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# FACULTY OF LAW

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## Faculty of Law

### Academic Integrity

ACADINT A01

0 Points

#### Academic Integrity Course

An online course designed to increase student knowledge of academic integrity, university rules relating to academic conduct, and the identification and consequences of academic misconduct. Students work through a series of modules, outlining scenarios that they may encounter while studying at university. Each scenario provides information on relevant rules, resources and expected behaviour.

### Commercial Law

#### Postgraduate 700 Level Courses

COMLAW 740A

15 Points

COMLAW 740B

15 Points

#### The Tax Base - Level 9

An advanced study of the breadth of the New Zealand income tax base, including the different concepts of income, its timing and recognition. Comparisons between the nature of capital and income, and the differing treatment of each, provides a deeper understanding of the policy behind the New Zealand income tax regime. Provides a theoretical background and detailed technical knowledge of the scope and application of the most significant regimes for income, deduction and timing in the Income Tax Act 2007. Involves individual research resulting in a substantial individual research essay.

To complete this course students must enrol in COMLAW 740 A and B

COMLAW 747

15 Points

#### Goods and Services Tax

An advanced study of Goods and Services Tax. Provides both a theoretical background and high level of technical knowledge of the GST Act 1985. Comparisons with other indirect taxes and overseas variations of GST (notably Australian GST and UK VAT) provide a deeper understanding of the policy behind the New Zealand GST regime. Major topics include taxable activities, input tax, output tax, registration, adjustments, taxable supplies, timing and the GST anti-avoidance provisions.

### Law

#### Stage I

LAW 121G

15 Points

#### Law and Society

An introduction to theories of the nature, functions and origins of law and legal systems, including sources of law; comparative concepts of law; an overview of constitutional and legal arrangements in New Zealand, including the role of the courts; the operation of the legal system in historical and contemporary New Zealand with a focus on concepts of property rights, the Treaty of Waitangi, Treaty Settlements and proposals for constitutional change. Note: Does not meet the General Education requirement for LLB, LLB(Hons), LLB conjoint or LLB(Hons) conjoint degrees.

Restriction: LAW 101

LAW 131

15 Points

#### Legal Method

An introductory study of how law is made and applied in New Zealand – an overview of the law-making roles of the legislative, executive and judicial branches of government; other influences on the development of the law; an introduction to case law, including judicial reasoning and the doctrine of precedent; an introduction to statute law, including the legislative process and techniques of statutory interpretation and application; the interaction between case law and legislation.

Prerequisite: LAW 121 or 121G

LAW 141

15 Points

#### Legal Foundations

An overview of the classification, sources and operation of core aspects of New Zealand law, including state law and tikanga Māori. An introduction to other sources, perspectives and explanations of law.

Prerequisite: LAW 121 or 121G

Corequisite: LAW 131

#### Stage II

LAW 201A

15 Points

LAW 201B

15 Points

#### Criminal Law

An introduction to the principles and practice of criminal law in Aotearoa New Zealand, including an analysis of a selection of offences, criminal defences and the rules attributing criminal liability. Apart from the rules concerning burden of proof and an introduction to the principles and process of sentencing, no detailed study is made in this course of the law of evidence or procedure.

Corequisite: LAW 298 or 299

To complete this course students must enrol in LAW 201 A and B

LAW 211A

15 Points

LAW 211B

15 Points

#### Public Law

The principles and workings of the New Zealand constitution; the powers, privileges and immunities of the three branches of government; the exercise and control of public power; and the relationship between the individual and the State (including the position of Māori under the Treaty of Waitangi).

Corequisite: LAW 298 or 299

To complete this course students must enrol in LAW 211 A and B

LAW 231A

15 Points

LAW 231B

15 Points

#### Law of Torts

The general principles of civil liability for non-consensual wrongs. The principles of liability applying to selected torts, including the intentional torts such as: assault, battery, false imprisonment, intentionally inflicting emotional distress, trespass to land, wrongs to goods, negligence, strict liability, nuisance and defamation. The law relating to compensation for personal injury.

Corequisite: LAW 298 or 299

To complete this course students must enrol in LAW 231 A and B

LAW 241A

15 Points

LAW 241B

15 Points

#### Law of Contract

The general principles of contract law including: the formation of contracts at common law, New Zealand contract legislation, breach of contract, and remedies

for breach of contract. An introduction to the general principles of agency.

*Corequisite: LAW 298 or 299*

*To complete this course students must enrol in LAW 241 A and B*

**LAW 298A** 5 Points

**LAW 298B** 5 Points

### **Legal Research, Writing and Communication**

Legal research, writing, mooting and other requirements, as determined by the Dean of Faculty of Law.

*Restriction: LAW 299*

*To complete this course students must enrol in LAW 298 A and B*

### **Stage III**

**LAW 301A** 10 Points

**LAW 301B** 10 Points

### **Land Law**

A study of the history and principles of land law including: estates and interests in land, the effect of registration and indefeasibility of title, leasehold estates, easements and profits, mortgages, and concurrent interests in land, and covenants affecting freehold land.

*Prerequisite: LAW 201, 211, 231, 241*

*To complete this course students must enrol in LAW 301 A and B*

**LAW 306A** 10 Points

**LAW 306B** 10 Points

### **Equity**

A study of the central principles and remedies of equity including: the fiduciary principle, relationships of confidence, unconscionable conduct, undue influence, estoppel, assignments, trusts (express, resulting and constructive), charities, tracing, third-party liability, the assignment in equity of choses in action, and priorities. Basic principles of the law of succession and of the administration of estates.

*Prerequisite: LAW 201, 211, 231, 241*

*To complete this course students must enrol in LAW 306 A and B*

**LAW 316** 15 Points  
**Jurisprudence**

A study of the nature of law, including the nature of legal reasoning, its sources, and methodologies; fundamental legal concepts and the structure of a legal system; law's relations to the State, politics and morality; critical and pluralist challenges to State law's claims to neutrality and supremacy in the administration of justice in Aotearoa New Zealand.

*Prerequisite: LAW 201, 211, 231, 241*

**LAW 398** 15 Points

### **Ethical Practice**

Develops advanced research skills by using multi-jurisdictional legal sources within the context of the study of legal ethics. Examines the concept of professional responsibility by considering the nature of the legal profession and the wider responsibilities of lawyers in the community, various theories of ethics and ethical conduct, and specific duties of practitioners, including conflicts of interest, confidentiality, duties of disclosure, fiduciary responsibilities to clients, and duties to the court.

*Corequisite: LAW 301 or 306*

*Restriction: LAW 458*

**LAW 399** 10 Points

### **Legal Research 2**

An introduction to multi-jurisdictional legal information sources and advanced research skills.

*Prerequisite: LAW 201, 211, 231, 241, 298 or 299*

### **Stage IV**

**LAW 410** 15 Points

### **He Pūtake Tikanga Māori**

The fundamental tenets of te ao Māori and tikanga Māori, covering their origins, historical developments, and contemporary realities. Students will be exposed to the sophistication, pragmatism, and holistic nature of Māori philosophy that underpins the key means of achieving balance in all facets of Māori society, both traditionally, and today.

*Prerequisite: LAW 201, 211, 231, 241*

**LAW 411** 15 Points

### **Special Topic**

**LAW 456** 15 Points

### **Supervised Research**

A research paper, approved by the Dean of Faculty of Law, written under the supervision of a teacher in the Faculty of Law.

**LAW 458** 10 Points

### **Legal Ethics**

A study of legal ethics and professional responsibility including: an introduction to ethical analysis which examines various theories of ethics; the applicability of ethical analysis to legal practice; the concept of a profession and the ethical and professional duties of practitioners (which will include, amongst other topics, conflicts of interest, confidentiality, duties to the court, duties of loyalty and fidelity); the wider responsibilities of lawyers in the community.

*Prerequisite: LAW 201, 211, 231, 241, 298*

**LAW 498** 0 Points

### **Advanced Legal Research, Writing and Communication**

Satisfactory completion of such advanced legal research, writing, communication and other requirements as determined by the Dean of Faculty of Law.

*Prerequisite: LAW 201, 211, 231, 241*

*Restriction: LAW 400, 499*

### **Postgraduate 700 Level Courses**

**LAW 700** 0 Points

### **Legal Research Methodology and Advanced Writing - Level 9**

Multi-jurisdictional legal information sources and advanced legal research, research problem formulation and refinement, legal and social science research methodologies, research ethics and evaluative research trail. Legal writing for different purposes and different audiences.

**LAW 701** 30 Points

### **The Legal System: Sources, Structure and Method - Level 9**

Examination of the core substantive components of the New Zealand legal system, in comparison with other municipal legal systems and international law. Analysis of the sources of New Zealand law, including statute, case law and custom, and the influence of international law. Legal methodology in theory and practice, including: judicial

reasoning and the doctrine of precedent, techniques of statutory interpretation, and the resolution of disputes. Different modes of legal analysis and approaches to legal theory.

**LAW 760** 15 Points  
**Directed Study - Level 9**

Supervised research paper on an advanced legal topic, approved by the Dean of Faculty of Law.

**LAW 790** 30 Points  
**Dissertation - Level 9**

A dissertation of approximately 15,000 words resulting from original research of the student, having the scope, and depth of research, of a competent law review article.

**LAW 794A** 45 Points

**LAW 794B** 45 Points

**Research Portfolio 1 - Level 9**

Supervised research comprising a portfolio of research work within an area of specialisation culminating in a linking paper that together creates a coherent body of scholarly work.

*To complete this course students must enrol in LAW 794 A and B*

**LAW 796A** 45 Points

**LAW 796B** 45 Points

**Thesis 1 - Level 9**

A thesis of approximately 30,000 words resulting from original research of the student, displaying at a minimum: thorough research, a competent advanced understanding of the topic studied, and an ability to present the student's understanding of that topic in an orderly way.

*To complete this course students must enrol in LAW 796 A and B*

**LAW 797A** 60 Points

**LAW 797B** 60 Points

**Thesis 2 - Level 9**

A thesis of approximately 40,000 words resulting from original research of the student, displaying comprehensive understanding of the topic studied and an ability to contribute to the better understanding of that topic.

*To complete this course students must enrol in LAW 797 A and B*

**LAW 798A** 60 Points

**LAW 798B** 60 Points

**Research Portfolio 2 - Level 9**

Supervised research comprising a portfolio of research work within an area of specialisation culminating in a linking paper that together creates a coherent body of scholarly work.

*To complete this course students must enrol in LAW 798 A and B*

## Law Commercial

### Stage IV

**LAWCOMM 400** 15 Points

**Contemporary Commercial and Private Law Litigation**

Detailed study of contemporary private law issues in the context of commercial litigation, with a dual focus on substance and litigation practice. Topics (selected based on recent cases) will include discrete legal issues across areas like contract, equity, tort and restitution.

*Prerequisite: LAW 201, 211, 231, 241*

**LAWCOMM 410** 15 Points

**Special Topic**

Special Topic

**LAWCOMM 411** 15 Points

**Special Topic**

Special Topic

**LAWCOMM 412** 15 Points

**Restitution**

A study of the general principles of the law of restitution, including an analysis of the concept of unjust enrichment, selected applications of restitutionary principle for the recovery of value upon a flawed or conditioned transfer, recovery outside contract for labour expended on another's behalf, and stripping wrong-doers of profits.

*Prerequisite: LAW 201, 211, 231, 241*

*Restriction: LAW 366, 451, LAWCOMM 405, LAWHONS 726*

**LAWCOMM 413** 15 Points

**Conflict of Laws**

An introduction to private international law (i.e., the body of law dealing with international civil or commercial issues or disputes that are not governed by substantive conventions) including: a study of the jurisdiction of the New Zealand courts, recognition and enforcement of foreign judgments and decrees, and choice of the governing legal system.

*Prerequisite: LAW 201, 211, 231, 241*

*Restriction: LAW 420, 477, LAWCOMM 407*

**LAWCOMM 414** 15 Points

**Law of Personal Property**

Introduction to the concepts and legal rights associated with personal property, covering: possessory rights and relationships, including bailment, reservation of title and security interests in goods, and principles relevant to the transfer and acquisition of personal property.

*Prerequisite: LAW 231*

*Restriction: LAW 311, 471, LAWCOMM 442*

**LAWCOMM 415** 15 Points

**Financial Markets Law**

An examination of the law regulating the promotion of companies, duties and liabilities of directors and promoters for the promotion of a company, public fund raising in New Zealand, insider trading laws and takeovers, and limited liability partnerships.

*Corequisite: LAW 417 or LAWCOMM 402 or 464*

*Restriction: LAW 487, 490, LAWCOMM 444*

**LAWCOMM 416** 15 Points

**Tax Law**

A general introduction to tax law including: aspects of tax policy; the structure of the tax system; residence; source; the meaning of income; the deductibility of expenditure; the distinction between capital and revenue; depreciation; avoidance; disputes and rulings; GST.

*Prerequisite: LAW 211, 241*

*Restriction: LAW 429, LAWCOMM 403*

**LAWCOMM 419** 15 Points

**International Sales and Finance**

Study of the law relating to international trade and transnational business transactions, including international sales contracts and international trade finance, and conflict of laws issues arising out of international trade.

