On behalf of the Legal Profession Admission Board and the Law Extension Committee we welcome all students to the Summer 2009-10 teaching session and March 2010 examinations, especially those who are new to the Board’s course.

The Board, which is the admitting authority for lawyers in New South Wales, conducts examinations in all subjects which qualify you academically for admission to practice.

The University of Sydney Law Extension Committee provides legal education for the Board’s students in the form of lectures, weekend schools, library facilities and specialised library support, subject guides and materials, the setting and marking of assignments and online resources.

The professional orientation of the examinations is reflected in the curriculum, and in the backgrounds and expertise of the examiners and teachers, who come from both practice and university. A committee established by the Board’s Rules oversees the Board’s curriculum and the progression of students through the course.

The Board and the Law Extension Committee together aim to provide a course that is readily accessible and academically rigorous. We hope that you will benefit from your studies and achieve your objectives in obtaining an education in law as a stepping stone in your career.

Hon Justice MH Tobias  
President,  
Legal Profession Admission Board

Magistrate Daphne A Kok  
Chairperson,  
Law Extension Committee
# CONTENTS

Welcome from the LPAB President and LEC Chairperson. .......................... 1
Contact Details ....................................................................................... 4
Session Calendars .................................................................................. 5
  Summer 2009-10 Session ................................................................. 5
  Proposed calendar Winter 2010 Session ......................................... 6
Introduction .......................................................................................... 7

## LPAB CURRICULUM, RULES AND ENROLMENTS

Curriculum ............................................................................................ 11
Exclusion, Progression and Tuition ....................................................... 12-13
Enrolments ............................................................................................ 14-16
  Workload ......................................................................................... 14
  Enrolment period ............................................................................ 14
  Late enrolment ................................................................................. 14
  Enrolment fees ............................................................................... 14
  Enrolment procedure .................................................................... 15
  Post-enrolment matters ................................................................ 16
  Library cards ................................................................................... 16, 36
  Change of address ......................................................................... 16
  Examination times and venues ....................................................... 16
  Refunds of fees ............................................................................... 17
LPAB Schedule of Fees ........................................................................ 17

## TUITION

Law Extension Committee Teaching Program ....................................... 18
  Teachers ......................................................................................... 18
Subject Descriptions ......................................................................... 19-22
  Compulsory subjects ................................................................... 19-21
  Elective subjects ........................................................................... 21-22
  Language Skills Course ............................................................... 22
Classes ................................................................................................. 23-24
  Lectures ......................................................................................... 23
  Weekend Schools .......................................................................... 24
  Legal Institutions Introductory Weekend School ............................... 23, 50
  Development of legal skills .......................................................... 23, 28
  Parking ......................................................................................... 25
  Public Transport ............................................................................ 25
Law Extension Committee Webcampus ................................................ 26-29
  Unikey Accounts .......................................................................... 27
  Registration .................................................................................... 26
  Course Materials ........................................................................... 27
  Forums ............................................................................................ 27
  Skills Tutorials [online] ................................................................. 28
Assignments ......................................................................................... 30-34
  Assignment Grading and Assessment Criteria ................................. 34
ENQUIRY DETAILS: WHO TO CONTACT

THE LEGAL PROFESSION ADMISSION BOARD
FOR ENQUIRIES ABOUT ENROLMENTS, FEES, EXAMINATIONS AND GRADUATIONS

Office
Level 4, 37 Bligh Street (cnr Hunter St)
Sydney NSW 2000

Postal Address
GPO Box 3980
Sydney NSW 2001 Australia

Document Exchange
DX 602 SYDNEY

Telephone
(02) 9338 3500

Facsimile
(02) 9338 3555

Email
ag_lpab@agd.nsw.gov.au

Web

THE LAW EXTENSION COMMITTEE
FOR ENQUIRIES ABOUT TUITION, ASSIGNMENTS, LECTURES AND COURSE MATERIALS

Office / Postal Address
Level 4, 99 Elizabeth Street
Sydney NSW 2000

Telephone
(02) 9392 0320

Facsimile
(02) 9392 0329

Email
enquiries@lec.pip.com.au

Web
www.usyd.edu.au/lec

Office hours for the Legal Profession Admission Board and the Law Extension Committee are 9.00am to 5.00pm Monday to Friday.

OTHER IMPORTANT CONTACT DETAILS

University of Sydney Freehills Law Library
Location
Sydney Law School, New Sydney Law School Building F10, Eastern Avenue, University of Sydney, NSW 2006 Australia
Telephone
(02) 9351 0216
Email
law@library.usyd.edu.au
Web
www.library.usyd.edu.au/libraries/law

University of Sydney
Location
Main campus at Camperdown and Darlington - see map page 55.
Telephone
(02) 9351 2222
Web
www.usyd.edu.au

University Card Centre
Location
Level 2, Fisher Library, Camperdown campus
Telephone
(02) 9351 2423
Email
university.cards@usyd.edu.au
Web
www.usyd.edu.au/card_centre/

University Co-op Bookshop
Location
153 Phillip Street, Sydney
4 Perkins Street, Newcastle
Telephone
(02) 9232 2250 Sydney
(02) 4929 2544 Newcastle
Email
law@coop-bookshop.com.au Sydney
new@coop-bookshop.com.au Newcastle
# CALENDAR SUMMER 2009-10 SESSION

<table>
<thead>
<tr>
<th>Event Description</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LPAB Enrolment Period</strong></td>
<td>Thursday 22 October – Friday 30 October 2009</td>
</tr>
<tr>
<td>LEC Online Webcampus Registrations</td>
<td>Thursday 22 October – Friday 30 October 2009</td>
</tr>
<tr>
<td>LEC Orientation</td>
<td>Friday 30 October 2009</td>
</tr>
<tr>
<td>Introductory Weekend School for all Legal Institutions students</td>
<td>Saturday 31 October – Sunday 1 November 2009</td>
</tr>
<tr>
<td><strong>Week 1</strong></td>
<td>Lectures commence*</td>
</tr>
<tr>
<td>Week 1</td>
<td>9 – 13 November</td>
</tr>
<tr>
<td>Week 2</td>
<td>16 – 20 November</td>
</tr>
<tr>
<td>Week 3</td>
<td>23 – 27 November</td>
</tr>
<tr>
<td><strong>Weekend School 1</strong></td>
<td>Friday 27 November – Sunday 29 November 2009</td>
</tr>
<tr>
<td><strong>Study Break</strong></td>
<td>Lectures recommence</td>
</tr>
<tr>
<td>Week 4</td>
<td>11 – 15 January</td>
</tr>
<tr>
<td>Week 5</td>
<td>18 – 22 January</td>
</tr>
<tr>
<td>Week 6</td>
<td>25 January – 29 January**</td>
</tr>
<tr>
<td><strong>Weekend School 2</strong></td>
<td>Friday 29 January – Sunday 31 January 2010</td>
</tr>
<tr>
<td><strong>Examination Period</strong></td>
<td>Lectures recommence</td>
</tr>
<tr>
<td>Week 7</td>
<td>11 – 15 January</td>
</tr>
<tr>
<td>Week 8</td>
<td>18 – 22 January</td>
</tr>
<tr>
<td>Week 9</td>
<td>25 January – 29 January**</td>
</tr>
<tr>
<td><strong>Study Break</strong></td>
<td>Saturday 19 December 2009 – Sunday 10 January 2010</td>
</tr>
<tr>
<td><strong>Examination Period</strong></td>
<td>Thursday 4 March – Thursday 11 March 2010</td>
</tr>
<tr>
<td><strong>Week 10</strong></td>
<td>1 – 5 February</td>
</tr>
<tr>
<td><strong>Week 11</strong></td>
<td>8 – 12 February</td>
</tr>
<tr>
<td><strong>Week 12</strong></td>
<td>15 – 19 February</td>
</tr>
<tr>
<td><strong>Week 13</strong></td>
<td>22 – 26 February</td>
</tr>
<tr>
<td>* Legal Institutions lectures continue on Wednesday 4 November 2009.</td>
<td></td>
</tr>
<tr>
<td><strong>Normal Tuesday lecture to be held in Week 13 to compensate for Australia Day Holiday on Tuesday 26 January 2010.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>OTHER IMPORTANT DATES</strong></td>
<td></td>
</tr>
<tr>
<td>Final Day for Application for Relaxation of Tuition, Progression and Exclusion rules</td>
<td>Friday 30 October 2009</td>
</tr>
<tr>
<td>Final Day for late enrolment and late Applications for Relaxation of Tuition, Progression and Exclusion rules</td>
<td>Friday 6 November 2009 (late fees apply)</td>
</tr>
<tr>
<td>Examination results published</td>
<td>Thursday 22 April 2010</td>
</tr>
</tbody>
</table>
# Proposed Calendar Winter 2010 Session

Please note that dates may change. Dates will be confirmed in the Winter 2010 Session Course Information Handbook published prior to the commencement of the Winter 2010 Session.

## LPAB Enrolment Period
Thursday 22 April – Friday 30 April 2010

<table>
<thead>
<tr>
<th>Event</th>
<th>Dates</th>
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</thead>
<tbody>
<tr>
<td>LEC Online Webcampus Registrations</td>
<td>Thursday 22 April – Friday 30 April 2010</td>
</tr>
<tr>
<td>LEC Orientation</td>
<td>Friday 30 April 2010</td>
</tr>
<tr>
<td>Introductory Weekend School for all Legal Institutions students</td>
<td>Saturday 1 May – Sunday 2 May 2010</td>
</tr>
</tbody>
</table>

## Week 1

<table>
<thead>
<tr>
<th>Event</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lectures commence*</td>
<td>10 – 14 May</td>
</tr>
<tr>
<td>Week 2</td>
<td>17 – 21 May</td>
</tr>
<tr>
<td>Week 3</td>
<td>24 – 28 May</td>
</tr>
</tbody>
</table>

## Weekend School 1
Friday 28 May – Sunday 30 May 2010

<table>
<thead>
<tr>
<th>Event</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 4</td>
<td>31 May – 4 June</td>
</tr>
<tr>
<td>Week 5</td>
<td>7 – 11 June</td>
</tr>
<tr>
<td>Week 6</td>
<td>15 – 18 June**</td>
</tr>
<tr>
<td>Week 7</td>
<td>21 – 25 June</td>
</tr>
</tbody>
</table>

## Study Break
Saturday 26 June 2010 – Sunday 11 July 2010

<table>
<thead>
<tr>
<th>Event</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 8</td>
<td>12 – 16 July</td>
</tr>
<tr>
<td>Week 9</td>
<td>19 – 23 July</td>
</tr>
</tbody>
</table>

## Weekend School 2
Friday 23 July – Sunday 25 July 2010

<table>
<thead>
<tr>
<th>Event</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 10</td>
<td>26 – 30 July</td>
</tr>
<tr>
<td>Week 11</td>
<td>2 – 6 August</td>
</tr>
<tr>
<td>Week 12</td>
<td>9 – 13 August</td>
</tr>
<tr>
<td>Week 13</td>
<td>16 – 20 August</td>
</tr>
</tbody>
</table>

* Legal Institutions lectures continue on Wednesday 5 May 2010.
** Normal Monday lecture to be held in Week 13 to compensate for the Queen’s Birthday on Monday 14 June 2010.

## Examination Period
Thursday 2 September – Thursday 9 September 2010

## Other Important Dates

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Final Day for Application for Relaxation of Tuition, Progression and Exclusion rules</td>
<td>Friday 30 April 2010</td>
</tr>
<tr>
<td>Final Day for late enrolment and late Applications for Relaxation of Tuition, Progression and Exclusion rules</td>
<td>Friday 7 May 2010 (late fees apply)</td>
</tr>
<tr>
<td>Examination results published</td>
<td>Thursday 21 October 2010</td>
</tr>
</tbody>
</table>
The Legal Profession Admission Board examinations offer an accessible and affordable pathway into legal practice in New South Wales. Sydney University’s Law Extension Committee provides tuition to the Board’s students.

Many enquiries received by the Board and the Law Extension Committee are answered in this book, so please read it carefully.

THE LEGAL PROFESSION ADMISSION BOARD

The Legal Profession Admission Board performs various functions associated with the admission of lawyers in New South Wales. Once admitted as a lawyer, a person may apply to the Law Society of NSW or the Bar Association of NSW for a practising certificate as either a solicitor or barrister.

The Board sets its examinations and deals with all applications relating to them and to admission.

THE LAW EXTENSION COMMITTEE

The Law Extension Committee was established by the Senate of the University of Sydney in 1964. The Committee’s function is to provide legal education for students undertaking the Legal Profession Admission Board examinations. The Committee is appointed by the University Senate and comprises members and nominees proposed by the University, the Chief Justice of New South Wales, the NSW Bar Association, the Law Society and the Faculty of Law.

Lectures are given by practitioners and university teachers. Weekend schools are also offered each session, primarily for external students.

The aim of the Committee is to provide affordable and accessible legal education in support of the Board’s examinations. The program is not able to offer all the services and individual attention of a comprehensive campus, and is suited to students with motivation and initiative. There is a strong orientation towards education for legal practice.
ORIGINS AND BACKGROUND OF THE BOARD’S EXAMS

From 1848, before Australian universities offered law degrees, the Supreme Court of New South Wales set examinations for admission to the profession. This tradition has been continued by the admission boards, allowing people to study law, in the country as well as the city, and to become lawyers in circumstances where it might not have been possible otherwise. The Board is not a degree-granting body, and, unlike a university, does not offer personal supervision or facilities for research. Emphasis in the Board’s curriculum is on its practical, professional orientation.

The Board’s Students-at-Law are not students of the University of Sydney. You enrol for examinations with the Legal Profession Admission Board. You must undertake the Law Extension Committee’s educational program in each subject you take, but your enrolment is with the Board, you sit for the Board’s examinations and, if successful, you will be awarded the Board’s Diploma in Law.

OBJECTIVES OF THE PROGRAM

The fundamental aim of the course is to provide a readily accessible legal education and a flexible means of entry to the legal profession. The program is academically rigorous, but emphasis is placed on performance in the course rather than on high entry requirements.

The course is designed to be especially suitable for part-time students, including country residents. Many find previous study to be advantageous; and also work experience, particularly in a law-related area.

Students need to possess initiative and a strong motivation to study for the Board’s examinations, as the amount of individual attention and the on-campus support provided in undergraduate university courses are not available.

EXAMINATIONS

Assessment is currently by examination in each subject. There is at least one compulsory assignment in each subject. The pass mark in all examinations is 50%. A pass is determined by achievement in the examination, and is not influenced by pass rates.

The Board appoints an Examiner and a Revising Examiner in each subject. The Examiner sets the examination according to the Board’s syllabus, which is reflected in the Subject Guide prepared by the Examiner in consultation with the Law Extension Committee. The Examiner is usually the Committee’s teacher in the subject. When the examination is set, it is reviewed by the Revising Examiner.

Any failed paper achieving a mark of 40% or above is marked again by the Revising Examiner. After marks have been published the Board does not re-mark examination papers under any circumstances. If, however, students have any questions concerning their examination they may organise to meet with the Examiner to discuss their paper in more detail. Please see page 44 for more information.

STUDY PROGRAM

In each session the full program of subjects is offered. Except in special circumstances, students may not attempt more than two subjects in each session for the first two years of their course, and from then, up to three subjects per session.

If you have previous successful study experience and compatible work and other commitments, the study pattern on the opposite page represents an efficient and properly sequenced approach. If you have not engaged in intensive study recently you might choose to begin with only the first subject, Legal Institutions.

The amount of study time you need to allocate to each subject is difficult to estimate, but in very general terms you should anticipate more than three hours of study for each hour of teaching time.

Additional time is required for assignment preparation. Check your individual subject guides for their due dates. Don’t under estimate the workload, particularly if you are working full time or have not undertaken formal studies for many years, have not studied a law subject previously, are managing a family or if English is a second language.

Students are encouraged to consider their time constraints carefully and consider whether it would be advisable to commence with one subject.
Introduction

WHAT NOW?

Feedback from students over many sessions suggests that one of the most common questions when you enrol, receive your enrolment package and study guide and purchase your texts is the question "what do I do now?" Your first task is to plan a study strategy. In this program you must take the initiative in doing this, and no one approach will suit all. Below are some suggestions we hope you find useful.

The first item relates to studying for exams. Since assessment is primarily by examination, your practical objective is to pass each examination. Your immediate objective is to develop an approach to learning which lets you enjoy your study and process the information in ways that make sense to you.

The foundation of study and good practice is built on active, thorough research. Law has quickly embraced electronic technology, and the Law Extension Committee is utilising the vast data capacities of the internet in maintaining a comprehensive website to assist students in research and in communicating with fellow students.

STUDYING FOR EXAMS

Successful students often treat exams as briefs, and approach them as forensic challenges. They pull subjects apart, make sure they understand the components, and then put them back together. They continually seek a clearer grasp of the main concepts in each area. Students are advised that sole reliance on past examination papers as a means of study is educationally unsound.

During exams they exercise simple but unbending discipline. Managing time is critical. No less important are careful reading and re-reading of the instructions and questions. They don't shy away from what they are unsure of, or pretend part of a question does not exist. They test their understanding against the facts put before them. They know it is better to attempt the actual question than invent one they feel more confident about.

