of a person's affairs to minimise the impost of these duties. The emergence of capital gains tax and the realisation of its growing significance, together with a recent emphasis generally on financial planning has again brought this area to prominence. At a time when the legal profession is looking for new areas at work, there is also evidence that lawyers see this area as one which has been largely neglected. This unit seeks to conceptualise a framework in which the issues which arise in estate planning can usefully be considered.  
**Credit points:** 12  **Contact hours:** 2 hrs per week  **Campus:** Gardens Point and External  **Teaching period:** 2010 SEM-2

**LWN087 CONTEMPORARY ISSUES IN TORTS**
Contemporary issues in the law of torts extend beyond the tort of negligence to include areas such as the economic torts, the tortious liability of public officials, the torts of trespass and nuisance, and the emerging tort of privacy. In addition there have been significant developments in related areas such as vicarious liability and the apportioning of liability amongst multiple tortfeasors. It is, therefore, appropriate that these contemporary issues in the law of torts be the subject of an LLM unit that allows for a more sophisticated level of conceptual analysis and synthesis than was appropriate at an undergraduate level.  
**Credit points:** 12  **Contact hours:** 26 hrs in total  **Campus:** Gardens Point  **Teaching period:** 2006 6TP3

**LWN093 BORROWERS AND SECURED LENDERS - SELECT ISSUES**
This unit considers topical issues in the area of secured lending both from the perspective of the borrower and the lender. Seminars will focus on issues arising from the execution of typical securities such as real property mortgages and guarantees, both personal and corporate, together with remedies of secured lenders and possible defences of borrowers. The focus of this unit is on current issues reflecting developments in statutory and case law in Australia impacting on borrower's rights and the practices and procedures of secured lenders.  
**Prerequisite(s):** nil  **Corequisite(s):** nil  **Contact hours:** 26 hrs in total  **Campus:** Gardens Point  **Teaching period:** 2011 SEM-2

**LWN094 ENERGY LAW**
Natural resources law and its related subject, environmental law, have become significant areas of professional legal practice over the last decade or so. One of the particular areas of natural resources law for these purposes is energy law. Energy law is the law relating to the ownership, use, development and control of those natural resources which are used to produce energy for the benefit of the community. Areas covered in this unit include: the sources and history of energy law; the principles and concepts underlying energy law; the common law rules of ownership of sources of energy; statutory ownership of sources of energy; how the law regulates access to sources of energy; how the law controls the development of sources of energy.  
**Credit points:** 12  **Contact hours:** 26 hrs in total  **Campus:** Gardens Point  **Teaching period:** 2010 5TP7

**LWN095 NATIVE TITLE AND INDIGENOUS CULTURAL HERITAGE LAW**
This unit aims to provide an understanding of the development of contemporary Australian principles and practice governing the recognition, protection and management of Indigenous native title and cultural heritage interests in a political, legal and global context; to encourage consideration of the various dimensions of the relevant law, policy and practice from a range of perspectives; and to facilitate a critical and reform-oriented examination of contemporary problems in the field.  
**Prerequisite(s):** nil  **Corequisite(s):** nil  **Credit points:** 12  **Contact hours:** 26 hrs in total  **Campus:** Gardens Point  **Teaching period:** 2007 6TP4  **Incompatible with:** nil

**LWN097 CORPORATE INSOLVENCY**
This unit considers topics of commercial interest relevant to corporate insolvency. It concentrates on advanced areas pertinent to liquidation, receivers and other controllers, and voluntary administration in Australia. In particular, seminars focus on issues likely to arise in practice, including problems associated with statutory demands, termination of deeds of arrangement, and insurer funding of litigation.  
**Credit points:** 12  **Contact hours:** 26 hrs in total  **Campus:** Gardens Point  **Teaching period:** 2011 SEM-2

**LWN099 INTELLECTUAL PROPERTY LAW**
This unit includes a study of the concept of Intellectual Property and the principles and policies of intellectual property law. Topics covered include copyright, designs, patents, innovation patents, trade marks, passing off, and breach of confidence.  
**Credit points:** 12  **Contact hours:** 26 hrs in total  **Campus:** Gardens Point  **Teaching period:** 2011 SEM-1
LWN111 PUBLIC LAW AND GOVERNMENT COMMERCIAL ACTIVITY
This unit examines the reach of public law remedies in the field of commercial activities in which government agencies are involved. Areas covered include corporatisation, outsourcing and privatisation.
Credit points: 12    Contact hours: 2 hrs per week    Campus: Gardens Point    Teaching period: 2011 5TP2

LWN113 LAW OF GUARANTEES
Guarantees are an important area of practice for commercial lawyers as a substantial proportion of large commercial transactions involve the giving of guarantees. Guarantees are also significant for consumer finance. This unit considers formation and validity, including comparison with other contracts; factors affecting validity, including disclosure, misrepresentation, mistake, unconscionable conduct, undue influence, s.51AB Trade Practices Act (Cwlth), s.70 Consumer Code; obligations of solicitor; liability, including principle of co-extensiveness and rules of construction; discharge of guarantee, including discharge by the determination of the principal transaction and discharge by reason of the creditor's conduct.
Credit points: 12    Contact hours: 26 hrs in total    Campus: Gardens Point    Teaching period: 2011 SEM-1