*Prerequisite: LAW 211, 231, 241*

*Restriction: LAW 476, LAWCOMM 406*

<b>LAWCOMM 420</b> <span style="float: right;"><b>15 Points</b></span> <b>Advanced Tax Law</b> A more advanced study of tax law covering topics such as tax history; tax theory; the taxation of companies; dividends; imputation; groups; losses; qualifying companies; trusts; withholding obligations; accruals; avoidance; international tax; profit reduction techniques; transfer pricing; controlled foreign corporations (CFCs); foreign investment funds (FIFs); tax treaties. <i>Prerequisite:</i> LAWCOMM 403 or 416 <i>Restriction:</i> LAW 409, COMLAW 311	assistance given to lawyers by information retrieval, office management and litigation support systems. <i>Prerequisite:</i> LAW 201, 231 <i>Restriction:</i> LAW 438
<b>LAWCOMM 421</b> <span style="float: right;"><b>15 Points</b></span> <b>Commercial Arbitration</b> The law and procedure relating to the settlement of domestic and international commercial disputes by arbitration, including a study of key arbitration principles, governing law issues, appointment and duties of arbitrators, the conduct of proceedings, enforcement and judicial review of awards, and international investment arbitration. <i>Prerequisite:</i> LAW 211, 231, 241 <i>Restriction:</i> LAW 414	<b>LAWCOMM 427</b> <span style="float: right;"><b>15 Points</b></span> <b>Vendor and Purchaser</b> A study of the law relating to contracts for the sale and purchase of land, including the formation of the contract, the application of relevant statutes, the basic terms of such contracts and their significance, matters of title, settlement and completion, and remedies for breach. <i>Corequisite:</i> LAW 301 <i>Restriction:</i> LAW 454
<b>LAWCOMM 422</b> <span style="float: right;"><b>15 Points</b></span> <b>Competition Law</b> A study of the principles of competition law in New Zealand including the effect on competition law of the CER Agreement with Australia. Comparison with the competition laws of other countries including the United States, the European Union and Australia. <i>Prerequisite:</i> LAW 241 or COMLAW 201 and 203 <i>Restriction:</i> LAW 419	<b>LAWCOMM 428</b> <span style="float: right;"><b>15 Points</b></span> <b>Maritime Law</b> An introduction to shipping law, including an overview of the contracts commonly used for maritime activity; charterparty contracts for the use of ships; contracts for the carriage of goods with a focus on bills of lading; New Zealand domestic legislation relevant to maritime activity; marine insurance; admiralty jurisdiction and the practice of Admiralty law; collision between vessels; the law of salvage, general average and towage. <i>Prerequisite:</i> LAW 211, 231, 241 <i>Restriction:</i> LAW 459
<b>LAWCOMM 423</b> <span style="float: right;"><b>15 Points</b></span> <b>Company Liquidations</b> Examination of the legal process by which companies are placed in liquidation including: the law on corporate insolvency, and the procedures and the enforcement mechanisms used to give effect to the law; current law and new approaches to insolvency. <i>Prerequisite:</i> LAW 241 <i>Restriction:</i> LAW 422	<b>LAWCOMM 429</b> <span style="float: right;"><b>15 Points</b></span> <b>Advanced Tort</b> Explores in depth issues touched on in LAW 231 and introduces new causes of action. Topics will include some or all of the following: the recovery of economic loss in negligence, negligent misrepresentation, vicarious liability, factual causation, nonfeasance, the economic torts, the effect of statutes and contracts on the law of tort, and damages. <i>Prerequisite:</i> LAW 231 <i>Restriction:</i> LAW 484
<b>LAWCOMM 424</b> <span style="float: right;"><b>15 Points</b></span> <b>Insurance Law</b> A consideration of the law governing insurance contracts, including the duty of utmost good faith; the interpretation of the policy; the scope of cover; warranties and conditions; the claims process and fraudulent claims; and quantification of the insurer's obligations; subrogation and recoupment; and third party rights. <i>Prerequisite:</i> LAW 231, 241 <i>Restriction:</i> LAW 431, LAWCOMM 453, LAWHONS 734	<b>LAWCOMM 432</b> <span style="float: right;"><b>15 Points</b></span> <b>Corporate Transactions</b> A study of corporate transactions in operation, with particular reference to the legal and practical processes involved in the formation and implementation of such major business transactions as are typical in the life cycle of a business. The particular transactions focused upon may vary from year to year. <i>Prerequisite:</i> LAW 241 <i>Restriction:</i> LAW 493
<b>LAWCOMM 425</b> <span style="float: right;"><b>15 Points</b></span> <b>International Trade</b> Study of the law relating to international trade and transnational business transactions; contracts of carriage; the law and policy surrounding the regulation of the international transportation of goods by sea, land and air. <i>Prerequisite:</i> LAW 211, 231, 241 <i>Restriction:</i> LAW 436	<b>LAWCOMM 433</b> <span style="float: right;"><b>15 Points</b></span> <b>Copyright and Design</b> An in-depth examination of the law of copyright and registered designs in New Zealand and Australia, including the relationship between copyright and design protection. <i>Prerequisite:</i> LAWCOMM 404 or LAWCOMM 458
<b>LAWCOMM 426</b> <span style="float: right;"><b>15 Points</b></span> <b>Law and Information Technology</b> An introduction to the use of information systems in legal practice and research and the impact of the law on information technology including: computer crimes, torts, intellectual property, evidence, privacy, and the	<b>LAWCOMM 434</b> <span style="float: right;"><b>15 Points</b></span> <b>Advanced Contract</b> Advanced studies in selected areas of Contract Law. <i>Prerequisite:</i> LAW 241
	<b>LAWCOMM 436</b> <span style="float: right;"><b>15 Points</b></span> <b>Advanced Company Law</b> Study in selected areas of company law including theories of the company, companies viewed from a law and economics perspective, the relationship between the board and shareholders, the place of corporate social

responsibility, comparative corporate law and current issues in company law.

*Prerequisite:* LAWCOMM 402 or 464

**LAWCOMM 437** **Iwi Corporate Governance** **15 Points**

An examination of the common governance structures employed by iwi, why those structures are chosen and the legal and practical issues that arise as a result. Aspects of the law related to trusts, limited partnerships, charities and Māori Authorities, and how they may be interwoven within one overarching structure.

*Prerequisite:* LAW 211, 241

*Restriction:* LAW 497, LAWCOMM 446

**LAWCOMM 450** **International Tax Law** **15 Points**

The globalisation of business presents a significant challenge to governments and revenue authorities and opportunities for multinational businesses to be able to locate productive activities, risks, and importantly, profits to any jurisdiction that they wish. This course looks at cross border taxation with emphasis on double tax treaties.

*Prerequisite:* LAW 211, 241

**LAWCOMM 451** **Construction Law** **15 Points**

Examines the law applicable to the lifecycle of a construction and/or infrastructure project, including foundational concepts; the project; post-project claims and latent defects. Covers the statutory and regulatory framework, the contractual matrix, and the law of tort, equity and limitation (as these are applicable to construction and infrastructure projects). Covers legal concepts and jurisprudence unique to construction law.

*Prerequisite:* LAW 201, 211, 231, 241

**LAWCOMM 452** **Commercial and Consumer Law** **15 Points**

A study of the law relating to commercial and consumer law including: the general regime on the sale of goods and its contrast to the Consumer Guarantees Act 1993, selected aspects of carriage of goods and of agency, and the basic disciplines of the Fair Trading Act 1986.

*Prerequisite:* LAW 201, 211, 231, 241

*Corequisite:* LAW 301, 306

*Restriction:* LAW 415, LAWCOMM 401

**LAWCOMM 456** **Secured Credit** **15 Points**

A detailed study of the law relating to securities over personal property, and related aspects of credit contracts.

*Prerequisite:* LAW 201, 211, 231, 241

*Corequisite:* LAW 301, 306

*Restriction:* LAW 415, LAWCOMM 401

**LAWCOMM 457** **Consumer Law** **15 Points**

An in-depth examination of selected aspects of consumer law, including (but not limited to) misleading and deceptive conduct, other unfair practices, unfair contract terms in standard form consumer contracts, consumer guarantees and uninvited direct sales.

*Prerequisite:* LAW 201, 211, 241

**LAWCOMM 458** **Intellectual Property** **15 Points**

Study of the laws which protect the products of intellectual endeavour including: passing-off (and section 9 Fair Trading

Act), the Trade Marks Act, the Copyright Act, the action for 'breach of confidence', the Designs Act and the Patents Act.

*Prerequisite:* LAW 231

*Restriction:* LAW 432, LAWCOMM 404

**LAWCOMM 461** **Corporate Insolvency** **15 Points**

A study of New Zealand corporate insolvency law, focusing on the commencement of the liquidation and administration process, the inter-relationship of those processes and liquidators' and administrators' powers and liabilities. Topics covered: reckless trading and recovery from directors, the disclaimer of onerous contracts and voidable transactions. Comparative material will be drawn from Australian, Canadian and United Kingdom jurisprudence.

*Prerequisite:* LAW 231, 241, 298 or 299

*Corequisite:* LAW 306, and LAWCOMM 402 or 464

**LAWCOMM 462** **Patents and Related Rights** **15 Points**

Australian and New Zealand law relating to patents, including patentable subject matter, ownership, inventorship, validity requirements, patent specification requirements and the law governing infringement. The law relating to the protection of confidential information. A brief introduction to the law relating to plant variety rights.

*Prerequisite:* LAWCOMM 404 or LAWCOMM 458

*Restriction:* LAWCOMM 449, 793

**LAWCOMM 463** **Trade Marks and Related Rights** **15 Points**

An examination of the law related to the protection of registered trade marks in Australia and New Zealand. Other legal mechanisms that protect symbols, including the law of passing off, consumer protection legislation, special events legislation and the law relating to geographical indications and domain names.

*Prerequisite:* LAWCOMM 404 or LAWCOMM 458

*Restriction:* LAWCOMM 454

**LAWCOMM 464** **Company Law** **15 Points**

A general introduction to the law relating to companies incorporated under the Companies Act 1993 including the nature of corporate personality, the organisation of decision-making within companies, the making of contracts by companies, the duties of directors and the rights and remedies of shareholders.

*Prerequisite:* LAW 201, 211, 231, 241

*Restriction:* LAWCOMM 402, LAW 417

**LAWCOMM 465** **Theories of Contract Law** **15 Points**

Survey and analysis of the main schools of thought and positions in contemporary contract law theory, including: promise theory, transfer theory, economic analysis, communitarian theories and distributive justice theories. Examination of key questions in contract law, such as formation, interpretation and remedies in light of said theories.

*Prerequisite:* LAW 241

*Corequisite:* LAW 316

*Restriction:* LAWCOMM 455

**LAWCOMM 466** **Special Topic** **15 Points**

**LAWCOMM 467** **Special Topic: Corporate Governance** **15 Points**

*Prerequisite:* LAWCOMM 402 or 464

<b>LAWCOMM 469</b> <b>Special Topic</b>	<b>15 Points</b>	other countries. Involves individual research resulting in a substantial individual research essay.
<b>LAWCOMM 470</b> <b>Special Topic</b>	<b>15 Points</b>	<b>LAWCOMM 707</b> <b>Conflict of Laws - Level 9</b> An advanced study of private international law, including a study of the jurisdiction of the New Zealand courts and arbitrators, the recognition and enforcement of foreign judgments and decrees and arbitral awards, and choice of the governing legal system. <i>Restriction: LAW 712</i>
<b>LAWCOMM 471</b> <b>Guarantees and Indemnities</b> An introduction to the law regarding guarantees and indemnities in New Zealand. The course will mainly focus on guarantees, although indemnities will also be covered. <i>Prerequisite: LAW 241</i> <i>Restriction: LAW 401, LAWCOMM 440</i>	<b>15 Points</b>	<b>30 Points</b>
<b>LAWCOMM 472</b> <b>Creditors' Remedies</b> Examination of the diverse and seemingly unrelated areas of the law as they concern the rights of unsecured judgement creditors. <i>Prerequisite: LAW 241</i> <i>Restriction: LAW 461, LAWCOMM 441</i>	<b>15 Points</b>	<b>LAWCOMM 709</b> <b>Corporate Governance - Level 9</b> The principles of the law as to corporations with special reference to companies, directors' duties and the status and rights of shareholders. Involves individual research resulting in a substantial individual research essay.
<b>LAWCOMM 473</b> <b>Takeovers</b> A consideration of the role of takeovers in the economy and the manner in which they are regulated. The principal focuses will be upon the Takeovers Code and upon the workings of the Takeover Panel. <i>Corequisite: LAW 417 or LAWCOMM 402, 464</i> <i>Restriction: LAWCOMM 445</i>	<b>15 Points</b>	<b>30 Points</b>
<b>LAWCOMM 476</b> <b>Franchise Law</b> Introduction to the concept of franchising including definitions and alternatives, advantages and disadvantages, the business format franchise model, intellectual property protection, elements of a franchise agreement, cartels legislation and its impact, covenants against competition, unconscionable conduct, unfair contract terms, mediation, and international franchising. <i>Prerequisite: LAW 241</i> <i>Restriction: LAWCOMM 459</i>	<b>15 Points</b>	<b>LAWCOMM 710</b> <b>Dispute Resolution - Level 9</b> The history and current practice of dispute resolution outside the courtroom, dispute settlement theories, and the principles of negotiation and mediation in the context of family, commercial, environmental, international and urban community disputes. <i>Restriction: LAW 717</i>
<b>LAWCOMM 477</b> <b>Special Topic</b>	<b>15 Points</b>	<b>30 Points</b>
<b>Postgraduate 700 Level Courses</b>		
<b>LAWCOMM 700</b> <b>Special Topic: Foundations of Tax Law - Level 9</b> Provides a theoretical background and detailed technical knowledge of the scope and application of the most significant regimes for income, deduction and timing in the Income Tax Act 2007. Involves individual research resulting in a substantial individual research essay.	<b>15 Points</b>	<b>LAWCOMM 713</b> <b>Intellectual Property - Level 9</b> Aspects of the law protecting the products of intellectual endeavour selected from: the law of trade marks and passing off, the law of copyright, patent law and the law of breach of confidence. Involves individual research resulting in a substantial individual research essay.
<b>LAWCOMM 702</b> <b>International Arbitration - Level 9</b> A comparative study of negotiation, litigation, arbitration and mediation in commercial contexts; New Zealand law relating to arbitration, international arbitration; and the operating and utility of mediation in commercial contexts. Involves individual research resulting in a substantial individual research essay.	<b>30 Points</b>	<b>LAWCOMM 720</b> <b>Law of Insurance Contracts - Level 9</b> The principles and operation of the law relating to insurance. Involves individual research resulting in a substantial individual research essay.
<b>LAWCOMM 706</b> <b>Competition Law and Policy - Level 9</b> Advanced studies in competition law and its application to international transactions and commercial relationships, with comparative study of New Zealand law with that of	<b>30 Points</b>	<b>LAWCOMM 721</b> <b>Patent Drafting - Level 9</b> The law and practice of drafting patent specifications to accompany patent applications. Involves individual research resulting in a substantial piece of research writing.
		<b>LAWCOMM 724</b> <b>Mergers and Acquisitions - Level 9</b> Advanced study in the law relating to business and corporate acquisitions and corporate mergers, takeovers and amalgamations, including issues affecting choice of method, directors' duties, and public and private regulation. Involves individual research resulting in a substantial individual research essay.
		<b>LAWCOMM 730</b> <b>Special Topic: Regulation of International Trade - Level 9</b>
		<b>LAWCOMM 731</b> <b>Special Topic: Commercial Law in Asia - Level 9</b>
		<b>LAWCOMM 732</b> <b>Special Topic: Contractual Interpretation - Level 9</b>
		<b>LAWCOMM 733</b> <b>Special Topic: Shaping the Law in the Tech Driven Era - Level 9</b>