RESEARCHING FOR ASSIGNMENTS

Students are required to complete satisfactorily one or more assignments in the Law Extension Committee’s course to be eligible to sit the Board’s examinations in

SUGGESTED SEQUENCE

FIRST YEAR

Session 1
01 Legal Institutions
02 Criminal Law and Procedure
Carefully assess your capacity to undertake the workload. Unless you have previous successful study experience and compatible work and other commitments, consider starting with Legal Institutions alone, ensuring compliance with Rule 64. See page 13.

Session 2
03 Torts
04 Contracts

SECOND YEAR

Session 1
05 Real Property
06 Australian Constitutional Law

Session 2
07 Equity
08 Commercial Transactions

THIRD YEAR

Session 1
09 Administrative Law
10 Law of Associations
11 Evidence

Session 2
12 Taxation and Revenue Law
13 Succession
Elective 1

FOURTH YEAR

Session 1
14 Conveyancing
15 Practice and Procedure
Elective 2

Session 2
17 Legal Ethics
24 Jurisprudence
Elective 3
A key element of studying law is learning how to research, and the Committee sets written assignments to help develop your legal research skills. Two basic elements in legal research are finding material, and analysing it. In finding material you have to know what to look for, where to look, and how to look.

Legal matters are accompanied by a significant amount of documentation and electronic management of that information has progressed very quickly. What this means is that familiarity with internet-based legal materials is a necessity. Researching the law on the web is a necessary skill. What the future will bring will be more sophisticated search engines, easier navigation, and a far greater volume of information. Learning how to retrieve and organise data is a critical part of the study of law.

For these reasons the Committee is encouraging students to make full use of its website. As well as providing an efficient means of obtaining an increasingly wide range of support materials, it also hones your skills in legal research.

**AWARD OF THE DIPLOMA IN LAW**

Upon successful completion of the required number of the Board’s examinations, students are notified by the Board that they are eligible to receive a Diploma in Law and invited to attend a graduation ceremony held each year, usually in July.

The ceremony is conducted in the Great Hall of the University of Sydney and the diplomas are presented by the Presiding Member of the Legal Profession Admission Board. Teachers, examiners, members of the Board and members of the Law Extension Committee make up the official party. It is customary to have an “occasional address” by an eminent person associated with the profession of law.

Graduating students are usually able to invite up to three guests to attend the ceremony. Academic dress is not worn. The ceremony is usually followed by refreshments in the University’s MacLaurin Hall.

For more information about graduation ceremonies, please contact the Board on (02) 9338 3506.
Rule 53 of the Legal Profession Admission Rules sets out the subjects making up the curriculum:

**GROUP A**

01. Legal Institutions
02. Criminal Law and Procedure
03. Torts
04. Contracts
05. Real Property
06. Australian Constitutional Law
07. Equity
08. Commercial Transactions
09. Administrative Law
10. Law of Associations
11. Evidence
12. Taxation and Revenue Law
13. Succession
14. Conveyancing
15. Practice and Procedure
16. Legal Ethics
17. Jurisprudence

**GROUP B**

16. Insolvency
18. Conflict of Laws
19. Family Law
20. Local Government and Planning
21. Industrial Law
22. Intellectual Property
23. Public International Law
24. Trade Practices

A Student-at-Law who has passed all the subjects in Group A (opposite) and three of the subjects in Group B is eligible for the award of the Diploma in Law and has satisfied the academic requirements for admission as a Lawyer of the Supreme Court of New South Wales. Their position with respect to eligibility for admission is exactly the same as that of a person with an accredited law degree from a New South Wales university.

In addition to completing the Board’s examinations or an accredited law degree a person who wishes to be admitted as a lawyer must complete a course of practical legal training (PLT) and satisfy English language proficiency requirements, if applicable before applying for admission. Details of PLT providers are given on page 48.

A student who has, prior to 1 May 1993, passed the Board’s examination in Preliminary Law is required to complete all of the subjects appearing in Group A, apart from Legal Institutions, and two of the subjects appearing in Group B.
TUITION, PROGRESSION AND EXCLUSION RULES

EXCLUSION RULES
Rule 64 of the Legal Profession Admission Rules provides that any candidate who, without prior leave of the Examinations Committee, fails to sit for examination in at least two subjects in any two successive sessions shall be excluded from taking any further examination.

Rule 66 provides that a candidate who fails any subject a second time shall be excluded from taking any further examination.

Relaxation of exclusion rules
Rule 67 of the Legal Profession Admission Rules provides that the Examinations Committee may in special circumstances relax the exclusion rule upon such conditions as it considers appropriate. An application for relaxation of the exclusion rules must be made to the Committee in writing and must be accompanied by a statutory declaration substantiating the matters set out in the application. An application must clearly explain why the student has not made sufficient progress in the course, or must clearly explain why the student has had difficulty with the subject which has been repeatedly failed and why the student believes that he or she is likely to be successful in the examination in that subject at a further sitting. In every case an application must set out the reasons why the student should be re-admitted to the course. It is necessary that the application also indicate whether the student wishes to take one subject or more than one subject if permitted to re-enrol.

In considering an application under Rule 67, the Examination Committee and its Performance Review Sub-Committee take account of the whole academic record of the Student-at-Law concerned, the distinctions, merits, passes, failures, did-not-sits and previous Rule 67 applications. They decide whether it is appropriate to impose conditions on re-enrolment.

As a condition of re-enrolment, they could require a Student-at-Law: to sit only one subject in a specified session; to sit and pass two subjects in a specified session; or to re-sit some or all of their previously passed subjects. A Rule 67 decision could require a Student-at-Law to repeat one or more previously passed subjects if it is deemed that the learning in such subjects is “stale” owing to changes to the Law or simply the passing of time. Students-at-Law make themselves vulnerable to the imposition of such conditions whenever they breach Rule 64 or 66.

Although there is no current time limit to complete the course this is under consideration by the Board. It is often not necessary to await the publication of results before making an application under Rule 67. A Student-at-Law who expects to be excluded should make the application as soon as he/she has clear objectives for the following session. An early application has a greater chance of being processed quickly. An application in relation to the Summer 2009-10 Session must be accompanied by the prescribed fee of $60.00 and, subject to what appears below in relation to late applications, must be forwarded so as to reach the Board’s office by 30 October 2009. Students should note that at busy times such applications may take several weeks to process.

An application for enrolment must not be lodged until you have received the Board’s decision on your relaxation of exclusion rules application (See bottom of page 12). You will get extra time to lodge your enrolment application if necessary.

PROGRESSION RULES
Rules 59(1) and 59(2) of the Legal Profession Admission Rules provide that a student must present himself or herself for examination in the subjects appearing on the curriculum in sequential order until he or she has passed or been exempted from 11 subjects. The student may then take the remaining subjects in any order. Rule 59(3) provides that a Student-at-Law must not, at any one sitting, enrol and sit for examination in more than two subjects until that Student-at-Law has passed or been exempted from eight compulsory subjects, after which that Student-at-Law may not, at any one sitting, enrol and sit for more than three subjects.

It is not practicable to arrange the lecture and examination timetable in such a way as to accommodate every combination of subjects a student might wish to take by lectures in a particular session. Timetable clashes may arise in particular where a student includes in his or her program of study one or more of the subjects appearing in Group B. A student can minimise the risk of timetable clashes involving subjects in Group B by including subjects from that group in his or her program of study at the earliest opportunity.

Please note a maximum of two exams may be sat in one day.

Relaxation of progression rules
The Examinations Committee may relax the progression rules. An application for relaxation of these rules must be made to the Examinations Committee in writing and must be accompanied by a statutory declaration substantiating the matters set out in the application. The rules will be relaxed only when it is found that there is good and sufficient reason to justify the change sought.
A student who wishes to enrol in subjects out of order must specify which subjects and the reasons why he or she desires to take the subjects in an alternative order.

You should also be aware that knowledge of one or more subjects is often a prerequisite to study others. A student who wishes to enrol in more than two subjects before having completed a total of 8 compulsory subjects must set out the reasons why he or she wishes to attempt additional subjects and the basis upon which he or she considers that the proposed workload is not excessive.

An application in relation to the Summer 2009-10 Session must be accompanied by the prescribed fee of $60.00 and, subject to what appears below in relation to late applications, must be forwarded so as to reach the Board’s office by 30 October 2009. Please note if you are applying for relaxation of Rules 59(1) and 59(3), separate applications, with a $60.00 fee for each, are required. The separate applications may be submitted at the same time. Decisions made in response to these applications are valid for one specified session only.

An application for enrolment must not be lodged until you have received the Board’s decision on your application for relaxation of the progression rules. However, you may attend lectures while awaiting the Board’s decision. You will get extra time to lodge your enrolment application if necessary.

LATE APPLICATIONS

An application for relaxation of the progression or exclusion rules which reaches the Board’s office later than Friday 30 October 2009 but not later than Friday 6 November 2009 will be processed in relation to the Summer 2009-10 Session, but only upon payment of a late fee of $60.00 in addition to the prescribed fee of $60.00. Applications received later than Friday 6 November 2009 will not be processed in relation to the Summer 2009-10 Session.

TUITION/ENROLMENT RULES

Rule 60 of the Legal Profession Admission Rules provides that a student who wishes to take any examination under the Rules must enrol for the corresponding course of instruction conducted by the Law Extension Committee in the session immediately preceding the examination.

Rule 63A of the Legal Profession Admission Rules provides that a student who has enrolled with the Law Extension Committee in accordance with Rule 60 must complete the requirements of the course of instruction to the satisfaction of the Law Extension Committee.

Tuition rule policy

Rule 63A of the Legal Profession Admission Rules requires the Law Extension Committee to notify students and the Examinations Committee if a student is ineligible to sit for an examination.

To be eligible to sit for an examination a student must have registered in that subject with the Law Extension Committee and must have completed satisfactorily all required tasks in that subject.

The Law Extension Committee notifies students of their eligibility through the Webcampus. It is the responsibility of students to check their results and eligibility status by accessing the Webcampus.

With regard to written tasks, it is expected that students achieve at least a pass mark (50%). If a student receives a grade between 40% and 49% the Law Extension Committee may deem the student eligible to sit for the examination. In that instance, the category “deemed eligible” appears on the student’s result screen.

There are some occasions when a student may be thoroughly prepared but unable to sit for an examination. Because the Board’s examinations are held twice a year, and not sitting for an examination is not regarded as a failure, the usual advice is to repeat the subject in the following session. In exceptional circumstances the Board and the Law Extension Committee may be able to offer some financial relief to a student who, but for the unforeseen event, would have most likely passed the examination.

In order to qualify, a student must have been prevented from sitting for the examination by serious illness or misadventure occurring within one week of the examination. A statutory declaration and specific medical certificate must be lodged with the Law Extension Committee, if possible prior to the examination. Upon the student passing that examination but no later than 14 days after the examination, the Law Extension Committee may deem the student eligible to sit for the examination in the next session, and notifying the Law Extension Committee, if possible prior to the examination. Upon the student passing that examination in the next session, and notifying the Law Extension Committee, if possible prior to the examination. Upon the student passing that examination in the next session and notifying the Law Extension Committee, if possible prior to the examination. Upon the student passing that examination the Law Extension Committee may deem the student eligible to sit for the examination.

The criteria are quite strict – for example, a student must have been eligible (not deemed eligible) to sit for the examination they missed; and at the next session must have achieved a pass in the compulsory assignment and the examination. It is advisable to discuss an application with the Law Extension Committee or the Board’s Legal Officer.

Students who were enrolled in the Winter 2009 Session and seek advice as to exemption should contact the Board no later than 21 October 2009.
Prior to enrolling, you should give careful consideration to the work associated with your proposed course of study, including attendance at lectures and preparation of assignments. The amount of study time you need to allocate to each subject is difficult to estimate, but in very general terms you should anticipate at least three hours of study for each hour of teaching time. Additional time is required for assignment preparation. You should consider employment and family commitments, and health factors which might adversely affect your capacity to undertake the intended study program.

It is also important for financial reasons that you carefully assess your capacity to undertake your chosen workload, as a student who withdraws from a subject after enrolment is not entitled to a refund of fees, nor to have fees transferred to a later session.

If you are a new student, you should note that a standard workload for the first two years is two subjects per session. Many students, especially those taking the course part time or without a strong background in tertiary level studies, would be better advised to begin with one subject.

On the other hand, students with a successful background in tertiary education, and not in full-time employment, may apply to accelerate their progression by taking three or even more subjects (see pages 12-13).

Students should take note of the examination timetable on page 45 and choose their subjects carefully to avoid sitting for two exams in the same session. If a student has no other option than to enrol in subjects that are scheduled for examination in the same session on the same day, the student must contact the LPAB’s Examination Officer no later than 5 February 2010 to request appropriate special accommodations.

The enrolment fees payable in respect of each subject consist of:
- a tuition fee, which has been set for the Summer 2009-10 Session at $436.00 and;
- an examination fee of $140.00 per subject.

The combined tuition and examination fees are $576.00 per subject.

The Board collects all enrolment fees including the tuition fee on behalf of the Law Extension Committee.

Payment must be made in full at the time of enrolment.

An enrolment will be cancelled where a cheque is not met upon presentation. A re-enrolment following the dishonour of a cheque will incur a dishonour fee of $35.00. If the re-enrolment is received after the normal enrolment deadline the late fee is also payable.

You should note that a student who withdraws from a subject, or who fails to sit for the examination in a subject, is not entitled to a refund of fees, nor to have fees transferred to a later session.
ENROLMENT PROCEDURE

In order to enrol you must:

(a) complete an application for enrolment, giving student number, full name and address, phone number and nominated examination centre;

(b) obtain a cheque, money order, international money order or bank draft in Australian dollars payable to the Legal Profession Admission Board for the necessary fees;

(c) return the completed application for enrolment, and the necessary fees by one of the following methods:

(i) by sending them by post to:
Legal Profession Admission Board
GPO Box 3980
Sydney NSW 2001;

(ii) by sending them via the Document Exchange to:
Legal Profession Admission Board
DX 602 Sydney;

(iii) by depositing them in an envelope in the red enrolment box at the Board’s office on:
Level 4, 37 Bligh Street
(cnr of Hunter Street)
Sydney.

Please Note
- Applications for enrolment which are incomplete will not be processed.
- Cash must not be sent or tendered to the Board in payment of enrolment fees.
- Enrolment will not be accepted across the counter at the Board’s office during the enrolment period.
- Emailed enrolment applications will not be accepted.
- All students enrolled for the Board’s examinations must also register online with the LEC in each subject for which they are enrolled.

EARLY AND ACCURATE ENROLMENT INCENTIVE!

Many students wait until near the cut-off date to enrol. This leads to some delays in students having their enrolments confirmed. Some delay is inevitable but it can be lessened if as many students as possible enrol on the first few days of enrolment rather than the last few days.

To encourage early and accurate enrolment the Board holds a draw on each of the first three enrolment days. At 5 pm on Thursday 22 October, Friday 23 October, and Monday 26 October, the Board’s enrolment box will be opened and two enrolment applications received by the Board that day will be drawn from the bin. The enrolment applications will be checked for completeness and validity. For the first two complete and valid enrolment applications drawn on each day, 50% of the Board’s Examination Fees ($70 per subject) will be waived. If an incomplete or invalid enrolment application is drawn, the waiver will not apply and another application will be drawn. Students are welcome to attend the Board’s office to witness the draw.

The applications included in each draw will be those received in the Board’s office on the day of that draw.

In order to qualify to win one of the waivers:
- the enrolment application must be placed in the bin at the Board’s office or, if sent by mail, the envelope must be marked clearly “ENROLMENT”;
- the enrolment form must be clearly legible;
- all required information must be provided;
- the cheque or money order must be for tuition fees (unless already granted exemption) and examination fees only and must be for the correct amount;
- the Student-at-Law must not be excluded, whether or not he or she has been informed of the exclusion;
- the enrolment must be for the right number of subjects and for subjects in the right order (unless an application for subject out of order or accelerated progression has been approved).

Please note that you will not be eligible to win if you are excluded or making a student course application. As usual in such cases, you have to wait until your Rule 67 application or your student course application is determined before you can enrol.

Those students who win a waiver will receive a cheque from the Board for the fees waived.
POST ENROLMENT MATTERS

A letter confirming your enrolment, examination details and a receipt of your fees will be posted to you as soon as practicable after your application for enrolment has been received and processed by the Board. Please note this will be the only written confirmation of your exam details the Board will send to you. If you have not received the letter within 28 days of the last day of enrolment, you should contact the Board’s Student Services Officer [telephone (02) 9338 3505] to confirm that your enrolment has been received and processed.

LIBRARY/STUDENT CARDS

New students

The University Card Centre will post your student Library Card to you as soon as practicable after your enrolment has been received and processed by the Board and after you have completed the LEC Online Registration process. If you have not received your Library Card within 3 weeks of the commencement of the course, you should contact the Card Centre [telephone (02) 9351 2423 or email: university.cards@usyd.edu.au]

Continuing students

Library cards will be re-validated once your enrolment with the Board has been completed and after you have completed the LEC Online Registration process.

CHANGE OF ADDRESS

You must inform the Board in writing of any change of name, address, telephone number or facsimile number. The change can be notified by fax to (02) 9338 3555, mail to GPO Box 3980 Sydney 2001, or email at ag_lpab@agd.nsw.gov.au. In addition, update your details with the Law Extension Committee on the Webcampus [see page 26] and the University Card Centre [see page 36].