LWN115 HUMAN RIGHTS IN AUSTRALIAN LAW
Human rights impact upon the legal rights of all Australians. A knowledge of the human rights currently recognised and the extent to which they can be enforced in Australia is of benefit to all professionals. This knowledge can be used to advocate for people in a variety of legal, social and cultural contexts.
Credit points: 12    Contact hours: 26hrs in total    Campus: Gardens Point    Teaching period: 2006 SEM-2

LWN117 CYBER LAW AND POLICY
This unit examines legal issues relating to the Internet. The unit will consider the application of existing legal principles to "cyberspace" as well as newly developed Internet Law or Cyberlaw principles. Knowledge of Internet Law is of increasing importance in many areas of legal practice, industry and to society more generally. This is a new area of activity and it is important to educate lawyers and other professionals on the unique issues that have arisen and will emerge in this area, in particular the difficulty in regulating the distributed international network of computers known as the "internet".
Credit points: 12    Contact hours: 2 hrs per week    Campus: Gardens Point    Teaching period: 2011 SEM-1

LWN119 EMPLOYMENT LAW
Employment law is a foundation unit that allows students to survey at an advanced level the sources, components and relationships of employment law in Australia. Successful completion of this unit provides students with the necessary background to continue on to undertake further advanced courses in more specialised areas of labour law, including public sector employment law and the law of trade unions.
Credit points: 12    Contact hours: 26 hrs in total    Campus: Gardens Point    Teaching period: 2010 5TP1

LWN120 SELECT ISSUES IN MEDIA LAW AND POLICY
In the technology age the media pervades our lives. Those in the media who control the flow of information wield great power. A study of the functioning of media institutions and the controls imposed upon the activities of those institutions in a democratic society may lead to an understanding of the exercise of that power. This unit examines the concept of freedom of speech as exercised by the media and selected limitations on that freedom imposed by the common law and statute, limitations imposed upon media institutions represented by broadcasting law and policy issues affecting the functioning of the media.
Credit points: 12    Contact hours: 26 hrs in total    Campus: Gardens Point

LWN122 COMMERCIAL LEASES
With the exponential rise in the numbers of commercial premises such as office blocks, shopping centres and industrial factories in the past decade or so, the study of commercial leases for the legal practitioners has assumed a great importance. Statute law in the form of the Trade Practices Act 1974 and the Retail Shop Leases Act 1994 have also impacted significantly upon commercial leasing practices. Whilst there is no one form of standard commercial lease, certain generic clauses have emerged and there now exists a substantial body of law in Australia relating to the theory underlying and practice of the law of commercial leases. This unit endeavours to explain the theoretical basis for the use of certain basic covenants at the same time taking full account of the practical operation of commercial leases in Australia.
Credit points: 12    Contact hours: 26 hrs in total    Campus: Gardens Point    Teaching period: 2010 5TP5

LWN125 ELECTRONIC COMMERCE LAW
It is vital for any participant in the digital age to gain a thorough knowledge of how the information economy is regulated for the benefit of individuals, corporations and the State, nationally and internationally. In order to be able to participate as a lawyer or other professional in this new environment it is important to have an understanding of the laws relating to privacy, e-security, consumer regulation, electronic payment and taxation systems, electronic contracts, and Public Key Infrastructure.
Credit points: 12    Contact hours: 2 hours per week    Campus: Gardens Point
LWN127 ADVANCED INSURANCE LAW 1
This unit covers the nature and definition of insurance, utmost good faith, formation of contract, proposals, etc; scope of Insurance Contracts Act 1984 (Cwlth), non-disclosure and misrepresentation, brokers and agents; Insurance (Agents and Brokers) Act 1984 (Cwlth), or Financial Services Reform Act 2001 (Cwlth) if appropriate, third parties’ rights and obligations; Section 54 Insurance Contracts Act.
Credit points: 12  Contact hours: 2 hrs per week
Campus: Gardens Point  Teaching period: 2006 SEM-2

LWN129 CONTEMPORARY ISSUES IN SENTENCING LAW
Sentencing law has become a specialised area of research and practice over the past two decades in the United Kingdom and the United States, and increasingly so in Australia. In practice, this is particularly so for barristers and specialist criminal law practitioners. Increasingly, law schools have undergraduate and postgraduate units in this area. Almost all Australian jurisdictions have now introduced specialised sentencing legislation, introducing discrete principles and thereby ensuring that a separate discipline area of sentencing law has emerged, complete with its own discourse. It is therefore appropriate that sentencing law should feature as a postgraduate unit in its own right.
Credit points: 12  Contact hours: 26 hours in total
Campus: External  Teaching period: 2011 SEM-2