<b>LAWCOMM 735</b> <b>Special Topic: Private Equity and Venture Capital – Corporate Law and Practice - Level 9</b>	<b>30 Points</b>	<b>LAWCOMM 758</b> <b>Franchising Law - Level 9</b>	<b>30 Points</b>
		A study of the law relating to franchising. Involves individual research resulting in a substantial individual research essay.	
<b>LAWCOMM 736</b> <b>Special Topic: FinTech Finance and Regulations - Level 9</b>	<b>30 Points</b>	<b>LAWCOMM 767</b> <b>Special Topic: Transfer Pricing - Level 9</b>	<b>15 Points</b>
<b>LAWCOMM 737</b> <b>Special Topic: Theories of Company Law - Level 9</b>	<b>30 Points</b>	<b>LAWCOMM 768</b> <b>Special Topic: Economic Analysis of the Law - Level 9</b>	<b>15 Points</b>
<b>LAWCOMM 738</b> <b>Special Topic: IP Law in Asia-Pacific - Level 9</b>	<b>30 Points</b>	<b>LAWCOMM 769</b> <b>Special Topic: Economic Regulation: Principles and Practice - Level 9</b>	<b>15 Points</b>
<b>LAWCOMM 739</b> <b>Special Topic: Mergers and Acquisitions - Level 9</b>	<b>30 Points</b>	<b>LAWCOMM 770</b> <b>Private International Law - Level 9</b>	<b>15 Points</b>
<b>LAWCOMM 740</b> <b>Special Topic: Corporate Governance - Level 9</b>	<b>15 Points</b>	The theory and practice of transnational jurisdiction, choice of law and recognition and enforcement of foreign judgments. Involves individual research resulting in a substantial individual research essay.	
<b>LAWCOMM 741</b> <b>Secured Transactions - Level 9</b>	<b>30 Points</b>	<b>LAWCOMM 772</b> <b>Intellectual Property and Practice</b>	<b>15 Points</b>
Technical and practical aspects of the law of secured transactions. Involves individual research resulting in a substantial individual research essay.		An in-depth and detailed examination of the main intellectual property rights and laws and the complexities of their operation within the broader context of the New Zealand and Australian legal systems, including Te Tiriti o Waitangi, its place in the New Zealand legal system and its impact on intellectual property law.	
<b>LAWCOMM 742</b> <b>Remedies Law - Level 9</b>	<b>30 Points</b>	<b>LAWCOMM 773</b> <b>Corporate Governance in New Zealand - Level 9</b>	<b>15 Points</b>
Advanced study of selected aspects of civil remedies for breach of civil obligations including those arising at common law and under statute, and discretionary relief in equity, and the assessment of damages and compensation. Involves individual research resulting in a substantial individual research essay.		The governance of companies in New Zealand, with a focus on the role of directors and the board. Topics include corporate theory, legal characteristics of the company and internal governance. Involves individual research resulting in a substantial individual research essay.	
<b>LAWCOMM 744</b> <b>Selected Topics in Taxation - Level 9</b>	<b>30 Points</b>	<b>LAWCOMM 774</b> <b>Comparative Corporate Governance - Level 9</b>	<b>15 Points</b>
Selected topics in taxation including: works of some of the great tax theorists and their relevance to modern tax policy formulation; current debates on questions of tax policy; aspects of international taxation; aspects of international tax planning. These are examined by reference to the tax systems of a variety of jurisdictions (such as New Zealand, the UK, the USA, Hong Kong and China). Involves individual research resulting in a substantial individual research essay.		A comparison of corporate governance regimes across the world. Current issues in corporate governance are examined – topics may include directors' remuneration, corporate scandals and responses to corporate scandals. Discussion of convergence of corporate governance regimes is included. Involves individual research resulting in a substantial individual research essay.	
<b>LAWCOMM 745</b> <b>Public Law in Commercial Contexts - Level 9</b>	<b>30 Points</b>	<b>LAWCOMM 775A</b>	<b>15 Points</b>
Selected topics in the application of judicial review and other parts of public law in commercial contexts. Involves individual research resulting in a substantial individual research essay.		<b>LAWCOMM 775B</b>	<b>15 Points</b>
<b>LAWCOMM 746</b> <b>Data Privacy and the Law - Level 9</b>	<b>15 Points</b>	<b>International Taxation</b>	
A comparative study of evolving global and New Zealand standards governing data privacy, the challenges they face from technological developments and the implications for business, government.		Tests of residence for individuals and corporations. The wider tax base for off-shore income of New Zealand residents. Income derived by overseas residents from New Zealand activities. The Double Tax Treaty System. Selecting the country of residence. Anti-avoidance measures directed at transnational activity. The use of tax havens. As well as New Zealand taxation law, the course also examines the municipal revenue law of some of our trading partners. Involves individual research resulting in a substantial individual research essay.	
<b>LAWCOMM 747</b> <b>Special Topic: International Business Law - Level 9</b>	<b>15 Points</b>	<i>Restriction: COMLAW 741</i>	
<b>LAWCOMM 748</b> <b>Special Topic: Contentious Tax Disputes - Level 9</b>	<b>15 Points</b>	<i>To complete this course students must enrol in LAWCOMM 775 A and B</i>	
<b>LAWCOMM 749</b> <b>Special Topic: Tort Law at the Cutting Edge - Level 9</b>	<b>15 Points</b>		
<b>LAWCOMM 755</b> <b>Corporate Finance - Level 9</b>	<b>30 Points</b>		
Detailed study of the law relating to corporate finance. Involves individual research resulting in a substantial individual research essay.			



<b>LAWCOMM 777</b>	<b>30 Points</b>	Binding Ruling regime, the Commissioner's statutory powers of investigation and information gathering, the exercise of discretions and administrative decisions, and the role of judicial review.
<b>LAWCOMM 777A</b>	<b>15 Points</b>	<i>Restriction: COMLAW 753</i>
<b>LAWCOMM 777B</b>	<b>15 Points</b>	
<b>Special Topic</b>		
<i>Restriction: COMLAW 755</i>		
<i>To complete this course students must enrol in LAWCOMM 777 A and B, or LAWCOMM 777</i>		
<b>LAWCOMM 778</b>	<b>15 Points</b>	
<b>Special Topic: Corporate Governance, Social and Environmental Responsibility - Level 9</b>		
<b>LAWCOMM 779</b>	<b>15 Points</b>	
<b>Special Topic: Asia Pacific Tax - Level 9</b>		
<b>LAWCOMM 780</b>	<b>15 Points</b>	
<b>Corporation and Investor Taxation</b>		
An advanced study of the tax liability and issues affecting companies and their shareholders. Considers the different corporate tax regimes, including dividends, imputations, losses and groupings, amalgamations, LTCs and Unit Trusts. Comparison with other entities is intended to provide a deeper understanding of the policy behind New Zealand's corporate tax regimes and the allocation of the tax burden between companies, shareholders and other investors.		
<i>Restriction: COMLAW 746</i>		
<b>LAWCOMM 782</b>	<b>15 Points</b>	
<b>Trade Mark Practice</b>		
The law and practice of filing and registering trade mark applications in New Zealand, Australia and other international jurisdictions. The law and practice of maintaining and enforcing registered trade mark rights.		
<i>Corequisite: LAWCOMM 796</i>		
<b>LAWCOMM 783</b>	<b>15 Points</b>	
<b>Avoidance Provisions</b>		
An advanced study of all aspects of the general anti-avoidance provision contained in the Income Tax Act 2007. Provides a detailed analysis of the structure, function and application of the general anti-avoidance provision and of its relationship to the "black-letter" tax law. Comparisons with the statutory and common law responses to tax avoidance in other jurisdictions, including Australia, Canada, the UK and US provide a deeper understanding of the policy behind New Zealand's general anti-avoidance provision.		
<i>Restriction: COMLAW 749</i>		
<b>LAWCOMM 784</b>	<b>15 Points</b>	
<b>Taxation of Property Transactions</b>		
Examines all of the tax consequences of acquiring, holding, developing, building on, leasing or otherwise dealing with land and personal property.		
<i>Restriction: COMLAW 751</i>		
<b>LAWCOMM 785</b>	<b>15 Points</b>	
<b>Patent Practice</b>		
The law and practice of obtaining, maintaining and enforcing patent rights in New Zealand, Australia and other international jurisdictions.		
<i>Corequisite: LAWCOMM 793</i>		
<b>LAWCOMM 786</b>	<b>15 Points</b>	
<b>Tax Administration and Disputes</b>		
An advanced study of the Public Law and procedural issues arising from administration of the Revenue Acts in New Zealand. Provides an analysis of the powers, discretions and responsibility of the Commissioner and the Inland Revenue Department. Major topics include the Department's assessment function and taxpayer self-assessment, the		
<b>LAWCOMM 787</b>	<b>15 Points</b>	
<b>Taxation of Trusts and Non-corporate Entities</b>		
An advanced study of the tax liability of different business structures and their members, particularly non-corporate entities. Considers the different tax regimes applicable to trusts, partnerships and limited partnerships, Portfolio Investment Entities (PIEs), charities and Māori authorities. Comparison between these entities provides a deeper understanding of the policy behind New Zealand's tax regimes and the allocation of the tax burden between companies and other entities.		
<i>Restriction: COMLAW 756</i>		
<b>LAWCOMM 788</b>	<b>15 Points</b>	
<b>Special Topic: Current Issues in Tax</b>		
<i>Restriction: COMLAW 758</i>		
<b>LAWCOMM 789</b>	<b>15 Points</b>	
<b>Research Essay in Taxation Law</b>		
<i>Restriction: COMLAW 789</i>		
<b>LAWCOMM 790</b>	<b>30 Points</b>	
<b>Dissertation in Taxation Law - Level 9</b>		
<i>Restriction: COMLAW 790, 792</i>		
<b>LAWCOMM 791</b>	<b>15 Points</b>	
<b>Patent Drafting</b>		
The law and practice of drafting patent specifications to accompany patent applications.		
<b>LAWCOMM 792</b>	<b>45 Points</b>	
<b>Dissertation in Taxation Law - Level 9</b>		
<b>LAWCOMM 793</b>	<b>15 Points</b>	
<b>Patent Law - Level 9</b>		
Australian and New Zealand law relating to patents, including patentable subject matter, ownership, inventorship, validity requirements, patent specification requirements and the law governing infringement. The law relating to the protection of confidential information. Involves individual research resulting in a substantial piece of research writing.		
<i>Corequisite: LAWCOMM 772</i>		
<i>Restriction: LAWCOMM 462</i>		
<b>LAWCOMM 794A</b>	<b>45 Points</b>	
<b>LAWCOMM 794B</b>	<b>45 Points</b>	
<b>Thesis in Taxation Law - Level 9</b>		
<i>Restriction: COMLAW 794</i>		
<i>To complete this course students must enrol in LAWCOMM 794 A and B</i>		
<b>LAWCOMM 795</b>	<b>15 Points</b>	
<b>Copyright and Design - Level 9</b>		
An in-depth examination of the law of copyright and registered designs in New Zealand and Australia, including the relationship between copyright and design protection. Involves individual research resulting in a substantial piece of research writing.		
<i>Corequisite: LAWCOMM 772</i>		
<i>Restriction: LAWCOMM 433</i>		
<b>LAWCOMM 796</b>	<b>15 Points</b>	
<b>Trade Marks and Related Rights - Level 9</b>		
An examination of the law related to the protection of registered trade marks in Australia and New Zealand. Other		

legal mechanisms that protect symbols, including the law of passing off, consumer protection legislation, special events legislation and the law relating to geographical indications and domain names. Involves individual research resulting in a substantial piece of research writing.

