Overview

Different legal systems have evolved in different parts of the world. Australia is a common law country - its legal system is based on the English common law system. This course offers students a comprehensive introduction to the Australian legal system, a common law system, and contrasts it with the civil law system.

The course will examine the historical origins of the Australian legal system, some of the principles underpinning our legal system, including the importance of the concept of the rule of law. It also covers the operation of the principal institutions of the legal system, the legislative and executive arms of government and the judiciary and courts. This will include the jurisdiction of Australian courts, the process by which cases are decided and the doctrine of precedent, consideration of alternative methods of dispute resolution and an examination of the role of the legal profession. There will also be an overview of the main branches of law.

Aboriginal customary law will be looked at and there will be a critical analysis of the circumstances of the adoption of the common law in Australia and the effect on the indigenous people. There will also be examination of the recognition of customary law and native title.

No prior knowledge of the Australian legal system is required. A major focus of the course is the social relevance of law in our daily lives and in today’s society.

Main Topics

- The Rule of Law
- The Common Law Legal System
- Other Types of Legal Systems
• The Separation of Powers
• The Federal Constitution
• Parliamentary Sovereignty
• Legislation by Parliament
• Hierarchy of Courts
• The Doctrine of Precedent
• The Legal Profession
• Alternative Forms of Dispute Resolution
• Tribunals
• Common Law and Equity
• Contract Law
• Tort Law
• Criminal Law
• Settlement/Invasion - The Impact on the Indigenous Inhabitants
• The Mabo decision The Native Title Act 1993 (Cth)
• The Wik decision and amendments to the Native Title Act 1993
<table>
<thead>
<tr>
<th><strong>Faculty</strong></th>
<th>Faculty of Law</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Study Level</strong></td>
<td>Undergraduate</td>
</tr>
<tr>
<td><strong>Offering Terms</strong></td>
<td>Term 2</td>
</tr>
<tr>
<td><strong>Campus</strong></td>
<td>Kensington</td>
</tr>
<tr>
<td><strong>Indicative contact hours</strong></td>
<td>3</td>
</tr>
<tr>
<td><strong>Timetable</strong></td>
<td>Visit timetable website for details</td>
</tr>
</tbody>
</table>
Conditions for Enrolment

Exclusion: enrolment in program 3502, 3543, 3571, 3979, 3971
Course Outline

To access course outline, please visit:

GENL2021 Course Outline
### Fees

<table>
<thead>
<tr>
<th>Category</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commonwealth Supported Students</td>
<td>$836</td>
</tr>
<tr>
<td>Domestic Students</td>
<td>$5550</td>
</tr>
<tr>
<td>International Students</td>
<td>$5550</td>
</tr>
</tbody>
</table>

**DISCLAIMER**

Please note that the University reserves the right to vary student fees in line with relevant legislation. This fee information is provided as a guide and more specific information about fees, including fee policy, can be found on the [fee website](#).

For advice about fees for courses with a fee displayed as "Not Applicable", including some Work Experience and UNSW Canberra at ADFA courses, please contact the relevant Faculty. Fees for courses delivered through [UNSW Global](#) are published and charged by UNSW Global and thus appear as "Not Applicable" on this site.

Where a Commonwealth Supported Students fee is displayed, it does not guarantee such places are available.
Additional Information

This course is offered as General Education.
Pre-2019 Handbook Editions

Access past handbook editions (2018 and prior)

Pre-2019 Handbook Editions