JURD7160 Administrative Law

UNSW SYDNEY · LAW · POSTGRADUATE

Full guide + ask Sia about JURD7160

SIDE 1/2 ISSUE → RULE → APPLICATION → CONCLUSION — **OPEN-BOOK EXAM SHEET** — Term 3 2026 · roadmap + rule matrix

1 · Exam map

COURSE DATA · BRIEF

CP 10 | Research 40% | Final 50%

SOURCE + actor	ROUTE + target	GROUND rule→fact	JE material?	RELIEF effect

repeat ILAC for each plausible ground

The exam answer is a chain: power → pathway → ground → consequence → order.

ASSESSMENT	WEIGHT · FORMAT
Class Participation	10% · individual · ongoing
Mid-Term Research Paper	40% · individual · 2,000 words
Final Invigilated Examination	**50%** · individual · written, in person · problem-based judicial review using fictional legislation

PERMITTED-MATERIALS TRUTH

"You should print a copy of the legislation and bring it with you to the exam so that you don't need to have this open on your computer." (LAWS1160/JURD7160 syllabus, Term 3 2026) · "The exam is open book." (JURD7160 exam FAQs (last updated December 2025))

Bring this sheet in with the printed legislation. The final examines issue selection and statutory application, not a detached doctrine dump.

2 · ILAC answer engine

COURSE FAQ · STRATEGY

MOVE	WRITE THIS
Issue	Who acted? What operative decision, conduct or failure? Which statutory words bite?
Law	Route + elements + limit; keep merits and legality distinct.
Apply	Statutory word → exact fact → inference → best counterargument → answer.
Conclude	Strong/arguable/uncertain; JE/materiality if required; matched relief.

AUTHORITY DISCIPLINE *The captured guide names no cases or statutory sections. Do not invent them: add only authorities verified in your seminar materials.*

5 · Standing + reasons

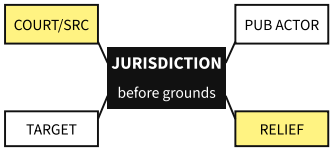
GUIDE CH 4

GATEWAY	PROOF
Standing	Exact statutory/general formula + concrete personal, activity-based or organisational connection; objects alone may not suffice.
Reasons	Separate legal source; findings on material facts + evidence + logical path.

Give a calibrated conclusion: strong / arguable / uncertain, decisive fact and missing evidence. Silence in reasons is evidence, not automatic proof: read reasons as a whole with the record; distinguish implicit, immaterial or elsewhere-addressed matters.

3 · Choose route + target

GUIDE CHS 2–4



Redrawn from the guide: court, source, public actor, target and relief must align.

TARGET	CHARACTERISE; DO NOT RELABEL
Decision	The legally operative completed act by the repository of power.
Conduct	Preparatory step; review only through a route that reaches it.
Failure	Unperformed public duty; identify duty, time and actor.

Statutory route: apply every definition and gateway.

Supervisory route: plead separately where facts and court permit. A failed statutory definition does not automatically defeat supervision; supervision does not erase the need for actor, power, target and available order.

JURISDICTION PARAGRAPH

Court + source → public decision-maker → source of power → decision/conduct/failure → contested definition → proposed relief.

4 · Merits ≠ judicial review

GUIDE CHS 1–2

MERITS	JUDICIAL
statutory doorway current material correct/preferable	court jurisdiction lawful exercise? no merits substitution

Different institutions ask different questions; unfair outcome alone proves neither route.

Merits gateway: reviewable decision · eligible applicant · time/procedure · any internal step. Then assess relevant, reliable fresh material; apply law and lawful policy; choose only a conferred disposition: affirm, vary, substitute or remit.

Judicial review: establish jurisdiction, standing and a ground. The court supervises legal limits; it ordinarily does not choose the preferable outcome.

ROUTE TRAP *A persuasive ground cannot create jurisdiction. A recommendation may be conduct while another officer's refusal is the operative decision; plead alternatives without merging their elements. Proposed relief helps confirm the target.*

6 · Construe limits of power

GUIDE CH 5

ACTOR who?	ACTION may do?	SUBJECT what?	COND. if?

DEFINITIONS + PURPOSE — sections · process · cross-ref

Redrawn from the guide: power narrows through the statute read as a whole.

REWRITE THE GRANT

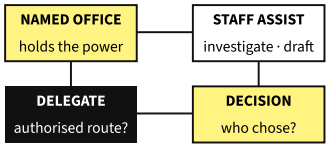
[named repository] may [authorised action] about [subject matter] only if [preconditions/procedure].

