

# LAWS 2016 LAW OF COMMERCIAL OBLIGATIONS

**Credit Points** 10

**Coordinator** James Paterson (<https://directory.westernsydney.edu.au/search/name/James Paterson/>)

**Description** This subject introduces students to the Australian laws governing transactions involving the transfer, registration and use of property. Focusing on commercial applications students will consider laws governing real, intellectual and personal property including topics such as registration requirements under the Torrens title system and the Personal Property Securities Act (PPSA) as well as enforceability and alienation of proprietary interests, leases and deeds, and subsidiary interests such as covenants and easements.

**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** Undergraduate Level 2 subject

**Pre-requisite(s)** LAWS 1001 - Enterprise Law

**Equivalent Subjects** JUST 2011 - Law of Commercial Obligations

## Learning Outcomes

1. Differentiate proprietary interests in the Australian legal system
2. Critically analyse and assess the legal framework that governs property transactions in Australia
3. Articulate the legal rights, obligations and liabilities of parties to commercial transactions involving proprietary interests
4. Apply relevant legal concepts to practical property law problems

## Subject Content

1. The concept of property in Australian law, including intellectual property
2. Torrens title system
3. The PPSA (Personal Property Securities Act)
4. Registration and transfer of proprietary interests
5. Enforceability and alienation of proprietary interests
6. Commercial leases
7. Subsidiary interests including covenants, easements

## 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 | Mandatory |
|-------|----------------------------|---------|-----------|------------------------|-----------|
| Quiz  | 3 quizzes, best 3 out of 4 | 15      | N         | Individual             | Y         |
| Essay | 1500 words                 | 25      | N         | Individual             | Y         |

|               |                                 |    |   |            |   |
|---------------|---------------------------------|----|---|------------|---|
| Final Exam    | 2 hours                         | 50 | Y | Individual | Y |
| Participation | Ongoing throughout the semester | 10 | N | Individual | Y |

## Prescribed Texts

- Michael Nancarrow et al, *Australian Property Law Principles to Practice* (Cambridge University Press, 2022)

## Teaching Periods

### Spring (2025)

#### Parramatta City - Macquarie St

##### On-site

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

[View timetable](https://classregistration.westernsydney.edu.au/odd/timetable/?subject_code=LAWS2016_25-SPR_PC_1#subjects) ([https://classregistration.westernsydney.edu.au/odd/timetable/?subject\\_code=LAWS2016\\_25-SPR\\_PC\\_1#subjects](https://classregistration.westernsydney.edu.au/odd/timetable/?subject_code=LAWS2016_25-SPR_PC_1#subjects))