



# LAW 456

## Business Organisations

S1 External 2015

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff David Mullan <a href="mailto:david.mullan@mq.edu.au">david.mullan@mq.edu.au</a> W3A 605
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
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:

- Analyse and articulate (orally and in writing) the substantive corporate law rules in legislation and case law.
- Apply relevant corporate and commercial law principles to resolve legal problems.
- Evaluate the effectiveness of corporate law and its impact on corporate stakeholders.
- Identify and reflect on the contextual and doctrinal features of directors' duties.
- Reflect on the interaction between corporate law, history and social context.

## General Assessment Information

### *Class Participation*

1. In the absence of an application for Disruption to Studies approved by the course

convener, any internal student who does not attend at least ten tutorials will receive a mark of 0 for class participation. Any internal student who does not attend at least ten tutorials will not pass the unit, irrespective of marks gained in other assessments.

2. In the absence of an application for Disruption to Studies approved by the course convener, any external student who does not attend the two day on campus session will receive a 0 mark for class participation. Any external student who does not attend the two day on campus session will not pass the unit, irrespective of marks gained in other assessments. Student mistake about the date of the on campus session will not be accepted as a reason for failing to attend the on campus session.
3. When considering approval of an application for Disruption to Studies the course convener may require the student to satisfactorily complete written work in relation to the topics covered in the tutorial or on campus session.

### *Research Essay*

1. In the absence of an application for Disruption to Studies approved by the course convener, any student who does not submit the research essay by the due date will not pass the unit, irrespective of marks gained in other assessments.
2. When considering approval of an application for Disruption to Studies the course convener may require the student to satisfactorily complete a different exercise to be completed at a time determined by the unit convener.

### *Final Examination*

1. In the absence of an application for Disruption to Studies approved by the course convener, any student who does not sit the final exam on the allocated date will receive a mark of 0 for the exam.
2. When considering approval of an application for Disruption to Studies the course convener may require the student to sit a supplementary exam at a time chosen by the unit convener. The supplementary exam may differ in format to the original exam.

## Assessment Tasks

Name	Weighting	Due
<u>Class Participation</u>	10%	Ongoing
<u>Research Essay</u>	30%	1 April 2015
<u>Examination</u>	60%	Examination Period

## Class Participation

Due: **Ongoing**

Weighting: **10%**

Internal students are required to participate during each week's tutorial. External students are required to participate during the on campus session.

Students are required to have completed and reflected on their readings prior to class. A marking rubric for this assessment will be made available on iLearn.

On successful completion you will be able to:

- Analyse and articulate (orally and in writing) the substantive corporate law rules in legislation and case law.
- Apply relevant corporate and commercial law principles to resolve legal problems.
- Evaluate the effectiveness of corporate law and its impact on corporate stakeholders.
- Identify and reflect on the contextual and doctrinal features of directors' duties.
- Reflect on the interaction between corporate law, history and social context.

## Research Essay

Due: **1 April 2015**

Weighting: **30%**

All students are required to complete a research essay. The research essay is to be submitted to Turnitin via iLearn.

The research essay question will be made available on iLearn. A marking rubric and administrative requirements for this assessment will be made available on iLearn.

On successful completion you will be able to:

- Evaluate the effectiveness of corporate law and its impact on corporate stakeholders.

## Examination

Due: **Examination Period**

Weighting: **60%**

All students are required to attend a final examination. Further details of the exam will be made available on iLearn closer to the examination period.

On successful completion you will be able to:

- Analyse and articulate (orally and in writing) the substantive corporate law rules in

legislation and case law.

- Apply relevant corporate and commercial law principles to resolve legal problems.
- Identify and reflect on the contextual and doctrinal features of directors' duties.
- Reflect on the interaction between corporate law, history and social context.

## Delivery and Resources

### Delivery

1. Lectures are recorded and will be released through iLearn.
2. Attendance at tutorials is a component of the course for internal students.
3. Attendance at the on-campus session is a component of the course for external students.
4. A mark of 50% or above is required to complete the course successfully.
5. Tutorials will commence in week two.
6. Students must attend the tutorial in which they are enrolled. Any change to tutorial enrolment must be made through eStudent.

### Resources

Students are required to have access to the following texts:

1. Paul Redmond, *Corporations and Financial Markets Law* (LBC, 6th edition, 2013).
2. A single volume of course materials (Available from the Co-Op.)

During tutorials and the on campus session, students are required to have access to a number of statutes relevant to the course. These statutes are contained in *CCH Australian Corporations Legislation, Volume One*, 2014. It is recommended that students have access to this text.

### Technology Use

1. Online units can be accessed at: <http://ilearn.mq.edu.au/>.
2. A computer with internet access is required. Students must possess basic computer skills including internet browsing and word processing.
3. Students are advised that a mobile device will not be sufficient to complete the coursework for this unit.
4. Please consult teaching staff for any further, more specific requirements.

## Unit Schedule

Week 1	The context and character of the corporation part 1
Week 2	The context and character of the corporation part 2
Week 3	Partnership

Week 4	Business Entities
Week 5	Incorporation
Week 6	Corporate Personality
Week 7	Governing Factors
Week 8	Contractual Issues
Week 9	Duty of Care
Week 10	Related Party Transactions
Week 11	Shareholder Rights
Week 12	Insolvency
Week 13	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/)

## Results

Results shown in *iLearn*, 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).

## **Additional Macquarie Law School Policy on Assessment**

In the absence of a successful application for Disruption to Studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero.

Word limits will be strictly applied and work above the word limit will not be marked.

Footnotes are only to be used for referencing. Substantive material in footnotes will not be marked.

All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.

## **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**

### **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 effectiveness of corporate law and its impact on corporate stakeholders.

## **Assessment tasks**

- Class Participation
- Research Essay

## **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**

- Analyse and articulate (orally and in writing) the substantive corporate law rules in legislation and case law.
- Apply relevant corporate and commercial law principles to resolve legal problems.
- Identify and reflect on the contextual and doctrinal features of directors' duties.
- Reflect on the interaction between corporate law, history and social context.

## **Assessment tasks**

- Class Participation
- Examination

## **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**

- Analyse and articulate (orally and in writing) the substantive corporate law rules in legislation and case law.



- Apply relevant corporate and commercial law principles to resolve legal problems.
- Evaluate the effectiveness of corporate law and its impact on corporate stakeholders.
- Identify and reflect on the contextual and doctrinal features of directors' duties.

## **Assessment tasks**

- Class Participation
- Research Essay
- Examination

## **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**

- Identify and reflect on the contextual and doctrinal features of directors' duties.
- Reflect on the interaction between corporate law, history and social context.

## **Assessment tasks**

- Class Participation
- Research Essay
- Examination

## **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**

- Analyse and articulate (orally and in writing) the substantive corporate law rules in legislation and case law.
- Apply relevant corporate and commercial law principles to resolve legal problems.

## **Assessment tasks**

- Class Participation
- Research Essay
- Examination