



DISTANCE EDUCATION LAW COURSE 2009

AUSTRALIA'S INNOVATIVE UNIVERSITY

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Macquarie University

Distance Education Law Course in 2009

Selection to Bachelor of Laws (LLB) Course

Admission to the distance education Law course in 2009 will be open to applicants who are at least 21 years of age as at 1 March 2009. Selection will be based on academic merit.

Principal Dates

Closing date for applications for 2009	30 September 2008
Distance Education Round of Offers	30 October 2008 (Distance Round)
Enrolment due for Distance Education Offers	Early January 2009
Second Round of Offers	21 January 2009 (Main Round)
Enrolment due for Second Round Offers	Early February 2009
First Dispatch of Course Material	Late February 2009
First half year 2009 Mid-year exams	23 February – 26 June 2009 10 June – 26 June 2009
Second half year 2009 End of year exams	3 August – 7 December 2009 18 November – 4 December 2009

Admission and Enrolment

Admission: how to apply

All applicants for admission in 2009 to the Distance Education Law degree (LLB) through Macquarie must be lodged with the **Universities Admissions Centre** via the UAC website. For 2009 admission, this date is **Tuesday 30 September 2008**.

UAC web address: <http://www.uac.edu.au>

- click on **Undergraduate** and follow the prompts

Note well: No applications for this course are accepted after the 30 September 2008 closing date.

For those wanting a copy of the 2009 *UAC Guide* this can be purchased from August 2008 at:

- major newsagencies across NSW and ACT
- the UAC office located at Quad 2, 8 Parkview Drive, Homebush Bay, NSW 2127

PLEASE NOTE - to be eligible to apply for this program:

You must either hold an **Australian Permanent Resident Visa** or be an **Australian Citizen**

and

You must also be residing within Australia during the University's semester periods. Course materials will not be sent to overseas locations.

Admission Requirements - Selection for Admission New Students

For admission in 2009, applicants should note that:

- i. they must be at least 21 years of age as at 1 March 2009, *and*
- ii. selection will be based on academic merit.

Students previously enrolled in the Bachelor of Legal Studies (BLegS)

BLegS students who were previously enrolled in the Bachelor of Legal Studies at Macquarie University will be offered enrolment in the LLB.

Incomplete BLegS

Macquarie students returning after an absence, who are eligible to re-enrol in the Bachelor of Legal Studies (BLegS) will be given the opportunity to enrol in the Bachelor of Laws and complete the extra credit points for the LLB requirements.

BLegS graduates

Macquarie Bachelor of Legal Studies graduates who have had the BLegS awarded may enrol to complete further credit points in Law in order to qualify for the LLB. Students who complete the requirements for the LLB and have previously had the BLegS awarded will be required to surrender the degree of BLegS in order to have the LLB conferred.

Exemptions

A student who has been granted some Credit for Previous Studies may be exempted from taking certain units towards a degree at Macquarie if they have passed similar units at another institution. The units that the student cannot take at Macquarie are called **exemptions**.

Credit for Previous Studies towards the LLB degree

To be eligible for credit for previous studies in Law, students must have completed some previous studies in a Faculty or School of Law at an accredited Australian university or at another recognised tertiary institution. Applicants who have studied at an institution other than an Australian tertiary institution may be required to submit details from handbooks of syllabuses of law courses studied and are advised to begin assembling this information as soon as possible.

These studies must constitute **part of a Law degree which is recognised as the academic basis of a professional legal qualification**. In exceptional circumstances limited credit for previous studies in Law may be granted for a unit in an Australian university not covered by the above definition, but which entails study of substantially the same subject matter at the same or greater depth as the unit for which credit for previous studies is sought (e.g. postgraduate study of

legal subject matter in a specialist area).

Please note that **no** credit for previous studies is given for paralegal studies.

To apply for credit for previous studies (CPS) in Law, obtain a Distance Student CPS request slip from the Macquarie website - www.student.mq.edu.au/enrol, then complete and lodge it with the University as directed on the slip.

