

The University of Auckland
Faculty of Law
Postgraduate Prospectus



Welcome from the dean

A postgraduate law degree from New Zealand's leading university*, whether in the field of corporate and commercial law, international law, human rights, environmental law, public law or litigation and dispute resolution, will be an important step in your career.

The University of Auckland Master of Laws (LLM) is for those pursuing a legal career, whether in New Zealand or elsewhere in the world. The Masters in Legal Studies (MLS) allows other professionals with appropriate backgrounds in areas such as planning, education, engineering and commerce to take law courses of relevance to their profession.

Our LLM courses are taught by our own faculty members, members of the Department of Commercial Law in the Faculty of Business and Economics, leading members of the profession and distinguished academic visitors from abroad.

The Davis Law Library ranks as a world-class research facility. Its collection of both online and print resources is unequalled within New Zealand. You will be able to access its many databases wherever and whenever you want to study. The depth and breadth of the collection provide an excellent foundation for your study.

We encourage you to join us in the postgraduate programme. You will find it challenging and rewarding. For those proposing to come from overseas, Auckland is a great place to live and study and you will make

life-long friends. The rest of New Zealand is an added attraction for you to explore in breaks in your programme.

We look forward to welcoming you to postgraduate study at Auckland.

**see www.auckland.ac.nz/leadinguniversity*



DR ANDREW STOCKLEY
Dean, Faculty of Law



PROFESSOR PETER WATTS
Associate Dean Postgraduate

Why choose postgraduate study in the Faculty of Law?

Advanced legal study

The postgraduate study of law is increasingly important as many fields come to require more focused expertise. The LLM programme allows students to specialise in areas to benefit both their employers and their own academic interests. The programme attracts a diverse mix of new graduates, experienced practitioners, partners and industry professionals, as well as international students from diverse jurisdictions, all of whom bring their differing perspectives to the classes.

World-class LLM

The postgraduate law programme offers a diverse range of traditional and cutting-edge courses, taught by leaders in their field. Practitioners need only walk up Shortland Street to attend courses taught by eminent academics from leading institutions in the UK (including in 2012: Oxford, Cambridge and University College London), Europe, North America and Asia alongside our leading academics from the Faculty of Law and the Department of Commercial Law.

Flexible learning

Our postgraduate programme has been structured to allow flexibility. We offer three options for study: full-semester, intensive-taught courses and a research programme. We do this because we understand that time constraints can be one of the biggest deterrents to further study – work pressures and the ability to commit to the time requirements of a university programme are important considerations.

Specialisations

Specialisation is optional, but you may elect to have your LLM or MLS degree awarded in Corporate and Commercial Law, Environmental Law, Human Rights Law, International Law, Litigation and Dispute Resolution or Public Law if you complete a minimum of 90 points of the 120 points for your degree in one of those areas. A specialisation can be indicated when applying to the programme.

Scholarships

The Faculty of Law offers a limited number of scholarships for masters and doctoral degrees. Students are also advised to investigate the wide range of scholarships and awards available to University of Auckland postgraduate students and discuss opportunities with their prospective supervisors.

For more information, contact the Scholarships Office:

Phone: +64 9 923 7494

Email: scholarships@auckland.ac.nz

Web: www.law.auckland.ac.nz/pgscholarships

Our postgraduate programmes

The Master of Laws (LLM)

The LLM is designed to provide an advanced level of study for both fulltime students and those who are legal practitioners or engaged in other full or part-time employment. You may concentrate your study in particular areas of specialisation or study a broad range of legal subjects.

The LLM by coursework offers law graduates an opportunity to study areas in greater depth and complexity than within a Bachelor of Laws (LLB) programme; combining a degree of sophistication or technical difficulty in terms of legal content with a substantial consideration of relevant interdisciplinary aspects of the subject matter and a focus on policy. Each course contains a significant research component.

Master of Legal Studies (MLS)

The MLS is primarily intended for graduates who do not have an undergraduate law degree but whose background and experience involve them in legal issues and dealing with legislation. Professionals who will particularly benefit include: accountants and auditors, architects and town planners, business development managers, compliance managers, engineers, IT professionals, police and those in the public sector. The MLS permits cross-disciplinary study in the form of one course from another University of Auckland faculty. The programme has a similar structure to the LLM, with the same specialisations.

Admission to the MLS, and the individual programme of each applicant, must be approved by the Associate Dean Postgraduate.

Postgraduate Certificate in Law (PGCertLaw)

The PGCertLaw is effectively half of an LLM or MLS. You may opt for this programme if you have a limited amount of time or you wish to do only a couple of particularly relevant courses for your employment.