DISCIPLINE

Cheating in the Board’s examinations or the Law Extension Committee’s home assignments occurs from time to time and leads to a great deal of distress for all concerned. A Student-at-Law must ensure that any examination or assignment work which he or she submits as his or her own, really is his or her own, and has not been created, wholly or in part, through the use of an unauthorised aid or someone else’s work.

The Examinations Committee and the Law Extension Committee are required by Rule 82 of the Legal Profession Admission Rules to be vigilant to detect any cases of cheating in examinations or home assignments. The comments of the Law Extension Committee on this subject are on pages 32, 33 and 40.

If a teacher or other officer of the Law Extension Committee alleges that plagiarism has occurred in an assignment, or an examiner or other officer of the Board alleges that there has been cheating in an examination, the Board’s Executive Officer usually puts the allegation to the Student-at-Law, asking him or her to show cause why he or she should not be dealt with under Rule 84.

The ensuing formal procedures, set out in Rules 84 and 85 of the Legal Profession Admission Rules, can involve a formal hearing before a Hearing Committee, a reprimand, refusal of admission to examinations for a specified period, or cancellation of registration as a Student-at-Law. Records of disciplinary proceedings and findings against a Student-at-Law become part of that student’s official record and may be kept by the Board for over 70 years.

One of the most fundamental qualities of a lawyer is honesty. The Board takes cheating so seriously because it shows a lack of this most fundamental quality. Unless the Board is satisfied that a person is honest, the Board must refuse that person’s application for admission to the legal profession. In 2004 the Board did refuse to approve the admission of a university law graduate found guilty of several instances of plagiarism.

In December 2007 an Australian lawyer was struck off the roll for failing to disclose a plagiarism offence at the time of admission.

The Board’s disciplinary provisions may be employed in relation to other forms of misconduct but, in recent times, there have been more allegations of cheating than any other form of misconduct.
REFUND POLICY

The Board does not refund application or enrolment fees.

Students should note it is important for financial reasons that you carefully assess your capacity to undertake your chosen workload, as a student who withdraws from a subject after enrolment or fails to sit an examination in a subject is not entitled to a refund of fees, nor to have fees transferred to a later session.

In some exceptional cases after the commencement of lectures the Board may approve a partial refund and retain fees to cover the cost associated with processing an application and the refund.

Fees payable on application are not refundable if an application is unsuccessful or requisitioned.

A refund will not be considered unless a formal request is made and it is received by the Board within a reasonable timeframe.

LEGAL PROFESSION ADMISSION BOARD FEES ($AUD)

Refer to the Board’s website at www.lawlink.nsw.gov.au/lawlink/lpab/ll_lpab.nsf/pages/lpab_feeschedule
The Director of the Law Extension Committee is responsible for the Committee’s program. The Director since August 1997, Mr Frank Astill holds Masters Degrees in Education and in Law and has a Diploma in Education. He has practised at the NSW Bar and was a university lecturer.

The Law Extension Committee program is managed from its office on Level 4, 99 Elizabeth Street, Sydney.
SUBJECT DESCRIPTIONS

The descriptions below are adapted from those prepared by the teachers and examiners in each subject. For more information please refer to the individual subject guides and the Course Materials section on the Law Extension Committee Webcampus.

COMPULSORY SUBJECTS

01 Legal Institutions

The course introduces students to the origins, history and present operation of the institutions which make up the Australian legal system, to the sources of law, and to the Commonwealth and New South Wales constitutions. The matters which will be considered include the distribution of legislative powers between the Commonwealth and the States, the executive powers of the Commonwealth and New South Wales governments and the sources of those powers, the system of courts and tribunals operating at Commonwealth and New South Wales levels, the relationship between the various legal institutions, the theory and practice of precedent, the rules of statutory interpretation, the legal profession and arbitration and alternative dispute resolution.

02 Criminal Law and Procedure

This course provides the student with an understanding of the general principles of criminal law, together with a detailed knowledge of the application of these principles in respect of major crimes and defences. The student is also introduced to aspects of pre-trial criminal procedure, including police powers of arrest, search, seizure and interrogation.

03 Torts

A tort is a civil wrong which results in physical or psychiatric injury, property damage or financial loss to another or by which another's legal rights are infringed. A plaintiff who has suffered injury or loss due to a tort committed by the defendant will generally be seeking compensation by way of damages.

The course includes the study of a number of important torts such as trespass, which protects a person from unwanted physical contact or threats; negligence; and related issues such as defences, assessment of damages and concurrent liability. Some torts such as defamation are not included for study due to time limitations.

04 Contracts

The course aims to provide students with an understanding of the basic principles of contract law. In fulfilling this aim, the course focuses primarily on a study of relevant case law and statute law. The course also aims to help develop in students an ability to analyse fact situations and correctly identify the relevant principles of contract law that are applicable. The course covers the elements of formation of contracts, contractual capacity, terms of a contract, matters affecting consent to a contract, discharge of contracts, remedies, illegality and privity of contract.

05 Real Property

Real Property is concerned with the law relating to interests in land. Such interests are binding not only between those who have entered into a contractual relationship, they can also be binding between others. Examples include the mortgagor/mortgagee and landlord/tenant relationships and also the operation of easements and restrictive covenants between persons who own neighbouring blocks of land.

06 Australian Constitutional Law

Australian constitutional law is a branch of public law which focuses upon the primary source of that law in the Commonwealth of Australia Constitution Act 1900 (Imp). It is that document which created the Commonwealth of Australia and preserved the former colonies as technically autonomous entities called States. It is the Constitution which provides a definition of public power in Australia. It divides legislative power between the Commonwealth and the States by conferring on the Commonwealth Parliament power to legislate “with respect to” particular topics.

07 Equity

Equity, which includes the law of trusts, begins with a study of the historical origins and development of the equitable jurisdiction and then moves on to consider equitable doctrines concerning property, including the recognition of assignments of legal and equitable interests in property in equity; estoppel in equity; fiduciary obligations; the nature and creation of trusts, including trusts arising by operation of law as resulting or constructive trusts; charitable trusts; the duties, powers, rights and liabilities of trustees; the rights of beneficiaries, including the right to trace trust property; and, to conclude, equitable remedies including injunctions, specific performance, monetary remedies in
Law Extension Committee

equity and the equitable jurisdiction to set aside transactions procured by undue influence and unconscionable conduct.

08 Commercial Transactions
This course is about buying and selling, personal property, and some aspects of securities over and payments for personal property. While largely concentrating on the tangible forms of personal property, recognition is given where practical to the forces at work making the information economy (rather than the physical economy) and a global marketplace (rather than a local one) the driving forces in world commerce today.

09 Administrative Law
Administrative law is a branch of public law which is concerned with the legal control of decisions and actions of governmental agencies and officials, and those of non-governmental bodies which affect the public.

In Australia today, governmental and non-governmental regulation - at federal, state and local government levels - impinges on most areas of life. Notable examples include social security, education, immigration, broadcasting and television, public sector employment, industry and commerce, exploration and mining, ownership and use of property, occupational licensing, town planning and the environment.

The emphasis of the course is on the principles and procedures of administrative law relating to the review of such governmental and non-governmental administrative action.

10 Law of Associations
Law of Associations is a description of some of the laws which regulate associations of individuals. People often choose to group together in a regimented structure in order to conduct their activities. The rationale behind the choice of the particular type of grouping will vary depending upon the needs at the time. Taxation advantages, the desire to limit liability, and the need to generate capital externally are just some of the reasons behind this choice.

11 Evidence
The Evidence course is devoted to an examination of the rules governing the presentation of evidence in common law trials, both civil and criminal. The central focus of the course is on the provisions of the Evidence Act 1995.

12 Taxation and Revenue Law
The Taxation and Revenue Law course is an overview of the Income Tax Assessment Act and related legislation. General principles concerning the accessibility and deductibility of different types of receipts and items of expenditure are considered, along with more recent developments in relation to the tax treatment of fringe benefits, capital gains and GST. The differing tax consequences in respect of various legal entities, such as partnerships, trusts and companies, are also considered. The last part of the course deals with the collection and recovery of tax, and the procedures to be followed by a taxpayer in disputing a tax assessment with the Commissioner of Taxation.

13 Succession
The law of succession is concerned with the law of wills and the administration of deceased estates. The applicable principles vary depending upon whether the deceased dies with or without a will and in either case are subject to permissible claims under the Family Provision Act 1982 (NSW).

14 Conveyancing
Conveyancing practice requires an understanding of Real Property and Planning Law. The course is designed to provide the theoretical and practical foundations of conveyancing practice. Particular emphasis is placed on the structure of the current edition of the Contract for Sale of Land.

Whilst the course is to some degree involved with practical issues of conveyancing, a good deal of relevant case law and legislation is discussed in order that students will be in a position to recognise problem areas in practice. The course also provides for a consideration of various issues of contact law and equity and alternate dispute resolution.

15 Practice and Procedure
The subject of Practice and Procedure deals with the day to day practicalities of civil litigation in the Supreme Court of New South Wales. The subject also includes an evaluation of various initiatives to reform the judicial system, including, in particular,
the development of case management practices and the use of other dispute resolution processes.

17 Legal Ethics
The objectives of the course are to give the student a sound background of the statute, common law and rules and regulations which govern professional practice as a barrister or solicitor; and to provide guidance as to what can go wrong, how to recognise a problem, and what help is available, and what may occur where there has been an ethical breach.

24 Jurisprudence
This course in jurisprudence will apply the concepts and techniques of philosophical analysis to an examination of the nature of law and issues surrounding legal reasoning, and the relationship between law, morals and theories of justice. The course will examine some of the most important theories of analytical jurisprudence, and trace their historical development. Issues in legal reasoning raised by the doctrine of precedent, the relationship between law and logic, and legal fact finding and probability theory will be examined. The course will consider the debate about the separation between law and morals, and arguments for and against natural law. The course seeks to introduce students to modern legal philosophy, and to demonstrate how that study gives insights into the nature and function of law important to the practice of law.

ELECTIVE SUBJECTS

16 Insolvency
The Insolvency course examines the legal impact of bankruptcy and insolvency law upon both individual citizens and modern business in Australia.

18 Conflict of Laws
Conflict of laws, or private international law, is the part of private law concerned with legal questions which contain a foreign element. A legal question will contain a foreign element where a relevant fact or party has a connection with a foreign country. For example, conflict of laws issues will arise if proceedings are contemplated in New South Wales in respect of a tort committed in Singapore or in respect of breach of a contract made in New York or against an overseas defendant. In essence, conflict of laws is concerned with questions of private law which transcend legal systems. This course is a general introduction to the sources and techniques of conflict of laws, with particular reference to legal questions connected with countries outside Australia. Although reference will be made in the course to issues of federal or intranational conflict of laws (conflict of laws issues arising between the States and Territories of Australia), detailed knowledge of this topic, such as the scope and operation of the Service and Execution of Process Act 1992 [Com], the concept of federal jurisdiction and the full faith and credit section of the Commonwealth Constitution, will not be required for examination purposes. The course objective is to give you an opportunity to gain an appreciation and understanding of the transnational dimension of private law and the fact that many legal questions which arise in everyday life are not confined within one legal system.

19 Family Law
This course is designed to provide students with a general yet comprehensive introduction to family law in Australia. The course covers five main areas: the historical and current development of family law; special procedural rules, including less adversarial trials; children and parental responsibility; spousal maintenance, child support and injunctive relief; and property settlement.

20 Local Government and Planning
The Local Government and Planning course examines the bodies of law which regulate the establishment, status, powers, operation and accountability of local councils and the environmental and planning laws which regulate the use of land. Dramatic changes to the laws governing the constitution, structure and operation of local councils and the regulation of development, building and subdivision of land have been implemented since 1993. The course addresses the operation and effects of the above changes, which are of vital importance to lawyers who specialise, or are developing specialisation, in the rapidly expanding field of local government, environmental and planning law. The course also covers discussion of the options for resolution of planning disputes, apart from Court determination.

The overall aim of the local government and planning course is to enable students through lectures, study and practical course exercises to explore and understand the wide variety of laws under which councils operate as regulators and
providers of vital services to their communities. This expertise will not only assist them in local government and planning legal practice but also will provide invaluable expertise in aspects of conveyancing practice.

21 Industrial Law

Industrial law, or the law of employment, is the body of law which regulates the relationship between employers and employees, employers and trade unions, and trade unions and employees. The Industrial Law course is a general introduction to industrial law, having the primary objective of introducing students to the system of conciliation and arbitration which operates in Australia, and the common law duties imposed on both employers and employees.

22 Intellectual Property

The law of intellectual property encompasses the areas of copyright, design, circuit layouts, patent, plant variety rights, confidentiality information, business reputation and trade marks. The course provides a general introduction to intellectual property outlining for each category of protection how the rights arise, the nature of the rights, ownership and exploitation as well as infringement and remedies.

23 Public International Law

Public international law is the regime of legal rules which primarily seeks to regulate relations between sovereign states. For example, public international law defines the minimum standard of treatment which a sovereign state must accord the nationals of another state on its territory and the responsibility of one state to another for failure to observe the required standard of treatment. Individuals, to an increasing extent, also are a direct concern of public international law. Examples of this development include the international criminal responsibility of individuals for war crimes, crimes against humanity and genocide and the network of treaties which aspire to define and protect human rights.

This course is a general introduction to the sources and techniques of public international law with the objective of imparting to you an appreciation and understanding of the role of legal rules in regulating the conduct of states and individuals in international society.

25 Trade Practices

The Trade Practices Act (1974) has a significant impact on every aspect of commerce and consumerism in Australia. The course complements the other commercial subjects by covering the restrictive trade practices (e.g. price fixing, misuse of market power, exclusive dealing, resale price maintenance etc.), deceptive trade practices (unconscionable conduct, misleading and deceptive conduct), product liability, enforcement and remedies (damages and other orders etc.) provisions of the Act.

LANGUAGE SKILLS COURSE

A new course has been developed to assist you to improve your written language skills. The course is designed for students who would like to sharpen the way they write, to be more precise in their language and to learn the basis of good, formal grammar and punctuation. The course is for students who have not had a good grammatical grounding in the past and who would like to have a better understanding of how their language works. Such knowledge will help you with your written skills, not only for your course but will be of great assistance when you are drafting court documents or contracts, or writing to clients. Further information on the Language Skills course offered will be available on the LEC website.
LECTURES

Commencement of lectures

Each year, the teaching programs in the Diploma in Law begin in May, with examinations in September (the Winter Session), and in November, with examinations in the following March (the Summer Session).

Evening students are expected to attend lectures regularly once each week in the subjects in which they are enrolled and distance students are expected to attend the Weekend Schools, as each course is designed around these lectures.

General lecture arrangements

The lecture timetable appears at the back of this Course Information Handbook.

Lectures will commence at 6.00 pm and finish at 8.30 or 9.00 pm throughout the semester.

Lectures are generally held in the New Law School building, Carslaw building, the Chemistry building and in the Eastern Avenue complex which are situated on Eastern Avenue in the main grounds of the University at Camperdown and in lecture theatres at the Old Law School building, which is on the corner of Phillip, King and Elizabeth Streets, Sydney. The map at the back of this book shows the locations of main campus venues.

Timetable changes

From time to time, it may be necessary to cancel, reschedule or relocate classes. The Law Extension Committee will give students as much notice as possible of any changes which need to be made. Students should ensure that their contact details are up to date.

Any cancellations or alterations to the lecture schedule, will be posted on the Student Message Board of the Law Extension Committee Webcampus (see pages 26 to 27 for further information on the Webcampus).

DEVELOPMENT OF LEGAL SKILLS

Success in legal studies requires both the acquisition of knowledge and the development of the necessary skills of problem solving and analysis. Students need to learn how to apply their legal knowledge to a variety of novel factual situations - a proficiency which will be valuable in practice as well as in their studies.

Legal knowledge alone - without the skills to apply it - is not a sufficient foundation for success in exams.

To assist students to become proficient in these areas, Legal Institutions, the first course undertaken by students, has been deliberately structured to introduce students to the necessary skills of legal problem solving. Through lectures, class problems, research tasks and the assignments students should begin to build the necessary base of proficiencies which they will rely on throughout their studies.

As well, a package of self guided tutorials is available on the Webcampus for students to work through at their own pace. These tutorials focus on the acquisition of general study and exam skills; on skills addressed in the Legal Institutions course; and on legal problem solving in the context of contracts problems. Each set of tutorial questions has an answer guide (which is best accessed after students have attempted the question) available to students at any time.

Students with questions about the tutorial material, or general questions about the development of legal skills, approach to legal study or preparation for exams are welcome to contact the principal teacher in Legal Institutions, Mrs Susan Carter, by email at any time at: tutors@lec.pip.com.au Telephone enquiries are also welcome during the Summer 2009-10 session on Mondays or Thursdays between 10 am - 12 noon on (02) 9392 0320.
ORIENTATION

An Orientation afternoon will be held for all new students on Friday 30 October 2009 preceding the start of the new session. See page 50.

For new students, this will be an opportunity to gain a better understanding of the roles of the Board and the Law Extension Committee in the administration of the Diploma in Law course and an opportunity to meet other new students and form study groups.