QUESTION	EXAM MOVE
Condition of power?	Does the fact control existence of power, regulate exercise, or affect later consequence?
Jurisdictional fact?	Construction first; then identify the objective condition and evidence.
Factual error?	Name a recognised legal route. Judicial review is not general fact rehearing.

Trap: never read only the headline grant. Definitions and cross-references may change actor, subject matter or precondition. Copy decisive words beside each fact; explain both constructions where uncertain.

7 · Delegation + assistance

GUIDE CH 5



Assistance is lawful; transfer of the operative choice needs authority.

Evidence: reasons, file notes, instructions, chronology and statutory delegation mechanism. Signature matters but is not conclusive. Ask who evaluated the condition, formed the statutory satisfaction and chose the outcome. Later endorsement does not automatically cure an earlier unauthorised act: was ratification permitted or a fresh decision actually made?

APPLICATION LINE *Staff gathered/drafted/communicated, but the authorised officer did–or did not–perform the operative mental act.*

7b · Fact-finding boundary

GUIDE CH 5 FAQ

Do not ask the court to prefer different evidence. Identify the legal route—absent objective condition, reviewable factual error or wrong decision-maker—then connect the finding to the statutory condition and consequence.

8 · Hearing rule

GUIDE CH 6

NOTICE critical issue	RESPOND real chance	CONSIDER before fixed

content varies with statute + context

Redrawn from the guide: notice, opportunity and genuine consideration form one chain.

STAGE	QUESTION
Duty	Is fairness implied, modified or excluded by the statutory scheme?
Content	Which critical adverse issue/material? Enough substance, time and form to answer?
Context	Affected interest, urgency, confidentiality, scheme; oral hearing not automatic.
Denial	Was invitation illusory because the issue was hidden, time unreal or outcome fixed?
Significance	What concrete submission/document could bear on the decisive statutory issue?

Confidentiality: identity/detail may be withheld, but ordinarily disclose enough substance to answer.

Urgency: can change timing/form; test short prior opportunity, prompt later process or safeguard. **Later review:** no automatic cure—ask about original effects, later jurisdiction/powers and fullness of hearing.

MATERIALITY SENTENCE

Had notice been given, X could have submitted [concrete item], realistically bearing on [decisive statutory issue].

9 · Bias + impartiality

GUIDE CH 7

FACT·ROLE interest/role	LOGICAL LINK how influence?	BIAS FEAR? impartiality?

INFORMED OBSERVER — knows statute · institution · facts

Redrawn from the guide: the circumstance never speaks for itself; build the bridge.

GROUND	THRESHOLD
Actual bias	Evidence supports partiality, prejudgment or closed mind in fact.
Apprehended bias	Objective appearance to the informed observer + articulated logical connection.

Prior involvement, policy knowledge, criticism or a preliminary view is not automatically disqualifying. Test kind/degree, statutory design, advocacy or prior decision on the same dispute, words, timing and openness to contrary material. Disclosure matters only with adequate timing, detail and genuine choice; vague awareness is not informed acceptance.

10 · Purpose + considerations

GUIDE CH 8

STATUTE text/context	FILTER authorises?	REASONS actual role

PURPOSE = WHY? end pursued	MATTER = WHAT? entered/omitted

Redrawn from the guide: construction supplies two distinct filters.

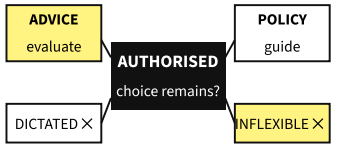
GROUND	RULE + PROOF
Improper purpose	What end was pursued? Derive authorised ends; infer actual end from reasons, messages, timing, departures and statutory objects.
Mandatory matter	What did statute require attention to? Everyday relevance is not enough.
Prohibited matter	What entered reasoning without statutory permission?
Weight	Little weight ≠ omission. Trace threshold/decisive/background/response role; extreme weight may engage another doctrine.

Mixed purposes: identify each operative end, apply governing approach, ask whether lawful objective independently explains action and whether same decision would occur without the impugned purpose. Same evidence may support purpose and consideration grounds, but analyse each test separately.

REASONS EVIDENCE *Trace whether a matter was a threshold, decisive input, background point or response; mention alone may be cosmetic.*

11 · Fettering discretion

GUIDE CH 9



Redrawn from the guide: policy and influence are lawful only while judgment stays open.

Dictation: another person replaces the repository's judgment. Evidence: result-fixing instruction, "no choice" reasons, no evaluation. Hierarchical pressure alone is insufficient. **Inflexible policy:** general rule replaces individual merits; absolute language, automatic outcome and ignored exceptions matter. Strong policy weight is lawful if policy fits statute and departure remains genuinely possible.