For many students, the PGCertLaw acts as a stepping stone to the masters degrees. Students who achieve a B grade or higher in each course to the total of 60 points can apply to transfer to the LLM or MLS programmes on the condition that they meet all the other entry requirements.

Doctor of Philosophy (PhD)

The Doctor of Philosophy (PhD) in Law is a thesis-only research degree usually requiring fulltime study for three to four years at The University of Auckland. The degree is undertaken under supervision and candidates must complete a sustained course of research resulting in the production of a substantial original thesis. Candidates must have an LLB(Hons) degree, or a master's degree in Law with at least Second Class (First Division) honours, or the equivalent of one of these, and have demonstrated an ability to pursue a course of advanced independent research and study in law. The degree is governed by the general University PhD regulations.

Certificate of Proficiency (COP)

Members of the legal profession and others who wish to further their legal education by enrolling in a single course may do so when places are available. COP courses can be credited towards a masters degree in accordance with the regulations in the current *University Calendar*.

Audit

Auditing offers you the opportunity to attend a class without needing to complete any coursework or write assignments. You can attend class and take part in the discussions and when the class is complete, so is your commitment. If you would like to take part in a class without needing to enrol in a course or work towards a qualification, you may be eligible to apply to audit the course.

Programme structure at a glance

Key						
Programme	Compulsory course	Taught course	Research	Portfolio	Programme length	
Postgraduate programmes						
PGCertLaw	LAW 788	30 point Taught course	30 point Taught course			Completion in 1 semester fulltime or up to 2 years part-time
LLM/MLS by coursework	LAW 788	30 point Taught course	30 point Taught course	30 point Taught course	30 point Taught course or dissertation	Completion in 1 year fulltime or up to 4 years part-time
LLM/MLS by 90 point thesis	LAW 788	30 point Taught course or dissertation (LLM)	90 point Minor thesis (30,000 words)			Completion in 1 year fulltime or up to 2 years part-time
LLM by 120 point thesis	LAW 788	120 point Major thesis (40,000 words)				Completion in 1 year fulltime or up to 2 years part-time
LLM/MLS by 90 point thesis	LAW 788	30 point Taught course or dissertation	Audit paper (15,000 words)	Audit paper (15,000 words)	Bridging paper (5-8,000 words)	Completion in 1 year fulltime or up to 2 years part-time
LLM by 120 point thesis	LAW 788	Audit paper (15,000 words)	Audit paper (15,000 words)	Audit paper (15,000 words)	Bridging paper (5-8,000 words)	Completion in 1 year fulltime or up to 2 years part-time

Programme information

Research programmes

If you are interested in a research component to your programme, you should contact the Faculty of Law Postgraduate Student Adviser in the first instance.

LLM by major thesis

The LLM degree by major thesis requires completion of a research thesis of approximately 40,000 words (LAW 797) on a topic approved by the Postgraduate Committee. In addition to completion of the 120-point thesis, you must complete LAW 788 Legal Research Methodology in the first semester of enrolment. Approval to undertake the degree by major thesis normally requires a grade average of B+ or better in an LLB(Hons) degree.

LLM or MLS by minor thesis

The LLM and MLS degrees may be completed by one 30-point masters-level course or LAW 790 Dissertation (LLM only) and a 90-point thesis (LAW 796) of approximately 30,000 words on a topic approved by the Postgraduate Committee. In addition, LAW 788 Legal Research Methodology must be completed in the first semester of enrolment.

LLM or MLS by research portfolio

The LLM degree may be undertaken with a research portfolio as an alternative to a single thesis. There are two such options: a 90-point research portfolio option and a 120-point research portfolio option. The former comprises one 30-point masters-level course or LAW 790 Dissertation and a 90-point research portfolio. The portfolio involves the student auditing two postgraduate law courses and writing a 15,000-word research paper for each course, together with a paper of 5-8,000 words that links the other courses together. In addition, LAW 788 Legal Research Methodology must be completed in the first semester of enrolment. The 120-point research portfolio takes a similar pattern, but involves the auditing of three postgraduate courses (15,000-word papers in each, together with the bridging paper and LAW 788). For the MLS, only the 90-point option is available.

Dissertation (30 points)

You may include a 15,000-word dissertation (LAW 790 Dissertation) in lieu of one of the four 30-point courses in the taught LLM or MLS degree. The dissertation is an opportunity for research in an area of particular interest. You must first formulate a topic and, with assistance from the Postgraduate Student Adviser, find a suitable supervisor. Final approval is required from the Associate Dean Postgraduate before you can be enrolled.

Taught programmes

If you wish to undertake your programme by taught courses you have a choice of how to study.