Acceptance of Offer of Enrolment

UAC notifies applicants regarding offers of places in the B Laws (Distance Education on 30 October 2008. Where applicants are sitting for examinations in late 2008 it will not be possible to determine whether an offer can be made until the 2008 results are available.

Students accepting the offer will be sent an enrolment materials including the enrolment form which you must complete and return as per instructed in the information.

Deferment of Offer of Enrolment

If you are offered a place in the LLB course for 2009 you may seek deferment of enrolment until the start of Academic Year 2010. Deferments will be granted on request to those who have been accepted for enrolment, such deferments will lapse if there is any intervening tertiary study.

If you are offered enrolment and wish to seek a deferment you should write a letter to the Coursework Studies Section, Macquarie University, NSW 2109, formally requesting a deferment and indicating what you expect to be doing in 2009. This should reach the Coursework Studies Section on or before the census date of the first semester, i.e. 31 March 2009.

If you are granted a deferment of enrolment and subsequently enrol at another tertiary institution, the deferment will lapse. An application for admission would then have to be made in the normal manner and would be considered in the light of all studies undertaken and the places available at that time.

Non-Award Applications

The Division of Law will consider **Non-award** applications from suitably qualified persons. The Dean of Division will determine whether an applicant has a sufficient academic background to handle the work of that unit. Application forms for non-award study are available from the Centre for Open Education on telephone (02) 9850 7470, or fax (02) 9850 7480 or e-mail coe@mq.edu.au.

Non-award enrolment is on a tuition fee basis – fees for 2008 for enrolment in most single law units are \$480 per credit point (therefore, a 200-level law subject with a 3 credit point value would cost \$1,440),

together with a \$60 application fee.

Course Information

The degree of Bachelor of Laws (LLB) by Distance Education Law course is acceptable as a qualification for the practice of Law in Australia.

Requirements for the LLB degree

The requirements for the LLB degree are contained in the Bachelor Degree Rules which are set out in full in the University *Undergraduate Handbook*. To qualify for the award of Bachelor of Laws a student must obtain an aggregate of at least **74** credit points in units with a Law prefix including such units as are specifically prescribed for the award of this degree.

The following prescribed Law units **must** be completed by students commencing LLB in 2009:

LAW 114	Jurisprudence
LAW 115	Foundations of Law
LAW 203	Torts
LAW 204	Contracts
LAW 208	Law, Lawyers and Society
LAW 209	Criminal Law and Procedure
LAW 314	Constitutional Law and Administration I
LAW 315	Constitutional Law and Administration II
LAW 316	Property in Law and Equity I
LAW 317	Property in Law and Equity II
LAW 405	Remedies
LAW 406	Business Organisations
LAW 500	Litigation

Program of Study for LLB

The course is available only to students studying part-time by distance education methods. Students permitted to enter the distance education Law course will also be expected to attend on-campus sessions of two to three days per half-year for each unit undertaken. **Exemption from attendance at these on-campus sessions will not be granted.**

The course requires about six years to complete. A wide range of optional units is available at 400 and 500 level, and students may choose their units according to the sort of legal work they might later pursue.

Units of Study and Credit Points

An essential feature of the Macquarie system is the provision of units of differing length and workload, rather than all being fixed year-long subject units; many Macquarie units are of half-year length. Each unit carries a credit point value related to its workload, and progress to graduation is measured in terms of accumulated credit points.

On satisfactory completion of a unit, a student gains the number of credit points allocated for the unit and is also awarded a grade to represent the student's level of achievement in the unit. Passing grades are HD, D, Cr, P or PC (of which grade HD is the highest and grade PC the lowest). A grade of 'P' or better is required for all compulsory units.

Study by Distance Education

Distance education teaching involves the use of reading courses and study guides, compact discs and, increasingly, Web-based components are included. Students therefore should have access to a CD player, and it is also advised that access to the Internet is desirable.

Students submit regular written assignments, and attend compulsory on-campus sessions, which are **usually held during the April and September University vacations (including weekdays)**, but may also be run during weekends in term time.