LWN129 CONTEMPORARY ISSUES IN SENTENCING LAW
Sentencing law has become a specialised area of research and practice over the past two decades in the United Kingdom and the United States, and increasingly so in Australia. In practice, this is particularly so for barristers and specialist criminal law practitioners. Increasingly, law schools have undergraduate and postgraduate units in this area. Almost all Australian jurisdictions have now introduced specialised sentencing legislation, introducing discrete principles and thereby ensuring that a separate discipline area of sentencing law has emerged, complete with its own discourse. It is therefore appropriate that sentencing law should feature as a postgraduate unit in its own right.
Credit points: 12  Contact hours: 26 hrs in total
Campus: Gardens Point  Teaching period: 2006 6TP5

LWN131 QUEENSLAND STATE LANDS: LAW AND PRACTICE
As the unit examines a unique system of land tenures and dealings which is not studied in any great depth at undergraduate level, the focus of the unit is on: the current legislative scheme and current policies relating to non-freehold land in Queensland; contemporary issues within the context of the prevailing legislative and policy frameworks; and the development of generic skills including research skills and critical evaluation skills that may be applied in other areas of study.
Credit points: 12  Contact hours: 26 hrs in total
Campus: Gardens Point and External  Teaching period: 2009 SEM-1 and 2009 6TP3

LWN132 PUBLIC SECTOR EMPLOYMENT LAW AND POLICY
The main topics to be addressed in this unit include: the contract of employment; the common law of public sector employment; appointment; discipline and appeal rights of public sector employees; termination of employment; anti-discrimination law; administrative law; case studies of local government; statutory authorities; State and Federal public sector employment law.
Credit points: 12  Contact hours: 26 hrs in total
Campus: Gardens Point  Teaching period: 2006 6TP5

LWN135 LAW, JUSTICE AND NEW GENETIC TECHNOLOGIES
Our ability to test, screen and manipulate the human genome is made possible by recent technological breakthroughs in science. The science of genetics is not new, but its public profile has never been higher. Current initiatives in genetic knowledge have been described as an international voyage of scientific discovery. The scientific findings are prompting major rethinking of concepts of law and justice. The legal community faces a perpetual challenge in keeping pace with the revolution in genetics. This unit looks at some legal implications of this revolution and charts the major responses of our legal system to modern genetics and biotechnology.
Credit points: 12  Contact hours: 26 hrs in total
Campus: Gardens Point  Teaching period: 2011 SEM-1

LWN138 COMPARATIVE CULTURAL HERITAGE LAW
This unit includes: an examination of the concepts of culture and cultural heritage; the international law framework within which cultural heritage is managed and protected; an analysis of the ways in which a number of national jurisdictions approach the conservation of their cultural heritage. These include the USA, UK, the European Union, South Africa, China, New Japan, Malaysia, Zealand and Australia. The focus of the unit is upon cultural heritage values associated with land and land-related resources.
Contact hours: 26 hrs in total  Campus: Gardens Point

LWN139 PRIVACY LAW
This unit covers an introduction to the concept of privacy: including both the historical development of privacy rights and the operation and implication of state and federal legislation and international obligations; detailed consideration of the Commonwealth private sector regime; consideration of the impact of privacy law on specific fields
of practice such as health, employment, not-for-profit and banking/finance/insurance; issues relating to the Internet; compliance and code development; international regimes.

Credit points: 12  Contact hours: 26hrs in total
Campus: Gardens Point  Teaching period: 2007 6TP5

LWN144 CONTEMPORARY ISSUES IN CHILD LAW

This unit introduces students to selected contemporary legal issues affecting children in Australia. These issues present both legal and moral questions that have implications for legal practice and policy development. This unit gives students the opportunity to identify current legal positions about controversial issues in Australian law relating to children, and to apply advanced skills in legal research, analysis and writing to critically evaluate those positions.

Contact hours: 2 hrs per week  Campus: Gardens Point and External

LWN145 CORPORATE AND INVESTMENT REGULATION

Regulation is no longer solely a government issue any more, Enron, HIH and One Tel have taught us it is an issue that both the private and public sectors must embrace and learn quickly.

Lawyers and corporate advisers must now think outside the square and keep abreast of an ever-changing legal and corporate environment. This unit will develop a forward thinking approach to corporate and investment regulation and promote practical and analytical appraisal of the issues arising in relation to the regulation of companies and investment.

Credit points: 12  Contact hours: 26 hrs in total
Campus: Gardens Point  Teaching period: 2011 6TP2

LWN146 INTERNATIONAL AND COMPARATIVE INTELLECTUAL PROPERTY LAW

The unit provides you with an introduction to international intellectual property and policy issues and their connection with the European Union (EU) efforts to create an internal market with a level playing field for the protection of intellectual property. The unit also considers diverging perspectives on topics ranging from the protection of traditional knowledge and folklore to high technology.

Credit points: 12  Contact hours: 26 hrs in total
Campus: Gardens Point  Teaching period: 2011 SEM-2

LWN147 PATENT LAW AND COMMERCIALISATION

In the modern world lawyers are increasingly faced with issues concerning the exploitation of and access to intellectual products relating to biotechnology and information technology. This unit will allow students to develop knowledge of this specialised area, which is of growing importance to government, industry and society more generally.