Intensive courses

These courses are held throughout both semesters. They are taught predominantly by visiting guest lecturers from New Zealand and overseas. Most intensively taught classes are held over five days, usually Wednesday-Friday and the following Monday and Tuesday to allow a break over the weekend. All intensive courses are run from 9am-4.30pm.

You can enrol in both intensive and full-semester courses in the same semester as long as there are no timetable clashes.

Full-semester courses

Full-semester courses are held weekly over the 12-week semester. These courses are taught by staff from the Faculty of Law and the Department of Commercial Law.

You can enrol in both intensive and full-semester courses in the same semester as long as there are no timetable clashes.

Combine taught and research options

You can opt to enrol in three taught papers and one research dissertation.

Other study

You can complete up to 30 points at masters level in another department of the University or in a course from another university. Prior permission must be granted by the Associate Dean Postgraduate to have the course counted towards your law degree. The course fees may differ from that of your law course. If you are interested in completing a course outside the Faculty of Law, contact the Postgraduate Student Adviser in the first instance.

Studying Environmental Law in Berlin

The Faculty of Law gives LLM students the opportunity to participate in the Free University Berlin International University Programme. At the end of June 2012, Professor Klaus Bosselmann will teach an intensive course on Global Ecological Governance. The course can be credited towards the Faculty of Law's LLM or MLS. Interested students should email k.bosselmann@auckland.ac.nz

2012 Taught courses

Compulsory course

LAW 788

Legal Research Methodology

Lecturer: Stephanie Carr,
The University of Auckland

Dates: 22-24 February or 11-13 July

LAW 788 is a condition of enrolment in the LLM, MLS and PGCertLaw programmes. All students wishing to take these programmes must complete the requirements of LAW 788 in the first semester of their study. The course is divided into two sections:

- Day 1: Legal Research
- Days 2 and 3: Introduction to Common Law and Theory and Practice

On day 1 all students attend the morning session for the legal research aspect of the course. The afternoon session will provide all students new to study at The University of Auckland with practical information about undertaking research at the University. All students must attend Introduction to Common Law Theory and Practice on days 2 and 3 of the course with the exception of those with law qualifications from common law countries (for more information please visit our website www.law.auckland.ac.nz).

Semester 1

LAWCOMM 702

International Commercial Arbitration

Lecturer: David Williams QC,
The University of Auckland,
and Chester Brown, University of Sydney

Study mode: Intensive

Dates: 22-28 February

International Commercial Arbitration involves many facets of the law, including customary international law, the law of treaties, conflict of laws and contract law. This course introduces students to the basic elements of arbitration by means of an analysis of the New Zealand Arbitration Act 1996, which was based on the UNCITRAL Model Law on International Commercial Arbitration (1985). Legislation based on the Model Law has been adopted in over 40 countries. The rest of the course focuses on selected aspects of international commercial arbitration and investment treaty arbitration.

LAWCOMM 713 **Selected Aspects of Intellectual Property**

Lecturer: Paul Sumpter,
The University of Auckland
Study mode: Full Semester
Dates: 27 February-1 July, Thursdays 5-8pm

The law of IP covers trade marks, patents, copyright, designs, confidential information and some related areas. This course comprises teacher-led sessions on some of the fundamental issues in intellectual property law, together with a treatment of some current problem areas. Class presentations by each student then follow on the topic of IP law chosen and approved for their research paper.

LAWCOMM 730 **Special Topic: Company Meetings**

Lecturer: Leslie Kosmin QC, London
Study mode: Intensive
Dates: 7-13 March

This course provides a detailed study of the law relating to Company Meetings. It covers the current law, practice and procedure of both general meetings of shareholders and meetings of directors. Participants will obtain an understanding of the legal rights of shareholders and of directors in relation to their participation in such meetings.

LAWCOMM 732 **Special Topic: Tort Law**

Lecturer: Robert Stevens,
University College London
Study mode: Intensive
Dates: 11-17 April

A study of advanced topics in the law of torts, and in tort theory.

LAWCOMM 734 **Comparative Free Trade Agreements**

Lecturer: Jane Kelsey,
The University of Auckland
Study mode: Intensive
Dates: 2-8 May

Free trade agreements (FTAs) have now superseded the World Trade Organisation in their scope, scale and ambition. This phenomenon is marked by intense competition amongst key players, and by controversy, as national and international constituencies see FTAs dominating over considerations such as environmental, human and indigenous rights or domestic policy choices in areas like health care, foreign investment or consumer protection. This course examines the relationship between the multilateral and bilateral; the dynamics and models promoted by the US, EU and South-South agreements; the web of existing and prospective

agreements involving the New Zealand government; and the particular issues and challenges relating to the trans-Pacific Partnership Agreement.