Students undertaking distance education studies must be resident in Australia and must be able to make arrangements satisfactory to the University for:

- the transmission of study guides, assignments and other materials;
- attendance at compulsory on-campus sessions;
- examinations within Australia and;
- an adequate library service.

Most units available by distance education require the attendance of the students at short, intensive on-campus sessions as mentioned above.

The dates for on-campus sessions in 2009 have not yet been determined. **Exemption from attendance at these sessions will not be granted.** Failure to attend a session associated with a distance education unit may result in a student being **excluded** from that unit and (save where non-attendance is due to illness or unavoidable disruption) a failure being recorded.

Intending students need to plan on coming to the University at least two days per unit per semester.

As the amount of accommodation available on-campus is limited, it is not possible to provide accommodation in residential colleges for all students attending on-campus sessions. Details of accommodation in the colleges and off campus will be provided by the Centre for Open Education in the *Distance Education Student's Handbook* which is sent with enrolment material.

Access to basic Law collection

Applicants should have access in the neighbourhood of their place of work or residence to a basic Law collection consisting of the following:

- A complete set of the Commonwealth Law Reports and the Federal Law Reports together with a current subscription to either the Australian Law Journal Reports, the Federal Law Reports and the Federal Court Reports or the Australian Law Reports; The Australian Statutes 1901-1973 and Supplement and subsequent annual volumes of Statutes up to date, or the (loose leaf) Reprinted Commonwealth Statutes.
- A complete set of the New South Wales State Reports or the New South Wales Weekly Notes from 1900 onwards, together with a current subscription to the New South Wales Law Reports. A complete set of New South Wales current reprinted Acts.
- A complete set of the Australian Law Journal together with a current subscription to that journal and to either the *Australian Legal Monthly Digest* or the *Australian Current Law*.
- The modern official English Reports (A.C., Q.B., Chanc., P.D.A., now Family Law) from 1870 onwards, together with a current subscription to either the Weekly Law Reports or the All England Reports.

☑ Either *Laws of Australia* (Law Book Company) or Halsbury's *Laws of Australia*.

☑ A basic collection of legal reference texts. These will vary considerably, but should include up-to-date Australian and relevant English works. These will be more important in the later years of the course, but may be required earlier. Some typical examples would be:

Fleming, *The Law of Torts* (latest edition) or **Trindade and Cane**, *The Law of Torts in Australia*.

Meagher, Gummow and Lehane, *Equity*.

Lindgren, Harland and Carter, *Contract Law in Australia* or **Greig and Davis**, *The Law of Contract*.

Brown, Farrier, Neil and Weisbrot, *Criminal Laws*.

Butt, *Land Law* (2nd Ed.).

Cross, *Law of Evidence* (Australian Ed.).

Wynes, *Legislative, Executive and Judicial Powers in Australia* or

Lumb, *Constitution of the Commonwealth of Australia* (formerly **Lumb and Ryan**) or **Zines**, *The High Court and the Constitution* (latest edition) or **Hanks**, *Australian Constitutional Law* (latest edition).

Aronson and Franklin, *Review of Administrative Action*.

Sutton, *Sales and Consumer Law*.

Sykes, *The Law of Securities*.

Ford, *Principles of Company Law*, or **Redmond**, *Companies and Securities Law*.

Ford and Lee, *Principles of the Law of Trusts*.

In addition, at least one loose leaf service dealing with the subjects of Supreme, District and Federal Court procedure, taxation, company law, administrative law, trade practices law, land law and conveyancing, will be required. Students are expected to buy their own copies of prescribed textbooks.

Adequate collections are available at other Universities which have Law Schools. Macquarie students may use these collections in the library premises but may not be permitted to borrow books or have access to material placed on closed reserve for students of those institutions.

Adequate collections are also found at most court houses in country centres in New South Wales, which, by arrangement with the

Department of Justice and the local magistrate, students may use.

Many country solicitors have agreed to make their libraries available to students. Applicants residing in remote parts of the country, should ensure that an adequate library is locally available before enrolling, as basic materials such as those stated above will not be supplied to students.