Credit points: 12  Contact hours: 26 hrs in total

LWN149 CONCEPTION, BIRTH AND THE LAW

Some aspects of human reproduction raise complex legal and ethical considerations. Civil liability to a child can arise where that child is injured in utero or upon delivery. Liability to parents may also arise where a child is conceived as a result of a failed sterilization procedure or where a mother is injured during a negligent delivery. There have also been rapid developments in assisted reproductive technologies. One of the difficulties in this area is an absence of consistent regulation of the many controversial issues associated with such medical advances. These include the nature of any regulatory regime, access to treatment, rights of donors and children born as a result of these technologies, posthumous use of gametes and embryo research. The topics examined in this unit are becoming increasingly important both from the perspective of government regulation and for legal practitioners in the field of health law.

Credit points: 12  Contact hours: 26hrs in total
Campus: Gardens Point  Teaching period: 2011 SEM-2

LWN150 DEATH, DECISIONS AND THE LAW

As people near the end of their lives, their medical treatment and other care raises complex medical, legal and ethical decisions. Choices about whether particular treatment should be provided or refused may have to be made, and this is complicated by the fact that many people may not have the competence at this stage in their life to be able to make these decisions. Although a competent adult may refuse treatment, another choice demanded by some is the right to end their own life and to be assisted by others to achieve this. This unit examines the legal aspects of these choices.

Credit points: 12  Contact hours: 26 hrs in total
Campus: Gardens Point  Teaching period: 2010 6TP2

LWN151 SELECT ISSUES IN PROPERTY LAW

The principles and practice relating to transactions of real property are rapidly becoming more complex. This complexity is being driven by continuing statutory intervention in what had been for many years traditionally settled relationships ie those of principal and real estate agent, buyer and seller, commercial lessor and lessee and mortgagor and mortgagee. In recent times the courts are also redefining these relationships through the extension of the law. This unit examines legislation affecting these relationships.

Prerequisite(s): nil  Corequisite(s): nil  Contact hours: 26 hrs in total  Campus: Gardens Point  Teaching period: 2007 6TP5  Incompatible with: nil

LWN153 SELECT ISSUES IN ART, CULTURE AND THE LAW
This unit introduces a distinct ‘art and culture law’ to Australian legal practitioners, arts practitioners and policy makers, which has been developing in the international arena since the 1980’s. Creating and selling art and cultural objects is the subject of well-defined categories of law, including contracts, sale of goods and copyright, though other specific forms of regulation, such as the law governing the international movement of cultural objects, is less well-known. Finding and applying these areas of law is relatively straightforward, but without an appreciation of the relationship between the areas of law, inconsistencies and contradictions arise. One reason this occurs is because these areas of law cross traditional legal categories, and there is generally very little opportunity within most law courses to understand the inter-relationship and interaction between these disparate areas of law.

**Credit points:** 12  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point  
**Teaching period:** 2011 6TP4

### LWN154 TRADE MARK LAW

A general knowledge of trade mark law is integral to an understanding of, and to practice in, the area of intellectual property law. This unit provides an understanding of the legal protection provided to trade marks under legislation and the common law. It introduces students to the principles of law required for obtaining, maintaining, managing and exploiting a registered trade mark under the Trade Marks Act 1995 (Cth). It will also consider the principles of law underlying infringement proceedings and enforcement of registered trade marks.

**Prerequisite(s):** Nil  
**Corequisite(s):** Nil  
**Credit points:** 12  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point  
**Teaching period:** 2007 SEM-1  
**Incompatible with:** nil

### LWN155 BIOTECHNOLOGY LAW

Multifaceted problems are raised by biotechnology, most of which revolve around the genetic modification of life. Wide ranging issues include the acceptability of patenting life forms, the monopolization of basic food production with genetically modified foods, the risk and allocation of risk with the introduction of modified materials into the ecosystem, cloning and stem cell use. Professionals working in the biotechnology area need to be familiar with these legal, scientific and business issues that arise out of this developing area.

**Prerequisite(s):** Nil  
**Corequisite(s):** Nil  
**Credit points:** 12  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point

### LWN155 BIOTECHNOLOGY LAW

Multifaceted problems are raised by biotechnology, most of which revolve around the genetic modification of life. Wide ranging issues include the acceptability of patenting life forms, the monopolization of basic food production with genetically modified foods, the risk and allocation of risk with the introduction of modified materials into the ecosystem, cloning and stem cell use. Professionals working in the biotechnology area need to be familiar with these legal, scientific and business issues that arise out of this developing area.

**Prerequisite(s):** Nil  
**Corequisite(s):** Nil  
**Credit points:** 12  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point

### LWN157 COMPARATIVE NATIVE TITLE LAW AND POLICY

Comparative study in the complicated area of ‘Native Title’ is essential to the principled development of Australian law and policy. This unit has the following aims: to engender an understanding of the development of the Australian title doctrine in comparative context; to encourage consideration of the various dimensions of the contemporary Australian law and policy with reference to global legal patterns and attention to Indigenous perspectives; to facilitate a critical and reform-oriented examination of current problems in the field in Australia.