LAWCOMM 735 **Special Topic: Aspects of the Law of Personal Property**

Lecturer: David Fox, Cambridge University
Study mode: Intensive
Dates: 28 March-3 April

This course provides a connected view of the way that interests in personal property are created, alienated and enforced. It develops a unified view that cuts across the traditional law and equity divide. It concentrates particularly on the distinctive place of money as a variety of personal property.

LAWCOMM 738 **Special Topic: Comparative Family and Small Business Taxation**

Lecturer: Glen Loutzenhiser, Oxford University
Study mode: Intensive
Dates: 14-20 March

This course examines the taxation of families and small businesses from a policy and comparative law perspective. This course considers the options for and merits of support for families and small businesses. The legislative and judicial approaches taken in various jurisdictions to family and small business tax issues will also be studied, including the choice of the individual as the tax unit, income-splitting within the family and the significance of the different legal forms that small businesses take.

LAWCOMM 745 **Public Law in a Commercial Context**

Lecturer: Mai Chen, Solicitor, Wellington,
and Department of Commercial Law,
The University of Auckland
Study mode: Intensive
Dates: 18-24 April

In problem solving, businesses often reach for conventional private law tools, including litigation. This course focuses on the public law tools that businesses can use to solve problems with other companies, and with government law-making and regulation.

Government is 40% of the economy, and the course teaches how to use public law tools to maximise opportunities for business and to minimise government and regulatory risk. The range of tools taught includes the Official Information Act, the Ombudsmen, the Office of the Auditor-General, the Commerce Commission, human rights protection, the Privacy Commissioner, the Māori law toolbox, international law, tools in Parliament and in lobbying.

LAWCOMM 758 **Franchising**

Lecturer: Gehan Gunasekara, Department of
Commercial Law, The University of Auckland
Study mode: Intensive
Dates: 6-12 June

This course analyses the regulation of franchising, as an innovative business structure, from a comparative perspective. Students are exposed to the tension and trends that underlie several areas of commercial law when applied to the circumstances of business format franchising. Particular attention is given to the developments in the regulatory scheme for business format franchising in Australia, which are contrasted with the treatment of franchising in New Zealand.

LAWCOMM 763 **Sports Law**

Lecturer: Paul David, Barrister, Auckland
Study mode: Intensive
Dates: 9-15 May

This course addresses legal issues relating to the organisation of sports nationally and internationally, the application of particular aspects of contract law to sport, rights of players to compete and work, criminal liability, selection disputes, disciplinary matters, anti-doping violations, field-of-play disputes and dispute resolution generally, in particular the development of national and international tribunals such as the New Zealand Sports Tribunal and the Court of Arbitration for Sport.

LAWENVIR 710 **International Environmental Law**

Lecturer: Klaus Bosselmann,
The University of Auckland
Study mode: Intensive
Dates: 16-22 May

The course critically examines the theory and practice of international environmental law. Areas of study include globalization, the UN system, climate change and biological diversity. Taking a sustainability perspective, the course identifies new methodologies and strategies for more effective global governance.

LAWENVIR 721 **Special Topic: Ocean Governance Law**

Lecturer: David Vanderzwaag,
Dalhousie University
Study mode: Intensive
Dates: 29 February-6 March

This course provides a detailed consideration of the 1982 Law of the Sea Convention and surveys the array of international agreements and soft law documents governing human uses of the oceans. Special emphasis will be placed on the global quest for principled ocean

governance and the implementation of ecosystem and precautionary approaches.

LAWPUBL 705 **Criminal Law and Policy**

Lecturer: Warren Brookbanks,
The University of Auckland
Study mode: Full Semester
Dates: 27 February-1 June, Tuesdays 5-8pm

This course examines selected problems in the substantive criminal law and procedure. This will include case law developments in relation to selected criminal defences and topical issues in criminal procedure, including the Criminal Procedure (Reform and Modernisation) Bill 2010. Other issues covered include criminal omissions, unfitness to stand trial, manslaughter and developments in neuroscience and law.

LAWPUBL 707 **Employment Law**

Lecturer: Bill Hodge,
The University of Auckland
Study mode: Full semester
Dates: 27 February-1 June, Wednesdays 5-8pm

This course covers selected topics in employment law, including aspects of the Employment Relations Act 2000, protection of "vulnerable" or specified employees in Part 6A, good faith bargaining in the United States and Canada, and the development of individual employment rights. The 2010 and 2011 Amendments, including the "90-day Trial period", the "Hobbit" amendment to s 6 and the new test of justification in s 103A are also covered.

