

# LAWS 6002 REMEDIES IN THE CONSTRUCTION CONTEXT

**Credit Points** 10

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**Description** The subject aims to deepen student understanding of the nature utility of remedies in construction projects. The subject will explore the interaction between the technical, commercial and legal aspects of remedies in construction and procurement disputes. Practitioners in the field of construction require a working understanding of the remedies available in response to different claims that might arise in disputes. The nature and scope of remedies is a matter of constant development and refinement in Australia and abroad. This unit will explore a diverse range of remedies including damages in contract and in tort, the rule against penalties, quantum meruit, injunctive relief and remedies under the Australian Consumer Law.

**School** Law

**Discipline** Business and Commercial Law

**Student Contribution Band** HECS Band 4 10cp

Check your fees via the Fees ([https://www.westernsydney.edu.au/currentstudents/current\\_students/fees/](https://www.westernsydney.edu.au/currentstudents/current_students/fees/)) page.

**Level** Postgraduate Coursework Level 6 subject

**Co-requisite(s)** LAWS 5005 - Construction Law

**Restrictions**

Must be enrolled in a Post Graduate program

## Learning Outcomes

1. Analyse principles, the role and function of legal remedies relating to construction projects.
2. Examine the interaction between the technical, commercial and legal aspects of remedies in construction procurement and disputes.
3. Conduct a research project investigating existing and emerging legal issues relating to remedies in the construction context.
4. Present concepts, issues and solutions to legal remedies arising from construction projects to diverse audiences using appropriate communication strategies.
5. Collaborate with diverse stakeholders to make decisions and implement solutions in the construction context.

## Subject Content

- Remedies in context
- Debts and liquidated sums
- Damages for breach of contract
- Liquidated damages and penalties
- Quantum meruit
- Remedies in tort
- Equitable remedies
- Relief under the Australian Consumer Law

- Proportionate liability
- Injunctions

## Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/Group Task
Reflection	Ongoing throughout semester	20	N	Individual
Case Study	1,000 words	40	N	Individual
Professional Task	2,000 words	40	N	Individual

Teaching Periods

**Spring (2024)**

**Online**

**Online**

**Subject Contact** Jonathan Adamopoulos (<https://directory.westernsydney.edu.au/search/name/Jonathan.Adamopoulos/>)

View timetable ([https://classregistration.westernsydney.edu.au/even/timetable/?subject\\_code=LAWS6002\\_24-SPR\\_ON\\_2#subjects](https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS6002_24-SPR_ON_2#subjects))