**Prerequisite(s):** Nil  
**Corequisite(s):** Nil  
**Credit points:** 12  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point and External

### LWN158 PUBLIC INTERNATIONAL LAW

Public international law is the foundational law which governs the rules operating as between States. It establishes, for instance, the contexts in which force may be used, how new States come into being, what environmental obligations States owe to one another, and the immunities States and their representatives may enjoy from prosecution. It is pursuant to international law, that International Tribunals have been established to prosecute war criminals. Furthermore, doctrines of international law underpin arguments concerning the appropriate maritime boundaries between East Timor and Australia or the competence of the coalition of the willing to militarily intervene in Iraq. Not only is international law vital to understanding many of the high-profile wo

**Credit points:** 12  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point  
**Teaching period:** 2011 5TP7

### LWN159 ELECTRONIC LITIGATION

With the proliferation of electronic files being created and distributed by corporations around the globe today, it is no surprise that the discovery process during a document-heavy litigation is becoming more and more onerous.

Tools to effectively manage this electronic information are used by many of the larger law firms and will soon be part of every legal practice, in much the same way as the word processor is a necessity in any new millennium practice. Moreover, courts are now taking the initiative to encourage
the use of information technology in civil litigation.

Knowledge of the issues that surround electronic documents and the use of information technology to better manage discovery and trial processes is imperative, and such issues are examined in this unit - Electronic Litigation.

**Prerequisite(s):** nil  
**Corequisite(s):** nil  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point  
**Incompatible with:** nil

### LWN160 PROFESSIONAL LIABILITY & PROPERTY TRANSACTIONS

The primary aim of this unit is to examine the development and application of the principles relating to the liability of nominated professionals engaged in property transactions, it affords an opportunity to a student to critically analyse issues arising from complex factual matrices which present themselves in this area of law and to contribute meaningfully to a consideration of these issues in a structured way. The second aim of this unit is to give students an understanding as to how this area of law may develop further based upon the application of new concepts such as proportionate liability or economic loss and apportionment legislation under the Trade Practices Act 1974 and Civil Liability Acts in Australian jurisdictions.

**Contact hours:** 26hrs in total  
**Campus:** Gardens Point

### LWN161 LAW AND POLICY OF THE WORLD TRADE ORGANISATION

With the rapid acceleration in the pace of globalisation and a substantial broadening of the WTO's regulatory field since 1994, the World Trade Organisation (WTO) is the multilateral economic institution that is responsible for regulating a broad range of trans-border economic activities. WTO law and policy impacts on enterprises that engage in trans-border economic activities by regulating foreign market access/trade barriers, unfair international trade practices, international trade in services, intellectual property and trade related investment measures and international trade dispute resolution.

**Prerequisite(s):** nil  
**Corequisite(s):** nil  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point  
**Incompatible with:** nil

### LWN162 AUSTRALIAN COMMON LAW SYSTEM

This unit is designed for international students from civil law countries and other non- common law jurisdictions or jurisdictions where English is not the first language and Australian graduates in disciplines other than law. This unit will provide these students with a solid foundation in the common law system with particular emphasis on the Australian legal and constitutional framework so that they will be much better equipped to complete other units in LW51 Master of Laws or LW60 Graduate Certificate in Law.

**Credit points:** 12  
**Contact hours:** 2 hours per week

### LWN163 CAPACITY, GUARDIANSHIP AND ADMINISTRATION

Decisions about guardianship and administration are part of the legal and social fabric of our society. Despite the fact that decisions about guardianship and administration are being made every day, this area of law raises difficult legal and ethical issues. Because a decision is being made on behalf of an adult with impaired decision-making capacity, there are issues as to who should make these decisions and how they should be made. The topics examined in this unit are important from the perspective of government regulation, for those making these decisions for adults with impaired capacity (including relatives and those in statutory positions), and for legal practitioners in fields such as health law and succession.

**Credit points:** 12  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point  
**Teaching period:** 2011 5TP7

### LWN164 HEALTH CARE LAW AND ETHICS

The relationship between law and ethics in healthcare is important, but at times contested. This unit explores that relationship to lay the foundations of an understanding of law and ethics as they relate to healthcare.

**Credit points:** 12  
**Contact hours:** 26hrs in total  
**Campus:** Gardens Point  
**Teaching period:** 2011 6TP7

### LWN165 CHILDREN’S HEALTH AND THE LAW

This unit introduces you to selected legal issues concerning the health of children in Australia. These issues are new and emerging, and they present legal, theoretical and practical questions that have implications for legal, health and educational systems. As well, they pose new challenges for legal practitioners, policymakers and scholars. Studying this unit at postgraduate level provides an opportunity to consider, from interdisciplinary perspectives, legal problems regarding children’s health that face legal, health and other social systems. You will be exposed to a number of contemporary issues affecting children and their health. You will have the opportunity to consider, from interdisciplinary perspectives, legal problems regarding children’s health that face legal, health and other social systems. You will be required to identify an important issue in Australian law relating to children and health, and to conduct legal research, analysis (which can be interdisciplinary) and writing to critically evaluate the situation.