*Corequisite:* LAWCOMM 772

*Restriction:* LAWCOMM 463

#### **LAWCOMM 797 15 Points**

##### **Interpretation and Validity of Patent Specification**

The law and practice of interpreting a patent specification for validity and infringement purposes.

## **Law Environmental**

### **Stage IV**

#### **LAWENVIR 404 15 Points**

##### **Climate Change Law**

An introduction to and critical examination of multi-sourced climate change law from a New Zealand perspective. Against the relevant international law backdrop, the course critically surveys and assesses domestic New Zealand climate change law including the 'zero-carbon' legislative framework, emissions trading, common law, climate change under planning and environmental law, and the emerging legal regime on managed retreat.

*Prerequisite:* 30 points at Stage II in Global Environment and Sustainable Development or LAW 201, 211, 231, 241

#### **LAWENVIR 405 15 Points**

##### **Special Topic**

#### **LAWENVIR 406 15 Points**

##### **Special Topic**

#### **LAWENVIR 420 15 Points**

##### **Global Environmental Law**

Concepts, principles, customs, and treaties of international law as related to the protection of the global environment including: prevention of pollution, protection of the marine environment, ozone layer protection, climate change, biodiversity, the UNCED process and the legal framework for sustainable development.

*Prerequisite:* 30 points at Stage II in Global Environment and Sustainable Development or LAW 201, 211, 231, 241

*Restriction:* LAW 433

#### **LAWENVIR 421 15 Points**

##### **Energy and Natural Resources Law**

An examination of the common law principles, legislation, and administrative controls in New Zealand relating to ownership of, prospecting for, extraction and use of, minerals (including oil and gas), alternative energy resources, forestry and fisheries resources.

*Corequisite:* LAW 301

*Restriction:* LAW 446

#### **LAWENVIR 424 15 Points**

##### **Special Topic**

#### **LAWENVIR 425 15 Points**

##### **Special Topic**

#### **LAWENVIR 426 15 Points**

##### **Special Topic**

#### **LAWENVIR 427 15 Points**

##### **Special Topic**

#### **LAWENVIR 433 15 Points**

##### **Resource Management Law**

An examination of the law relating to resource management and environmental regulation including: evolution of the sustainable management concept, consideration of national objectives, application of the Treaty of Waitangi, national standards, coastal policies, regional statements and plans, district plans, designations, heritage and conservation powers, resource consent procedures, and remedial powers and enforcement procedures.

*Prerequisite:* LAW 211

*Restriction:* LAWENVIR 401 or LAW 349 or 450 or 457

#### **LAWENVIR 434 15 Points**

##### **Environmental Constitutionalism**

Comparative constitutional examination into concepts and principles of the law related to environmental protection and sustainable development. Key areas include environmental ethics, sustainability, human rights and responsibilities, and state obligations.

*Prerequisite:* 30 points at Stage II in Global Environment and Sustainable Development or LAW 211

*Restriction:* LAWENVIR 430

## **Postgraduate 700 Level Courses**

#### **LAWENVIR 710 30 Points**

##### **International Environmental Law - Level 9**

Selected problems of international law as related to the protection of the global environment including the present concept of international environmental law and current trends toward a global law of sustainable development, law on climate changes, the ozone layer, the marine environment, biodiversity and the implications of international environmental issues for municipal law. Involves individual research resulting in a substantial individual research essay.

#### **LAWENVIR 712 15 Points**

##### **Mining and Energy Law - Level 9**

An examination of the legal principles, government policy, regulation, and administrative control relating to ownership and exploitation of minerals (including oil and gas), and alternative energy resources in New Zealand.

*Restriction:* ENVLAW 710, 723, LAWENVIR 713

#### **LAWENVIR 713 30 Points**

##### **Mining, Energy and Natural Resource Law - Level 9**

Study of the common law, legislation and administrative controls in New Zealand relating to ownership of, prospecting for, extraction and use of minerals (including oils and gas), alternative energy resources, forestry and fisheries resources. Involves individual research resulting in a substantial individual research essay.

*Restriction:* LAWENVIR 712, 714

#### **LAWENVIR 714 15 Points**

##### **Natural Resources Law - Level 9**

An examination of the legislative framework and legal principles relating to agriculture, forestry, and fisheries activities in New Zealand. Selected topics will include: legal ownership and interests in rural land and natural resources, the role of government, Māori claims and resource development conflict resolution. Involves individual research resulting in a substantial individual research essay.

*Restriction:* LAWENVIR 713

<b>LAWENVIR 716</b> <b>Resource Management Law - Level 9</b> Studies in the New Zealand law relating to resource management and environmental regulation including: evolution of the sustainable management concept, consideration of national objectives, Treaty of Waitangi application, national standards, coastal policies, regional statements and plans, district plans, designations, heritage and conservation powers, resource consent procedures, and remedial powers and enforcement procedures. Involves individual research resulting in a substantial individual research essay.	<b>30 Points</b>
<b>LAWENVIR 719</b> <b>Special Topic - Level 9</b>	<b>30 Points</b>
<b>LAWENVIR 720</b> <b>Special Topic - Level 9</b>	<b>30 Points</b>
<b>LAWENVIR 721</b> <b>Special Topic: Ocean Governance Law - Level 9</b>	<b>30 Points</b>
<b>LAWENVIR 723</b> <b>Climate Change Law - Level 9</b> Explores the interconnected science, policy and legal issues involved in addressing climate change. Involves individual research resulting in a substantial individual research essay.	<b>30 Points</b>
<b>LAWENVIR 726</b> <b>Special Topic: Nature Law - Level 9</b>	<b>15 Points</b>
<b>LAWENVIR 727</b> <b>Special Topic: Climate Change Law - Level 9</b>	<b>15 Points</b>
<b>LAWENVIR 728</b> <b>Special Topic: Global Environmental Law - Level 9</b>	<b>15 Points</b>
<b>LAWENVIR 729</b> <b>Special Topic: Comparative Environmental Law - Level 9</b>	<b>30 Points</b>
<b>LAWENVIR 730</b> <b>Special Topic - Level 9</b>	<b>15 Points</b>
<b>LAWENVIR 732</b> <b>Special Topic: Selected Issues in Environmental and Natural Resources Law - Level 9</b>	<b>30 Points</b>
<b>LAWENVIR 735</b> <b>Special Topic: Comparative Water and Natural Resources Law - Level 9</b>	<b>30 Points</b>
<b>LAWENVIR 736</b> <b>Special Topic: Comparative Water Law and Policy - Level 9</b>	<b>30 Points</b>
<b>LAWENVIR 737</b> <b>Special Topic: Global Environmental Law - Level 9</b>	<b>30 Points</b>
<b>LAWENVIR 741</b> <b>Special Topic: Sustainability and Natural Resources Law - Level 9</b>	<b>15 Points</b>
<b>LAWENVIR 742</b> <b>Special Topic - Level 9</b>	<b>15 Points</b>
<b>LAWENVIR 770</b> <b>Global Environmental Governance - Level 9</b> Critical examination of the current system of international environmental governance (including policies, treaties and institutions). Areas covered include United Nations system, climate change regime, international negotiations and the role of the State. Alternative approaches such as multilevel governance, multilateral decision-making and environmental trusteeship concepts will be examined in	<b>15 Points</b>

terms of their origins, prospects and practical feasibility. Involves individual research resulting in a substantial individual research essay.

**LAWENVIR 771**  
**Mining and Energy Law - Level 9**  
**15 Points**

An examination of the historical development, current legislative framework and the legal principles relating to the ownership, prospecting for, extraction and use of minerals, (including oil and gas), and the development of renewable energy resources. Involves individual research resulting in a substantial individual research essay.

*Restriction: LAWENVIR 713*

**LAWENVIR 772**  
**Special Topic - Level 9**  
**15 Points**

**LAWENVIR 773**  
**Special Topic - Level 9**  
**15 Points**

**LAWENVIR 774**  
**Special Topic - Level 9**  
**15 Points**

**LAWENVIR 777**  
**Special Topic: Resource Management Law - Level 9**  
**15 Points**

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## Law General

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### Stage IV

**LAWGENRL 400**  
**Directed Study**  
**5 Points**

Directed study on a topic approved by the Academic Head or nominee.

*Prerequisite: LAW 201, 211, 231, 241, 298 or 299*

**LAWGENRL 406**  
**Complex Litigation**  
**15 Points**

The rise of globalisation and technology has created complex litigation challenges for victims of mass harms nationally and internationally. This course examines comparative theoretical, ideological and economic policies which underpin complex litigation systems with a particular focus on the use of regulatory actions, class actions and litigation funding entities. It also examines major procedural and substantive issues that arise in the context of national and international complex civil litigation.

*Prerequisite: LAW 201, 211, 231, 241, 298 or 299*

*Restriction: LAWGENRL 457, LAWHONS 752*

**LAWGENRL 407**  
**Indigenous Peoples, Criminal Law and Justice**  
**15 Points**

An examination of contemporary issues in criminal law and justice concerning Indigenous peoples in Aotearoa New Zealand and internationally. Topics covered include: Indigenous peoples' experiences of state criminal justice systems, efforts to incorporate Indigenous law and cultural practices into state criminal law and criminal justice systems, and Indigenous legal responses to wrongdoing.

*Prerequisite: LAW 201*

**LAWGENRL 408**  
**Technology Law and Policy**  
**15 Points**

Considers the most critical issues in the intersection between technology, law and policy. The course examines how technological change affects, and is in turn affected by, legal and policy frameworks. In particular, it focuses on emerging technologies such as artificial intelligence, blockchain and cryptocurrency, and the subsequent challenges for law and society.

*Prerequisite: LAW 201, 211, 231, 241*

<b>LAWGENRL 410</b> <b>Comparative Health Law and Policy</b> An examination of domestic health care systems using a transdisciplinary lens with a specific focus on the roles that legal, economic, political, cultural, and ethical forces play in the development and regulation of health care systems around the world. Students will analyse the use of law and regulation to design and reform health care. <i>Prerequisite:</i> LAW 201, 211, 231, 241, 298 or 299	<b>15 Points</b>	organisation in a community context, and evaluation of the issues arising therefrom. <i>Prerequisite:</i> LAW 201, 211, 231, 241, 298 or 299 <i>Restriction:</i> LAWGENRL 405, 447
<b>LAWGENRL 411</b> <b>History of the Law of Obligations</b> The doctrinal history of the law of contract, tort and unjust enrichment from the twelfth century to the twentieth century. Original primary materials in the form of case law and legal treatises are considered. <i>Prerequisite:</i> LAW 231, 241 <i>Restriction:</i> LAWGENRL 445, LAWHONS 740	<b>15 Points</b>	<b>LAWGENRL 419</b> <b>Special Topic</b> <b>LAWGENRL 421</b> <b>Civil Procedure</b> Studies in civil processes and procedures, with a focus on the New Zealand Senior Courts (High Court, Court of Appeal, Supreme Court). Covers commencement of proceedings (stating a case and a defence), case management processes, interlocutory steps, discovery, evidence and trial processes, costs and appellate procedures. <i>Prerequisite:</i> LAW 201, 211, 231, 241 <i>Restriction:</i> LAW 413
<b>LAWGENRL 412</b> <b>Special Topic</b> <b>LAWGENRL 413</b> <b>Animals and the Law</b> The history, philosophy, and ethics of humanity's treatment of animals; relevant legislation and case law. Topics include: the development of the humane movement; consideration of whether all animals should be treated as property and the justification for such an approach; the development of animal protection legislation and what it does for animals; and the emergence of a concept of Animal Rights; the use of animals in farming, entertainment, research, and in a companion animal context; enforcement and sentencing of animal welfare offending; and international trends and developments in animal law. <i>Prerequisite:</i> LAW 211 <i>Restriction:</i> LAW 462, LAWGENRL 442	<b>15 Points</b>	<b>LAWGENRL 422</b> <b>Women and the Law</b> A study of the dual role of law in addressing and maintaining gender inequality, feminist thought on the gendered nature of law, and specific legal issues relevant to the status and interests of women in society. <i>Prerequisite:</i> LAW 201, 211 <i>Restriction:</i> LAW 437
<b>LAWGENRL 414</b> <b>"Justice" in Sentencing</b> Concepts of "Justice" in the sentencing process in Aotearoa are examined and critiqued from multiple perspectives with a particular focus on te ao Māori and an emphasis on the practical elements involved in sentencing advocacy. <i>Prerequisite:</i> LAW 201 <i>Restriction:</i> LAWGENRL 456	<b>15 Points</b>	<b>LAWGENRL 423</b> <b>Legal History</b> Historical analysis of problems currently facing the law in Aotearoa New Zealand with reference to both English sources and indigenous developments. <i>Prerequisite:</i> LAW 211 <i>Restriction:</i> LAW 441
<b>LAWGENRL 415</b> <b>Evidence</b> An overview of the rules related to the presentation of proof in New Zealand courts (civil and criminal) and tribunals, including the rules relating to hearsay, opinion evidence, privilege, examination of witnesses, confessions and the exclusion of illegally obtained evidence. <i>Prerequisite:</i> LAW 201, 231 <i>Restriction:</i> LAW 425, LAWGENRL 401	<b>15 Points</b>	<b>LAWGENRL 424</b> <b>Negotiation, Mediation and Dispute Resolution</b> An introduction to negotiation, mediation and dispute resolution covering: (i) a conceptual study of these processes including the study of the function of law, roles of lawyer, ethics, analysis, cultural and socio-economic factors; and (ii) a practical study of these processes including criteria for choosing resolution methods, techniques, attitudes, problem solving strategies, communication techniques, and effectiveness. <i>Restriction:</i> LAW 447
<b>LAWGENRL 416</b> <b>Directed Study</b> Directed study on a topic approved by the Academic Head or nominee. <i>Prerequisite:</i> LAW 201, 211, 231, 241	<b>10 Points</b>	<b>LAWGENRL 425</b> <b>Psychiatry and the Law</b> A general introduction to the formal relationship between psychiatry and law; the legal processes affecting compulsory assessment and treatment, including consideration of constitutional and cultural issues, patients rights and the review process; and the law and practice concerning forensic patients. <i>Prerequisite:</i> LAW 201 <i>Restriction:</i> LAW 448
<b>LAWGENRL 417</b> <b>Special Topic</b> <b>LAWGENRL 418</b> <b>Community Law Internship</b> Participation in and report on an approved internship involving at least 115 hours internship with an approved	<b>15 Points</b>	<b>LAWGENRL 426</b> <b>Roman Law</b> The significance of Roman Law as an enduring legacy from the ancient world to the modern; a study of the sources and historical development of Roman law; and a study of selected aspects of Roman law with a focus on the law of obligations: contract, quasi-contract, delict, quasi-delict. Translations of original primary materials in the form of the Institutes of Gaius, Justinian's Institutes and Justinian's Digest are considered. <i>Prerequisite:</i> LAW 231, 241

**LAWGENRL 427 15 Points****Equitable Remedies**

Examination of the more important remedies and orders granted in the court's equitable jurisdiction (excluding constructive trusts). Particular attention is directed to remedies in aid of judgment and interlocutory orders to maintain the court's authority over the parties or their property.