TWO-QUESTION SEQUENCE

Who truly chose? → Was that choice still open to the individual facts?

12 · Legal unreasonableness

GUIDE CH 10

STATUTORY task/purpose	EVIDENCE + reasoning	OUTCOME within range?

EVIDENT + INTELLIGIBLE JUSTIFICATION?

Redrawn from the guide: show the missing legal connection, not mere disagreement.

Method: construe freedom → identify serious process/outcome defect → connect purpose, evidence and explanation → state best lawful justification → decide if intelligible. Harshness or another available outcome does not prove the ground.

EXAM BITE *Replace "harsh/irrational" with the exact missing link between authorised task, evidence, reasoning and result.*

13 · JE + materiality

GUIDE CH 11

1 · LIMIT	2 · ERROR	3 · MATERIALITY
Construe the boundary on authority.	Carry the proved ground forward; do not re-run it.	Identify a realistic lost decisional possibility where required.

FUNCTION

ground → statutory boundary → materiality where required → supervisory consequence → remedy. Jurisdictional error classifies consequence; it is not a dramatic synonym for error.

Not every error is jurisdictional. Identify the statutory boundary and why this ground crosses it. Where required, show what lawful compliance could realistically—not certainly—have changed; probable repetition is not legal inevitability.

14 · Restrictions + relief

GUIDE CHS 12–13

PROBLEM	FUNCTION / MECHANISM
Existing decision	Quash legal effect; reconsideration ordinarily follows.
Threatened action	Prohibition/injunction restrains it.
Unperformed duty	Mandatory relief compels duty, not favourable merits.
Legal uncertainty	Declaration resolves real controversy.
Privative/finality	Targets review; construe with JE and constitutional setting.
No-invalidity	Targets consequence of specified breach.
Non-compellable	Targets requiring consideration; not every act taken.

CLOSE

ordinary route → clause type/target → error + JE → constitutional setting → surviving remedy → day-after administrative task.

JURD7160 Administrative Law · Worked drills + rapid recall

UNSW SYDNEY · FICTIONAL-STATUTE PROBLEM PRACTICE

Full guide + ask Sia about JURD7160

SIDE 2/2 · 4 DRILLS · TRAPS · ANSWER FRAMES · OPEN-BOOK EXAM SHEET · Budget writing time in proportion to marks

15 · Fast read: fact → issue

COURSE STRATEGY

WHO	WHAT	IF	HOW	WHY
actor	target	cond.	process	purpose

MARGIN TAG EACH FACT

AUTH · PROC · DISC · JE · REM

rank ground + counterargument

Original exam-use figure derived from the guide's statutory-reading method.

PASS	OUTPUT
1 · Statute	Underline actor, verb, condition, mandatory procedure, discretion, restriction, remedy language.
2 · Chronology	Who knew/did what, when; mark operative act and pre/post-decision events.
3 · Issues	Write one-line issue list in answer order; combine overlapping facts but keep tests separate.
4 · Weight	Allocate writing by marks; give statutory hinge and contested application most space.
5 · Audit	Underline statutory anchor; circle decisive fact; box conclusion/remedy.

TIME RULE WITHOUT AN INVENTED DURATION

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issue share = issue marks ÷ total marks; stop when allocated share is spent; preserve a final audit.
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16 · Drill 1 · permit suspension

COURSE WORKED EXAMPLE · 6

Facts: fictional Act permits a Director to suspend after considering a *current safety report* and giving the holder an opportunity to respond. Director uses an unfinished report and gives no notice.

CURRENT?	HEARING?	RELIEF?
draft report	no notice	reconsider

condition + process → consequence

keep fresh merits with Director

Three linked issues; do not begin with a generic fairness complaint.

I/L	"Current" may condition suspension; express response procedure also limits process.
A	Unfinished may not satisfy "current". No notice prevents holder addressing report; name the responsive item.
C	Connect each error to authority/materiality; seek relief removing suspension's effect and enabling lawful reconsideration.

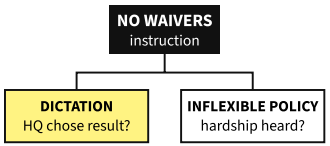
WEIGHTING *Guide practice allocation: identify power/conditions 2 · apply both errors 2 · materiality + relief 2. It is not an official marking scheme.*

Worked step: name the lost submission, document or explanation; connect it to the decisive statutory issue; ask whether lawful compliance created a realistic—not fanciful—possibility. Keep the merits open on reconsideration.

17 · Drill 2 · no-waiver policy

GUIDE CH 9 WORKED · 4

Facts: statute gives a manager a hardship discretion. Headquarters directs that no waivers be approved; manager refuses because the instruction leaves "no choice".