LAWPUBL 732 **Comparative Indigenous Peoples and the Law**

Lecturer: Nin Tomas,
The University of Auckland
Study mode: Part semester
Dates: 9 February-29 March,
Thursdays 11am-3pm

This is an innovative international and comparative-based course, which focuses on contemporary developments in indigenous peoples and the law around the world. Lecturers and students participate from Australia, Canada, the United States and New Zealand in a global classroom linked by videoconference. The course is taught by *in situ* experts from the four different countries. It covers constitutional and human rights developments in land, water, intellectual property and other areas that significantly impact indigenous peoples. There are eight two-hour videoconference linkups, with one hour set aside for local discussion before and after each session.

LAWPUBL 753 **Class Actions, Multiparty and Complex Litigation**

Lecturer: Peter Cashman, University of Sydney
Study mode: Intensive
Dates: 13-19 June

This course examines procedures for the resolution of civil litigation involving or affecting substantial numbers of people. This includes an examination of the strengths and limitations of the representative action rule, statutory class action procedures and other mechanisms for the resolution of mass claims, including under bankruptcy law. The Australian experience with statutory class actions will be examined in detail, with comparative reference to procedures in other jurisdictions including the United States, Canada, and England and Wales. Areas examined include product liability, shareholder actions and litigation arising out of unlawful business practices, including price fixing. There will also be an examination of recent proposals for the introduction of class actions in New Zealand.

Semester 2

LAWCOMM 705 **Commercial Leases**

Lecturer: David Grinlinton,
The University of Auckland
Study mode: Full Semester
Dates: 16 July-19 October, Tuesdays 5-8pm

This course examines and analyses the obligations, rights and powers of parties in the context of modern commercial leases. Commonly used standard forms of lease are critically examined. The effects of the Property Law Act 2007 and its interrelationship with the Land Transfer Act 1952 will also be considered.

LAWCOMM 706 **Competition Law and Policy**

Lecturer: Chris Noonan, Department of
Commercial Law, The University of Auckland
Study mode: Full Semester
Dates: 16 July-19 October, Thursdays 5-8pm

This course covers the main substantive laws relating to competition law, including: market definition and market power; price fixing and other agreements that substantially lessen competition; criminalisation of cartel conduct; taking advantage of market power; and control of business acquisitions. The emphasis is placed predominantly on New Zealand and Australian competition law, but the antitrust laws of the USA and competition laws of other jurisdictions are also referred to by way of comparison.

LAWCOMM 709 **Corporate Governance**

Lecturer: John Farrar, Bond University, and
The University of Auckland
Study mode: Intensive
Dates: 22-28 August

This course covers topics in corporate governance, including legal and self-regulation, directors' duties, shareholder remedies and the roles of gatekeepers, enforcement mechanisms and a comparison of New Zealand and Australian corporate governance.

LAWCOMM 712 **Insolvency**

Lecturer: Mike Josling, Department of
Commercial Law, The University of Auckland
Study mode: Full semester
Dates: 16 July-19 October, Mondays 5-8pm

This course addresses selected issues in personal and corporate insolvency law. Particular attention is given to recent reforms, and to issues that have obtained prominence, such as debtor's proposals; regulation of practitioners; the phoenix company legislation; the no-asset model; the changes to voidable preference legislation; and consumer insolvency. The background to, and structure of, the voluntary administration regime are highlighted and issues, legal and practical, that have arisen in New Zealand, and under Australia's equivalent scheme, are considered. Also covered are New Zealand's other statutory rescue schemes, including the Companies Act 1993, Parts 14 and 15.

LAWCOMM 726 **Restitution in Commercial Contexts**

Lecturer: Jeff Berryman, University of Windsor,
and The University of Auckland
Study mode: Intensive
Dates: 25-31 July

This course explores the theoretical and constituent elements of restitution. The course will also examine in detail a number of discrete causes of action and explore the relationship with the other primary areas of private obligation.

LAWCOMM 733 **Comparative Corporate Governance**

Lecturer: Randall Thomas, Vanderbilt
University and Susan Watson, Department of
Commercial Law, The University of Auckland
Study mode: Intensive
Dates: 1-7 August

This course examines recent trends in comparative corporate governance and discusses fundamental differences in structure, and the interplay of governance techniques, in a variety of different jurisdictions. Different approaches to fundamental issues in corporate

governance are explored, on topics such as: board structure; directors' duties; disclosure; fairness between shareholders; the role of institutional investors; the role of employees; executive remuneration; and takeovers.

LAWCOMM 754

Copyright Law

Lecturer: Alex Sims and Rob Batty, Department of Commercial Law, The University of Auckland
Study mode: Full semester

Dates: 16 July-19 October, Wednesdays 5-8pm

This course is a detailed examination of copyright law and neighbouring rights such as moral rights, performers' rights and rights relating to sound recordings and films. It also explores the history of copyright and the international conventions and treaties that shape and influence copyright.