*Prerequisite:* LAW 306

*Restriction:* LAW 481

**LAWGENRL 428 15 Points****South Pacific Legal Studies**

Legal study of Pacific Island states located in the regions of Micronesia, Melanesia and Polynesia. Distinctive features of law arising in Pacific states, for example sources of law; relationships between custom and imported concepts of law; legal pluralism; corruption and anti-corruption measures; democracy and governance; land law; constitutional crises and constitutional developments; environmental and trade issues; regional issues; human rights issues.

*Prerequisite:* 30 points at Stage II in International Relations and Business or LAW 271

*Restriction:* LAW 486

**LAWGENRL 429 15 Points****Law of Family Property**

Advanced study of the law of property in family contexts, including trusts, succession, and matrimonial property.

*Corequisite:* LAW 306

*Restriction:* LAW 445

**LAWGENRL 430 15 Points****Advanced Family Law**

Advanced problems in selected areas of family law.

*Prerequisite:* LAWGENRL 402 or 433

*Restriction:* LAW 407

**LAWGENRL 432 15 Points****Healthcare Law**

An introduction to the legal and ethical issues related to health care delivery including: the purchase and provision of health services, the relationship between health providers and consumers, professional accountability, codes of rights, legal and ethical issues at the start and end of life, and biomedical research.

*Prerequisite:* LAW 271, 231

*Restriction:* LAW 427

**LAWGENRL 433 15 Points****Family Law**

The law relating to cohabitation and marriage, the establishment of parenthood, and the relationship between parent and child. Study of the interrelationship between the state, the family and child protection and support.

*Prerequisite:* LAW 271

*Restriction:* LAW 426, LAWGENRL 402

**LAWGENRL 434 15 Points****Trial Advocacy**

Examines the principles of trial advocacy in both civil and criminal cases; practical instruction; related procedural, tactical and ethical issues.

*Prerequisite:* LAW 301, 306

*Corequisite:* LAWGENRL 401 or 415

*Restriction:* LAW 347, 410, LAWGENRL 420, LAWHONS 707

**LAWGENRL 435 15 Points****Theories of Private Law**

Different theories of private law and how it leads to

different solutions to concrete legal questions. This course explores some of the main schools of normative thought in contemporary private law theory. It examines the key concepts and values associated with each theory before considering different theoretical frameworks for understanding two of the main categories of private law: property and contract.

*Prerequisite:* LAW 231, 241

*Restriction:* LAWHONS 739

**LAWGENRL 436 15 Points****Air and Space Law**

Examines important aspects of international air and space law using examples of how the international law has been implemented and applied in the New Zealand legal system including topical aviation industry issues.

*Prerequisite:* LAW 271, 241

**LAWGENRL 438 10 Points****Housing Law and Policy**

An examination of the law and the policy considerations that relate to residential housing including: the historical development and current state of residential tenancy protection legislation; the relationship between social policy and housing regulation; human rights and social equity considerations; economic measures to achieve government policy objectives for housing; regulating the private rental market; property rights and security of tenure issues; 'consumer protection' measures to ensure safe and habitable housing; housing and natural disasters; retirement housing; new forms of housing ownership; and dispute resolution.

*Prerequisite:* LAW 301

**LAWGENRL 439 15 Points****Housing Law and Policy**

An examination of the law and policy relating to residential housing including: human rights and social equity considerations; the role of government and social policy on housing; forms of housing ownership; residential tenancy legislation; regulating the private rental market; measures to ensure safe and habitable housing; retirement housing; housing for disabled persons; and housing following natural disasters.

*Prerequisite:* LAW 301

*Restriction:* LAWGENRL 438

**LAWGENRL 452 15 Points****Appellate Advocacy**

General principles of appellate advocacy in both civil and criminal cases; practical instruction; related procedural, tactical and ethical issues.

*Prerequisite:* LAW 301, 306

*Corequisite:* LAWGENRL 401 or 415

*Restriction:* LAW 347, 410, LAWGENRL 420, LAWHONS 707

**LAWGENRL 453 15 Points****Privacy Law**

An examination of the Law relating to privacy in New Zealand with special reference to the common law protection of privacy; the protection of privacy under the Broadcasting Act 1989; and the scope and application of the Privacy Act 2020.

*Prerequisite:* LAW 271, 231

*Restriction:* LAWPUBL 453, LAWHONS 744

**LAWGENRL 454 15 Points****Youth Justice**

A study of how children and young people interact with and are treated by the criminal justice system of Aotearoa

New Zealand, with comparison to developments in other jurisdictions. Topics may include: causes and responses to youth offending; youth as victims and participants in the criminal process; responses to Māori youth; gender; Family Group Conferences; Rangatahi Courts; and child imprisonment.

*Prerequisite:* LAW 201

*Restriction:* LAWGENRL 440

**LAWGENRL 458 15 Points**

**Pasifika Peoples and the Law**

Undeniably, Pasifika peoples in Aotearoa experience a number of inequalities. However, the complex relationships between these inequalities and the law are rarely explored in legal education and scholarship. Therefore, this course aims to give students an understanding of these relationships by encouraging the use of critical perspectives to examine a range of socio-legal issues facing Pasifika communities in Aotearoa today.

*Prerequisite:* LAW 201, 211, and 298 or 299

**LAWGENRL 459 15 Points**

**Race and the Law**

Explores the relationship between race, power and the law in Aotearoa and beyond. Areas of focus will include the changing conceptualisations of race, racism, discrimination, implicit and institutional bias. Students will also examine approaches to racial justice (from Critical Race Theory to Abolition movements) and consider how they understand and address the issues facing communities of colour today.

*Prerequisite:* LAW 201, 211, 231, 241, 298 or 299

**LAWGENRL 460 15 Points**

**International Mooting**

Students selected to represent the Faculty of Law in approved international mooting competitions will complete independent research, draft written submissions and present oral argument on complex areas of international law which will be overseen by faculty advisers.

*Prerequisite:* LAW 201, 211, 231, 241, 298 or 299

**LAWGENRL 461 15 Points**

**Special Topic**

**LAWGENRL 462 15 Points**

**Law and Popular Culture**

An exploration of the intersection between law and popular culture that considers how legal concepts, processes, actors, institutions and issues are portrayed, critiqued, and shaped by popular depictions in film and television.

*Corequisite:* LAW 316

**LAWGENRL 464 15 Points**

**Introduction to Common Law**

The history, nature and evolution of the Common Law; common law reasoning; the interaction of case law and legislation in a common law system.

*Restriction:* LAW 472, LAWGENRL 443

**LAWGENRL 465 15 Points**

**Contemporary Issues in Land Law**

Study of selected contemporary issues in real property. Topics may include: legal theory of real property; the constitution and takings of private property; state regulation of private property; the law of public recreational access, particularly to the waterfront; indigenous challenges to Crown ownership and governance of land, including the beds of water bodies and national parks; the aims of the Torrens system; and implications of reform of the Land

Transfer Act 1952, in particular relating to land covenants, fraud and exceptions to indefeasibility.

*Prerequisite:* LAW 301

*Restriction:* LAWGENRL 444

**LAWGENRL 467 15 Points**

**Pacific People in Aotearoa: Legal Peripheries**

Examines and critiques certain areas and aspects of the law and legal system in New Zealand of particular relevance for Pacific people and communities.

*Prerequisite:* LAW 211

*Restriction:* LAWGENRL 446

**LAWGENRL 469 15 Points**

**Selected Topics in Health Care Law**

A selection of topics designed to consolidate and advance understanding of the theory and practice of health care law. The topics covered will vary according to current legal developments, but are likely to include: the law relating to human research and experimentation; legal and ethical issues in abortion, human reproduction, and assisted reproductive technologies; organ and tissue donation; the sterilisation of mental incompetents; the regulation of health professions, medical manslaughter and the disciplinary process; legal issues arising in human genetics, stem cell research, human reproductive cloning. An opportunity for an in-depth examination of relevant, current legal developments relating to health professional practice and patients' rights.

*Prerequisite:* LAW 211, 231

*Restriction:* LAW 468, LAWGENRL 448

**LAWGENRL 470 15 Points**

**Selected Topics in Media Law**

The law governing the media and journalists. Topics to be covered will include some of: defamation, contempt of court, breach of confidence, privacy, the broadcasting legislation, censorship and copyright.

*Prerequisite:* LAW 211, 231

*Restriction:* LAWGENRL 449, LAWHONS 721

**LAWGENRL 471 15 Points**

**Public Authority Liability**

Detailed consideration of the bases in both public and private law on which public authorities or the Crown may be liable to compensate private individuals or entities, and the debates surrounding this issue; the interface between private and public law.

*Prerequisite:* LAW 201, 211, 231, 241

*Restriction:* LAW 466, LAWGENRL 450, LAWHONS 742, LAWPUBL 450

**LAWGENRL 472 15 Points**

**Economic Analysis of Public and Private Law**

Examines the role economic thinking can play in legal reasoning. Key economic concepts. Economic analysis applied to tort and contract law, constitutional and public international law, and judicial decision-making.

*Prerequisite:* LAW 211, 231, 241

*Restriction:* LAWGENRL 455

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**Postgraduate 700 Level Courses**

**LAWGENRL 702 30 Points**

**Foundations of Human Rights - Level 9**

A study of the moral and jurisprudential basis for human rights and for their protection through law including a study of the major theories of justice and rights. Involves individual research resulting in a substantial individual research essay.