There will also be information about using the University of Sydney Law Library. Details of the Orientation Day are included in your Enrolment package and are also available on the Law Extension Committee Webcampus.

WEEKEND SCHOOLS

Weekend schools are held during each session primarily for external students. The dates for the Weekend Schools are as follows:

- **Introductory weekend for all Legal Institutions students**
  - Saturday and Sunday 31 October and 1 November 2009
  - Further information is provided separately in your enrolment package and is available on the Law Extension Committee website.

- **Weekend School 1**
  - Friday to Sunday 27 - 29 November 2009

- **Weekend School 2**
  - Friday to Sunday 29 - 31 January 2010

The program for Weekend Schools 1 and 2 for the Summer 2009-10 Session appear at the back of this Course Information Handbook.

Venue

Weekend School classes are generally held in the Eastern Avenue complex, the New Law School and the Carslaw Building on the main University campus.

Refreshments

Morning and afternoon teas and light lunches will be available for purchase from the University of Sydney Union canteen service adjacent to the Eastern Avenue Auditorium, or nearby.

Accommodation

Various levels of accommodation are available close to the University’s main campus at Camperdown.

When booking accommodation ask for the best rate available. You may be entitled to a government or corporate rate as you will be attending the University. Sometimes promotional or seasonal rates may be even better. Sometimes motoring organisation (e.g. NRMA) rates are best. Web booking agencies are very competitive, and a few minutes on the web may pay off. Enquire whether breakfast and parking are included, and whether there are any taxes to be added on.

Motels in Camperdown include:
- Rydges Camperdown
  - 9 Missenden Road, Camperdown
  - Phone (02) 9516 1522; 1 300 363300
- Oakford City West Apartments
  - 23-33 Missenden Road, Camperdown
  - Phone (02) 9557 6100

Also nearby are:
- Unilodge
  - Corner of Broadway & Bay Street, Broadway
  - Phone (02) 9338 5000
- Metro Motor Inn
  - 1 Meagher Street, Chippendale
  - Phone (02) 9319 4133; 1800 004321
- Broadway University Motor Inn
  - 25 Arundel Street, Glebe
  - Phone (02) 9660 5777; 1 800 263909

Motels close to the University are listed below:
- **Rooftop Motel**
  - 146-148 Glebe Point Rd Glebe NSW 2037
  - Phone (02) 9660 7777
- **Alishan International Guest House**
  - 100 Glebe Point Rd Glebe NSW 2037
  - Phone (02) 9566 4048
  - Url www.alishan.com.au
  - Email kevin@alishan.com.au.
- **Australian Sunrise Lodge & Airport Budget Motel**
  - 485 King Street Newtown NSW 2042
  - Phone (02) 9550 4999 (Lodge)
  - Phone (02) 9557 4400 (Motel)
- **The Glebe Motel**
  - 196 Glebe Point Rd, Glebe NSW 2037
  - Phone (02) 9660 6655
- **Billabong Gardens**
  - 5-11 Egan Street Newtown NSW 2042
  - Phone (02) 9550 3236.

A little further away but still walkable are many more possibilities. For example, if your budget allows, you may find the **Mercure Hotel** on George Street near Central Station good value (02 9217 6666).
Also near Central Station, is the Ritz of youth hostels, Sydney Central YHA, on the corner of Pitt and Rawson Streets, (02) 9281 9111.

University Residential Colleges
Occasionally the following colleges are able to offer accommodation out of semester time, usually on a bed-and-breakfast basis. Rates and availability vary: The Women’s College (02 9517 5000) and Wesley College (02 9565 3333), and you could try St Andrews (02 9565 7300), Sancta Sophia (02 9577 2100), St Michael’s (02 9692 0382), St Paul’s (02 9550 7444, St John’s (02 9394 5200).

PARKING
Sydney University Main Campus (Camperdown)
Parking is available close to main campus venues in designated areas. The best entry points are the main gates on City Road, and from Parramatta Road, near the corner of Glebe Point Road. There is also a parking station in Shepherd Street, off Cleveland Street near the corner of City Road, behind the Seymour Centre.

The University has a “pay-and-display” parking regime and heavy fines are imposed for non-compliance. Parking costs after 3.00pm are $2.00 per hour to a maximum of $6.00. The ticket machines accept $1 and $2 coins only. The nearest change machine to the Carslaw Building is located in front of the Anderson Stuart Building, further along Eastern Avenue. There is also a change machine in the Shepherd Street Car Park.

University campus roads fall under the general road rules, meaning parking Infringement Notices are processed by the NSW Police Infringement Process Bureau. Any enquiries regarding Infringement Notices should be made per the instructions included with the notice. The Law Extension Committee is unable to pursue matters of parking infringement notices on behalf of students.

In recent Sessions, students have reported ticketing machines and/or change machines to be out of order. If you have problems with ticketing or change machines, you should direct your enquiries to the Sydney University Traffic and Parking Office on (02) 9351 3336.

Sydney University Old Law School building (Phillip St, City)
As you may imagine, parking space is at a premium around the Sydney University Old Law School Building. There are no parking facilities for students within the Old Law School building. There may be metered parking in the surrounding streets (Phillip Street, Elizabeth Street, Hunter Street, Macquarie Street, King Street) however students would need to make their own investigations.

Several commercial parking stations operate near the Old Law School: Secure Parking ((02) 8912 4900) have stations at 2 Chifley Square, 135 King Street & 187 Macquarie Street; Kings Parking ((02) 9221 2476) operate a station at 60 Elizabeth Street.

The Domain parking station may also be an option, with its moving footway bringing you fairly close to the Old Law School building or there is the Cathedral Parking Station between the Cook and Phillip swimming pool complex and St Mary’s Cathedral.

PUBLIC TRANSPORT
Sydney University Main Campus
For lectures and weekend school classes held on the main campus, the most convenient entry point is the main City Road gate.

By train, the closest station is Redfern, from where you should turn left into Abercrombie Street then right into Codrington Street, which will take you to the City Road gates. You might find it more convenient to use Central Station, especially at night.

Buses stop right outside the City Road entrance, and run frequently from Central Station and the CBD. Routes 422, 423, 426, 427, and 428 depart from Circular Quay and travel down Castlereagh Street, passing through Railway Square before stopping at the City Road entrance. Students can also enter from Parramatta Road, with the best entrance being University Avenue at the eastern end of Parramatta Road, near Glebe Point Road.

Sydney University Old Law School building
The closest train stations to the Sydney University Old Law School are Martin Place and St. James. The Elizabeth Street exits of both stations are a few minutes walk from the Old Law School building. There are many bus services that stop outside or near the Old Law School, including most Eastern Suburbs buses.
The Webcampus is now the primary mode of delivering Subject Guides and additional materials, submitting assignments, and advising students of results.

Subject Guides and general notices will remain publicly accessible, but other features require students to log in. Please be aware that the Law Extension Committee does not post out Subject Guides and Course Materials.

The Webcampus is designed to incorporate important educational and administrative aspects of a campus. It gives registered students extensive access to library facilities and discussion forums. The administration section contains timetables and calendars, evening and weekend school lecture venues, general information and contact details.

Our aim is to keep developing the site as a resource and communication centre. Over the next year major enhancements will be incorporated. Please note that our resources are designed to assist you in developing sound and efficient study skills. The growing availability of information from a variety of sources does not in any way lessen, and indeed heightens, the need for independent critical analysis which is the foundation of successful study in law.

The Webcampus is also the information centre of our teaching program. You should check regularly for updates, changes and additional materials. Important or urgent notices, such as unavoidable last-minute cancellations or venue changes, will be posted on the LEC Homepage and Ongoing Student Message Board:

www.usyd.edu.au/lec

LEC Online registration process

All students enrolled for the Board’s examinations must also register online with the LEC in each subject for which they are enrolled with the Board. This must be done each session.

The LEC online registration period is from Thursday 22 October to Friday 30 October 2009.

The LEC online registration process allows the Board’s students to gain access to their assignments and course materials (where applicable) by the commencement of their lectures and is a pre-requisite to issuing a new student Library card or re-validating an existing Library card. Students must note that registering online is not a confirmation of their enrolment with the Board and that any changes to their enrolment must be notified to the LEC as soon as they are known.

The Board will send out a confirmation of a student’s enrolment in due course.

If you have an application pending with the Board you must still register and indicate on the online registration form that you are awaiting confirmation of your enrolment with the Board. You should attend lectures and prepare compulsory assignments. Late enrolment is not a valid reason for an extension of time to submit an assignment.

If you have not registered between Thursday 22 October and Friday 30 October 2009 in each subject for which you are enrolled, you will not have access to the supplementary online resources that are an essential part of the LEC program and may experience delays in obtaining your Unikey Account which provides access to the online library facilities on the Webcampus. If you have not enrolled with the LPAB and registered with the LEC you will not be eligible to sit for the examinations.

To register with the Law Extension Committee you should follow these steps:

1. Visit the Webcampus at www.usyd.edu.au/lec and click on the link “QUICKLINK TO WEBCAMPUSS LOGIN”

2. A log in box will be displayed. Complete your details in this box using a capital letter for the first digit of your last name only, and include your six-digit student number. Click “LOGIN”

3. The next screen will appear with “you must register to be able to use these facilities. Click here to register”. Simply click on the line to continue to the LEC Registration form.

4. Complete the form and click “SUBMIT”

Should you move house or change your telephone number during the session, you can also change your personal details online. Please remember that you must also contact the LPAB and the University Card Centre concerning any changes to your personal details.

Once a student has completed Online Registration with the LEC, please be aware that you will not have immediate access to the Webcampus. If the online registration is completed successfully, your information should be live on the system after 6.00pm
the following day. If for any reason, you do not have access after 2-3 working days, please contact the LEC Office and have your Student Number ready.

**LEC Unikey Accounts**

All current students will require a Unikey Account (also called Extro Account) to access the LEC Webcampus. It provides access to the online library facilities you currently access through the Webcampus, but in the same way that students enrolled at the University log in to online resources. (Please note that you need to have registered online first with the LEC in order to do this).

**How do I setup my Unikey Account?**

New students can generate their own Unikey Account through a LPAB Student Self Registration page. From the link on the LEC homepage, simply follow the instructions on the page by entering your:

- **Student Number** (this is the same Six Digit Student Number (ie 010000) that you use for your Webcampus login)
- **Surname** (this is title case sensitive ie Smith not smith or SMITH)
- **Date of Birth**

For new students who have registered online by Friday 30 October 2009, self registration for their Unikey Account will commence from Monday 2 November 2009.

Existing students will have their Unikey Account re-validated once they have completed their online registration between Thursday 22 October and Friday 30 October 2009.

**Password**

This process generates an account, however you will then need to assign your own password. If you forget this password, the LEC does not have a record of it - you will need to contact the ICT Help Desk. Their contact details are:

**Email:** support@usyd.edu.au  
**Phone:** (02) 9351 6000

If you have any problems with this process, please contact the ICT Help desk.

**Course Materials and Forums**

Two areas most students will visit often within the Webcampus are the Course Materials and the Forums. Under **Course Materials** you will find the Subject Guides and additional materials provided by teachers during the semester, which may include notes, copies of visual presentations, and general assignment comments. The **Course Materials** section is also designed to give you easy access to the relevant information available on the internet for each subject. There are direct links to legislation and cases held on the AustLII (the Australian Legal Information Institute) database, and other databases where possible.

As well, for each subject there are links to relevant legal, research, government and commercial sector sites from Australia and overseas.

Supplementary Materials are prescribed in some courses (see page 35). These materials may be accessed by clicking on the direct link under **Course Materials** on the Webcampus. The direct link will take you to the Law Library E-Reserve where all Supplementary Materials for the Diploma in Law courses are held. Please note that these materials are password protected (see page 35).

The purpose of the **Forums** is to promote constructive discussion and the exchange of ideas about issues and principles in law. They are not for personal comment about any student or teacher, nor are they the appropriate vehicle for making a complaint. Any comment in that regard should be addressed to the Director of the Law Extension Committee. Please see “Conduct, Character and the Study of Law” on page 40.
The Forums are meant to equate to self-directed seminars, and are a very useful way of compensating for the fact that many of you have little time to debate issues as you might as full-time students on campus. Note that, the Forum discussions are designed to be student-driven. Be aware that the comments and discussion on the Forums are provided by other students, with a similar level of knowledge and experience as your own.

The Teachers do not correct or get involved in discussions in the Forums. If you have an enquiry you should email enquiries@lec.pip.com.au.

Results
In the Results section you can check whether an assignment has been received and marked, or if there was a problem with opening your electronic submission, the result, and whether through receiving a satisfactory grade you are eligible to sit for the Board’s examination.

Skills Tutorials
This section contains a package of self guide tutorials for students to work through at their own pace. These tutorials focus on the acquisition of general study and exam skills; on skills addressed in the Legal Institutions course; and on legal problem solving in the context of contracts problems. Each set of tutorials questions has an answer guide - which is best accessed after students have attempted the question.

Administration
The administration section houses timetables and information for lectures, weekend schools and the session calendar.

For information on Submit Assignments, please see pages 31 and 32 and consult the Guide to the Presentation and Submission of Assignments.

Research Links
This facility contains a substantial number of links to legal research and database sites on the Internet, from both Australia and overseas. There are links to most law schools and legal research centres in Australia, professional associations, publishers and booksellers, and government departments and agencies.

Employment Noticeboard
At various times through the year, employers may seek staff who are in the Diploma in Law course, and these requests will be posted on the employment noticeboard.
FUTURE DEVELOPMENTS AND YOUR INPUT

The development of the Law Extension Committee Webcampus is an ongoing project. We are exploring several options for further expansion of the site, and would welcome any suggestions or comments from you regarding the site to date and what you would find most useful for the future.

ADVICE, COMPLAINTS AND THE FUTURE

“Feedback” is a common word in education. It has come to mean a teacher’s comment on a student’s work. The original concept had more to do with sending a message to the source, in this case us. If you have a complaint or constructive suggestion to make in relation to the Law Extension Committee, we would like to hear it.

If you have a complaint about the Law Extension Committee Office or our program generally, please call us on (02) 9392 0320 to discuss the issue.

If your concern is about an individual teacher you should first take the matter up with the teacher if you are able to do so. If not, you should contact the Director of the Law Extension Committee, Mr Frank Astill.

To the extent that our resources permit we are happy to give advice on your present and future studies and career options. If for any reason you encounter difficulties it is better to let us know sooner rather than later. One piece of advice many students consistently wish they had taken:

Plan your study and assignment schedule at the beginning of semester and work consistently through the semester.

It is likely that you will see developments in our legal education during your course. The Webcampus is central to the delivery of resources. However, we believe strongly in maintaining as much face-to-face teaching as possible, and you should see yourself as an active participant in learning. If you move into practice, your learning will continue in formal and informal ways. Developing study groups now and making contact with fellow students can result in sound support networks later. We welcome your suggestions on the directions of the course and your continuing education.

The study of laws, on condition they are good laws, is unrivalled in its ability to improve the student.

Plato
The Laws, bk.XII
ASSIGNMENTS AND ASSESSMENT

The Law Extension Committee’s primary methods of assisting in your preparation for the Board’s examinations are the lecture and weekend school programs in each subject and the assessment of assignments.

In accordance with the Legal Profession Admission Rules, the Law Extension Committee is obliged to inform the Board when a student has not completed the Committee’s course of instruction in a particular subject to the Committee’s satisfaction and is therefore ineligible to sit the examination in that subject. See page 41.

To be eligible to sit for the Board’s examination, students must register online with the Law Extension Committee in each subject in which they are enrolled and satisfactorily complete any task prescribed in the Law Extension Committee’s teaching program for that subject.

Please see the assignment grading and assessment criteria on page 33 - 34 and refer to the relevant Subject Guide and the Course Materials section on the Webcampus.

Assignments

Assignments are prescribed to ensure that you take the opportunity to refine your techniques of research, analysis and expression, and that you receive some feedback on them.

1 Purpose

The assignments are opportunities for you to develop your skills in researching problems, and in essay writing.

There is a strong research element to preparing an assignment, and you are encouraged to refine your techniques for searching for relevant material and incorporating it in your answer.

To obtain as much benefit as possible from the assignments, you should view them as exercises in legal research and in the presentation of argument. Each assignment submitted must be a serious attempt to answer the question and analyse the relevant issues and legal principles.

2 Compulsory Assignments

To be eligible to sit the examination you must achieve a satisfactory result in the compulsory component of that subject.

Please check your Subject Guides and the Webcampus for specific details regarding the compulsory requirements for each subject.

Please note that where an assignment has more than one part, all parts must be attempted. As a general rule, students who do not attempt to answer all questions in an assignment will not achieve a satisfactory result.

Those students who fail to complete the compulsory requirement will be notified through the Results screen on the Webcampus before the examination period of their ineligibility to sit the examination in that subject.

With regard to assessment and eligibility criteria relating to assignments, see pages 34 and 13.

3 Assignment Questions

Assignment questions and due dates in all subjects can be found under Course Materials on the Law Extension Committee Webcampus. Once you have registered online with the Law Extension Committee, you will have full access to all the facilities on the Webcampus (see page 26 for instructions).
4 Format

Please read and follow the instructions set out in the Guide to the Presentation and Submission of Assignments before completing and submitting an assignment.