LAWENVIR 723

Climate Change Law

Lecturer: Sandford Gaines, University of New Mexico

Study mode: Intensive

Dates: 5-11 September

This course explores the interconnected law, science and governance issues that arise in addressing climate change at international, national and local levels. A broad overview of many different dimensions of climate change is given, including: the international law context (sustainable development, human rights and developed/developing country differentiation); strategies for mitigation, such as emissions trading; energy policy and the energy-climate connection; and the emerging focus on adaptation as an international challenge. Discussion will address not only legal and regulatory principles and tools, but also elements of science, economic analysis, technology innovation and the ever-present politics of climate change. Course materials will incorporate outcomes of the November 2011 Durban Conference of the Parties to the UN climate change convention.

LAWENVIR 735

Special Topic: Comparative Water Law

Lecturer: Lee Godden, The University of Melbourne

Study mode: Intensive

Dates: 10-16 October

This course examines legal and institutional models that govern water in modern democracies. Adopting a thematic approach, coverage includes: transnational, federal and regional governance; water quality and environmental protection; water security, privatisation and deregulation; urban water management; and indigenous and customary

rights. The course analyses comparative water laws from Australia, western USA, South Africa, the European Union and New Zealand.

LAWGENRL 712

Therapeutic Jurisprudence

Lecturer: Warren Brookbanks, The University of Auckland

Study mode: Intensive

Dates: 19-25 September

Therapeutic jurisprudence is the study of the role of the law as a therapeutic agent. It is concerned with the impact of the law on emotional life and psychological wellbeing. The course investigates various theories underlying the concept of therapeutic jurisprudence and its potential impact on specified areas of legal practice. A particular focus of the course will be on the impact of therapeutic jurisprudence on the emergence of problem-solving courts.

LAWPUBL 720

Local Government Law

Lecturer: Ken Palmer, The University of Auckland

Study mode: Intensive

Dates: 8-14 August

This course focuses on local authority law in New Zealand. Consideration is given to: the history and reform of local government and the Auckland Council structure; the purposes and powers of local government; elections; council administration; meetings and official information; employment and procurement contracts; civil liability; rating; and bylaws.

LAWPUBL 742

Fundamental Principles of Criminal Liability

Lecturer: Andrew Simester, National University of Singapore

Study mode: Intensive

Dates: 4-10 July

This course provides a critical analysis of the deeper principles underlying the criminal law. The course covers: principles of criminalisation, concerning when to create and extend crimes; principles governing the responsibility of potential defendants when serious harms occur; and principles of culpability, including negligence and strict liability.

LAWPUBL 743

International Criminal Law

Lecturer: Tim McCormack, University of Melbourne

Study mode: Intensive

Dates: 27 June-3 July

The course examines the development of a global justice system through the proliferation

of international criminal courts and tribunals. It covers the definitions of the core international crimes of genocide, crimes against humanity and war crimes and particularly focus on the jurisdiction and current caseload of the International Criminal Court. The course will critique Australian and New Zealand approaches to the national implementation of International Criminal Law.

LAWPUBL 754

Special Topic: Proportionality in Human Rights

Lecturer: Grant Huscroft, University of Western Ontario

Study mode: Intensive

Dates: 18-24 July

This course covers the use of the concept of proportionality in evaluating the justification for limits on rights protected by bills of rights. Consideration is given to case law and legal theory from Canada, the United Kingdom, New Zealand and the European Court of Human Rights.

LAWPUBL 755

Special Topic: International and Comparative Labour Law

Lecturer: Tonia Novitz, Bristol University

Study mode: Intensive

Dates: 15-21 August

This course is intended to provide students with an understanding of international and comparative labour law. Consideration is given to the extent to which useful comparisons can be made between very different national industrial relations systems, bearing in mind the effects of global trade and interdependence of labour markets. In this context, consideration is given to how international institutions, instruments and supervisory mechanisms can regulate labour standards.

LAWPUBL 756

Crown and State Liability

Lecturer: Janet McLean, The University of Auckland

Study mode: Intensive

Dates: 29 August-4 September

This course considers the remedies that are and should be available against the state or Crown. The Crown Proceedings Act 1950 was one attempt to resolve these issues, but it left both conceptual and practical anomalies. How has judicial review developed, here and in other parts of the Commonwealth, in order to resolve such anomalies? What is the potential impact of the Bill of Rights Act 1990? Consideration is also given to the analytical difficulties in the field and possibilities for reform.