<b>LAWGENRL 711</b>	<b>30 Points</b>	<b>LAWGENRL 725</b>	<b>15 Points</b>
<b>Special Topic: Corruption: Comparative and International Approaches - Level 9</b>		<b>Special Topic: Human Rights in their Commercial Context in Aotearoa - Level 9</b>	
<b>LAWGENRL 712</b>	<b>30 Points</b>	<b>LAWGENRL 726</b>	<b>15 Points</b>
<b>Therapeutic Jurisprudence - Level 9</b>		<b>Special Topic - Level 9</b>	
The role of the law as a therapeutic agent. The impact of the law on emotional life and psychological wellbeing. Investigation of different areas of the practice of law that may be susceptible to a therapeutic jurisprudence analysis, including drug treatment and mental health courts. Involves individual research resulting in a substantial individual research essay.		<b>LAWGENRL 727</b>	<b>15 Points</b>
		<b>Special Topic: Health Law - Level 9</b>	
<b>LAWGENRL 713</b>	<b>30 Points</b>	<b>LAWGENRL 728</b>	<b>15 Points</b>
<b>Selected Issues in Family Law - Level 9</b>		<b>Special Topic - Level 9</b>	
<b>LAWGENRL 714</b>	<b>30 Points</b>	<b>LAWGENRL 729</b>	<b>15 Points</b>
<b>Restorative and Therapeutic Justice - Level 9</b>		<b>Special Topic - Level 9</b>	
<b>LAWGENRL 715</b>	<b>30 Points</b>	<b>LAWGENRL 730</b>	<b>15 Points</b>
<b>Special Topic: Comparative Crime - Level 9</b>		<b>Special Topic: Psychiatry and the Law - Level 9</b>	
<b>LAWGENRL 716</b>	<b>15 Points</b>	<b>LAWGENRL 731</b>	<b>15 Points</b>
<b>Special Topic: Secured Transactions: Practical - Level 9</b>		<b>Special Topic - Level 9</b>	
<b>LAWGENRL 717</b>	<b>15 Points</b>	<b>LAWGENRL 732</b>	<b>15 Points</b>
<b>Special Topic - Level 9</b>		<b>Special Topic - Level 9</b>	
<b>LAWGENRL 718</b>	<b>15 Points</b>	<b>LAWGENRL 770</b>	<b>15 Points</b>
<b>Special Topic: Employment Law: Personal Grievance - Level 9</b>		<b>Ideas of Land - Level 9</b>	
<b>LAWGENRL 719</b>	<b>30 Points</b>	An exploration of the challenges posed to legal thinking by social and environmental issues in the twenty-first century. Examination of some central tensions in the theory of property law. The history of common law ideas of land. Debates about theories of property in light of selected current issues in the law. Involves individual research resulting in a substantial individual research essay.	
<b>Special Topic: Law and Computer Science - Level 9</b>		<b>LAWGENRL 771</b>	<b>15 Points</b>
<b>LAWGENRL 720</b>	<b>30 Points</b>	<b>Mediation Theory and Practice - Level 9</b>	
<b>Law of Evidence - Level 9</b>		The mediation process, advantages and disadvantages of mediation, the landscape of mediation in New Zealand and internationally, some basic legal framework issues, the role of mediation in the civil justice system, consideration of some issues surrounding ethics, gender and race dynamics and online mediation. Involves individual research resulting in a substantial individual research essay.	
Fundamental principles and policies central to the law of evidence in modern times; consideration of how successfully these competing principles and policies are balanced within New Zealand's legislation governing the admission of evidence: the Evidence Act 2006. Using examples from New Zealand and abroad, consideration of how these principles and policies interact in particular cases in criminal proceedings. Involves individual research resulting in a substantial individual research essay.		<b>LAWGENRL 772</b>	<b>15 Points</b>
<b>LAWGENRL 721</b>	<b>30 Points</b>	<b>Mediation Advocacy - Level 9</b>	
<b>Mediation - Level 9</b>		A study of the practice and skills of representing clients effectively in mediation including tactical and ethical issues facing mediators. The relevant legal framework in detail, including the enforceability of mediation agreements, confidentiality and privilege issues, power dynamics and how to deal with common problems in mediation. Involves individual research resulting in a substantial individual research essay.	
The nature of mediation and its strategic advantages and disadvantages, the legal framework of mediation (including the limits of confidentiality and privilege), negotiation theory and effective client representation in mediation. A central focus on current theoretical issues in dispute resolution such as ethical dilemmas, power dynamics in mediation and the future of the justice system. Involves individual research resulting in a substantial individual research essay.		<b>LAWGENRL 773</b>	<b>15 Points</b>
<b>LAWGENRL 722</b>	<b>15 Points</b>	<b>Theoretical Issues in Therapeutic Jurisprudence - Level 9</b>	
<b>Comparative Law - Level 9</b>		An exploration of the theoretical underpinnings of the idea of law as a therapeutic agent. Involves individual research resulting in a substantial individual research essay.	
Comparative law, theory and methodology. Involves individual research resulting in a substantial individual research essay.		<b>LAWGENRL 774</b>	<b>15 Points</b>
<b>LAWGENRL 723</b>	<b>15 Points</b>	<b>The Practice of Therapeutic Jurisprudence - Level 9</b>	
<b>Special Topic: Selected Topics in Law of Evidence and Criminal Procedure - Level 9</b>		Building on Theoretical Issues in Therapeutic Jurisprudence, this course investigates different areas of the practice of law that may be susceptible to a therapeutic jurisprudence analysis, including drug treatment and mental health courts. Involves individual research resulting in a substantial individual research essay.	
<b>LAWGENRL 724</b>	<b>15 Points</b>	<i>Prerequisite: LAWGENRL 773</i>	
<b>Miscarriage of Justice - Level 9</b>			

## Law Honours

### Postgraduate 700 Level Courses

**LAWHONS 702A** 10 Points

**LAWHONS 702B** 10 Points

#### Human Rights

The legal modes for protection of human rights, including the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993, freedom of expression and religion, criminal procedural rights, equality, and the prohibited grounds of discrimination.

*Restriction: LAW 342, 452*

*To complete this course students must enrol in LAWHONS 702 A and B*

**LAWHONS 706A** 10 Points

**LAWHONS 706B** 10 Points

#### Criminal Law and Policy

An in-depth analysis of current issues in substantive and procedural criminal law including: the role and function of forensic experts, developments in criminal law, criminal justice theory and criminal law reform.

*Restriction: LAW 346*

*To complete this course students must enrol in LAWHONS 706 A and B*

**LAWHONS 716A** 10 Points

**LAWHONS 716B** 10 Points

#### Legal History

Historical analysis of problems currently facing the law in Aotearoa New Zealand with reference to both English sources and indigenous developments.

*Restriction: LAW 356*

*To complete this course students must enrol in LAWHONS 716 A and B*

**LAWHONS 720A** 10 Points

**LAWHONS 720B** 10 Points

#### Maritime Law

A study of the law governing ships including: the ownership of and property in ships, charter parties, ship mortgages, law of carriage, shipboard crimes and torts, the law of collision, salvage, wrecks, the admiralty jurisdiction of the courts, national shipping laws, the international regulatory framework, the conflict of laws rules applicable to admiralty disputes and marine insurance.

*Restriction: LAW 360*

*To complete this course students must enrol in LAWHONS 720 A and B*

**LAWHONS 721A** 10 Points

**LAWHONS 721B** 10 Points

#### Media Law

Topics on the law governing the media and journalists including: defamation, contempt of court, breach of confidence, privacy, the broadcasting legislation, censorship and copyright.

*Restriction: LAW 361, LAWGENRL 449*

*To complete this course students must enrol in LAWHONS 721 A and B*

**LAWHONS 722A** 10 Points

**LAWHONS 722B** 10 Points

#### Health Law and Policy

Selected studies in the relationship between law and medicine including: the purchase and provision of health services, the relationship between health providers and consumers, professional accountability, codes of rights,

legal and ethical issues at the start and end of life, and biomedical research.

*Restriction: LAW 362*

*To complete this course students must enrol in LAWHONS 722 A and B*

**LAWHONS 728A** 10 Points

**LAWHONS 728B** 10 Points

#### Studies in Public Law

Advanced studies in respect of the principles and workings of the New Zealand constitution, the powers, privileges and immunities of the three branches of government, the exercise and control of government power and the relationship between the individual and the state (including the position of Māori under the Treaty of Waitangi).

*Restriction: LAW 368, 403, 404*

*To complete this course students must enrol in LAWHONS 728 A and B*

**LAWHONS 729A** 10 Points

**LAWHONS 729B** 10 Points

#### Studies in Torts

A study of policy issues in the law of tort, developments in the law of negligence, the economic torts, breach of statutory duty, invasion of privacy, informed consent, defences and remedies.

*Restriction: LAW 369*

*To complete this course students must enrol in LAWHONS 729 A and B*

**LAWHONS 733A** 10 Points

**LAWHONS 733B** 10 Points

#### Studies in Contract Law

Advanced studies of selected topics in contract law (and related areas), which may include consideration of the history of contract law, various jurisprudential and/or comparative approaches to contract law, various doctrines of contract law, the law of remedies and statutory reform of contract law.

*Restriction: LAW 383*

*To complete this course students must enrol in LAWHONS 733 A and B*

**LAWHONS 734A** 10 Points

**LAWHONS 734B** 10 Points

#### Issues in Insurance Law

A consideration of the law governing insurance contracts, including the duty of utmost good faith; the interpretation of the policy; the scope of cover; warranties and conditions; the claims process and fraudulent claims; and quantification of the insurer's obligations; subrogation and recoupment; and third party rights.

*Restriction: LAW 384, 431, LAWCOMM 424, 453*

*Restriction: LAWCOMM 424, 453*

*To complete this course students must enrol in LAWHONS 734 A and B*

**LAWHONS 735A** 10 Points

**LAWHONS 735B** 10 Points

#### Corruption and Democracy

Corruption has devastating implications for self-government. This seminar explores how corruption manifests within democracies specifically: the impact of corruption on democratic values and priorities; the inequalities it creates within political and economic systems; the environmental destruction and the potential for human



rights violations it creates - all from the perspective of distinct sources of law including constitutions and treaties.

*Restriction: LAW 385, LAWPUBL 467*

*To complete this course students must enrol in LAWHONS 735 A and B*

**LAWHONS 736A** 10 Points  
**LAWHONS 736B** 10 Points

### Topics in International Law

An in-depth analysis of selected topics in historical and contemporary international law, the aim of which is to provide students with a deeper appreciation of the theoretical debates in the discipline, as well as a broader understanding of the topics being studied.

*Corequisite: LAW 435 or LAWPUBL 402*

*To complete this course students must enrol in LAWHONS 736 A and B*

**LAWHONS 737A** 10 Points  
**LAWHONS 737B** 10 Points

### Law of Agency

A study of the principles of agency law and selected applications thereof.

*To complete this course students must enrol in LAWHONS 737 A and B*

**LAWHONS 738A** 10 Points  
**LAWHONS 738B** 10 Points

### Studies in Company Law and Contract Law

An advanced study of selected topics in the areas of company law and contract law, including the relationship between directors, theories of the company, comparative corporate law, shareholders and the company, consideration of the history of contract law, various jurisprudential and/or comparative approaches to contract law, various doctrines of contract law and potential statutory reform of contract law.

*Corequisite: LAWCOMM 402*

*To complete this course students must enrol in LAWHONS 738 A and B*

**LAWHONS 739A** 10 Points  
**LAWHONS 739B** 10 Points

### Theoretical Foundations of Private Law

Explores some of the main schools of thought in contemporary private law theory, including formalism, realism, economic analysis and critical legal studies. Examines the key concepts and values associated with each theory before considering different theoretical frameworks for understanding two of the main categories of private law: property and contract.

*To complete this course students must enrol in LAWHONS 739 A and B*

**LAWHONS 740A** 10 Points  
**LAWHONS 740B** 10 Points

### The History of the Law of Obligations

The doctrinal history of the law of contract, tort and unjust enrichment from the twelfth century to the twentieth century. Original primary materials in the form of case law and legal treatises are considered.

*Restriction: LAW 356, LAWGENRL 445*

*To complete this course students must enrol in LAWHONS 740 A and B*

**LAWHONS 741A** 10 Points  
**LAWHONS 741B** 10 Points

### Indigenous Peoples and the Law

An overall consideration of Indigenous peoples in

international, constitutional and human rights law in New Zealand and internationally.

*Restriction: LAWPUBL 446*

*To complete this course students must enrol in LAWHONS 741 A and B*

**LAWHONS 742A** 10 Points  
**LAWHONS 742B** 10 Points

### Public Authority Liability

Covers the various public and private law bases for monetary liability of public authorities (with a focus on Torts); the doctrinal and policy debates surrounding such liability; the uncertain interface between private and public law.

*Restriction: LAW 466, LAWGENRL 450, LAWPUBL 450*

*To complete this course students must enrol in LAWHONS 742 A and B*

**LAWHONS 743A** 10 Points  
**LAWHONS 743B** 10 Points

### Refugee and Immigration Law

Advanced studies on a range of refugee and immigration law matters including: the history and development of the international refugee system, changing understandings of refugees, detention systems and camps, people smuggling, themes in New Zealand immigration law history, the securitisation of immigration law and prospects of a borderless world. The course will incorporate history, theory, policy and critical analysis.

*To complete this course students must enrol in LAWHONS 743 A and B*

**LAWHONS 744** 20 Points  
**LAWHONS 744A** 10 Points  
**LAWHONS 744B** 10 Points

### Special Topic: Privacy Law

*To complete this course students must enrol in LAWHONS 744 A and B, or LAWHONS 744*

**LAWHONS 745** 20 Points  
**Corporate Governance**

A study of the governance of corporations adopting comparative, and law-and-economics perspectives including the role and obligations of the board, the legal and economic relationships between corporate constituents, and trends and developments in corporate governance.

**LAWHONS 746A** 10 Points  
**LAWHONS 746B** 10 Points

### Concepts in Law and Security

An in-depth analysis of theoretical concepts related to law and security. The aims of the course are to introduce students to key concepts in the relevant academic discourse, to explore the ways in which these concepts frame discussions regarding law and security in the post-9/11 era, and to examine the extent to which those concepts influence policy, practice and discourse.

*To complete this course students must enrol in LAWHONS 746 A and B*

**LAWHONS 747A** 10 Points  
**LAWHONS 747B** 10 Points

### Law of Restitution

A study of the law of just restitution, including its general principles, the concept of unjust enrichment, and the relationship of the subject with other areas of law, including the law of property, contract law, and the law of tort. Consideration is also given to selected areas of practical application, such as the reversal of transfers for mistake,

impaired judgement, duress and failure of conditions, and profiting from wrongs.

To complete this course students must enrol in LAWHONS 747 A and B

**LAWHONS 748A** 10 Points  
**LAWHONS 748B** 10 Points

**Special Topic: International Taxation**

Tests of residence for individuals and corporations. The wider tax base for off-shore income of New Zealand residents. Income derived by overseas residents from New Zealand activities. The Double Tax Treaty System. Selecting the country of residence. Anti-avoidance measures directed at transnational activity. The use of tax havens. As well as New Zealand taxation law, the course also examines the municipal revenue law of some of our trading partners. Involves individual research resulting in a substantial individual research essay.

To complete this course students must enrol in LAWHONS 748 A and B

**LAWHONS 749A** 10 Points  
**LAWHONS 749B** 10 Points

**Special Topic: Global Environmental Law**

Examines environmental law and governance from the international, regional and national levels. The global coverage includes international environmental law and draws on experiences from the European Union, United States, Canada, South America, Australia and New Zealand. The topics include state sovereignty, the UN system, principles and sources of international environmental law, climate change, biodiversity, human rights and current developments in global and domestic environmental governance.

To complete this course students must enrol in LAWHONS 749 A and B

**LAWHONS 750A** 10 Points  
**LAWHONS 750B** 10 Points

**Special Topic: Tax Law and Policy**

Covers tax law and policy generally including: theoretical aspects of tax system design; New Zealand's system of income tax and GST; problems such as tax avoidance and the taxation of large, heavily digitalized multinational enterprises; and possibilities for reform such as capital gains tax and death duties.