Assignments should be typed, not handwritten, and on A4 paper. Use one side of the paper only, and leave a left margin of at least 50mm for comments. You should use standard fonts no smaller than 12 point in size. In addition, please check your Subject Guides and Assignment Question for word limits and due dates.

[a] Citation of cases

Cases reported in the law reports should be referred to by their full names, which should be italicised (eg Brown Products Ltd v Black) or underlined.

A full law report reference, called the citation, should be given after each case name (eg McPhail v Doulton [1971] AC 424). Care should be taken with the use of square and round brackets in citations. Square brackets are used where the year is an essential part of a citation. Round brackets are used to indicate the year a case was decided where the year is an inessential part of the citation. Thus McPhail v Doulton [1971] AC 424 is to be found in the 1971 volume of the Appeal Cases (AC) at page 424; and R v Cohen [1981] 38 ALR 129 was decided in 1981, and is to be found in volume 38 of the Australian Law Reports (ALR) at page 129.

Abbreviations used for the different series of law reports are set out in law dictionaries. Familiarity with the common abbreviations develops with use.

[b] Citation of statutes

The short title of statutes should be italicised or underlined and the jurisdiction should appear in brackets after the date and before a section: Trade Practices Act 1974 (Cth), s 80. References to amendments need not be included: Crimes Act 1900 (NSW) is better than Crimes Act 1900-94 (NSW). Statutes with no short title should be referred to either by their common name (eg Magna Carta) or by means of a regnal description and chapter number (eg 4 Geo IV, c 96).

The following abbreviations are often useful in referring to statutory and other regulatory provisions: s (section), ss (sections), sub-s (subsection), sch (schedule), para (paragraph), sub-para (sub-paragraph), c or ch (chapter), cl (clause), sub-cl (sub-clause), pt (part), art (article), reg (regulation), r (rule), rr (rules), sub-r (sub-rule). However, when referring to a particular sub-section, it is better to use the numerical representation, ie s 10(2), not s 10 sub-s 2.

[c] Footnotes

A footnote should appear at the bottom of the page to which it relates rather than at the end of an essay. It should be used to refer to cases, articles or books in which propositions are laid down or particular matters discussed. A footnote should not be used to make a substantive contribution to a main line of argument.

[d] Bibliography

A bibliography including references to all books, journals, articles and internet sources should be included in all assignments.

Useful texts in relation to presentation of assignments are:
- Nemes & Coss, Effective Legal Research, LexisNexis, Sydney, 3rd edition, 2006;

5 Submitting Assignments

Make sure you submit assignments to the Law Extension Committee by the due date in your Subject Guide and in accordance with the instructions in the Guide to the Presentation and Submission of Assignments. It may be accessed and downloaded directly from the Law Extension Committee Webcampus.

Please ensure you submit the correct version of your assignment and that your answers to individual questions are submitted as one document.

6 Submit Assignments

All assignments must be submitted online through the Webcampus Submit Assignments and must be submitted by the due date. If unable to submit through the Webcampus then you must email your assignment to:

lecass@pip.com.au

All assignments must be submitted electronically.
The Results screen allows students to track the progress of assignments. Students are able to check:

- when an assignment was received,
- if the assignment is able to be read,
- the mark.

Please check the Results screen before contacting the Law Extension Committee with an assignment query.

It is your responsibility to notify the Law Extension Committee if, three business days after submitting the assignment, you become aware that your assignment is not recorded as having been processed or shown as “unable to open” or “wrong file format”. If this is the case, please ring the office and have your tracking number and student number ready to provide the Law Extension Committee staff.

Further information regarding the submission of the assignments is provided in the Guide to the Presentation and Submission of Assignments.

7 Feedback

Markers will make every effort to mark your paper quickly. Comments by markers will address the aim of the question and the assessment criteria outlined on page 33 - 34.

8 Late Assignments

Assignments MUST be submitted by the due date and all dates are published prior to the start of the session. Please make a careful note of the assignment due date.

Unless the criteria for extensions of time, outlined below, are met, the available marks for an assignment will be reduced by one for each day beyond the submission date.

No extensions will be given unless the Law Extension Committee is contacted in writing PRIOR TO THE DUE DATE with a valid request for an extension. A request for an extension MUST be made through the LEC Webcampus Submit Assignments section under Extensions. Alternatively, you may send an email to enquiries@lec.pip.com.au

Extensions will only be granted in exceptional circumstances. The Law Extension Committee will use its discretion to grant extensions, however as a general rule, an extension may only be granted based on serious and unforeseen medical grounds.

The application must be accompanied by a specifically detailed medical certificate, or in other extenuating circumstances accompanied by a statutory declaration and evidence of unforeseen disruption to study.

Pressure of work, holidays or family commitments generally are not valid reasons for an extension.

9 Collaborative Learning and Avoiding Plagiarism

The Law Extension Committee encourages collaboration in learning. The active exchange of ideas is one of the most powerful teaching tools. In teaching, our teachers are encouraged to share their particular insights with students, and to be generous in the guidance they offer in bringing deeper understanding to the subjects they teach. Students are encouraged to ask relevant questions in class, to seek the opportunity to make serious comment, and to discuss the substance of lectures with fellow students.

The Law Extension Committee does not object to students making audio tapes of lectures for their own individual study and for their own study group purposes provided permission is requested of the teacher and the class is not disturbed. The Law Extension Committee does warn, however, against the sale or purchase of any notes purportedly transcribed from lectures or tapes of lectures.

It is vitally important that in examinations and in assignments the work submitted is your own. This does not mean that the ideas you put forward will be necessarily of your invention, but they should represent your considered response to a question with appropriate footnotes.

One of the most serious forms of academic misconduct is plagiarism, or seeking to use someone else’s material as your own. It is similar to the offences in commercial and professional life of passing off, of misrepresentation, of deceptive conduct. If in doubt, acknowledge the source of your information.

It is serious misconduct for a student to copy an answer to an assignment of another student, whether the student is a past or current student or a student doing a similar course at another institution. Students need to be especially careful
not to appropriate the notes or electronic files of others.

The possible impact on a person’s study and career, as well as the deeper moral issue, should make avoiding the risk of plagiarism a fundamental priority. In relation to this, students’ attention is directed particularly to Rule 82 of the Legal Profession Admission Rule, which provides in part as follows:

“The Examinations Committee and the Law Extension Committee shall be vigilant to detect any cases of cheating in examinations or in home assignments…”

The consequences of an allegation of plagiarism can be dire. After inviting a response to the allegation, the Examinations Committee may hold a formal hearing, chaired by a Judge.

If plagiarism is established, exclusion from the course, at least for a period of time, is likely. For a person intending to practise, there is the professional issue of character.

An appreciation of the distinction between plagiarism and collaboration allows for a rich and resourceful period of study followed by the intense learning experience of constructing your own analysis, synthesis, and presentation, and the satisfaction and fulfilment of personal achievement.

10 Assignment Assessment Criteria

There are ways you can increase your chances of a good grade. First, make sure you answer the question. It is surprising how many people either misread the question, answer only part of what is asked, or answer the question they would like to see on the paper rather than the one that is there. Organise your time. Plan your answer. While you will need a command of factual detail, many questions will want an argument from you. Identify issues. Explore the application of legal principles and doctrines. Weigh up competing claims.

Concise, coherent and clear writing should be a priority. The marker needs to see that you understand the issues you are writing about. Point form answers and executive summaries often don’t do this. Be fluent, be logical, be direct. Presentation is also important. A consistent and thorough referencing style should be learned early. The test is whether the reader can easily find the source you are using from your reference.

Since assignments and examinations are very different in nature, a direct correlation between assignment results and anticipated examination performance is not possible. However, identification of your strengths and weaknesses in assignment writing will assist your exam preparation both in terms of understanding the content of the subject and in presenting your answers.

Assignments are assessed carefully and marks are reviewed before eligibility status is recorded. We do not have the resources to remark assignments but we will offer as much assistance as possible in clarifying and furthering understanding and analysis of issues.

The grading and assessment criteria identified on the following page are cumulative - each level assumes that the characteristics of the one below have been satisfied.

11 Assignments Submitted in a Previous Session

A student must complete all compulsory assignments in that subject to be eligible to sit the ensuing examination. An assignment submitted in a previous session does not count towards the current session.
## ASSIGNMENT GRADING AND ASSESSMENT CRITERIA

<table>
<thead>
<tr>
<th>Grade</th>
<th>Mark Grade</th>
<th>Mark Range %</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>HD</td>
<td>High Distinction</td>
<td>85% and above</td>
<td>Exceptional. Original application of thorough research and analysis.</td>
</tr>
<tr>
<td>D</td>
<td>Distinction</td>
<td>75% to 84%</td>
<td>Very high standard of critical analysis, extensive research and persuasive argument.</td>
</tr>
<tr>
<td>C</td>
<td>Credit</td>
<td>65% to 74%</td>
<td>Logical and coherent analysis of issues and application of principles. High quality of expression.</td>
</tr>
<tr>
<td>PM</td>
<td>Pass with merit</td>
<td>60% to 64%</td>
<td>Fluent, clear writing. Exhaustive identification of issues. Selection of appropriate principles.</td>
</tr>
<tr>
<td>P</td>
<td>Pass</td>
<td>50% to 59%</td>
<td>Demonstrates potential to pass examination. Recognition of scope of question. Identification of significant issues. Competent organisation and use of authorities.</td>
</tr>
<tr>
<td>F</td>
<td>Fail</td>
<td>40% to 49%</td>
<td>Some appreciation of the relevant facts but much work is needed in areas identified by the marker. Where an assignment mark is relevant to eligibility to sit for the examination, the result may be indicated as &quot;deemed eligible&quot;. See page 13.</td>
</tr>
<tr>
<td>F</td>
<td>Serious Failure</td>
<td>Below 40%</td>
<td>If below 40% the work suggests the need for a thorough review of approach to assignment research and writing.</td>
</tr>
</tbody>
</table>
Subject Guides are available to registered students through the Course Materials section of the Law Extension Committee Webcampus and through the LEC’s homepage. The Webcampus homepage can be found at:

www.usyd.edu.au/lec

Each session a number of students, for various reasons, enrol late. If there is a delay in your enrolment being processed, you are encouraged to register online on the LEC Webcampus and to attend lectures in the meantime, download Subject Guides, and undertake assignments. You need to do this at the commencement of each session.

Please note that satisfactory completion of a subject with the Law Extension Committee and eligibility to sit for the Board’s examinations are dependant on valid enrolment with the Board and registration with the Law Extension Committee.

Supplementary materials are prescribed in several subjects including:

01 Legal Institutions
(a Course Materials folder of printed materials is provided for new students)
02 Criminal Law and Procedure
03 Torts
04 Contracts
06 Constitutional Law
09 Administrative Law
14 Conveyancing
15 Practice and Procedure
16 Insolvency
17 Legal Ethics
18 Conflict of Laws
19 Family Law
20 Local Government and Planning
22 Intellectual Property
23 Public International Law
24 Jurisprudence

Most of these additional materials can be downloaded from the Law Library E-Reserve, accessed via the Course Materials section of the Law Extension Committee Webcampus or the Law Library’s website.

In a few instances, hard copy materials will be provided in some subjects. Evening students will receive these materials at their first weekly lecture and external students will be posted their materials.

It is important that all students register online with the LEC between Thursday 22 October to Friday 30 October 2009, in order to receive their copy of the supplementary materials.

These materials are password protected. To access the materials off-campus you will need to enter your personal password also known as your “Unikey”. Once you have registered on the LEC site you may then self-register for your Unikey Account from the Webcampus by following the links at the LEC homepage.

Prescribed Texts

A Law Extension Committee Text and Materials List will be available to download from the Law Extension Committee Webcampus. The Texts and Materials List is generally available approximately one month before the start of each session.

Booksellers specialising in law texts include:

University Co-operative Bookshop Ltd
Sydney:
Shop 2, 153 Phillip Street, Sydney
Phone: (02) 9232 2250
Fax: (02) 9233 8493
Email: law@coop-bookshop.com.au

Newcastle:
4 Perkins St Newcastle
Phone: (02) 4929 2544
Fax: (02) 4929 2811
Email: new@coop-bookshop.com.au

Secondhand texts

The Sydney University Student Representative Council operates a secondhand bookstore located on Level 5 of the Wentworth Building (across City Road from the Carslaw Building). Hours are Monday to Friday: 10am to 4pm. They can also supply books by mail order and accept credit card payments by phone or email:

Phone: (02) 9660 4756
Email: books@src.usyd.edu.au

If you choose to purchase a superseded edition of a text book be aware that the law may have changed and you will need to check independently for any necessary updates.
**LOCATION**
The University of Sydney Freehills Law Library is located in the Law School Building on the Camperdown Campus. The Law School Building is located on the Eastern Avenue between Fisher Library and the Eastern Avenue Auditorium. The University of Sydney Freehills Law Library is on the lower level adjacent to Victoria Park and can be accessed from the main entry to the Law School Building on Eastern Avenue.

**CONTACT DETAILS**
- **Phone:** (02) 9351 0216
- **Fax:** (02) 9351 0301
- **Email:** law@library.usyd.edu.au
- **Web:** www.library.usyd.edu.au/libraries/law/

**LPAB Liaison Librarian (Patrick O’Mara)**
- **Phone:** (02) 9351 0293
- **Email:** p.omara@library.usyd.edu.au

**Library opening hours:** These hours are subject to change. For up to date details, please see the Law Library's website [www.library.usyd.edu.au/libraries/law/lawhours.html](http://www.library.usyd.edu.au/libraries/law/lawhours.html).

**From Saturday 21 November 2009**
- Monday to Thursday: 8.00 am - 10.00 pm
- Friday: 8.00 am - 8.00 pm
- Saturday: 9.00 am - 5.00 pm
- Sunday: 1.00 pm - 5.00 pm

**Monday 5 October (Labour Day)**
- 1.00 pm - 5.00 pm

**Sunday 22 November 2009 to Sunday 28 February 2010**
- Mondays, Wednesdays, Fridays: 9.00 am - 6.00 pm
- Tuesdays and Thursdays: 9.00 am - 8.00 pm
- Saturdays: 9.00 am - 5.00 pm
- Sundays: Closed

**Holiday closures December 2009 and January 2010:**
- **University Closedown (Christmas/New Year)**
  - Saturday 19 December 2009 to Sunday 3 January 2010: Closed

**Australia Day**
- Tuesday 26 January 2010: Closed

**Monday 1 March 2010 onwards**
- Monday to Thursday: 8.00 am - 10.00 pm
- Fridays: 8.00 am - 8.00 pm
- Saturdays: 9.00 am - 5.00 pm
- Sundays: 1.00 pm - 5.00 pm

**Holiday hours and closures - Easter and ANZAC Day 2010:**

**Easter**
- Friday 2 April 2010 (Good Friday): Closed
- Saturday 3 April 2010 (Easter Saturday): 1.00 pm - 5.00 pm
- Sunday 4 April 2010 (Easter Sunday): Closed
- Monday 5 April 2010 (Easter Monday): 1.00 pm - 5.00 pm

**ANZAC Day Public Holiday**
- Monday 26 April 2010: 1.00 pm - 5.00 pm

**LIBRARY ASSISTANCE**
Guides to the Law Library can be obtained from:
- Library Information Desk

**CONTACTS**
The Information Desk telephone number is (02) 9351 0216.

The LPAB Liaison Librarian is Patrick O’Mara. His telephone number is (02) 9351 0293.

**LIBRARY CARDS**
A combined student ID/library card will be sent to you soon after your enrolment has been received and processed by the Board and after you have completed the LEC Online registration process. This card should be kept and will be revalidated at the beginning of each session in which you are enrolled.

Your Library card gives you full access to Library services and borrowing privileges at all University of Sydney Libraries. You should always have your Library card with you when you are using the Library. The Library card is non-transferable, and must be presented when borrowing.

Your Library card also serves as your student card, for identification at examinations.
Lost Cards: A replacement card can be issued at the University Card Centre on Camperdown campus on receipt of a replacement fee.

For further information phone (02) 9351 2423 or visit the University Card Centre website at www.usyd.edu.au/card_centre

CHANGES TO PERSONAL DETAILS

Any changes to personal details, including address, contact details and email address should be given directly and separately to each of the following:

- Legal Profession Admission Board
- Law Extension Committee
- University Card Centre (see contact details above)

As emailed reminder notices are provided by the Library as a courtesy service to students prior to borrowed items being due for return, it is essential that the correct email address is provided to the University Card Centre. To update your contact details fill out “Update your contact details” form at www.usyd.edu.au/card_centre/applications/update.php

Borrower records can be accessed online for information including personal information, date due of borrowed items and fines at: www.library.usyd.edu.au/mylibrary

BOOK COLLECTIONS

Books are available for loan in the Law Library as follows:

Law Short Loan collection.

This collection contains multiple copies of popular texts. Loans are for one week and cannot be renewed. Books on loan from this collection cannot be reserved.

Law Research collection.

Loans are for 8 weeks with unlimited renewals if nobody has requested the item. If the item is requested by another borrower while on loan, it will be recalled and the due date will change. You will be notified by email if an item is recalled, advising of the new due date. Fines apply if items are not returned by the new due date.

Reserve collection behind the Information Desk.

Loans for these high demand materials are for two hours inside the library.