Courses offered in specialisations for 2012

Corporate and Commercial Law

- LAWCOMM 702, 705, 706, 709, 712, 713, 726, 730, 732, 733, 734, 735, 745, 754, 758, 763, LAW PUBL 707, 753, 755
- LAW 790 Dissertation
- LAW 796 Thesis 1
- LAW 797 Thesis 2 (LLM only)
- LAW 794 Research Portfolio 1
- LAW 798 Research Portfolio 2 (LLM only)

Environmental Law

- LAWENVIR 710, 721, 723, 735
- LAW 790 Dissertation
- LAW 796 Thesis 1
- LAW 797 Thesis 2 (LLM only)
- LAW 794 Research Portfolio 1
- LAW 798 Research Portfolio 2 (LLM only)

Litigation and Dispute Resolution

- LAWCOMM 702, LAW PUBL 75
- LAW 790 Dissertation
- LAW 796 Thesis 1
- LAW 797 Thesis 2 (LLM only)
- LAW 794 Research Portfolio 1
- LAW 798 Research Portfolio 2 (LLM only)

Human Rights Law

- LAW PUBL 732, 743, 754, LAWGENRL 712
- LAW 790 Dissertation
- LAW 796 Thesis 1
- LAW 797 Thesis 2 (LLM only)
- LAW 794 Research Portfolio 1
- LAW 798 Research Portfolio 2 (LLM only)

International Law

- LAWCOMM 733, 734, LAWENVIR 710, 721, 723, 735, LAW PUBL 732, 743, 755, LAWGENRL 712
- LAW 790 Dissertation
- LAW 796 Thesis 1
- LAW 797 Thesis 2 (LLM only)
- LAW 794 Research Portfolio 1
- LAW 798 Research Portfolio 2 (LLM only)

Public Law

- LAWCOMM 706, 745, LAW PUBL 705, 707, 720, 732, 742, 743, 754, 755, 756, LAWGENRL 712
- LAW 790 Dissertation
- LAW 796 Thesis 1
- LAW 797 Thesis 2 (LLM only)
- LAW 794 Research Portfolio 1
- LAW 798 Research Portfolio 2 (LLM only)



2012 Postgraduate law courses

Semester 1 – Compulsory course

LAW 788	Legal Research Methodology	22-24 Feb
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Semester 1 – Intensive courses

LAWCOMM 702	International Commercial Arbitration	22-28 Feb
LAWENVIR 721	ST: Ocean Governance Law	29 Feb-6 Mar
LAWCOMM 730	ST: Company Meetings	7-13 Mar
LAWCOMM 738	ST: Comparative Family and Small Business Taxation	14-20 Mar
LAWCOMM 735	ST: Aspects of the Law of Personal Property	28 Mar-3 Apr
LAWCOMM 732	ST: Tort Law	11-17 Apr
LAWCOMM 745	Public Law in a Commercial Context	18-24 Apr
LAWCOMM 734	Comparative Free Trade Agreements	2-8 May
LAWCOMM 763	Sports Law	9-15 May
LAWENVIR 710	International Environmental Law	16-22 May
LAWCOMM 758	Franchising	6-12 Jun
LAWPUBL 753	Class Actions, Multiparty and Complex Litigation	13-19 Jun

Semester 1 – Full-semester courses (starting week of 27 February)

LAWPUBL 705	Criminal Law and Policy	Tuesday 5-8pm
LAWPUBL 707	Employment Law	Wednesday 5-8pm
LAWCOMM 713	Selected Aspects of Intellectual Property	Thursday 5-8pm

Part-semester course (starting 9 February)

LAWPUBL 732	Comparative Indigenous Peoples and the Law	Thursday 11am-3pm
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Semester 2 – Compulsory course

LAW 788	Legal Research Methodology	11-13 Jul
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Semester 2 - Intensive courses

LAWPUBL 743	International Criminal Law	27 Jun-3 Jul
LAWPUBL 742	Fundamental Principles of Criminal Liability	4-10 Jul
LAWPUBL 754	ST: Proportionality in Human Rights	18-24 Jul
LAWCOMM 726	Restitution in Commercial Contexts	25-31 Jul
LAWCOMM 733	Comparative Corporate Governance	1-7 Aug
LAWPUBL 720	Local Government Law	8-14 Aug
LAWPUBL 755	ST: International and Comparative Labour Law	15-21 Aug
LAWCOMM 709	Corporate Governance	22-28 Aug
LAWPUBL 756	Crown and State Liability	29 Aug-4 Sep
LAWENVIR 723	Climate Change Law	5-11 Sept
LAWGENRL 712	Therapeutic Jurisprudence	19-25 Sept
LAWENVIR 735	ST: Comparative Water Law	10-16 Oct

Semester 2 – Full-semester courses (starting week of 16 July)

LAWCOMM 712	Insolvency	Monday 5-8pm
LAWCOMM 705	Commercial Leases	Tuesday 5-8pm
LAWCOMM 754	Copyright Law	Wednesday 5-8pm
LAWCOMM 706	Competition Law and Policy	Thursday 5-8pm

ST = Special topic.