**Credit points:** 12  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point  
**Teaching period:** 2011 6TP7

### LWN166 CONSENT TO TREATMENT AND CLINICAL NEGLIGENCE

Health law is an important and growing area of legal practice and attracts much attention from academic, social and political commentators across a range of disciplines.
A detailed knowledge and understanding of the law relating to consent to treatment is a core legal issue in health law. This area involves the consideration of complex legal, ethical and policy considerations. In recent times, decisions of the High Court of Australia and courts in other jurisdictions have emphasised the importance of the rights of patients to make decisions for themselves in relation to medical treatment where they are competent to do so and absent special circumstances.

**LWN167 FAMILIES, CREATION AND SEPARATION**  
Family law is a rapidly evolving area of law that reflects changing societal values and key developments in government policy. Understandings of 'marriage' and 'family' in contemporary Australian society are altering due to changing societal values. In some respects this has occurred in response to an increase in the number of de-facto and same-sex relationships and the changing configurations of 'family' due to people accessing assisted reproductive technology. It is therefore of critical importance that family law practitioners, people working within the family law system and graduates with an interest in family law have the opportunity to study emerging issues relating to family law at a high and analytically sophisticated level.

**Credit points:** 12  
**Contact hours:** 26hrs in total  
**Campus:** Gardens Point  
**Teaching period:** 2010 6TP3

**LWN168 THEORIES OF DISPUTE RESOLUTION**  
This unit enables you to study the principles and theory of non-adversarial justice at a high level. You will develop a thorough and sophisticated understanding of the nature of conflict and disputes and will critically examine a number of models of dispute resolution. The unit looks at theoretical and practical issues in relation to dispute resolution that are relevant to working effectively as a professional in a variety of legal and dispute resolution environments. You will have the opportunity to critically reflect on issues such as mediator neutrality, the role of lawyers in dispute resolution processes and the efficacy of confidentiality. These critical reflections will enable you to effectively assess the suitability of dispute resolution processes for certain cases. The unit will also give you an understanding of some of the skills necessary for conflict management and dispute resolution in a variety of contexts.

**Prerequisite(s):** nil  
**Corequisite(s):** nil  
**Contact hours:** 26 hrs in total  
**Campus:** Gardens Point  
**Incompatible with:** nil

**LWN171 USE OF FORCE AND INTERNATIONAL HUMANITARIAN LAW**  
This important area of law is currently informing and shaping state responses to terrorist and other threats to peace and security. Many of the fundamental concepts in this area of the law are based on the assumption that conflicts occur between states or occur within states and that the principle actors in a conflict are state-based actors. The events of September 11 and consequent terrorist attacks have invited a rethinking of the fundamentals of the laws applicable to the resort to force and the laws which regulate the use of force in situations of armed conflict. At the same time, long standing rules of International Humanitarian Law (IHL) designed to protect civilians from unwarranted attack and to ensure fair trial for individuals accused of serious violations of international humanitarian law have come under enormous pressure. The course will examine the development of these rules and current developments in the enforcement of these important principles of IHL.

**Credit points:** 12  
**Contact hours:** 26hrs in total  
**Campus:** Gardens Point  
**Teaching period:** 2010 6TP1

**LWN172 SPECIAL TOPIC IN COMMERCIAL LAW - CROSS BORDER INSOLVENCY**  
Advanced level research frequently draws on the expertise of leading national and international researchers who visit the Law Faculty, as well as research developing out of activities (grants etc) in the Faculty or related entities (Centres of Excellence etc).

By enrolling in Special Topic in Commercial Law, Graduate Certificate in Law (LW60) students and Master of Laws (LW51) students can take advantage of the expertise of these acknowledged experts, enrol in this unit and gain knowledge in areas of interest that may only be available for a limited period of time at QUT, while at the same time counting this unit as part of a major in Commercial Law.

**Credit points:** 12  
**Contact hours:** 26  
**Campus:** Gardens Point  
**Teaching period:** 2011 6TP3

**LWN173 SPECIAL TOPIC IN ENVIRONMENTAL LAW**  
Advanced level research frequently draws on the expertise of leading national and international researchers who visit the Law Faculty, as well as research developing out of activities (grants etc) in the Faculty or related entities (Centres of Excellence etc).

By enrolling in Special Topic in Environmental Law, Graduate Certificate in Law (LW60) students and Master of Laws (LW51) students can take advantage of the expertise of these acknowledged experts, enrol in this unit and gain knowledge in areas of interest that may only be available for a limited period of time at QUT, while at the same time counting this unit as part of a major in Environmental Law.