LOANS

Overdue books will attract fines. You will not be permitted to borrow if books are overdue or if fines exceed $25. Lost books will attract a replacement fee.

Borrowers can check the date their loans are due back, renew Law Research books and pay fines at MyLibrary: www.library.usyd.edu.au/mylibrary

Emailed reminder notices are provided by the Library as a courtesy service. Thus it is important to give the University Card Centre your correct and current email address.

Hard copy law reports, legislation, loose-leaf services and journals cannot be borrowed but many of these materials are also available online. See Online Legal Resources below for details.

Self-Check out

Most Library items can now be borrowed from the self-check counter, which issues a ‘date due’ slip. Items may also be borrowed from the Law Library Information Desk.

CAN'T GET TO THE LAW LIBRARY?

ULA - University Library Australia - an Australia-wide borrowing scheme

If you live too far away or simply are unable to come into the city, as borrowers of the University of Sydney you are eligible for the ULA Borrowing Scheme. This scheme allows students of Sydney University including Diploma in Law students to borrow from another University Library that is closer to you.

How to apply

Applications are made directly to the library from which you wish to borrow. Students of the University of Sydney are required to pay a $50 fee to the host library, where photo identification and proof of current enrolment is required.

For more information contact the university library from which you are planning to borrow, or ring the Law Library on (02) 9351 0216 or refer to: www.library.usyd.edu.au/borrowing/cards.html#ula
Extended loan periods for Distance/Country students

External students living beyond an area bounded by Faulconbridge, Wollongong, Lisarow, Picton and Richmond train stations may request a two week loan for books borrowed in person from the Law short loan collection. Requests must be made at the time of borrowing.

Distance/Country book request service

External students as defined above may ask for books to be sent by post or via the Document Exchange. An extended borrowing period to allow for receipt and return of books is included. Please note that fines will accumulate if books are returned late, and lost books will attract a replacement fee. Please phone on (02) 9351 0302 for details. Requests can be sent via:
- web request form at: www.library.usyd.edu.au/libraries/law/lpab.html#distance
- e-mail to law@library.usyd.edu.au
- fax on (02) 9351 0301

Distance/Country document request service

Cases, articles and book chapters required for private study that are not available online can also be sent to distance/country students. Documents are sent via email or alternative method if preferred. This service is subject to copyright restrictions.

Request forms including a copyright declaration are available from the Law Library website at: www.library.usyd.edu.au/libraries/law/lpab.html#reqforms or by phoning (02) 9351 0302.

LPAB PAST EXAMINATION PAPERS

The Board’s Examinations Committee has determined that only examination papers from the last three sessions will be accessible via the LPAB’s website at: www.agd.nsw.gov.au/lawlink/lpab/l_llpab.nsf/pages/lpar families/pastexampapers

ONLINE LEGAL RESOURCES

Students have access to a wide range of online databases and other web resources including full-text cases and journal articles. These databases can be accessed both on and off campus by students who are currently enrolled in the Diploma in Law.

Law Library homepage:
www.library.usyd.edu.au/libraries/law/

Library’s LPAB Students page:
www.library.usyd.edu.au/libraries/law/lpab.html

Full list of Law Databases:
www.library.usyd.edu.au/libraries/law/databases.html

ACCESSING ONLINE DATABASES FROM OFF-CAMPUS

Off-campus access to most databases can be obtained by typing in your Unikey login and password when prompted.

Unikeys can be obtained from: https://www.auth.usyd.edu.au/extro/LEC/ or simply follow the links from the LEC Webcampus.

A small number of databases are accessible via password only. Passwords can be obtained, when prompted at the listing for these databases on the Law Databases page, via Unikey login and password.

Supplementary Materials

Many courses have supplementary materials that are available via the Library’s website. Currently to access these materials, either go to the Course Materials section of the Law Extension Committee Webcampus OR go to: www.library.usyd.edu.au/libraries/law/lpab.html#LibResources

Note that if you are off-campus you will be prompted for your Unikey in order to gain access to individual resources.

If you have any queries about or difficulties accessing library databases, please contact the Law Library on (02) 9351 0216 or email your enquiry to law@library.usyd.edu.au. Alternatively, you can contact Patrick O’Mara, the LPAB Librarian, directly on (02) 9351 0293 or at p.omara@library.usyd.edu.au.

LEGAL RESEARCH TRAINING

Introductory online guides: www.library.usyd.edu.au/libraries/law/lpab.html#researchguides

Basic Legal Research Texts:
- Legal Referencing/ Anita Stuhmcke
Library legal research hands-on classes and tours for Diploma in Law students

- **Library tours** - 30 minute tour of the Law Library and facilities available.
- **Finding cases** - covers finding Australian and English cases in full text in a variety of online databases and how to find additional information about cases.
- **Finding legislation** - looks at finding and researching legislation, both online and the hard copy format.
- **Finding journal articles and other secondary sources** - covers searching databases to retrieve journal articles and other material on a particular case or topic.
- **All in one legal research class** - This 3 hour class (9.30-12.30 pm or 1-4pm) held on Saturdays is a condensed version of the above classes to make attendance easier for students who are unable to get to individual sessions.

All classes are held in the University of Sydney Freehills Law Library Computer Training Rooms.

No bookings are necessary for the Library Tours.

Bookings for classes (Finding Cases, Finding Legislation, Finding Journal Articles or ‘All in One’ Legal Research) can be made online via the Law Library’s LPAB Students web page at: http://www.library.usyd.edu.au/libraries/law/lpab.html#classes.

If demand is sufficient, extra classes will be scheduled.

Individual legal research consultations are also available. Please contact Patrick O’Mara, LPAB Liaison Librarian (email: omara@library.usyd.edu.au or phone (02) 9351 0293) to make an appointment.

### Summer 2009-10 Law Library Legal Research Classes

<table>
<thead>
<tr>
<th>Date</th>
<th>Library Tours</th>
<th>Library Tour</th>
<th>Library Tours</th>
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<tbody>
<tr>
<td>Monday 2 November</td>
<td>Library Tours 1 pm &amp; 1.30 pm</td>
<td>Library Tour 5.30 pm</td>
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<tr>
<td>Thursday 5 November</td>
<td>Library Tours 1 pm &amp; 1.30 pm</td>
<td>Library Tour 5.30 pm</td>
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<tr>
<td>Saturday 7 November</td>
<td>‘All in one’ Legal Research Class 9.30 am - 12.30 pm</td>
<td>‘All in one’ Legal Research Class 1.30 pm - 4.30 pm</td>
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<tr>
<td>Monday 9 November</td>
<td>Finding Legislation 12.30 pm - 1.30 pm</td>
<td>Finding Cases 6 pm - 7 pm</td>
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<tr>
<td>Tuesday 10 November</td>
<td>Finding Cases 12.30 pm - 1.30 pm</td>
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<tr>
<td>Wednesday 11 November</td>
<td>Finding Journal articles 12.30 pm - 1.30 pm</td>
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<td>Thursday 12 November</td>
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<td>Finding Legislation 6 pm - 7 pm</td>
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<td>Saturday 14 November</td>
<td>‘All in one’ Legal Research Class 9.30 am - 12.30 pm</td>
<td>‘All in one’ Legal Research Class 1.30 pm - 4.30 pm</td>
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<tr>
<td>Monday 16 November</td>
<td>Finding Journal articles 6 pm - 7 pm</td>
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<tr>
<td>Friday 27 November</td>
<td>‘All in one’ Legal Research Class 1 pm - 4 pm</td>
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Law Extension Committee

CONDUCT, CHARACTER AND THE STUDY OF LAW

Now that you have read about the teaching program, the Webcampus, library facilities and assignments and assessment, it is appropriate to consider the environment of professional study in which we work.

Law demands a heightened awareness of proper conduct in a variety of circumstances. Unique features of our program include our relationship with the Legal Profession Admission Board and our close connection to practice through our practitioner-teachers. This is one reason why an allegation of plagiarism can have such serious consequences. Lawyers have the trust of their clients. They must be honest and be seen to be honest. It is not always obvious to students that cheating in assignments is doubly dishonest: there is the plagiarism and the false declaration that accompanies the assignment.

The personal traits required of a lawyer are traditionally described as “good fame and character”. While cheating gets all the publicity in the context of academic conduct, there are standards of behaviour that underpin a profession centred on representing clients and advising on their problems. Impartiality and civility are hallmarks of a good lawyer. A lot rides on the way we communicate, as well as what we communicate. Much of our work is done by telephone and email. Practice client communication skills at every opportunity, whether dealing with us, your employers or your colleagues. Make abuse unacceptable from the beginning, whether it is directed to you or you are tempted to use it. It doesn’t do anybody any good, and importantly from a lawyer’s perspective, reduces the chances of a mutually beneficial outcome.

The internet and mobile phones have forced new considerations of communication etiquette. Web forums are particularly vulnerable. It is easy to attack through them, but slander is not just personally injurious, it may be defamatory. There are very good reasons for insisting that comment on forums, for example, is never personal, but focuses on issues, concepts and constructive exchange of ideas. Similar sensitivity should apply to email and text messaging. As a practitioner, issues of confidentiality will also arise when using these media.

Aspiring lawyers should also be especially aware of property rights as they affect web usage and transmission of lectures and resource material, and with using the library and its resources. Lectures and materials provided by the LEC are for private study by enrolled students. Nothing spoken by teachers or material made available on or through the Webcampus should be reproduced anywhere else.

In the library and the classroom, respect the needs and rights of others. If students wish to make audio copies of lectures they should seek the permission of the teacher and make a copy on the understanding that it is for their use only. It is understandable that occasionally a friend might seek your notes to fill a gap, but it is important not to become complicit, even innocently, in what can amount to an appropriation of the property of others. You should be very wary if lectures or a series of lectures are offered to you, in any form, and on no account should you be tempted to purchase lectures.

You will have read that we encourage study groups. These, and the ready availability of comment and opinion on the web, make it imperative that you are able to present and argue your own views on issues and assignment problems. It is easy for someone to appear to be expert. Many are genuinely generous in offering advice. Too often in assignments we see a group of people adopting a particular line without their own critical evaluation of it, to their detriment. Sadly, similar stories have emerged from people who have paid a substantial amount of money for private tutoring from fellow students. Whether you are tempted to part with money or take it, evaluate the situation carefully.

Good conduct, then, also demands an independence of thought. Here education and character reinforce each other. A lot of what is said above accompanies sound study habits. Maintain and develop these attributes from the beginning and your study of law will not only be in keeping with the aims of the profession, it will be satisfying and increase the likelihood of success.

Web Conduct: Voices of Experience

We are all still learning about the impact of the web on our lives. Its vast potential must be treated with care and respect.

• Anything you post to the web should be regarded as permanent. Make sure it is constructive and polite. Attack issues, not people. Be humble and questioning, not dogmatic or arrogant.
• Do not copy notes or resources from the LEC, LPAB or Law Library website to other websites. This includes lecture notes and handouts, material held in electronic reserve and in subscription services.
• Do not attempt to sell or purchase lecture notes or resources where someone else owns the intellectual property. Note that copyright exists whether or not the owner asserts it.
• Do not transmit electronic versions of your assignment files except when you are submitting your assignment to the LEC.
• Do not post personal advertisements from employers such as positions vacant or advertisements seeking room mates.

The LEC is still being alerted to infringements in these areas. There is potential for serious and career-jeopardising misconduct in each area. If in doubt about appropriate conduct, call to discuss it.
EXAMINATIONS

ELIGIBILITY TO SIT
Rule 63A of the Legal Profession Admission Rules provides that a student who has enrolled for and undertaken a course of instruction in a subject of examination conducted by the Law Extension Committee and who has completed the requirements of the course, may sit for the examination in that subject unless the Law Extension Committee notifies the candidate and the Examinations Committee, prior to the examination, that the candidate has not completed the requirements of the course to the satisfaction of the Law Extension Committee. (See page 13 regarding notification.)

The course requirements for each subject are set out in the relevant Law Extension Committee Subject Guide.

EXAMINATION TIMES
The examination timetable is set out on page 45.
At all examination centres the morning examinations will commence at 9.00 am and the afternoon examinations will commence at 1.45 pm.
Each examination consists of 3 hours writing time and 15 minutes reading time. Candidates are permitted to make notes during reading time.
Candidates should report to their nominated examination centre at least 20 minutes prior to the commencement of an examination to ensure they are present for important announcements.

IDENTIFICATION
Each candidate must be in possession of acceptable means of identification when attending the examination centre, and must produce the identification upon request to a supervisor or a member of the Legal Profession Admission Board staff.
A candidate should bring his or her Student ID Library Card to the examination. If the card has been mislaid, the candidate should obtain a replacement card from the University Card Centre prior to the examination. If this is impossible due to time constraints, the candidate must bring either a current driver’s licence or passport to the examination.
Any candidate without acceptable identification will not be permitted in the examination room.

LATE ARRIVAL
Candidates should arrive at the examination centre on time so that they are aware of all announcements regarding examination protocols. A candidate who arrives at the examination centre after the commencement of an examination may not be permitted to enter the examination room, but if so permitted will not be allowed additional writing time at the end of the examination.

EXAMINATION ATTENDANCE
Each candidate must remain in the examination room for at least one hour after the commencement of the examination, and must not leave the examination room until his or her answer booklets have been collected and other permitted materials checked.

A candidate who enters the examination room, stays for one hour and hands in an answer booklet with his/her student number but does not attempt any questions will be deemed to have sat for the examination.

Candidates scheduled to sit, but for any reason unable to attend an examination at either the Armidale, Broken Hill, Dubbo or Lismore venue, are requested to contact the venue, on the day of the exam and preferably prior to the start of the exam, to advise of their non attendance.

PERSONAL ITEMS IN EXAMINATIONS
Students may take in pens, small sweets and a bottle of water in a clear container, but not fruit, biscuits, soft drinks or food generally. A small fruit juice may also be taken in by people with diabetes. Mobile phones or any other data storage devices must be switched off and surrendered to the Examination Supervisor. The Board can accept no responsibility for the loss of students’ personal property.

 Anything taken into the examination room must be made available for inspection by the examinations supervisors or other Board staff. Students are reminded that they must comply with the Board’s examination protocols.

STUDENTS WITH DISABILITIES
A candidate may apply to the Board for special examination conditions if he or she has a medical, physical, sensory or psychiatric condition or impairment, or a documented learning disability which will prevent him or her demonstrating the extent of his or her knowledge in an examination.
A candidate must supply recent relevant documentation in support of his or her application, such as a medical certificate, which should be made as soon as possible after enrolling but no later than 5 February 2010.
The medical documentation should describe the condition, its likely development over time, and the type and extent of special examination conditions which would permit the student to perform on his/her merits. Special examination conditions are approved for a specified examination session only and students should not assume ongoing approval and must reapply each session.

**CLASH OF EXAMINATIONS**

It is not the responsibility of the Board to notify students of any clash of exams. Please check the examination timetable on page 45.

A student sitting for two exams that, according to the examination timetable are scheduled at the same time on the same day, may apply to the Board for special arrangements allowing him or her to sit both exams. Applications in writing must be lodged by no later than 5 February 2010.

A maximum of two exams may be sat in one day. These is no provision for supplementary exams to be taken at a later date.

**ILLNESS OR PERSONAL PROBLEMS AT EXAMINATION TIME**

Each Examiner is required to mark papers strictly according to their merits, without regard to candidates’ medical or personal problems. A candidate whose examination performance is likely to be adversely affected by personal circumstances may be better advised not to present himself or herself for examination. Under no circumstances should a candidate attach a medical certificate to an examination booklet, or otherwise communicate with an Examiner seeking special consideration in relation to his or her examination performance.

**PERMITTED MATERIALS IN EXAMINATIONS**

Prior to the examinations, the front page of every examination including the list of permitted materials for each subject, will be published on the Board’s website:


Students-at-Law are requested to pay particular attention to the list of permitted materials so that they do not inadvertently take unpermitted material into an examination. You should rely only on information from the Board in relation to permitted materials. You should not rely on remarks by teachers or students.

The Examinations Committee has resolved that supervisors in the Board’s examinations should confiscate unpermitted material and forward it securely to the Board’s Examinations Officer for report to the Examinations Committee.

If a supervisor believes that you are in possession of unpermitted material the supervisor is instructed to: tell you that it is unpermitted; report the matter to the senior supervisor; confiscate the material and forward it to the Examinations Officer with an incident report form. In the unlikely event that there has been a mistake the material is to be returned to you as quickly as practicable.

The supervisors will check written materials as soon as practicable after reading time commences. If a Student-at-Law has inadvertently taken unpermitted material into an examination it would be in their interests to surrender the material at the earliest practicable moment.

Other than the materials supplied by the Board, candidates are themselves responsible for providing all permitted materials.

Candidates are strongly advised to obtain relevant permitted materials well in advance of the examination, as stockists frequently sell out before examinations.

Some instances of cheating and of bringing unauthorised material into the examination room in previous examinations have come to the notice of the Board. Candidates are warned that such conduct may result in instant expulsion from the examination, and exclusion from all further examinations.

Candidates are also requested to bring swiftly to the notice of examination supervisors any cheating of which they become aware.