Admission and how to apply

Admission requirements

It is recommended that you consult the Faculty of Law Postgraduate Student Adviser to discuss your proposed programme of study prior to making a formal application to The University of Auckland. This will help you ascertain whether your previous study qualifies you for entry and familiarise you with the specific requirements and regulations for that programme. Specific admission requirements can be found in the University Calendar: www.auckland.ac.nz/calendar

English language requirements

A high level of English language proficiency is needed for the successful study of postgraduate law at The University of Auckland. All international students are therefore required to provide evidence of their English language competency. For some students, evidence of previous tertiary study in an English medium will be sufficient. Completion of the German FFA programme will also be sufficient to demonstrate English language proficiency. If you do not qualify for an exemption you will have to demonstrate your English language competency by sitting either IELTS or TOEFL.

The required standards for entry to postgraduate study in law are:

- TOEFL (internet-based) 100 (writing 24)
- IELTS (academic) 7.00 (all bands 6.5 or better)
- TOEFL (paper-based) 600 (TWE 5.0)
- Vitnemal English level 4 pass for Norwegian students (subject to DELNA assessment: www.delna.auckland.ac.nz).

How to apply

If you have not been enrolled at The University of Auckland in previous years you will need to apply for admission online. Your application will be acknowledged by letter or email, asking you to provide specific certified documents (and in some cases to complete other requirements) before your application can be assessed. The letter or email will also tell you how to complete the next steps.

If you were enrolled at The University of Auckland in the semester prior to beginning your postgraduate programme you can apply by making an Add/Change Programme request using Student Services Online. Returning students who were not enrolled at The University of Auckland in the semester prior to their postgraduate application will need to complete an online application. To be guided through the General Admission process, please contact the Graduate Centre for assistance.

Phone: +64 9 923 6899

Email: postgradinfo@auckland.ac.nz

Web: www.postgrad.auckland.ac.nz

International student admission

The International Office is available to assist with all international applications. You can apply online at www.auckland.ac.nz, but for help at any stage contact the International Office.

Phone: +64 9 373 7513

Email: international@auckland.ac.nz

Web: www.auckland.ac.nz/international

PhD applications

Applications for the PhD programme should be directed to the Faculty of Law Postgraduate Student Adviser. You will be supplied with all the information required to lodge an application. For more information please see the faculty website: www.law.auckland.ac.nz

Fees

Fees for 2012 will be set towards the end of 2011.

As an indication, the 2011 annual tuition fees for a law postgraduate programme were approximately \$8,500 for domestic students (approximately \$26,500 for international students). These amounts are based on a standard fulltime enrolment.

The 2011 annual tuition fees for a PhD are \$5,100. New international PhD students usually pay the same tuition fees as New Zealand students.

There is also a student services fee (\$580.80 in 2011) and a building levy (\$79.20 in 2011). If you are in less than a standard fulltime enrolment you will pay proportionately lower fees.

Visit www.auckland.ac.nz/fees for more information.

Withdrawal and deletion policy

You can delete full-semester courses, without penalty, on Student Services Online up until the end of the second week of each semester. Intensive courses must be deleted 10 days prior to the start of class. There are no refunds for withdrawals after that date, and a "Withdrawal" will appear on your academic record. This will count as a zero towards your grade point average calculation. No withdrawals are permitted in the last three weeks before the course assignment is due; after that date, non-completion will result in an entry of "Did Not Complete" on the record.

Disclaimer: Although every reasonable effort is made to ensure accuracy, the information in this document is provided as a general guide only for students and is subject to alteration. All students enrolling at The University of Auckland must consult its official document, the current Calendar of The University of Auckland, to ensure that they are aware of and comply with all regulations, requirements and policies.



**THE UNIVERSITY
OF AUCKLAND**
FACULTY OF LAW

NEW ZEALAND CITIZENS OR PERMANENT RESIDENTS

Contact:

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0800 61 62 65

Phone: +64 9 373 7599 ext 82123

Txt: 5533, **Fax:** +64 9 373 7659

Email: postgradlaw@auckland.ac.nz (general enquiries)

j.tannion@auckland.ac.nz (specific enquiries)

Web: www.law.auckland.ac.nz

INTERNATIONAL STUDENTS

Contact:

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The University of Auckland
Private Bag 92019, Auckland 1142
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j.tannion@auckland.ac.nz (specific enquiries)

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