Admission to practice of Law

In New South Wales admission is as a legal practitioner. With the advent of uniform admission policies, accreditation in NSW is generally recognised for purposes of admission in other States.

Students intending to practise should make specific enquires to the **Legal Practitioners Admission Board** early in their degree program. It is advisable for interstate applicants, who wish to qualify for admission to practise in another State, to make enquiries from their own **State's Admission Board** about admission requirements. You should also seek advice from the **College of Law** about current requirements, since we are in an era of change.

Macquarie's Law courses are accredited by the Legal Practitioners Admission Board for admission to practise. In addition to completing an accredited Law qualification, it is necessary to complete a course of about six months of practical legal education. Typically this involves enrolment in the professional course conducted by the College of Law, which combines full-time study followed by supervised placement for practical experience and concluding with a further period of part-time study at the College. Exemptions are sometimes granted from all or part of the program, depending on prior experience in a legal environment.

The profession maintains a separation between barristers and solicitors and legal practitioners elect to practise as one or the other.

- › The **Law Society of NSW** is the professional body for solicitors, and further information on practising as a solicitor can be obtained from the Law Society
- › Barristers are required to undertake a Bar Reading Program. Further details are available from the **NSW Bar Association**.

The professional lives of solicitors and barristers are quite different,

although solicitors are undertaking more advocacy work as some of the former distinctions between the branches of the profession become less clear.

Barristers practise by themselves, from chambers usually grouped on 'floors'. Solicitors may practise alone after a qualifying period, but often they work in partnership or in the employment of a firm of solicitors.

Traditionally solicitors deal with a wide range of legal problems, ranging from land transactions to family disputes. On complex matters they may seek advice from a barrister, or they may brief a barrister for a court hearing. In recent years, particularly among large firms, many solicitors have developed highly specialised practices in fields such as commercial and environmental law. A prospective barrister will usually be advised to spend time as a solicitor first, and students need not decide until the completion of their studies which branch to enter. Transfer from one branch to another is not unusual.

A legal qualification is becoming increasingly sought-after outside the legal practice. For careers in commercial life, or in government department or politics, a Law degree is seen as very valuable.

Fees and Charges

Commonwealth Supported Places and Student Contributions

A Commonwealth supported place (HECS place) is where the Australian government makes a contribution to the University towards the cost of that student's education. The student is also required to make a contribution [called your *student contribution*]. The University sets the student contribution rates. Full details of student contribution rates for 2008 are available on the website:

<http://www.mq.edu.au/reforms/>

You are a Commonwealth supported student if you are an Australian citizen, a New Zealand citizen or the holder of an Australian permanent visa, and are enrolled in a unit of study that is Commonwealth supported.

From 1 January 2005, all Commonwealth supported students will receive a Student Learning Entitlement (SLE) to the value of seven 7.0 EFTSLs (Equivalent full-time student load). This entitles you to seven years of equivalent full-time study as a Commonwealth supported student. You will be issued with a Commonwealth Higher Education Student Support Number (CHESSN) from the Department of Education, Science and Training (DEST).

More Information for Commonwealth Supported Students

Everything you need to know about Commonwealth supported places and HECS-HELP is set out in the booklet Information for Commonwealth Supported Students 2009.

This is available on the website at:

<http://www.reg.mq.edu.au/undergrad/current/feescharges/csp.htm>

HECS-HELP

If you are a Commonwealth supported student commencing a new course of study, and are an Australian citizen or the holder of an Australian permanent visa (humanitarian), you are eligible for HECS-HELP.

This means that you can:

(i) Pay your student contribution up-front with a 20% discount. (You are strongly urged to provide a Tax File Number if you choose to pay this way, in case you choose to defer payments in the future).

(ii) Make a partial up-front payment of at least \$500 to receive a 20% discount for the amount paid. You **MUST** provide a Tax File Number because you will have a partial deferred liability.

(iii) Defer your student contribution as a debt to the Australian Taxation Office. You **MUST** provide a Tax File Number.

