



LAWS811

Company Law

S2 External 2014

Dept of Law

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General Information

Unit convenor and teaching staff

Unit Convenor

Frank Carrigan

frank.carrigan@mq.edu.au

Contact via frank.carrigan@mq.edu.au

W6A 511

Friday 5-6pm

Credit points

4

Prerequisites

Admission to JD

Corequisites

Co-badged status

Unit description

This unit studies the nature, formation and management of the modern corporation. It examines the consequences of the adoption of corporate form including the separation of legal personality between the company and its shareholders and the impact of limited liability. The extensive common law and statutory regulatory regime applicable to directors and other company officers in the management of the company is surveyed as is the important role of shareholders' rights in governing this entity. The examination of the corporation is undertaken in the context of globalisation where the proliferation of corporate governance codes is increasing.

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>

Learning Outcomes

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

Acquire detailed and thorough knowledge of legal principles relating to corporate law as well as its historical and social origins

Interpret and transmit knowledge, skills and concepts to specialist and non-specialist audiences

Analyse factual situations focusing on corporate law and apply the relevant legal principles

Formulate and present oral and written arguments on corporate law issues and principles

Develop advanced research skills

Assume responsibility for one's own learning by managing one's time effectively so as to complete and submit assessment items on time.

Assessment Tasks

Name	Weighting	Due
<u>Class Participation</u>	10%	Continuing
<u>Essay</u>	30%	10 September 2014
<u>Final Examination</u>	60%	Examination Period

Class Participation

Due: **Continuing**

Weighting: **10%**

Class Participation

On successful completion you will be able to:

- Acquire detailed and thorough knowledge of legal principles relating to corporate law as well as its historical and social origins
- Interpret and transmit knowledge, skills and concepts to specialist and non-specialist audiences
- Analyse factual situations focusing on corporate law and apply the relevant legal principles
- Assume responsibility for one's own learning by managing one's time effectively so as to complete and submit assessment items on time.

Essay

Due: **10 September 2014**

Weighting: **30%**

Written Assignment To Be Submitted On Hard Copy and Turnitin

On successful completion you will be able to:

- Acquire detailed and thorough knowledge of legal principles relating to corporate law as well as its historical and social origins
- Formulate and present oral and written arguments on corporate law issues and principles
- Develop advanced research skills
- Assume responsibility for one's own learning by managing one's time effectively so as to complete and submit assessment items on time.

Final Examination

Due: **Examination Period**

Weighting: **60%**

Final Examination

On successful completion you will be able to:

- Acquire detailed and thorough knowledge of legal principles relating to corporate law as well as its historical and social origins
- Analyse factual situations focusing on corporate law and apply the relevant legal principles
- Formulate and present oral and written arguments on corporate law issues and principles
- Develop advanced research skills
- Assume responsibility for one's own learning by managing one's time effectively so as to complete and submit assessment items on time.

Delivery and Resources

Delivery

(1) Attendance at tutorials for internals and at the On-Campus Session is a component of the course.

(2) External students to attend the On-Campus sessions.

(3) Every student in the course must secure a mark of fifty and above to complete the course successfully.

(4) Tutorials will commence in Week One.

(5) The essay assignment will be released on day one of the course on iLearn. Along with the question set, administrative issues such as penalty for lateness will be stated. The information accompanying the essay question will include the interpretive criteria for marking the essay, and the length required.

(6) In connection with the class participation component any internal student who does not attend at least ten of the scheduled tutorials will receive: (i) a zero mark for this assessment item; and (ii) a mark for the unit of no more than 49/100, irrespective of marks gained in any other assessment item; or

(ii) any external student who does not attend the two day on campus session will receive: (i) a zero mark for this assessment item; and (ii) a mark for the unit of no more than 49/100, irrespective of marks gained in any other assessment item. Every external student is responsible for ensuring they know the on campus session dates. Any student who misses the on campus sessions due to a claim they made a mistake about the dates will fail the course.