Corequisite: LAWCOMM 403

To complete this course students must enrol in LAWHONS 750 A and B

**LAWHONS 751A** 10 Points  
**LAWHONS 751B** 10 Points

**Special Topic: International Peace and Security**

Covers the principal schools of political thought on the place of private law in modern society, including libertarian, Marxist, egalitarian, and neo-liberal theories. Discusses the political stakes involved in structuring and regulating private transactions. Evaluates the appropriateness of different modalities of generating private law, including traditional adjudication, democratic legislation, and the work of private legislatures.

Restriction: LAWCOMM 465

To complete this course students must enrol in LAWHONS 751 A and B

**LAWHONS 752A** 10 Points  
**LAWHONS 752B** 10 Points

**Special Topic: Complex Litigation**

The rise of globalisation and technology has created

complex litigation challenges for victims of mass harms. This course examines comparative theoretical, ideological and economic policies which underpin complex litigation systems with a particular focus on the use of regulatory actions, class actions and litigation funding entities. It also examines major procedural and substantive issues that arise in complex civil litigation.

Restriction: LAWGENRL 406, 457

To complete this course students must enrol in LAWHONS 752 A and B

**LAWHONS 753A** 10 Points  
**LAWHONS 753B** 10 Points

**Special Topic: Restorative and Therapeutic Justice**

To complete this course students must enrol in LAWHONS 753 A and B

**LAWHONS 754A** 10 Points  
**LAWHONS 754B** 10 Points

**Special Topic: Regulation of International Trade**

To complete this course students must enrol in LAWHONS 754 A and B

**LAWHONS 755A** 10 Points  
**LAWHONS 755B** 10 Points

**Mātauranga Māori and Taonga**

A study of Indigenous intellectual property and cultural property. Considers how Māori and the Crown may address the Crown's breaches of its guarantee in Te Tiriti o Waitangi 1840 to allow Māori to exercise tino rangatiratanga (the unqualified exercise of chieftainship) over mātauranga Māori (the body of knowledge originating from Māori ancestors) and taonga (tangible and intangible treasures).

Restriction: LAWPUBL 468

To complete this course students must enrol in LAWHONS 755 A and B

**LAWHONS 756A** 10 Points  
**LAWHONS 756B** 10 Points

**Legal and Political Theory**

An exploration of how agents, institutions and practices can affect people's normative situation; the nature of legal argumentation and adjudication; the relation of legality to the use of organised force; the individual's moral rights and duties that obtain because of the law; the individual's moral rights against their government; the justification of political authority and the character of political obligation.

Corequisite: LAW 316

To complete this course students must enrol in LAWHONS 756 A and B

**LAWHONS 789** 40 Points  
**Dissertation - Level 9**

A dissertation of approximately 15,000 words resulting from original research of the student, having the scope, and depth of research, of a competent law review article. The topic of the dissertation needs the approval of the Dean of Faculty of Law.

Restriction: LAW 789

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## Law Public

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### Stage IV

**LAWPUBL 400** 15 Points  
**Social Justice Lawyering**

A clinical legal education course that provides students with real-life lawyering opportunities under the mentorship of experienced practitioners. Students will attend preparatory

seminars and trainings and then work alongside legal practitioners to apply these skills in a real-life context.

*Prerequisite:* LAW 201, 211, 231, 241, 398 or 458

**LAWPUBL 405** **15 Points**  
**Law and Social Justice**

The role of law and legal practice in the advancement of social justice, including an introduction to theories of social justice and their application in diverse areas of social policy including criminal justice, housing, welfare, immigration, tax, and in relation to the Māori and Pasifika dimensions of Aotearoa New Zealand.

*Prerequisite:* LAW 201 and 211

**LAWPUBL 406** **15 Points**  
**Advanced Criminal Law**

An examination of a selected range of the more difficult but significant areas of legal doctrine and policy that arise in the criminal law and which are not covered in the introductory Part II course on criminal law. Topics covered in this course include: the law on inchoate offences, property offences (other than theft), the insanity defence and party liability.

*Prerequisite:* LAW 201

**LAWPUBL 407** **15 Points**  
**Advanced Employment Law**

Advanced study of selected issues in employment law including legal developments relating to modern slavery, health and safety, independent contractors, work-related personal injury, whistleblowing, fair pay agreements, social media, workplace investigations, education law, sports law, health law and transfer of undertakings. Involves individual research resulting in a substantial individual research essay.

*Prerequisite:* LAWPUBL 425

*Restriction:* LAW 460, LAWPUBL 457

**LAWPUBL 408** **15 Points**  
**International Organisations**

An introduction to the law, practice, and politics of international organisations such as the United Nations, technical agencies, and international financial institutions, including: the historical evolution of international organisations; and cross-cutting doctrinal issues such as membership, organs, decision-making, legal powers, and accountability.

*Prerequisite:* LAW 211

**LAWPUBL 409** **15 Points**

**LAWPUBL 409A** **10 Points**

**LAWPUBL 409B** **5 Points**

**Special Topic**

*Prerequisite:* LAW 201, 211, 231, 241

*Restriction:* LAWPUBL 470

To complete this course students must enrol in LAWPUBL 409 A and B

**LAWPUBL 410** **15 Points**  
**International Law**

An introduction to public international law including an overview of the current legal framework, the sources of international law, the law of treaties, international personality, state responsibility, international dispute resolution and selected current issues.

*Prerequisite:* 30 points at Stage II in Global Politics and Human Rights or LAW 211, 231, 241

*Restriction:* LAW 435, LAWPUBL 402

**LAWPUBL 411** **15 Points**  
**Local Government Law**

The law relating to the structure, powers and service

delivery functions of local government. Examines the history of local government, powers and administrative principles, civil liability, elections, council procedures, works contracts, land valuation, rating systems, environmental functions, bylaws, licensing, roads, public reserves, community services, and civil defence.

*Prerequisite:* LAW 201, 211, 231, 241

*Restriction:* LAWPUBL 471

**LAWPUBL 413** **15 Points**  
**Protecting Refugees and Forced Displacement in the 21st Century: Contemporary Law and Practice**

Detailed study of contemporary law and practice relating to the protection of refugees and forcibly displaced people. The intersection of international law with other disciplines, including international relations, development, peace and security, and social studies, provides a broad base to understand applicable legal, political and social policies and discourse to protect displaced people in the twenty-first century.

*Prerequisite:* 30 points at Stage II in Global Politics and Human Rights or LAW 201, 211, 231, 241

**LAWPUBL 414** **15 Points**  
**Administrative Law**

A study of the general principles of judicial review of administrative action, including the ultra vires principle, the substantive and procedural restraints on the exercise of public power, and the remedies available for breach of these principles.

*Prerequisite:* LAW 201, 211, 231, 241

*Restriction:* LAW 402, 440, LAWPUBL 401, 426

**LAWPUBL 417** **15 Points**  
**Special Topic: Comparative Criminal Law: Aotearoa New Zealand and the USA**

An examination of criminal law and criminal justice in the United States and Aotearoa New Zealand, with an emphasis on how different histories and values have shaped and continue to shape the criminal justice systems of these jurisdictions.

**LAWPUBL 420** **15 Points**  
**Contemporary Issues in Criminal Justice**

An examination of selected contemporary issues in criminal justice in Aotearoa New Zealand. Topics may include: whether the criminal justice system in Aotearoa is fit for purpose; punishment and imprisonment; victims and the criminal process; restorative justice; therapeutic jurisprudence; solution-focused courts; family violence; Indigenous peoples and the criminal justice system; media and crime. The focus is on law-in-action and law-in-context.

*Prerequisite:* LAW 201

*Restriction:* LAW 406, LAWPUBL 463

**LAWPUBL 421** **15 Points**  
**Advanced International Law**

Advanced studies in selected areas of the law of nations; a critical analysis of existing and developing international law, and consideration of the relationship between law, economics, politics and international diplomacy.

*Prerequisite:* LAW 435 or LAWPUBL 402, 410

*Restriction:* LAW 408, LAWPUBL 403, 459

**LAWPUBL 422** **15 Points**  
**Contemporary Tiriti/Treaty Issues**

Contemporary legal issues arising under Te Tiriti o Waitangi.

*Prerequisite:* LAW 211

*Restriction:* LAW 421

**LAWPUBL 425 15 Points****Employment Law**

A study of individual and collective employment agreements and the underlying statutory framework of employment law in New Zealand including the Employment Relations Act 2000, Human Rights Act 1993, Privacy Act 2020, Holidays Act 2003, Minimum Wages Act 1983, Wages Protection Act 1983, Equal Pay Act 1972, and Parental Leave and Employment Protection Act 1987.

*Prerequisite:* LAW 231, 241

*Restriction:* LAW 430

**LAWPUBL 426 15 Points****Judicial Review**

A study of the general principles of judicial review of administrative action, and remedies available for breach of those principles.

*Prerequisite:* LAW 211

*Restriction:* LAW 402, 440, LAWPUBL 401, 414

**LAWPUBL 427 15 Points****Māori Land Law**

Customary Māori land tenure and legal issues arising under Te Ture Whenua Māori Act 1993.

*Corequisite:* LAW 301

*Restriction:* LAW 359, 444, LAWHONS 719

**LAWPUBL 428 15 Points****Rights and Freedoms**

The legal modes for protection of civil rights including study of the New Zealand Bill of Rights Act 1990, the Human Rights Act 1993, freedom of speech and religion, criminal procedural rights, equality and the prohibited grounds of discrimination.

*Prerequisite:* LAW 211

*Restriction:* LAW 342, 452, LAWHONS 702

**LAWPUBL 430 15 Points****Criminal Procedure**

The rules governing the conduct of criminal trials and the investigation of crime. Changes to criminal procedure brought about by judicial interpretation of the New Zealand Bill of Rights Act 1990. Selected topics which may include: search and seizure, name suppression, right to counsel, exclusion of evidence, bail, juries, trial delay.

*Prerequisite:* LAW 201

*Restriction:* LAW 482

**LAWPUBL 431 15 Points****Advanced Public Law**

Advanced studies in selected areas of Public Law.

*Prerequisite:* LAW 211

*Restriction:* LAW 483

**LAWPUBL 432 15 Points****International Economic Regulation**

The growing array of trade and investment, or economic integration, agreements at the multilateral, regional and bilateral levels. Core concepts, theories, institutions and rules from the perspective of public international law, as well as the realpolitik of trade negotiations.

*Prerequisite:* 30 points at Stage II in International Relations and Business or LAW 211

*Restriction:* LAW 485

**LAWPUBL 434 15 Points****International Criminal Law**

The evolution of international criminal law, from the Nuremberg and Tokyo Tribunals to the International Criminal Court. Topics include: the nature and sources of international criminal law; jurisdiction; individual and

collective responsibility; substantive crimes and defences; alternatives to criminal trials, such as truth commissions and amnesties.

*Prerequisite:* LAW 201, 211, 231, 241

*Restriction:* LAW 489

**LAWPUBL 435 15 Points****Law of the Sea and Antarctica**

A foundational study of the Law of the Sea and the law relating to Antarctica, with specialised work on contemporary legal and policy issues.

*Prerequisite:* 30 points at Stage II in International Relations and Business, or LAW 211

*Restriction:* LAW 494, LAWPUBL 462

**LAWPUBL 436 15 Points****International Human Rights**

An outline of the growing jurisprudence relating to international human rights law, with a particular focus on the case law of the UN Human Rights Committee and the European Court of Human Rights; consideration of the core human rights protected, and the practicalities of how human rights cases are brought before the main adjudicatory bodies.

*Prerequisite:* 30 points at Stage II in Global Politics and Human Rights or LAW 211

*Restriction:* LAW 496

**LAWPUBL 441 15 Points****Nga Tikanga Māori**

A study of Māori customary law. Topics that may be covered include: the content of Customary Law as it relates to Māori social and political organisation and land tenure; Customary Law's interaction with the general (e.g., through statute or the common law); Customary Law and legal pluralism and culture theory; and the role of Customary Law in contemporary Crown-iwi relations.

*Prerequisite:* LAW 211

**LAWPUBL 442 15 Points****Researching Indigenous Rights Theory, Law and Practice**

Aims to provide students with the opportunity to develop their research and writing skills, while also acquiring substantive knowledge about indigenous rights law in the context of international law; comparative law; and the domestic law of states. Students will also learn how to research indigenous rights law, for example by learning how to access materials, academic papers, and information.

*Prerequisite:* LAW 211

**LAWPUBL 443 15 Points****Refugee Law**

An overview of the international and New Zealand refugee law systems including who is a refugee, the pathways and processes for becoming a refugee, the rights of refugees. Critical approaches to the field of refugee law; discussion of contemporary challenges in the field.

*Prerequisite:* 30 points at Stage II in Global Politics and Human Rights or LAW 211

*Restriction:* LAW 428, LAWPUBL 424

**LAWPUBL 444 15 Points****Immigration Law**

An overview of the immigration issues in New Zealand. The history of immigration law; examination of some of the key issues in immigration law today including the immigration law system, citizenship, visas, deportation, appeals and

judicial review of immigration decisions and national security issues. Contemporary challenges in the field.

*Prerequisite:* LAW 211

*Restriction:* LAW 428, LAWPUBL 424

**LAWPUBL 445** **15 Points**  
**European Union Law**

The law related to the European Union and its institutional, economic and social structure as well as the general economic and political implications of the present status of the European Union.

