



# LAW 456

## Business Organisations

S2 External 2014

*Dept of Law*

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## General Information

Unit convenor and teaching staff

Unit Convenor

Frank Carrigan

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W6A 511

Friday 5-6pm

Credit points

3

Prerequisites

LAW204 and LAW314 and (admission prior to 2014 to LLB or BAppFinLLB or BALLB or BA-MediaLLB or BA-PsychLLB or BBALLB or BComLLB or BCom-ProfAccgLLB or BEnvLLB or BITLLB or BIntStudLLB or BPsych(Hons)LLB or BScLLB or BSocScLLB)

Corequisites

LAW315

Co-badged status

Unit description

The course explores the role of law in governing corporations. In particular the social and legal role of directors and shareholders is examined.

## 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:

Articulate orally and in writing the key concepts of the substantive corporate law legal rules and critically assess the holistic role of the corporation.

Identify and apply the relevant legal principles to resolve legal problems.

Reflect on the interaction between legal rules and the history of corporate law.

Evaluate the impact of the responsibilities bestowed on corporate stakeholders.

Appreciate the contextual and doctrinal features of directors' duties.

## Assessment Tasks

Name	Weighting	Due
<a href="#">Task 1</a>	10%	Ongoing
<a href="#">Task 2</a>	30%	10 September 2014
<a href="#">Task 3</a>	60%	Examination period

### Task 1

Due: **Ongoing**

Weighting: **10%**

Participation (Tutorial)

On successful completion you will be able to:

- Articulate orally and in writing the key concepts of the substantive corporate law legal rules and critically assess the holistic role of the corporation.
- Identify and apply the relevant legal principles to resolve legal problems.
- Reflect on the interaction between legal rules and the history of corporate law.
- Evaluate the impact of the responsibilities bestowed on corporate stakeholders.
- Appreciate the contextual and doctrinal features of directors' duties.

### Task 2

Due: **10 September 2014**

Weighting: **30%**

Written Assignment To Be Submitted On Hard Copy and Turnitin.

On successful completion you will be able to:

- Evaluate the impact of the responsibilities bestowed on corporate stakeholders.

### Task 3

Due: **Examination period**

Weighting: **60%**

Final Examination

On successful completion you will be able to:

- Articulate orally and in writing the key concepts of the substantive corporate law legal

rules and critically assess the holistic role of the corporation.

- Identify and apply the relevant legal principles to resolve legal problems.
- Reflect on the interaction between legal rules and the history of corporate law.
- Evaluate the impact of the responsibilities bestowed on corporate stakeholders.
- Appreciate the contextual and doctrinal features of directors' duties.

## Delivery and Resources

### Delivery

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

(2) External students to attend the two day 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) Students will not be able to attend tutorials other than the tutorial group in which they have registered.

(6) 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.

(7) 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.

## Unit Schedule

<b>Week 1</b>	Course Readings
<b>Week 2</b>	Course Readings
<b>Week 3</b>	Partnership
<b>Week 4</b>	Business Entities
<b>Week 5</b>	Incorporation
<b>Week 6</b>	Corporate Personality
<b>Week 7</b>	Governing Factors
<b>Week 8</b>	Contractual Issues
<b>Week 9</b>	Duty of Care
<b>Week 10</b>	Related Party Transactions
<b>Week 11</b>	Shareholder Rights
<b>Week 12</b>	Insolvency
<b>Week 13</b>	Catch Up

## 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](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](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](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/](https://students.mq.edu.au/support/student_conduct/)

## Academic Honesty

Academic honesty is an integral part of the core values and principles contained in the Macquarie University Ethics Statement:

<http://www.mq.edu.au/ethics/ethic-statement-final.html>.

Its fundamental principle is that all staff and students act with integrity in the creation, development, application and use of ideas and information. This means that:

- All academic work claimed as original is the work of the author making the claim.
- All academic collaborations are acknowledged.
- Academic work is not falsified in any way
- When the ideas of others are used, these ideas are acknowledged appropriately.

The link below has more details about the policy, procedure and schedule of penalties that will apply to breaches of the Academic Honesty Policy which can be viewed at:

[http://www.mq.edu.au/policy/docs/academic\\_honesty/policy.html](http://www.mq.edu.au/policy/docs/academic_honesty/policy.html)

## 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](http://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](http://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

### Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

### Learning outcomes

- Articulate orally and in writing the key concepts of the substantive corporate law legal rules and critically assess the holistic role of the corporation.
- Identify and apply the relevant legal principles to resolve legal problems.
- Reflect on the interaction between legal rules and the history of corporate law.
- Appreciate the contextual and doctrinal features of directors' duties.

### Assessment tasks

- Task 1
- Task 3

## Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and



systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

### **Learning outcomes**

- Articulate orally and in writing the key concepts of the substantive corporate law legal rules and critically assess the holistic role of the corporation.
- Identify and apply the relevant legal principles to resolve legal problems.
- Evaluate the impact of the responsibilities bestowed on corporate stakeholders.

### **Assessment tasks**

- Task 1
- Task 2
- Task 3

## **Problem Solving and Research Capability**

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

### **Learning outcomes**

- Reflect on the interaction between legal rules and the history of corporate law.
- Appreciate the contextual and doctrinal features of directors' duties.

### **Assessment tasks**

- Task 1
- Task 2
- Task 3

## **Creative and Innovative**

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

### **Learning outcome**

- Evaluate the impact of the responsibilities bestowed on corporate stakeholders.

## **Assessment tasks**

- Task 1
- Task 2

## **Effective Communication**

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

## **Learning outcomes**

- Articulate orally and in writing the key concepts of the substantive corporate law legal rules and critically assess the holistic role of the corporation.
- Identify and apply the relevant legal principles to resolve legal problems.

## **Assessment tasks**

- Task 1
- Task 2
- Task 3