If an internal student is unable to attend any given tutorial class or if an external student does not attend the set on campus sessions, as the case may be, and he or she

(i) submits within time, an application for Special Consideration which discloses and, with appropriate documentary evidence, supports a justifiable reason for not attending the said tutorial or on campus sessions; and

(ii) satisfactorily completes any written work in relation to the the topics covered in the said tutorial or on campus sessions that the unit convener may require the student to do,

the student will be deemed to have attended the said tutorial or on campus sessions.

If, for justifiable reasons, a student is unable to submit the written assignment on time, he or she may submit an application for Special Consideration. If Special Consideration is granted the student will be given a different exercise to be completed at a time determined by the unit convener.

Any student who does not submit the written assignment on time or at all, will receive; (i) a zero mark for this assessment item; and (ii) a mark for the unit of no more than 49/100, irrespective of marks gained in any other assessment item.

If, for justifiable reasons, a student is unable to sit the final exam on the official date he or she may submit an application for Special Consideration. If Special Consideration is granted the student will be given a supplementary exam at a time chosen by the unit convener. The supplementary exam may differ in format and the marks allocated for specific type questions compared to the original exam.

Any student who does not sit the official exam on time or at all, will receive; (i) a zero mark for this assessment item; and (ii) a mark for the unit of no more than 49/100, irrespective of marks gained in any other assessment item.

Resources

Required Reading

(1) P. Redmond, *Corporations and Financial Markets Law*, LBC, Sixth Edition, 2013. (2) CCH *Australian Corporations Legislation, Volume One*, 2014. (3) A Single Volume of Course Materials (Available from the Co-Op.)

Unit webpage and Technology used and required

Online units can be accessed at: <http://ilearn.mq.edu.au/>.

PC and Internet access are required. Basic computer skills (e.g., internet browsing) and skills in word processing are also a requirement. Mobile devices alone are not sufficient to complete the coursework.

Please consult teaching staff for any further, more specific requirements.

Policies and Procedures

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

Academic Honesty Policy http://mq.edu.au/policy/docs/academic_honesty/policy.html

Assessment Policy <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Grievance Management Policy http://mq.edu.au/policy/docs/grievance_management/policy.html

Disruption to Studies Policy http://www.mq.edu.au/policy/docs/disruption_studies/policy.html *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/support/student_conduct/

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)

- [Ask a Learning Adviser](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

IT Help

For help with University computer systems and technology, visit <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). The policy applies to all who connect to the MQ network including students.

Graduate Capabilities

PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

Learning outcomes

- Acquire detailed and thorough knowledge of legal principles relating to corporate law as well as its historical and social origins
- Analyse factual situations focusing on corporate law and apply the relevant legal principles

Assessment tasks

- Class Participation
- Essay
- Final Examination

PG - Critical, Analytical and Integrative Thinking

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

Learning outcomes

- Interpret and transmit knowledge, skills and concepts to specialist and non-specialist audiences
- Analyse factual situations focusing on corporate law and apply the relevant legal principles

Assessment tasks

- Essay
- Final Examination

PG - Research and Problem Solving Capability

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

This graduate capability is supported by:

Learning outcomes

- Analyse factual situations focusing on corporate law and apply the relevant legal principles
- Formulate and present oral and written arguments on corporate law issues and principles
- Develop advanced research skills

Assessment task

- Essay

PG - Effective Communication

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

This graduate capability is supported by:

Learning outcomes

- Interpret and transmit knowledge, skills and concepts to specialist and non-specialist audiences
- Formulate and present oral and written arguments on corporate law issues and

principles

- Develop advanced research skills

Assessment tasks

- Class Participation
- Essay
- Final Examination

PG - Engaged and Responsible, Active and Ethical Citizens

Our postgraduates will be ethically aware and capable of confident transformative action in relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues

This graduate capability is supported by:

Learning outcome

- Assume responsibility for one's own learning by managing one's time effectively so as to complete and submit assessment items on time.

Assessment tasks

- Class Participation
- Final Examination

PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

Learning outcomes

- Develop advanced research skills
- Assume responsibility for one's own learning by managing one's time effectively so as to complete and submit assessment items on time.

Assessment tasks

- Class Participation
- Essay
- Final Examination

Changes since First Published

Date	Description
18/07/2014	Delivery