**HANDWRITING LEGIBILITY**

Candidates are cautioned that handwritten exam answers must be clear and distinct. If an Examiner finds it impossible to interpret a candidate’s handwriting the Board will inform the candidate who will then be required to lodge an application for arrangements to transcribe his/her answers into a typed version. The candidate will be required to meet the cost of these arrangements.
WITHDRAWAL FROM AN EXAMINATION

Candidates are not required to give notice that they are withdrawing from subjects in which they are enrolled. A candidate who does not present himself or herself for examination will not be recorded as having failed the examination.

In ceasing to prepare for an examination, however, a candidate should be mindful of the progression and exclusion rules to which reference is made on pages 12-13, and to any special conditions which may have been imposed on him or her by the Examinations Committee.

Enrolment fees are not refunded, or carried forward to a later session, in cases where a student withdraws.

EXAMINATION RESULTS

A mark of 50 – 64 = Pass;
A mark of 65 – 74 = Pass with Merit; and
A mark of 75 – 100 = Pass with Distinction.

Examination results will be mailed to each candidate no later than 20 April 2010.


Candidates may apply in writing to have their results withheld from publication.

Examination results will not, under any circumstances be given over the telephone by the Board’s staff. Nor will they be available over the counter at the Board’s office.

The marking process includes an automatic review of the papers of candidates who have achieved a mark between 40 and 49, which ensures that the appropriate mark has been given. This review is completed before the results are published, and results posted to candidates are final.

There is no re-mark facility.

EXAMINATION PRIZES

Prizes are awarded each semester in a number of subject areas unless otherwise determined by the Examinations Committee.

Stuart Spencer Prize for Academic Excellence
A cheque to the value of $200 will be awarded to the most distinguished student graduating in the Diploma in Law.

LexisNexis prizes
A six month subscription to LexisNexis Online prize package to the value of $495 will be awarded to one student having enrolled in the subject only once, achieves the highest mark in the examination in each of the following subjects: Legal Institutions, Contracts, Torts, Criminal Law and Procedure, Real Property, Australian Constitutional Law, Equity, Commercial Transactions, Law of Associations, and Succession.

Thomson Reuters prizes
A voucher for Thomson Reuters product(s) to the value of $500 will be awarded to one student having enrolled in the subject only once, achieves the highest mark in the examination in each of the following subjects: Evidence, Family Law, Intellectual Property and Trade Practices.

HL and WG Spencer Prize
A cheque to the value of $100 will be awarded to one student having enrolled in the subject only once, achieves the highest mark in the examination in the subject Administrative Law.

CCH Prize
A CCH gift pack and a $200 CCH book voucher will be awarded to one student having enrolled in the subject only once, achieves the highest mark in the examination in the subject Taxation and Revenue Law.

Sir Owen Dixon Chambers Prize
A cheque of $250 plus 2 weeks practical work experience with Sir Owen Dixon Chambers Barristers will be awarded to one student having enrolled in the subject only once, achieves the highest mark in the examination in the subject of Practice and Procedure.
Law Society Prize

for Legal Ethics a cheque to the value of $250 will be awarded to one student who, having enrolled in Legal Ethics only once, achieves the highest mark in the examination.

EXAMINATION INTERVIEWS

A student may apply for an interview with an Examiner in relation to his or her examination performance.

An application must be lodged at the Boards’ office no later than 30 April 2010. The application must be accompanied by a fee of $100.00. Please do not combine this fee with any other application fee such as your enrolment fee. Late applications will not be accepted.

The interview will be held at a time and place convenient to the Examiner. The student will be notified of arrangements for the interview as soon as possible.

It should be noted that an interview is not part of the marking process, and that a student’s result will not be changed at, or as a result of, an interview. The purpose of the interview is to allow the Examiner to explain how a student’s examination script does, or does not, satisfy the requirements of the examination.

It is not an opportunity for students to dispute the marks awarded with the Examiner.

A copy of the exam script will be forwarded to the student in advance of the interview. If a student should subsequently decide to withdraw from an interview he or she must inform the Board immediately.

Please note in such instances the application fee is non-refundable.

EXAMINATION SCRIPTS

A student may make written application to the Board for the return of his or her examination script. The application must be lodged with the Board within one month after the publication of examination results, and must be accompanied by a stamped, self-addressed C4 envelope [A4 or larger] measuring 229 mm x 324 mm. Examination scripts requested in this way will normally be returned within two months of the publication of examination results. Remaining scripts will then be destroyed.
## EXAMINATION TIMETABLE – MARCH 2010

<table>
<thead>
<tr>
<th>WEEK ONE</th>
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<tr>
<td><strong>THURSDAY</strong></td>
<td><strong>THURSDAY</strong></td>
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<td><strong>04-Mar-2010</strong></td>
<td><strong>11-Mar-2010</strong></td>
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<td><strong>AM</strong></td>
<td><strong>PM</strong></td>
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<tr>
<td><strong>09.00 - 12.15</strong></td>
<td><strong>1.45 - 5.00</strong></td>
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<td><strong>04</strong></td>
<td><strong>08</strong></td>
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</tr>
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<td><strong>16</strong></td>
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<tr>
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<td><strong>15</strong></td>
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</tr>
<tr>
<td><strong>13</strong></td>
<td><strong>22</strong></td>
</tr>
<tr>
<td>LOCAL GOVERNMENT &amp; PLANNING</td>
<td>INTELLECTUAL PROPERTY LAW</td>
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</tbody>
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### SCHEDULED LOCATIONS

**Sydney**  
Level 1 of the Wentworth Park Sporting Complex  
Wattle Street, Ultimo NSW 2007  
Entry via Wentworth Park Road Gate  
Telephone (02) 9552 1799

**Parramatta**  
Northcott Function Centre  
1 Fennell St, North Parramatta NSW 2151  
Telephone (02) 9890 0100

**Albury**  
St Davids Uniting Church  
Wesley Room  
Corner Wilson and Olive Streets  
Albury  
Telephone (02) 6021 6847

**Armidale**  
The University of New England  
Faculty of Economics, Business & Law  
[Enter via Trevenna Road, Armidale]  
Telephone (02) 6773 3597

**Broken Hill**  
550 Lane Street  
Broken Hill  
Telephone (08) 8088 5343

**Canberra**  
Australian Catholic University  
Signadou Campus  
223 Antill Street, Watson ACT  
Telephone (02) 6209 1129

**Dubbo**  
Dubbo RSL Club  
Cnr Brisbane & Wingewarra Streets  
Dubbo NSW 2830  
Telephone (02) 6882 4411

**Lismore**  
St Peters Anglican Centre  
Deegan Drive  
Goonellabah, Lismore  
Telephone (02) 6622 1860

**Newcastle**  
The Glades Wedding and Conference Centre  
270 Hillsborough Rd  
Warners Bay 2282  
Telephone 1300 851 112

Examination results will be posted on the Board’s website on 22 April 2010:  
CHANGING EXAMINATION CENTRES

A candidate wishing to apply to sit at a scheduled examination centre other than the centre nominated at the time of enrolment must make special arrangements with the Board at least two weeks before commencement of the examination period. In exceptional circumstances a student may be permitted to take an examination at an unscheduled location nominated by the student. If such permission is granted and a venue can be arranged, additional fees, which are substantial, are payable.

Students are cautioned that arranging suitable unscheduled exam venues is time consuming, it is strongly advised therefore that you make appropriate enquiries with the Board’s Examinations Officer at the earliest opportunity.

Applications received close to the examinations are unlikely to be approved.

In addition, due to ongoing difficulties and the need to maintain the security of the Board’s examinations applications from new students for overseas venues are unlikely to be approved.

SYDNEY EXAMINATION VENUE
COMPETITIONS FOR LAW STUDENTS

Since 1998 teams entered by the Law Extension Committee have participated in competitions that emphasise fundamental practitioner skills: interviewing; negotiating; researching and submission preparation. While we do not have the resources to run full internal competitions, Diploma in Law students who are willing to devote the time and accept responsibility for their participation are assisted through coaching, preliminary selection and competition registration.

Our students have reached the finals of both the Australian Client Interviewing Competition and, on two occasions, the Australian Negotiation Competition. In 1998 two of our students, Arlene Cooper and Ian Taylor, represented Australia and won the inaugural International Negotiation Competition, held at Pepperdine University, Los Angeles. In 2004, Patricia Vagg and Peter Starkey won the national Negotiation Competition and went on to represent Australia at the International Negotiation Competition, held in Paris and won by the Danish team from the University of Copenhagen.

While Frank Astill has coached our teams in these competitions, Michael Evans has prepared teams for the Vis International Commercial Arbitration Moot. An intensive introduction to the world of international arbitration, the Vis Moot attracts well over one hundred teams annually to Vienna. In 2003, in recognition of the high quality of her advocacy, Lucy Pal received an Honourable Mention in the competition for the Martin Domke Award at the Vis Moot.

In 2005 the LEC Team of Rebecca Nott and Scott Bunny reached the semi-final of the inaugural Madhavrao Scindia Memorial International Moot held at the University of Delhi. In 2008 students competed in the Australian Law Students Association annual competitions in Client Interviewing and Negotiation.

Expressions of interest are sought through the Law Extension Committee Webcampus when we are able to take part in a competition. The cost in time, effort and money can be considerable, but the result is not the outcome of the competition, it is the skill and experience gained. To discuss participating in these or other competitions please contact Frank Astill at the Law Extension Committee. Further information on the competitions is available through the following websites: www.cisg.law.pace.edu/vis.html; www.wmin.ac.uk/law/law-comps.htm

In April 2007, the Law Extension Committee organised and hosted the prestigious Louis M Brown International Client Counseling Competition for 2007. The event was held at the University of Sydney and contested by teams from 16 countries.

Diploma in Law students, Patricia Vagg and Peter Starkey (on the left) representing Australia against Ireland (on the right) at the International Negotiation Competition in Paris, 2004.
Many of the major law firms now conduct summer clerkship and graduate recruitment through cvMail’s online registration system. For more information, see www.cvmail.com.au

PRACTICAL LEGAL TRAINING

Students who wish to practise law have to undertake practical legal training following their Diploma in Law or degree course. The focus is the day to day work that is done by legal practitioners, and teaching often takes place in the environment of a law firm, whether simulated or through a placement program. Flexible study modes are offered, from full and part-time to electronic courses.

Since the cost of practical training is relatively high, it is prudent to plan ahead if this is your intended career path.

Those wishing to become barristers undertake a reading program. The program is an intensive introduction to professional life as a barrister. Details are available from the website of the Bar Association of New South Wales: www.nswbar.asn.au

Practical Legal Training providers are listed below.

College of Law, St Leonards
www.collaw.edu.au
The College’s Professional Program offers full-time and part-time print based and multimedia courses. For further information contact the Enrolment Officer on (02) 9965 7000.

University of Technology, Sydney
The University of Technology is an accredited provider of practical legal training.

The University offers full-time and part-time courses of practical legal training. Both options are available by face to face or distance delivery. Further information can be obtained from the Director of the PLT Program, (02) 9514 3482.

University of Western Sydney
www.uws.edu.au/about/acadorg/clb/sl/courses/plt
The practical legal training program is available in regular attendance or distance modes. Further information may be obtained from the Director of Postgraduate Programs on (02) 4620 3629.

University of Wollongong
The University of Wollongong offers a practical legal training course by flexible delivery. Further information is available from the Director of the Legal Practice Course on (02) 4221 4652.

MASTER OF LAWS

Senate Resolution 26 for the degree of Master of Laws at the University of Sydney provides that a person who has completed with sufficient merit all of the examinations for the Diploma in Law may be admitted to candidature for the degree of Master of Laws. Admission is not automatic, and only persons with a very good record are considered for admission.

Senate Resolution 2(b) for the degrees of Master of Criminology, Master of Environmental Law, Master of Jurisprudence, Master of Labour Law and Relations, and Master of Taxation at the University of Sydney provides that a person may be admitted to candidature for the corresponding degrees if he or she is qualified for admission to candidature for the degree of Master of Laws. Please contact the University of Sydney Law School for more information regarding the Master of Laws program.
PRIVATE TUITION

A number of persons and organisations offer private tuition to students undertaking the course. No person or organisation offering private tuition is an agent of, or is endorsed by, the Law Extension Committee or the Legal Profession Admission Board for the purposes of private tuition in relation to the Board’s examinations.

HEALTH AND SAFETY

The University is concerned about personal safety. Use well-lit and populated areas. The emergency security number for the main campus is (02) 9351 3333, or 1800 063 487 (free call).

The University Health Service number is (02) 9351 4095.

Under the University’s Policy on Smoking in the Workplace, all workplaces within the University are non-smoking areas, including:

(a) all enclosed areas in general use by large numbers of people, including lecture theatres, tutorial rooms, meeting rooms and libraries;
(b) all lobbies, foyers and vestibules;
(c) all offices, laboratories and workshops;
(d) all common rooms, tea rooms and staff rooms; and
(e) all University-owned vehicles and boats.

In addition, smoking is banned near air intakes, external doors in regular use and windows regularly opened.
Summer 2009-10 COURSE INFORMATION
HANDBOOK ROOM CODES*

| CLT | Carslaw Lecture Theatre | EALT | Eastern Avenue Lecture Theatre |
| CLR | Carslaw Lecture Room     | EASR | Eastern Avenue Seminar Room    |
| CTR | Carslaw Tutorial Room    | Old LSLT | Old Law School Lecture Theatre |
| ChLT | Chemistry Lecture Theatre | New LSLT | New Law School Lecture Theatre |
| EAA | Eastern Avenue Auditorium | New LSSR | New Law School Seminar Room    |

* Please note that these room codes apply to all timetables included in this handbook. The University of Sydney lecture theatres are marked on the Map Guide, refer to page 55 and are situated on the main grounds of the University at Camperdown. The Old Law School lecture theatres are located in the University of Sydney Old Law School building on the corner of King, Phillip and Elizabeth Streets, in the CBD.

LEC ORIENTATION DAY:
Friday 30 October 2009, 3.00pm to 7.00pm in the
New Law School Lecture Theatre 101 (New LSLT 101)
(See full schedule of the Weekend enclosed in your enrolment package and available on the LEC website.)

INTRODUCTORY WEEKEND SCHOOL FOR ALL LEGAL INSTITUTIONS STUDENTS
(See full schedule of the Weekend enclosed in your enrolment package and available on the LEC website.)

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Venue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saturday 31 October 2009</td>
<td>9.00am – 5.00pm</td>
<td>New Law School Lecture Theatre 101 (New LSLT 101)</td>
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<tr>
<td>Sunday 1 November 2009</td>
<td>9.30am – 4.30pm</td>
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# Timetables

**LECTURE TIMETABLE**

Please note that all lectures begin at 6.00pm and finish at 8.30 or 9.00pm.

[For a more detailed timetable, please refer to the Subject Guides and LEC Webcampus for updates. Room codes are listed on page 50.]

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DAY</th>
<th>DATES</th>
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<th>LECTURER(S)</th>
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<td>01 Legal Institutions</td>
<td>Wednesday</td>
<td>4 Nov – 16 Dec 09</td>
<td>CLT 159, CLT 157</td>
<td>Mrs S Carter, Mrs K Jolley, A/Prof A Stuhmcke</td>
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<td>13 Jan – 24 Feb 10</td>
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<td>02 Criminal Law and Procedure</td>
<td>Tuesday</td>
<td>10 Nov – 15 Dec 09</td>
<td>CLT 157</td>
<td>Ms S Chrystanthou, Mr G Sarginson</td>
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<td>EALT</td>
<td>Prof S K Roy, Mr G Young</td>
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<td>EALT</td>
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<td>Wednesday</td>
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<td>Monday</td>
<td>9 Nov – 14 Dec 09</td>
<td>EALT</td>
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<td>Thursday</td>
<td>12 Nov – 17 Dec 09</td>
<td>CLT 157</td>
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<td>14 Jan – 18 Feb 10</td>
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<td>08 Commercial Transactions</td>
<td>Tuesday</td>
<td>10 Nov – 15 Dec 09</td>
<td>EALT</td>
<td>Ms M Noonan</td>
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<td>10 Law of Associations</td>
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<td>12 Nov – 17 Dec 09</td>
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<td>Mr J V Gooley, Mr M Zammit</td>
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<td>14 Jan – 18 Feb 10</td>
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<td>CLT 173</td>
<td>Mr W A Henningham</td>
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<td>11 Jan – 15 Feb 10</td>
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<td>15 Practice and Procedure</td>
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<td>OLD LSLT 1</td>
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<td>Dr C Birch, Ms S York</td>
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<td>18 Conflict of Laws</td>
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<td>19 Family Law</td>
<td>Wednesday</td>
<td>11 Nov – 16 Dec 09</td>
<td>NEW LSSR 020</td>
<td>Ms A Cotter-Moroz, Ms A Harland</td>
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<td>13 Jan – 17 Feb 10</td>
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<td>20 Local Government and Planning</td>
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<td>NEW LSSR 030</td>
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<td>21 Industrial Law</td>
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<td>9 Nov – 14 Dec 09</td>
<td>OLD LSLT 5</td>
<td>Mr A T Britt, Mr M Gibian</td>
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<td>OLD LSLT 5</td>
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<td>22 Intellectual Property</td>
<td>Monday</td>
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<td>Mr A Fox</td>
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<td>23 Public International Law</td>
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<td>25 Trade Practices</td>
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<td>10 Nov – 15 Dec 09</td>
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<td>Mr J S Mendel</td>
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<td>Topic One: An Introduction to the Law and its Sources</td>
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<td>Topic Five: Legal Problem Solving: further considerations</td>
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<td>Wed. 11 Nov</td>
<td>CLT 159</td>
<td>Topic Three: Australian Legal Institutions</td>
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<td>Wed. 18 Nov</td>
<td>CLT 159</td>
<td>Topic Four: The Legal Profession</td>
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<td>Wed. 25 Nov</td>
<td>CLT 159</td>
<td>Topic Seven: Statutory Interpretation</td>
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<td>Sun. 29 Nov</td>
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<td>Topic Six: Introduction to Language Skills</td>
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<td>Topic Seven: Statutory Interpretation; Problem Solving</td>
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<td>Topic Eight: English Legal and Constitutional Foundations</td>
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<td>Wed. 16 Dec</td>
<td>CLT 159</td>
<td>Topic Nine: New South Wales and Commonwealth Legal and Constitutional Foundations</td>
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<td>8</td>
<td>Wed. 13 Jan</td>
<td>CLT 157</td>
<td>Topic Ten: The Court System</td>
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<td>9</td>
<td>Wed. 20 Jan</td>
<td>CLT 157</td>
<td>Topic Eleven: Tribunals, Arbitration and Alternative Dispute Resolution</td>
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<td>Wed. 27 Jan</td>
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<td>Topic Thirteen: Commonwealth Parliament</td>
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<td>Sun. 31 Jan</td>
<td>CLT 157</td>
<td>Topic Twelve: Study/Summary and Exam Preparation Skills</td>
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<td>Wed. 3 Feb</td>
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# LAW EXTENSION COMMITTEE SUMMER SESSION 2009-10