**Credit points:** 12  
**Contact hours:** 26hrs in total  
**Campus:** Gardens Point
LWN174 SPECIAL TOPIC IN HEALTH LAW
Advanced level research frequently draws on the expertise of leading national and international researchers who visit the Law Faculty, as well as research developing out of activities (grants etc) in the Faculty or related entities (Centres of Excellence etc).

By enrolling in Special Topic in Health Law, Graduate Certificate in Law (LW60) students and Master of Laws (LW51) students can take advantage of the expertise of these acknowledged experts, enrol in this unit and gain knowledge in areas of interest that may only be available for a limited period of time at QUT, while at the same time counting this unit as part of a major in Health Law.

Credit points: 12    Contact hours: 26hrs in total   
Campus: Gardens Point

LWN175 SPECIAL TOPIC IN PUBLIC LAW
Advanced level research frequently draws on the expertise of leading national and international researchers who visit the Law Faculty, as well as research developing out of activities (grants etc) in the Faculty or related entities (Centres of Excellence etc).

By enrolling in Special Topic in Public Law, Graduate Certificate in Law (LW60) students and Master of Laws (LW51) students can take advantage of the expertise of these acknowledged experts, enrol in this unit and gain knowledge in areas of interest that may only be available for a limited period of time at QUT, while at the same time counting this unit as part of a major in Public Law.

Credit points: 12    Contact hours: 26hrs in total   
Campus: Gardens Point

LWN176 SPECIAL TOPIC IN CRIMINAL LAW
(COMBATTING INTERNATIONAL CORRUPTION)
Countries worldwide are under increasing pressure to take effective steps, both individually and collectively, to tackle corruption and recover the proceeds of corruption. Australia is no exception. International efforts to address the problem culminated with the coming into force in December 2005 of the UN Convention Against Corruption (UNCAC). This the first global instrument designed to tackle corruption in both the private and public sectors and it builds on a number of regional anti-corruption initiatives, including the Asia Development Bank/OECD Anti-Corruption Initiative for Asia-Pacific. In addition the Organisation for Economic Cooperation and Development (OECD) has been active within the setting of tackling corruption in international business, particularly through the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Convention). Australia is a party to both Conventions.

Credit points: 12    Contact hours: 26 hours in total   
Campus: Gardens Point

LWN177 SPECIAL TOPIC IN TECHNOLOGY LAW
Advanced level research frequently draws on the expertise of leading national and international researchers who visit the Law Faculty, as well as research developing out of activities (grants etc) in the Faculty or related entities (Centres of Excellence etc).

By enrolling in Special Topic in Technology Law, Graduate Certificate in Law (LW60) students and Master of Laws (LW51) students can take advantage of the expertise of these acknowledged experts, enrol in this unit and gain knowledge in areas of interest that may only be available for a limited period of time at QUT, while at the same time counting this unit as part of a major in Technology Law.

Credit points: 12    Contact hours: 26 hours in total   
Campus: Gardens Point
Law.

Credit points: 12  Campus: Gardens Point

LWN179 COPYRIGHT IN THE DIGITAL AGE

In the last decade the traditional copyright regime has been challenged on two fronts. First, by the growth of technological developments that make unauthorised copying even easier. Second, by more vocal opposition to intellectual property protection from developing nations, consumers, library associations, open source advocates, NGOs, internet service providers, digital manufacturers and others who have advocated for more balanced copyright protection. Legislators around the world have responded to these challenges with major reform to copyright law at both the national and international levels. Given the increasingly complex nature of copyright law in the digital age, it is necessary to not only be familiar with the current copyright law but to also understand both the international and policy context driving the reform agenda.

Credit points: 12  Contact hours: 2 hours per week  Campus: Internet and External

LWN180 OPEN LICENSING: NEW MODELS FOR INTELLECTUAL PROPERTY

The Internet and associated digital technologies provide us with an enormous potential to access and build information and knowledge networks. Information and knowledge can be communicated in an instant across the globe, cheaply and with good quality, by even the most basic Internet user. However intellectual property law, which takes its definition from international conventions and is similar in most countries, places significant restrictions on people's ability to take full advantage of this revolution. While the technology has the capacity, the legal restrictions on the reuse of copyright and other intellectual property materials materially hamper its negotiability in the digital environment.

Credit points: 12  Contact hours: 2 hours in total  Campus: Gardens Point and External  Teaching period: 2010 SEM-1

LWN181 INTELLECTUAL PROPERTY LITIGATION

Intellectual property (IP) is an expanding industry, with companies increasingly seeking to protect their intellectual property in designs, inventions, trade marks and other assets. This expansion has unsurprisingly seen a tussle over the breadth of IP rights between owners, competitors, consumers and others. Critical to the resolution of these tensions and the process of defining the boundaries between competing rights holders is IP litigation. Accordingly, in addition to understanding the law and theory underpinning IP rights, it is necessary to be familiar with IP litigation strategies.