Note:

All up-front payments must be made on or before the University's due date, to avoid incurring a \$200 late payment fee.

Who must make Up front 100% Payments?

If you are a Commonwealth supported student commencing a new course of study, and are a New Zealand citizen or the holder of an Australian permanent visa (other than humanitarian), you must pay your student contribution up-front 100%, preferably by the due date to avoid getting a late payment fee of \$200, but no later than the Census Date to ensure your enrolment is not cancelled.

Domestic Fee-Paying Places

The university also offers Domestic Fee-Paying places. Students in these places who do not wish to pay their tuition fees upfront, and who are eligible, can apply for a FEE-HELP loan. This loan operates in a similar fashion to HECS-HELP loan, however there is a 20% loan fee added to undergraduate students who take out this loan.

Everything you need to know about FEE-HELP is set out in the booklet FEE-HELP Information 2009. This is available on the website at:

<http://www.reg.mq.edu.au/Undergrad/current/feescharges/dfm.htm>

Student Services and Facilities

The Centre for Open Education

The Centre is the primary point of communication and contact with the University for all students in distance education courses. COE staff distribute teaching material and compact discs prepared by those Departments of the University responsible for distance education teaching.

The staff at the Centre strive to provide support for students studying at a distance, and remove any disadvantage or sense of alienation from University life. Students should feel free to contact the staff at the Centre if they have questions or find themselves facing difficulties.

The Centre for Open Education (COE) is located on Level 1 of Building X5B, on the western side of the campus. The entrance is adjacent to the W4 carpark. The Centre is open for student enquiries and interviews and during term time is open from 9.00am to 6.30pm Monday to Thursday, 9.00am to 5.00pm on Friday and 8.00am to 11.00am most Saturdays. Outside of term time COE is open from 9.00am to 5.00pm weekdays.

On-campus sessions, held during the vacation periods and on some weekends, are co-ordinated by the Centre. These sessions are planned to enable students to make the best possible use of their time in the University, and to reduce the cost and time commitments of the students to a minimum.

Country students attending on-campus sessions during the University vacation periods are encouraged to call the Centre to discuss study problems and to arrange interviews with advisers when required.

As part of the service offered to distance education students the Centre operates a compact disc service. Compact discs of lectures in some units are provided on loan and are available for collection from the Centre.

The Centre also functions as a point of collection for assignments, guides and other handouts where students and lecturers would otherwise have difficulty arranging suitable pick up points, e.g. when Division Offices are closed.

Distance education students are invited to contact the Centre to discuss any study problems which may concern them and feedback from students is encouraged. Day or evening interview may be arranged by telephoning (02) 9850 7470 or by calling personally at the Centre for Open Education. An answering service operates when the Centre is closed and the Centre's fax number is (02) 9850 7480, or the Centre may be contacted by e-mail. The Centre's e-mail address is: coe@mq.edu.au

The Student Enquiry Service

The Student Enquiry Service (SES) is the initial point of contact between the University and all undergraduate students. The Student Enquiry Service is located on the ground floor of the Lincoln Building (C8A). Entry to the Student Enquiry Service is via the northern side of the Lincoln Building (C8A), facing University Court.

The Student Enquiry Service provides advice to enrolled and intending students on all matters affecting their application, enrolment, program of study, progress or any administrative or academic problems which may arise during the course of their studies.

The Student Enquiry Service telephone number is **(02) 9850 6410**; the SES fax number is **(02) 9850 6597** (Hours: 8.30am - 5.30pm, Monday, Wednesday and Thursday, 9.30am - 5.30pm on Tuesday, and 8:30am - 4:30pm on Friday).

The Student Enquiry Service is the place to enquire about:

- > Bachelor Degree Rules and how they affect you
- > credit for previous studies (CPS)
- > enrolment or admission matters

The **Cashier's Office**, where university-related fees can be paid, is part of the Office of Financial Services and is also located within the Student Enquiry Service; Hours: 9am - 5pm, Monday to Friday, Telephone (02) 9850 7228.

Library

The University Library's collections and services are centralised in the Library Building, which provides seating for about 1700 readers. The

Library has a collection of more than 850,000 volumes.