One fact stream supports two grounds; prove each causal mechanism separately.

ISSUE	RULE → APPLICATION
Repository	Identify manager as holder of hardship choice; check whether HQ has any statutory role.
Dictation	Influence may inform; it cannot replace entrusted judgment. "No choice" supports replacement.
Policy	Consistency is legitimate only if policy fits statute and exceptions remain genuinely open.
Conclusion	Reasons suggest both HQ determined result and absolute rule excluded statutory hardship criterion.

COUNTERARGUMENT

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Strong advice ≠ dictation if manager evaluated it and retained responsibility; strong weight ≠ inflexibility if individual facts were addressed.
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WEIGHTING *Guide practice allocation: repository 1 · guidance/dictation 1 · individual-merits analysis 2.*

18 · Policy / law / decision trap

GUIDE CH 1 WORKED

MATERIAL	LEGAL WORK
Primary legislation	Confers and limits authority.
Delegated legislation	Binding rule only within valid delegated authority.
Policy/checklist	Guides consistent administration; cannot enlarge power or automatically replace judgment.
Notice/reasons	May communicate/evidence decision; identify which act is operative.

Do not turn an administrative value into a ground.

Accuracy, participation, transparency, consistency and responsiveness help diagnose, but the legal paragraph still needs a jurisdiction, statutory source and recognised doctrine.

Fix: classify the Act, delegated rule, policy and final notice separately. Legislation, not policy, supplies authority; policy only guides. Then ask which act is operative, who genuinely chose, and whether unusual facts left departure open.

19 · Drill 3 · anonymous complaint

GUIDE CH 6 WORKED · 5

Facts: agency refuses renewal using an anonymous complaint without revealing its substance. Operator holds responsive records.

PROTECT	DISCLOSE	ANSWER
identity/detail	substance	records

REALISTIC POSSIBILITY

records bear on renewal criterion

Confidentiality can shape disclosure without making the critical allegation unknowable.

Duty	Establish fairness; check statutory modification/exclusion and context.
Content	Complaint is critical adverse issue. Identity may be withheld; disclose enough substance to answer.
Denial	No meaningful response because operator did not know the allegation before refusal.
Significance	Specify records, what they show and how they bear on the renewal criterion.

WEIGHTING *Guide practice allocation: duty 2 · critical issue 2 · practical significance 1.*

20 · Bias mini-drill

GUIDE CH 7 WORKED · 4

Facts: panel member privately helped one bidder develop its proposal, then scored the competition.

PRIVATE HELP	INVESTMENT	SCORING
one proposal	in success?	impartial?

distinguish routine public guidance from extensive private assistance

Frame apprehended bias unless evidence proves an actual closed mind.

Answer: circumstance = prior advisory relationship; feared departure = unequal evaluation; logical link = investment in one proposal may affect scoring. Address ordinary guidance as counterargument. Do not allege actual bias without state-of-mind evidence.

20b · Fairness / bias traps

GUIDE CHS 6–7 FAQ

Invitation	Illusory if issue hidden, time unreal or decision fixed.
Confidential/urgent	Shapes content; does not erase fairness.
Later review	No automatic cure: compare effects, powers and hearing.
Prior view/disclosure	Test openness, context, degree and informed choice.

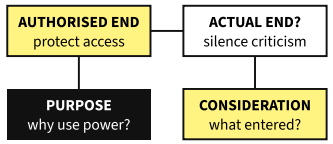
KEEP SEPARATE

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hearing = could the person answer the critical issue? · bias = might an informed observer apprehend departure from impartiality?
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21 · Drill 4 · relocation as punishment

GUIDE CH 8 WORKED · 5

Facts: relocation power exists to protect access; internal messages show criticism of the agency drove the relocation.



The same messages support two analyses; purpose asks why, consideration asks what.

Construct	Derive authorised ends from text, subject matter, scope and purpose.
Purpose	Using relocation to silence criticism appears outside access function; infer causal end from messages and timing.
Matter	Ask separately whether criticism was permitted to influence the choice.
Counter	Could access independently explain the move? Would same decision occur absent criticism? State mixed-purpose uncertainty.

WEIGHTING *Guide practice allocation: authorised ends 2 · actual purpose 2 · separate consideration ground 1.*

22 · Maximum-sanction mini-drill

GUIDE CH 10 WORKED · 5

Facts: agency imposes maximum exclusion for one late filing; reasons only say deadlines matter.

BREACH	REASONS	MAXIMUM
brief delay	deadlines	exclusion

what evidence/explanation connects minor breach to greatest response?