Credit points: 12  Contact hours: 2 hours in total  Campus: Gardens Point  Teaching period: 2011 5TP8

LWN182 CRIMINAL TRIBUNALS

Lawyers working within the criminal jurisdiction may be called upon to represent clients within a wide range of courts and tribunals. The study of criminal law at the undergraduate level typically focuses on the prosecution and defence of matters within the mainstream courts. Given that a significant number of matters take place within more specialist courts, usually catering for a special category of offender, it is essential for those practicing within the criminal jurisdiction to have a working knowledge of the law relating to the rules and procedures of these specialist courts. It is also important to understand the jurisprudence and juristic principles which inform the creation and operation of these fora.

Credit points: 12  Contact hours: 2 hours per week  Campus: Gardens Point and External  Teaching period: 2010 SEM-2

LWN190 ANTARCTIC LAW AND GOVERNANCE

Credit points: 12  Teaching period: 2010 5TP8

LWN191 INTERNATIONAL CRIMINAL TRIBUNALS

The last fifteen years has seen the transformation of International Criminal Justice. The creation of the ad hoc international criminal tribunals by the UN Security Council, the emergence of hybrid courts and the establishment of the International Criminal Court under the Rome Statute has fuelled developments in both the substantive law and in International Criminal Procedure. The enforcement of International Criminal Law in the international legal order is heavily reliant on cooperation with Sovereign States. Australia has implemented legislation for cooperation with the ICTY, ICTR and the ICC in order to carry out its obligations under International Law.

Equivalents: LWN175  Credit points: 12  Campus: Gardens Point  Teaching period: 2011 5TP3

LWN192 COMBATING INTERNATIONAL CORRUPTION

Credit points: 12

LWN194 CONCEPTUAL ISSUES IN MEDICAL LAW

The aim of the unit is to develop an understanding of the major conceptual issues underpinning contemporary debates and proposals for law reform in the following main areas of health law:

- Withholding and withdrawing medical treatment and euthanasia;
- Embryonic stem cell research; and
- Genetic engineering.

We then aim to develop an understanding of the role such a clarification can play in contributing to, and resolving, some of the more intractable issues in the debates.
Credit points: 12  Campus: Gardens Point and External  Teaching period: 2011 SEM-1  

LWN195 ELDER LAW  
Credit points: 12  Teaching period: 2011 SEM-2  

LWN196 ENVIRONMENTAL LAW AND PRACTICE  
Environmental law is a relatively new and innovative area of law. It has been created in response to growing concerns in our community regarding the need to protect our environment from excessive harm, whilst enabling industrial activities to continue to operate and contribute to our economy. Environmental law has emerged in recent years as a significant area of professional legal practice. This unit will introduce you to the key concepts of environmental law through analysis of a series of real world environmental law scenarios which will integrate your understanding of the law and legal system. This unit will provide a strong foundation for more in-depth postgraduate study of particular aspects of environmental law.  
Credit points: 12  Contact hours: 26  Campus: Gardens Point  Teaching period: 2011 SEM-1  

LWN197 INTERNATIONAL AID AND DEVELOPMENT LAW: POLICY AND PRACTICE  
Credit points: 12  Campus: External  Teaching period: 2011 SEM-2  

LWN199 AUSTRALIAN AND COMPARATIVE HUMAN RIGHTS LAW  
Credit points: 12  Campus: Gardens Point and External  Teaching period: 2011 SEM-2  

LWN200 EDUCATION LAW  
Australian education institutions operate in an increasingly regulated and litigious environment. Knowledge of relevant legislation and case law is important for education administrators as integral to risk management. Lawyers retained by education institutions may be required to advise on issues arising out of the obligations owed by an institution to its staff and students involving diverse areas of the law: contract, tort, statutory rights and duties. Education rights and responsibilities in similarly situated jurisdictions such as the United Kingdom, the United States and New Zealand do not always correlate with the rights and responsibilities operational in Australia and differences in approach illuminate the strengths and weaknesses of the Australian system.  
Credit points: 12  Contact hours: 26 total  Campus: Gardens Point  Teaching period: 2011 SUM-1  

LWN202 SELECT ISSUES IN CLIMATE CHANGE LAW  
Credit points: 12  Teaching period: 2011 5TP8  

LWN301 PRINCIPLES OF AUSTRALIAN CONTRACT LAW  
Although grounded in principles of English common law, Australian contract law has, like many other areas of Australian law, developed a distinctly Australian slant, particularly in the last 20 years. These emerging principles, as well as the more fundamental contract law concepts, will be explored in this unit. Where appropriate, we will be concentrating on the legal principles applicable in Queensland.  
Antirequisites: LWB136 and LWB137  Credit points: 12  Contact hours: 26  Teaching period: 2011 SEM-1  

LWN302 AUSTRALIAN CRIMINAL LAW  
Credit points: 12  Contact hours: 2 per week  Campus: Gardens Point  Teaching period: 2011 SEM-2  

LWN303 PRINCIPLES OF PROPERTY, COMMERCIAL AND CORPORATE LAW  
Credit points: 12  Contact hours: 2 per week  Campus: Gardens Point  Teaching period: 2011 SEM-2  

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