The Library provides free and open access to the book and periodical collection as well as lending privileges and reference services for all students.

There is an audio-visual area and a growing collection of microfilms, tapes, maps and other non-book material. Students are instructed in the use of the Library and are assisted personally where necessary. The special arrangements made for distance education students are explained in a separate leaflet issued by the Library. (Telephone (02) 9850 7500). The Library web site is at <http://www.lib.mq.edu.au>

The Dean of Students

The Dean of Students is available to all coursework students of the University who need advice about their studies and University procedures beyond that which is available at the Centre, Department or Division level.

The Dean of Students is responsible for the resolution of complex issues but does not provide academic advice.

For appointments or advice contact the Executive Assistant, Dean of Students Office, telephone (02) 9850-7464 or fax (02) 9850-9920 or email deanofstudents@mq.edu.au.

University Counselling and Health Services

Student counsellors are available to assist all students with problems which may interfere with their study. These may involve their adjustment to University life, personal difficulties, or the skills of study, or facing examinations.

A health service is available to all students. Medical practitioners offer a private General Practice to the University community with the provision for bulk billing of both students and staff of the University through Medicare. To make an appointment please ring (02) 9850 7497 or (02) 9850 7498.

Career Development Centre

The University's Career Development Centre helps intending and enrolled students make their career preparations.

The Careers Library (Level 2 Lincoln Bldg) contains a comprehensive range of material to increase students' understanding of the vocational implications of courses and units with them. These library facilities also assist students leaving University to prepare to enter the work force. New or intending students are invited to use the Careers Library between 9am and 5pm Monday and Tuesday and between 9am and 4pm Wednesday to Friday.

The Career Development Centre helps part-time students find work while they are studying. It also conducts various activities to assist graduates and other students to meet employers and to find employment.

A Casual Work Service operates to help students seeking part-time employment - though the availability of casual work varies with economic conditions, and should not be relied on as a consistent source of financial support while studying. Please telephone (02) 9850 7372 for further information, or to make an appointment to discuss career plans with a Careers Adviser.

Sporting Facilities

Sporting and recreational facilities available include a new Sports and Aquatic Centre, a University oval, a sports field, a gymnasium, squash, tennis, basketball, badminton and volleyball courts.

University Bookshop

A branch of the University Co-operative Bookshop is located on campus - at Level 1 of the U@MQ Building. Distance education students ordering books by mail do so through the Mail Order Department, University Co-operative Bookshop, 80 Bay St, Ultimo, NSW 2008, or from the Macquarie University Branch of the University Co-operative Bookshop, telephone (02) 9850 7618 or (02) 9888 6523.

Parking

The University's Traffic and Parking Rules are intended to provide for the safety and convenience of pedestrians and motorists within the campus. Staff and students are required to make themselves familiar with the rules and comply with them.

Applications are available from the Cashier's Office in the Student Enquiry Service or by written application addressed to the Office of Financial Services. As a guide, the fee for 2008 for a yearly permit is \$160. Daily charges are payable using a pay and display system – ticket dispensing machines are located in the car parks designated for casual parking (N1, N3, X3 and W4). Rates in 2008 are \$5 per hour, or \$8 for up to 3 hours, or \$15 for 4 or more hours expiring at 8pm on the day of purchase. 2009 charges were not determined at the time of publication.

Please ensure that you are aware of the restrictions, as fines apply for illegally parked vehicles. They are strictly enforced through the NSW Police Department.

Information in this publication is correct at the time of printing, but is subject to change from time to time. In particular, the University reserves the right to change the content or the method of presentation of any unit of study, or to withdraw any unit or course of study which it offers, or to impose limitations on enrolment in any unit or course of study.

All correspondence should be addressed to:

Coursework Studies Section
Macquarie University
New South Wales 2109

Telephone: (02) 9850 7314

E-mail: coursework@mq.edu.au

Fax: (02) 9850 7249

**Visit Macquarie University on the
internet**

<http://www.mq.edu.au>

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