## WEEKEND SCHOOL TIMETABLE (1)

**FRIDAY 27 NOVEMBER – SUNDAY 29 NOVEMBER 2009**

<table>
<thead>
<tr>
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<th>DAY(S)</th>
<th>TIME(S)</th>
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<td>01 Legal Institutions</td>
<td>27 Nov</td>
<td>5 pm-9 pm</td>
<td>EAA</td>
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<tr>
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<td>28 Nov</td>
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<td>CLT 157</td>
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<tr>
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<td>29 Nov</td>
<td>8 am-noon</td>
<td>EAA</td>
</tr>
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<td>02 Criminal Law and Procedure</td>
<td>28 Nov</td>
<td>noon-4 pm</td>
<td>CLT 157</td>
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<td>29 Nov</td>
<td>8 am-noon</td>
<td>EAA</td>
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<td>03 Torts</td>
<td>28 Nov</td>
<td>4 pm-8 pm</td>
<td>EAA</td>
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<td>EALT</td>
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<td>27 Nov</td>
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<td>28 Nov</td>
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<td>29 Nov</td>
<td>noon-4 pm</td>
<td>EALT</td>
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<td>06 Constitutional Law</td>
<td>28 Nov</td>
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<td>4 pm-8 pm</td>
<td>EALT</td>
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<td>07 Equity</td>
<td>27 Nov</td>
<td>5 pm-9 pm</td>
<td>CLT 159</td>
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<td>8 am-noon</td>
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<td>08 Commercial Transactions</td>
<td>28 Nov</td>
<td>noon-4 pm</td>
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<td>29 Nov</td>
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</tr>
<tr>
<td>09 Administrative Law</td>
<td>28 Nov</td>
<td>4 pm-8 pm</td>
<td>New LSLT 024</td>
</tr>
<tr>
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<td>29 Nov</td>
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<td>New LSLT 026</td>
</tr>
<tr>
<td>10 Law of Associations</td>
<td>28 Nov</td>
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</tr>
<tr>
<td>11 Evidence</td>
<td>28 Nov</td>
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<td>CLT 375</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>8 am-noon</td>
<td>CLT 375</td>
</tr>
<tr>
<td>12 Taxation</td>
<td>27 Nov</td>
<td>5 pm-9 pm</td>
<td>CLT 373</td>
</tr>
<tr>
<td></td>
<td>28 Nov</td>
<td>4 pm-8 pm</td>
<td>CLT 373</td>
</tr>
<tr>
<td>13 Succession</td>
<td>28 Nov</td>
<td>8 am-noon</td>
<td>CLT 273</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>noon-4 pm</td>
<td>CLT 273</td>
</tr>
<tr>
<td>14 Conveyancing</td>
<td>27 Nov</td>
<td>5 pm-9 pm</td>
<td>CLT 273</td>
</tr>
<tr>
<td></td>
<td>28 Nov</td>
<td>noon-4 pm</td>
<td>CLT 273</td>
</tr>
<tr>
<td>15 Practice and Procedure</td>
<td>28 Nov</td>
<td>4 pm-8 pm</td>
<td>CLT 275</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>8 am-noon</td>
<td>CLT 275</td>
</tr>
<tr>
<td>16 Legal Ethics</td>
<td>27 Nov</td>
<td>5 pm-9 pm</td>
<td>CLT 157</td>
</tr>
<tr>
<td></td>
<td>28 Nov</td>
<td>4 pm-8 pm</td>
<td>CLT 159</td>
</tr>
<tr>
<td>17 Jurisprudence</td>
<td>29 Nov</td>
<td>8 am-noon</td>
<td>CLT 175</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>4 pm-8 pm</td>
<td>CLT 175</td>
</tr>
<tr>
<td>18 Insolvency</td>
<td>28 Nov</td>
<td>4 pm-8 pm</td>
<td>New LSSR 028</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>4 pm-8 pm</td>
<td>New LSSR 028</td>
</tr>
<tr>
<td>19 Conflict of Laws</td>
<td>27 Nov</td>
<td>5 pm-9 pm</td>
<td>New LSSR 020</td>
</tr>
<tr>
<td></td>
<td>28 Nov</td>
<td>noon-2 pm</td>
<td>New LSSR 022</td>
</tr>
<tr>
<td>20 Family Law</td>
<td>28 Nov</td>
<td>8 am-noon</td>
<td>New LSSR 022</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>noon-4 pm</td>
<td>New LSSR 022</td>
</tr>
<tr>
<td>21 Local Government and Planning</td>
<td>28 Nov</td>
<td>noon-4 pm</td>
<td>New LSSR 028</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>8 am-noon</td>
<td>New LSSR 028</td>
</tr>
<tr>
<td>22 Industrial Law</td>
<td>27 Nov</td>
<td>5 pm-9 pm</td>
<td>New LSSR 028</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>4 pm-8 pm</td>
<td>New LSSR 022</td>
</tr>
<tr>
<td>23 Intellectual Property</td>
<td>28 Nov</td>
<td>4 pm-8 pm</td>
<td>New LSSR 020</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>4 pm-8 pm</td>
<td>New LSSR 030</td>
</tr>
<tr>
<td>24 Public International Law</td>
<td>28 Nov</td>
<td>2 pm-4 pm</td>
<td>New LSSR 020</td>
</tr>
<tr>
<td></td>
<td>29 Nov</td>
<td>noon-4 pm</td>
<td>New LSSR 030</td>
</tr>
<tr>
<td>25 Trade Practices</td>
<td>28 Nov</td>
<td>8 am-noon</td>
<td>New LSSR 115</td>
</tr>
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<td>29 Nov</td>
<td>noon-4 pm</td>
<td>New LSSR 107</td>
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</tbody>
</table>
# LAW EXTENSION COMMITTEE SUMMER SESSION 2009–10

## WEEKEND SCHOOL TIMETABLE (2)

**FRIDAY 29 JANUARY – SUNDAY 31 JANUARY 2010**

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DAY(S)</th>
<th>TIME(S)</th>
<th>ROOM(S)</th>
</tr>
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<tbody>
<tr>
<td><strong>01 Legal Institutions</strong></td>
<td>29 Jan</td>
<td>5 pm-9 pm</td>
<td>EAA</td>
</tr>
<tr>
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<td>CLT 157</td>
</tr>
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<td><strong>02 Criminal Law</strong></td>
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<tr>
<td><strong>03 Torts</strong></td>
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<tr>
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</tr>
<tr>
<td><strong>04 Contracts</strong></td>
<td>29 Jan</td>
<td>5 pm-9 pm</td>
<td>CLT 157</td>
</tr>
<tr>
<td></td>
<td>30 Jan</td>
<td>8 am-noon</td>
<td>CLT 157</td>
</tr>
<tr>
<td><strong>05 Real Property</strong></td>
<td>30 Jan</td>
<td>noon-4 pm</td>
<td>EALT</td>
</tr>
<tr>
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</tr>
<tr>
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<td>4 pm-8 pm</td>
<td>EALT</td>
</tr>
<tr>
<td></td>
<td>31 Jan</td>
<td>4 pm-8 pm</td>
<td>EALT</td>
</tr>
<tr>
<td><strong>07 Equity</strong></td>
<td>29 Jan</td>
<td>5 pm-9 pm</td>
<td>CLT 273</td>
</tr>
<tr>
<td></td>
<td>30 Jan</td>
<td>8 am-noon</td>
<td>EALT</td>
</tr>
<tr>
<td><strong>08 Commercial Transactions</strong></td>
<td>30 Jan</td>
<td>noon-4 pm</td>
<td>CLT 375</td>
</tr>
<tr>
<td></td>
<td>31 Jan</td>
<td>8 am-noon</td>
<td>CLT 375</td>
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<td>CLT 375</td>
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<td>31 Jan</td>
<td>noon-4 pm</td>
<td>CLT 375</td>
</tr>
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<td><strong>10 Law of Associations</strong></td>
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<td>31 Jan</td>
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<td>CLT 375</td>
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<td><strong>11 Evidence</strong></td>
<td>30 Jan</td>
<td>noon-4 pm</td>
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<td>8 am-noon</td>
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<td>noon-4 pm</td>
<td>CLT 373</td>
</tr>
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<td>29 Jan</td>
<td>5 pm-9 pm</td>
<td>CLT 275</td>
</tr>
<tr>
<td></td>
<td>30 Jan</td>
<td>noon-4 pm</td>
<td>CLT 273</td>
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<td><strong>15 Practice and Procedure</strong></td>
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<td>CLT 173</td>
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<td>CLR 351</td>
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<td>CLR 350</td>
</tr>
<tr>
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<td>30 Jan</td>
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<td>31 Jan</td>
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<td>29 Jan</td>
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<td>4 pm-8 pm</td>
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<td>CLR 350</td>
</tr>
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<td>2 pm-4 pm</td>
<td>EASR 116</td>
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<td>noon-4 pm</td>
<td>EASR 116</td>
</tr>
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<td>EASR 312</td>
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</tbody>
</table>
A City Rd Entrance

B Parramatta Rd Entrance

1 Eastern Avenue Auditorium, Lecture Theatre and Seminar Rooms

2 Carslaw Lecture Theatres, Lecture Rooms and Tutorials Rooms

3 Chemistry Building

4 New Law School Building

Please note: The Old Law School Lecture Theatres are located in the University of Sydney Old Law School Building on the corner of King, Phillip and Elizabeth Streets, in the heart of the city.
## INDEX

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>accommodation</td>
<td>24</td>
</tr>
<tr>
<td>address, change of</td>
<td>16</td>
</tr>
<tr>
<td>assignment assessment</td>
<td>33-34</td>
</tr>
<tr>
<td>assignment submissions</td>
<td>31-32</td>
</tr>
<tr>
<td>assignments</td>
<td>30-34</td>
</tr>
<tr>
<td>calendar, LEC</td>
<td>5-6</td>
</tr>
<tr>
<td>competitions for law students</td>
<td>47</td>
</tr>
<tr>
<td>conduct</td>
<td>40</td>
</tr>
<tr>
<td>course materials</td>
<td>27, 35</td>
</tr>
<tr>
<td>curriculum</td>
<td>11</td>
</tr>
<tr>
<td>disabilities, students with</td>
<td>41</td>
</tr>
<tr>
<td>employment opportunities</td>
<td>48</td>
</tr>
<tr>
<td>enrolment</td>
<td></td>
</tr>
<tr>
<td>period</td>
<td>14</td>
</tr>
<tr>
<td>procedure</td>
<td>15</td>
</tr>
<tr>
<td>examinations</td>
<td></td>
</tr>
<tr>
<td>assessment</td>
<td>8</td>
</tr>
<tr>
<td>attendance</td>
<td>41</td>
</tr>
<tr>
<td>centres</td>
<td>45, 46</td>
</tr>
<tr>
<td>clash of examinations</td>
<td>42</td>
</tr>
<tr>
<td>handwriting legibility</td>
<td>42</td>
</tr>
<tr>
<td>identification</td>
<td>41</td>
</tr>
<tr>
<td>interviews</td>
<td>44</td>
</tr>
<tr>
<td>permitted materials in</td>
<td>42</td>
</tr>
<tr>
<td>past exam papers</td>
<td>38</td>
</tr>
<tr>
<td>prizes</td>
<td>43</td>
</tr>
<tr>
<td>results</td>
<td>43</td>
</tr>
<tr>
<td>scripts</td>
<td>44</td>
</tr>
<tr>
<td>times</td>
<td>41</td>
</tr>
<tr>
<td>timetable</td>
<td>45</td>
</tr>
<tr>
<td>withdrawal from</td>
<td>43</td>
</tr>
<tr>
<td>exclusion rules</td>
<td>12</td>
</tr>
<tr>
<td>exemption from tuition</td>
<td>13</td>
</tr>
<tr>
<td>fees</td>
<td></td>
</tr>
<tr>
<td>enrolment</td>
<td>14</td>
</tr>
<tr>
<td>examination</td>
<td>14</td>
</tr>
<tr>
<td>LPAB schedule of</td>
<td>17</td>
</tr>
<tr>
<td>refund of fees</td>
<td>17</td>
</tr>
<tr>
<td>forums</td>
<td>27-28</td>
</tr>
<tr>
<td>graduation</td>
<td>10</td>
</tr>
<tr>
<td>health and safety</td>
<td>49</td>
</tr>
<tr>
<td>introductory/ orientation day</td>
<td>24</td>
</tr>
<tr>
<td>lectures</td>
<td></td>
</tr>
<tr>
<td>language skills course</td>
<td>22</td>
</tr>
<tr>
<td>commencement</td>
<td>23</td>
</tr>
<tr>
<td>times</td>
<td>23</td>
</tr>
<tr>
<td>timetable</td>
<td>51-54</td>
</tr>
<tr>
<td>venues</td>
<td>24, 50, 55</td>
</tr>
<tr>
<td>legal research classes</td>
<td>39</td>
</tr>
<tr>
<td>legal skills</td>
<td>23</td>
</tr>
<tr>
<td>librarian</td>
<td>36</td>
</tr>
<tr>
<td>library</td>
<td></td>
</tr>
<tr>
<td>access</td>
<td>37</td>
</tr>
<tr>
<td>cards</td>
<td>16, 36</td>
</tr>
<tr>
<td>generally</td>
<td>36-39</td>
</tr>
<tr>
<td>lending</td>
<td>36, 37</td>
</tr>
<tr>
<td>location</td>
<td>36</td>
</tr>
<tr>
<td>opening hours</td>
<td>36</td>
</tr>
<tr>
<td>location</td>
<td></td>
</tr>
<tr>
<td>exam centres</td>
<td>45-46</td>
</tr>
<tr>
<td>main campus venues</td>
<td>55</td>
</tr>
<tr>
<td>master of laws</td>
<td>48</td>
</tr>
<tr>
<td>organisational chart</td>
<td>7</td>
</tr>
<tr>
<td>orientation</td>
<td>24</td>
</tr>
<tr>
<td>password</td>
<td>27</td>
</tr>
<tr>
<td>parking</td>
<td>25</td>
</tr>
<tr>
<td>plagiarism</td>
<td>16, 32-33, 40</td>
</tr>
<tr>
<td>practical legal training</td>
<td>48</td>
</tr>
<tr>
<td>progression rules</td>
<td>12-13</td>
</tr>
<tr>
<td>public transport</td>
<td>25</td>
</tr>
<tr>
<td>refreshments</td>
<td>24</td>
</tr>
<tr>
<td>registration</td>
<td>26</td>
</tr>
<tr>
<td>room codes</td>
<td>50</td>
</tr>
<tr>
<td>sequence of subjects</td>
<td>8-9</td>
</tr>
<tr>
<td>subject descriptions</td>
<td>19-22</td>
</tr>
<tr>
<td>subject guides</td>
<td>35</td>
</tr>
<tr>
<td>teachers</td>
<td>18</td>
</tr>
<tr>
<td>texts</td>
<td>35</td>
</tr>
<tr>
<td>timetable changes</td>
<td>23</td>
</tr>
<tr>
<td>timetables</td>
<td>50-54</td>
</tr>
<tr>
<td>tuition rules</td>
<td>13</td>
</tr>
<tr>
<td>tuition, private</td>
<td>49</td>
</tr>
<tr>
<td>tutorials (online)</td>
<td>28</td>
</tr>
<tr>
<td>unikey accounts</td>
<td>27</td>
</tr>
<tr>
<td>webcampus, Law Extension Committee</td>
<td>26-29</td>
</tr>
<tr>
<td>weekend schools</td>
<td>24, 50, 53-54</td>
</tr>
<tr>
<td>workload</td>
<td>8, 14</td>
</tr>
</tbody>
</table>