*Prerequisite:* 30 points at Stage II in BGlobalSt courses or LAW 211

*Restriction:* LAW 424

**LAWPUBL 446** **15 Points**  
**Indigenous Peoples in International Law**

An introduction to international law as it relates to Indigenous peoples including: third world approaches to international law; the United Nations Declaration on the Rights of Indigenous peoples; the relationship between international human rights and Indigenous peoples' rights; the universal human rights regime and Indigenous peoples; regional human rights systems and Indigenous peoples' rights; international economic institutions and Indigenous peoples; business and Indigenous peoples' rights and special topics relevant to Indigenous peoples in the Pacific.

*Prerequisite:* 30 points at Stage II in Global Environment and Sustainable Development or Global Politics and Human Rights, or LAW 211

**LAWPUBL 448** **15 Points**  
**Statutory Interpretation: Theory and Practice**

The normal mode of legal reasoning and legal argumentation proceeds by way of interpretation: of statutes, of precedents, of contracts etc. This course takes up the systematic study of statutory interpretation. Drawing on examples from different common law jurisdictions, it surveys the traditional techniques employed in the interpretation of statutes and analyses the contemporary debate between different theoretical schools such as textualism, intentionalism, purposivism and pragmatism.

*Restriction:* LAW 488, LAWPUBL 447

**LAWPUBL 449** **15 Points**  
**Counterterrorism Law and Policy**

An examination of various legal issues arising out of the 'global war on terror', including: different paradigms for dealing with emergencies; difficulties of legally defining terrorism; detention of terrorist suspects; ethnic/racial profiling; electronic surveillance; coercive interrogation and torture; targeted killing; criminalisation of offences related to terrorism.

*Prerequisite:* 30 points at Stage II in Global Environment and Sustainable Development or Global Politics and Human Rights, or LAW 201, 211

*Restriction:* LAW 467, LAWPUBL 451

**LAWPUBL 461** **15 Points**  
**Indigenous Rights Legal Clinic**

Explores substantive international and domestic human rights law and associated legal skills taught through a combination of seminars and experiential learning.

*Prerequisite:* LAW 211 or 30 points at Stage II in Global Politics and Human Rights

**LAWPUBL 462** **15 Points**  
**Law of the Sea**

An examination of the history of the development of the law of the sea; the sources of the contemporary law

of the sea, leading to the adoption of the 1982 United Nations Convention on the Law of the Sea; and the legal regime of various maritime zones (territorial sea, exclusive economic zone, high seas etc). Particular issues such as the settlement of disputes, maritime delimitation, maritime security, fisheries and bioprospecting are also addressed.

*Prerequisite:* 30 points at Stage II in International Relations and Business, or LAW 211

*Restriction:* LAW 494, LAWPUBL 435

**LAWPUBL 466** **15 Points**  
**Contemporary Issues in Disarmament Law**

A study of the legal and humanitarian issues relating to arms control and disarmament, including both conventional weapons (landmines, small arms, incendiary weapons for example) and "weapons of mass destruction" (chemical, biological and nuclear weapons). Themes include the role of civil society in law-making, difficulties of verification and dispute resolution and the role of law in disarmament.

*Prerequisite:* 30 points at Stage II in Global Politics and Human Rights or LAW 211

*Restriction:* LAWPUBL 455

**LAWPUBL 467** **15 Points**  
**Anti-corruption Law and Democracy**

The global significance of corruption and its implications for self-government are explored within the context of rising economic and political inequality and illiberal populism. This course asks whether anti-corruption law can respond to democracy's vulnerabilities and decline. It examines current economic and political trends, anti-corruption law domestically and internationally, and the potential for enhancing the law to better-protect political integrity.

*Prerequisite:* LAW 201, 211

*Restriction:* LAWHONS 735

**LAWPUBL 468** **15 Points**  
**Mātauranga Māori and Taonga/Cultural Property and Indigenous Intellectual Property**

Cultural property topics include: the preservation of cultural heritage; the protection of cultural property during armed conflict; and the restitution and repatriation of cultural objects. Indigenous intellectual property topics include: Māori claims to mātauranga Māori and taonga, with a particular emphasis on Wai 262; and the interface between intellectual property norms and proposals for reform.

*Prerequisite:* LAW 211

**LAWPUBL 471** **15 Points**  
**Special Topic**

**LAWPUBL 472** **15 Points**  
**Law of Armed Conflict**

The legal rules governing the conduct of hostilities; historical and contemporary operation; associated issues, including treaties and UN peace operations.

*Corequisite:* LAW 435 or LAWPUBL 402, 410

*Restriction:* LAW 473, LAWPUBL 452

**LAWPUBL 473** **15 Points**  
**International Disputes Settlement**

Topics are likely to include: the international law obligation to settle disputes peacefully; legal and political mechanisms for settling international disputes; the establishment and functions of the International Court of Justice; global dispute settlement bodies: dispute settlement system of the World Trade Organization, the Permanent Court of Arbitration, and the International Tribunal for the Law of

the Sea; regional tribunals; international criminal courts and tribunals; mixed investor-state dispute settlement.

*Prerequisite:* LAW 211

*Corequisite:* LAW 435 or LAWPUBL 402, 410

*Restriction:* LAWPUBL 454

**LAWPUBL 477** 15 Points

### **Comparative Indigenous Law Topics**

Study of law and legal issues affecting indigenous peoples in various jurisdictions.

*Prerequisite:* 30 points at Stage II in *Global Environment and Sustainable Development or Global Politics and Human Rights*, or LAW 211

*Restriction:* LAW 463, LAWPUBL 458

**LAWPUBL 479** 15 Points

### **Comparative Constitutional Law**

Through a comparative approach to constitutional structures, history and constitution-making, this course aims to prepare students both theoretically and practically to evaluate New Zealand's constitution and to consider its future.

*Prerequisite:* LAW 211

*Restriction:* LAW 483, LAWPUBL 431, 460

**LAWPUBL 481** 15 Points

### **Special Topic**

**LAWPUBL 482** 15 Points

### **International Law in Aotearoa/New Zealand**

Students will consider international law from a New Zealand perspective. The course evaluates how international law shapes New Zealand and operates with(in) its legal system, and focuses on New Zealand's interaction with, contribution to, and attitude towards different areas of international law.

*Corequisite:* LAWPUBL 402, 410

*Restriction:* LAWPUBL 465

**LAWPUBL 483** 15 Points

### **Special Topic**

## **Postgraduate 700 Level Courses**

**LAWPUBL 700** 15 Points

### **The International Legal System - Level 9**

A discussion of the framework, development and theory of international law. An examination of the key concepts and fundamental principles of international law. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 705** 30 Points

### **Criminal Law and Policy - Level 9**

The history and principles of criminal law, analysis of current issues in substantive and procedural criminal law, criminal justice theory, including the theory of punishment, and criminal law reform. Involves individual research resulting in a substantial individual research essay.

*Restriction:* LAW 715

**LAWPUBL 707** 30 Points

### **Employment Law - Level 9**

Selected and comparative studies in employment law. Involves individual research resulting in a substantial individual research essay.

*Restriction:* LAW 725

**LAWPUBL 720** 30 Points

### **Local Government Law - Level 9**

The law relating to the structure, powers and service delivery functions of local government including: the history of local government, reorganisation schemes, powers

and administrative principles, civil liability, elections, council procedures, staff employment, works contracts, financial accountability, land valuation, rating systems, environmental functions and bylaws. Consideration of related public bodies, e.g., education and health authorities. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 725** 30 Points

### **Privacy Law - Level 9**

The law governing data surveillance and techniques of social control through the use of information technology, privacy aspects of the prevention of credit and insurance fraud, criminal investigation and the balance between individual rights and commercial and/or public interests. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 726** 30 Points

### **Public International Law - Level 9**

The principles of international law and their application to municipal law. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 730** 15 Points

### **Indigenous Peoples' Rights in National Law - Level 9**

A study of the application of indigenous peoples' rights in national jurisdictions including New Zealand, Canada, the United States and select Latin American states. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 732** 30 Points

### **Comparative Indigenous Rights Law - Level 9**

Study of the nature and legal protection of the rights of indigenous persons and groups in international and comparative perspective, including rights to self-government, cultural, religious and linguistic rights. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 736** 30 Points

### **Human Rights Litigation - Level 9**

Study of international conventions and customary international law on human rights, including: free speech, exercise of religion, privacy and nondiscrimination, enforcement mechanisms, human rights theories in international law, third generation human rights including rights to development and a functioning environment, and the recognition of these in international law. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 740** 15 Points

### **Special Topic: International Human Rights Law - Level 9**

Provides an overview of International Human Rights Law (IHRL), including its principal instruments and enforcement mechanisms. Students will explore case studies of the application of IHRL in some of today's most challenging contexts, including armed conflict and climate change, and also explore how the application of a state's international human rights obligations can inform its domestic case law.

**LAWPUBL 741** 30 Points

### **Special Topic: International Peace and Security - Level 9**

**LAWPUBL 743** 30 Points

### **International Criminal Law - Level 9**

The evolution of international criminal law, from the Nuremberg and Tokyo Tribunals to the International

Criminal Court. Topics include the nature and sources of international criminal law, jurisdiction, individual and state responsibility, substantive crimes and defences, and alternatives to criminal trials such as truth commissions and amnesties. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 744** 30 Points  
**Special Topic: Freedom of Speech as Constitutional Principle - Level 9**

**LAWPUBL 745** 30 Points  
**Special Topic: Constitution and Custom in the South Pacific - Level 9**

**LAWPUBL 746** 15 Points  
**Special Topic: Medico-legal Problems - Level 9**

**LAWPUBL 747** 15 Points  
**Special Topic: Patients' Rights - Level 9**

This wide-ranging course examines key current issues in patients' rights. Topics may include: access, quality and information, rights to access health care, how the quality of health care is assessed, limits of information disclosure, outcomes data, complaint history, resolution of patient concerns and access to justice, patient protection from incompetence and abusive practitioners and the role of professional discipline.

**LAWPUBL 748** 15 Points  
**Special Topic: South Pacific Legal Studies: Critical Issues - Level 9**

The South Pacific region constitutes Pacific Island nations with distinct and diverse societies, cultures and legal systems. The course offers an advanced study of contemporary legal issues faced by nations in the region. Students will critically examine a range of legal issues; including customary law, constitutional law, human rights and climate change. Delivered through a talanoa based approach, the course offers students a nuanced understanding of important and current legal issues in the Pacific region.

**LAWPUBL 749** 30 Points  
**Special Topic: Indigenous Persons: Law and Policy - Level 9**

**LAWPUBL 751** 30 Points  
**Special Topic: Regional Law and Governance in the Pacific - Level 9**

**LAWPUBL 752** 30 Points  
**Special Topic: Contemporary Issues in International Law - Level 9**

**LAWPUBL 753** 30 Points  
**Special Topic: Comparative Health Law and Policy - Level 9**

**LAWPUBL 754** 30 Points  
**Special Topic: Comparative Human Rights Law - Level 9**

**LAWPUBL 755** 30 Points  
**Special Topic: Comparative Criminology - Level 9**

**LAWPUBL 757** 30 Points  
**Special Topic: International Refugee Law - Level 9**

**LAWPUBL 758** 30 Points  
**Special Topic: International Disarmament Law - Level 9**

**LAWPUBL 760** 15 Points  
**Selected Issues in Public International Law - Level 9**  
Explores a selection of contemporary issues in international law. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 761** 15 Points  
**Indigenous Peoples' Rights in International Law - Level 9**  
An in-depth study of the international law relevant to the protection of the rights of indigenous peoples. The history of the development of indigenous peoples' rights in international law; analysis of those rights; the mechanisms in place for indigenous peoples to advocate for their rights in international fora. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 770** 15 Points  
**Theory and History of Criminal Law and Policy - Level 9**  
Explores the history and principles of criminal law, criminal justice theory, including the theory of punishment with analysis of some current issues in substantive criminal law. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 771** 15 Points  
**Advanced Criminal Procedure: Selected Topics - Level 9**  
An in-depth examination of selected laws governing police investigations and criminal trial practice in New Zealand. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 772** 15 Points  
**Comparative Criminal Procedure - Level 9**  
An examination of the law related to police investigations and criminal trial practice in Canada, United States and New Zealand. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 773** 15 Points  
**Advanced Evidence Law in Criminal Cases - Level 9**  
An in-depth examination of the law governing the presentation of evidence in criminal trial proceedings under the New Zealand Evidence Act 2006. Involves individual research resulting in a substantial individual research essay.

**LAWPUBL 774** 15 Points  
**Human Rights - Level 9**  
The legal framework for the protection of human rights including a consideration of the moral and jurisprudential underpinnings of modern human rights. Involves significant individual research resulting in a substantial individual research essay.

**LAWPUBL 775** 15 Points  
**Human Rights Remedies - Level 9**  
A study of human rights dispute mechanisms and remedies available for breach of rights. Involves individual research resulting in a substantial individual research essay.  
*Prerequisite: LAWPUBL 774*

**LAWPUBL 776** 15 Points  
**Human Rights: Selected Topics - Level 9**  
A study of selected contemporary human rights issues. Involves individual research resulting in a substantial individual research essay.  
*Prerequisite: LAWPUBL 774*

**LAWPUBL 777** 15 Points  
**Human Rights in Mental Health Law - Level 9**  
A study of human rights issues arising in the specific context

of mental health law. Involves individual research resulting in a substantial individual research essay.

*Prerequisite: LAWPUBL 774*

**LAWPUBL 778**

**15 Points**

**Issues in Search and Surveillance - Level 9**

A study of current search and surveillance issues in the context of human rights law. Involves significant individual research resulting in a substantial individual research essay.

*Prerequisite: LAWPUBL 774*

**LAWPUBL 779**

**15 Points**

**Special Topic: International Dispute Settlement - Level 9**