Attack the missing connection; answer deterrence and reliability as possible justifications.

Identify purpose and range; show the gap between delay, compliant record and maximum response; test deterrence/reliability. Do not say merely that a lighter sanction is preferable.

22b · Carry the ground forward

GUIDE CH 11

DO	AVOID
Name exact statutory limit + lost lawful path.	Repeating the ground or using labels.
Test realistic possibility where required.	Demanding certainty of another result.
Move from consequence to order.	Assuming JE dictates relief.

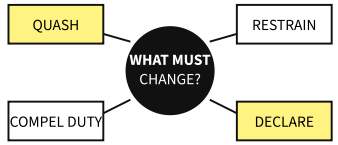
JE SENTENCE

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[Ground] breached [limit] and excluded [real possibility]; it is [strongly/arguably] jurisdictional. Relief addresses [act], leaving [merits task] open.
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23 · Remedy + restriction drill

GUIDE CHS 12–13 WORKED

Facts A: unlawful cancellation remains operative; authority refuses a statutory reconsideration duty.



Redrawn from the guide: start with practical legal change, then choose the form.

Answer A: separate existing cancellation and continuing failure. Quashing addresses the operative cancellation; mandatory relief may compel clear reconsideration duty. Do not ask the court to grant the licence: the statute leaves merits to administration.

Facts B: panel cancels accreditation without the *current notice* required by its power; Act says decisions are final.

ROUTE	LIMIT	JE?	FINAL?
baseline	notice	absence	construe

constitutional setting + surviving relief

"final" never ends analysis by itself

Redrawn from the guide: establish ordinary route before adding the restriction.

Answer B: construe current-notice condition and possible JE; classify "final" as finality/privative mechanism; read its target with whole statute and constitutional supervision; state what review/order survives. Do not merge with no-invalidity or non-compellable mechanisms.

WEIGHTING *Each guide drill uses 5 practice marks; neither allocation is official.*

24 · Remedy discretion traps

GUIDE CH 12 FAQ

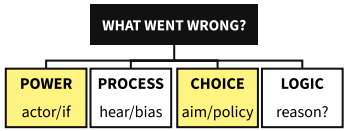
Alternative remedy	May affect discretion; does not automatically remove judicial jurisdiction. Compare adequacy, urgency, overlap and objective.
Futility	Same administrator may decide alike ≠ inevitable. Ask if lawful reconsideration has practical benefit.
Overreach	Quashing refusal usually does not grant application; compel duty, not favourable discretion.
Drafting	Say what changes the day after judgment and what lawful task remains.

RESTRICTION DISCIPLINE *One Act may contain several mechanisms. Analyse each by its own target and effect before explaining interaction.*

Day-after check: state the legal position after the order and the next lawful administrative step. If merits choices remain, relief must not grant the substantive benefit.

25 · Ground selector

ALL GUIDE CHAPTERS



JE/MAT. → CLAUSE → REMEDY

Choose by statutory defect, not by whichever doctrine you recall first.

FACT CUE	START HERE · DO NOT STOP HERE
Wrong officer / missing condition	Authority, delegation, jurisdictional fact; read whole statute.
Hidden allegation / no real response	Hearing rule; duty, content, denial, concrete lost submission.
Interest / prior role	Bias; informed observer + logical connection.
Extraneous aim	Purpose ("why?") and prohibited matter ("what?"), separately.
Order from superior	Dictation: who performed operative judgment?
Automatic guideline	Inflexible policy: were exceptional facts genuinely considered?
Extreme result / broken logic	Legal unreasonableness; statutory task→evidence→reasons→outcome.
"Final" / "no invalidity"	Classify exact restriction, JE and surviving supervision.

26 · Fast recall contrasts

GUIDE GLOSSARY + FAQ

A	≠ B
Fresh evidence may inform merits review	Judicial review is not merits rehearing
Standing = access to review	Reasons entitlement = access to explanation
Assistance gathers/drafts	Delegation transfers power through authorised route
Actual bias proves state of mind	Apprehended bias tests objective appearance
Mandatory consideration asks omission	Weight usually remains for decision-maker
Jurisdictional error classifies consequence	Ground proves underlying legal defect
Quashing removes legal effect	Mandatory relief compels unperformed duty
Privative clause targets review	No-invalidity clause targets consequence

PARAGRAPH QUALITY CONTROL

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statutory words ✓ · decisive fact ✓ · inference ✓ · best counterargument ✓ · calibrated conclusion ✓ · consequence/remedy ✓
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FINAL MINUTE *Check every heading answers a legal issue; every ground has statutory construction and application; JE is earned; remedy changes the right legal act without taking over the merits.*