

LAWS 5005 CONSTRUCTION LAW

Credit Points 10

Coordinator Dominic Maley ([https://directory.westernsydney.edu.au/search/name/Dominic Maley/](https://directory.westernsydney.edu.au/search/name/Dominic%20Maley/))

Description This subject introduces students to the foundational legal and technical concepts required to understand the specialised area of construction law practice. Students will examine the key issues, concepts and topics that are specific to construction law from project preparation, through to contract formation, regulation, procurement methodologies, and finally to dispute avoidance and management. Students will engage with construction practitioners to enhance their learning experiences in this subject.

School Law

Discipline Business and Commercial Law

Student Contribution Band HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Postgraduate Coursework Level 5 subject

Restrictions

Must be enrolled in a Post Graduate program.

Learning Outcomes

1. Analyse key legal information, concepts and theories used on construction projects.
2. Examine key technical principles relevant to the drafting of construction contracts.
3. Utilise an evidence-based approach to explore key contractual processes and administrative challenges typical of a construction contract.
4. Communicate practical, well-informed solutions to emerging legal issues relevant to construction contracts.
5. Engage in independent investigations to enhance personal and professional development.
6. Collaborate with key stakeholders in response to legal issues in construction projects.

Subject Content

1. Introduction. Understanding the law: contracts and torts.
2. Interpreting Construction Contracts and Incorporating terms.
3. Regulation of the construction industry.
4. Participants in the construction industry.
5. Construction contracts: types and methodologies.
6. Security of performance
7. Contract administration.
8. Time, delay and liquidated damages.
9. Completion and Defects.
10. Dispute avoidance, management and resolution.

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are

regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/Group Task
Presentation	10 minutes	20	N	Individual
Professional Task	1000 words	40	N	Individual
Case Study	1500 words	40	N	Individual

Prescribed Texts

- Bailey, Ian, *Construction Law in Australia* (4th ed, Thomson Reuters, 2018).

Teaching Periods

Spring (2022)

Parramatta - Victoria Rd

Composite

Subject Contact Christopher Maley ([https://directory.westernsydney.edu.au/search/name/Christopher Maley/](https://directory.westernsydney.edu.au/search/name/Christopher%20Maley/))

View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS5005_22-SPR_PS_C#subjects)

Summer (2022)

Parramatta - Victoria Rd

Hybrid

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View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS5005_22-SUM_PS_3#subjects)

Autumn (2023)

Parramatta City - Macquarie St

Hybrid

Subject Contact John Juriansz ([https://directory.westernsydney.edu.au/search/name/John Juriansz/](https://directory.westernsydney.edu.au/search/name/John%20Juriansz/))

View timetable (https://classregistration.westernsydney.edu.au/odd/timetable/?subject_code=LAWS5005_23-AUT_PC_3#subjects)

Spring (2023)

Parramatta - Victoria Rd

Hybrid

Subject Contact Christopher Maley ([https://directory.westernsydney.edu.au/search/name/Christopher Maley/](https://directory.westernsydney.edu.au/search/name/Christopher%20Maley/))

View timetable (https://classregistration.westernsydney.edu.au/odd/timetable/?subject_code=LAWS5005_23-SPR_PS_3#subjects)

Summer (2023)

Parramatta - Victoria Rd

Hybrid

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