LAWS3000
Constitutional Law
Session 1, In person-scheduled-weekday, North Ryde 2022

Macquarie Law School

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## General Information

**Unit convenor and teaching staff**
Professor of Constitutional Law and Unit Convenor
Professor Tina Hunter-Schulz
tina.solimanhunter@mq.edu.au
Contact via via iLearn Page
6 First Walk, office 445
11-12 Wednesday

**Tutor**
Maureen Klar
TBA
Contact via via iLearn
3-4pm Thursday

**Unit Co-Convenor and Tutor**
Catherine Greentree
catherine.greentree@mq.edu.au
Contact via via iLearn

**Credit points**
10

**Prerequisites**
20cp in LAW or LAWS units at 2000 level

**Corequisites**

**Co-badged status**

**Unit description**
This unit introduces students to fundamental principles of constitutional law and practice in Australia, including the basic structures of representative and responsible government, the structure and content of the Constitution of the Commonwealth of Australia and the relationship between the Commonwealth and the States. The unit places constitutional principles and doctrines in a wider context by exploring some of the questions that arise in relation to the framework for law and government in Australia. These include: federalism; democracy and citizenship; the rule of law; parliamentary sovereignty; and the relationships among the legislative, executive and judicial powers.
Important Academic Dates
Information about important academic dates including deadlines for withdrawing from units are available at [https://www.mq.edu.au/study/calendar-of-dates](https://www.mq.edu.au/study/calendar-of-dates)

Learning Outcomes
On successful completion of this unit, you will be able to:

**ULO1:** Analyse central constitutional law concepts, structural features, and implications arising from the constitutional text.

**ULO2:** Identify constitutional law principles within cases.

**ULO4:** Evaluate what is necessary for a constitution, assessing current deficiencies and strengths in the Commonwealth Constitution.

**ULO3:** Assess different theories of constitutional interpretation and understand their relationship to different doctrinal positions.

**ULO5:** Apply constitutional law to new fact problems.

General Assessment Information
Late Submission Penalty Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – ten (10) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

Assessment Tasks

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Hurdle</th>
<th>Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Essay</td>
<td>40%</td>
<td>No</td>
<td>15 April 2022 23:59</td>
</tr>
<tr>
<td>Tutorial Participation</td>
<td>15%</td>
<td>No</td>
<td>End of Week 13</td>
</tr>
<tr>
<td>Take Home Test</td>
<td>45%</td>
<td>No</td>
<td>Exam Week</td>
</tr>
</tbody>
</table>

Essay
Assessment Type: Essay
Indicative Time on Task: 40 hours
Due: 15 April 2022 23:59
Weighting: 40%

Students will be required to engage in independent research to present a written response to a
particular question of Constitutional Law.

On successful completion you will be able to:

• Analyse central constitutional law concepts, structural features, and implications arising from the constitutional text.
• Identify constitutional law principles within cases.
• Assess different theories of constitutional interpretation and understand their relationship to different doctrinal positions.

Tutorial Participation

Assessment Type 1: Participatory task
Indicative Time on Task 2: 20 hours
Due: End of Week 13
Weighting: 15%

Students will be assessed on their participation in tutorial debates, problem-solving, appropriate questioning, and understanding of the materials. This will require preparation before the tutorial – ie completing the required reading and preparing thoughts/answers to the tutorial materials.

On successful completion you will be able to:

• Analyse central constitutional law concepts, structural features, and implications arising from the constitutional text.
• Identify constitutional law principles within cases.
• Evaluate what is necessary for a constitution, assessing current deficiencies and strengths in the Commonwealth Constitution.
• Assess different theories of constitutional interpretation and understand their relationship to different doctrinal positions.
• Apply constitutional law to new fact problems.

Take Home Test

Assessment Type 1: Quiz/Test
Indicative Time on Task 2: 4 hours
Due: Exam Week
Weighting: 45%
A time-limited assessment involving written responses to problems of Constitutional Law

On successful completion you will be able to:

• Analyse central constitutional law concepts, structural features, and implications arising from the constitutional text.
• Identify constitutional law principles within cases.
• Evaluate what is necessary for a constitution, assessing current deficiencies and strengths in the Commonwealth Constitution.
• Apply constitutional law to new fact problems.

1 If you need help with your assignment, please contact:

• the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
• the Writing Centre for academic skills support.

2 Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources
Thirteen one-hour lectures weekly at 12pm (Wednesdays, weeks 1-13)
Thirteen one-hour online lectures (Released Wednesdays weeks 1-13)
Twelve one-hour tutes, weeks 2-13

Unit Schedule
Unit Schedule: Constitutional Law – Semester 1

<table>
<thead>
<tr>
<th>Week number</th>
<th>Lecture topic</th>
<th>Tutorial topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Fundamentals of Constitutional Law</td>
<td>NO TUTORIAL</td>
</tr>
<tr>
<td>2</td>
<td>Commonwealth States and territories (1)</td>
<td>Federation and the Constitution</td>
</tr>
<tr>
<td>3</td>
<td>Commonwealth States and territories (2)</td>
<td>States and the Commonwealth – inconsistency of laws</td>
</tr>
</tbody>
</table>
### Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://policies.mq.edu.au). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- Academic Appeals Policy
- Academic Integrity Policy
- Academic Progression Policy
- Assessment Policy
- Fitness to Practice Procedure
- Assessment Procedure
- Complaints Resolution Procedure for Students and Members of the Public
- Special Consideration Policy

Students seeking more policy resources can visit [Student Policies](https://students.mq.edu.au/support/study/policies). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central](https://policies.mq.edu.au).
Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/admin/other-resources/student-conduct](https://students.mq.edu.au/admin/other-resources/student-conduct)

Results

Results published on platform other than eStudent, (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit [ask.mq.edu.au](http://ask.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

Academic Integrity

At Macquarie, we believe academic integrity – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free online writing and maths support, academic skills development and wellbeing consultations.

Student Support

Macquarie University provides a range of support services for students. For details, visit [http://students.mq.edu.au/support/](http://students.mq.edu.au/support/)

The Writing Centre

The Writing Centre provides resources to develop your English language proficiency, academic writing, and communication skills.

- Workshops
- Chat with a WriteWISE peer writing leader
- Access StudyWISE
- Upload an assignment to Studiosity
- Complete the Academic Integrity Module

The Library provides online and face to face support to help you find and use relevant information resources.

- Subject and Research Guides
- Ask a Librarian

Student Services and Support

Macquarie University offers a range of Student Support Services including:

- IT Support
Student Enquiries
Got a question? Ask us via AskMQ, or contact Service Connect.

IT Help
For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the Acceptable Use of IT Resources Policy.
The policy applies to all who connect to the MQ network including students.