



LAW 850

Sustainable Corporate Governance and Financing

S1 Day 2016

Dept of Law

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Disclaimer

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General Information

Unit convenor and teaching staff

Lecturer

David Mullan

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Contact via 9850 4276

W3A 519

Credit points

4

Prerequisites

Admission to MEnvLaw or PGCertEnvLaw or PGDipEnvLaw or MIntEnvLaw or PGCertIntEnvLaw or PGDipIntEnvLaw or MIntTrdeComLaw or PGCertIntTrdeComLaw or PGDipIntTrdeComLaw or MIntRel or MIntRelMIntTrdeComLaw or LLM or MIntLawGovPubPol or MSocEntre or PGCertSocEntre or GradDipIntRel or MPPP or GradDipPP or 42cp in LAW or LAWS units at 400 or 500 level or (admission to JD and 32cp in LAW or LAWS units at 800 level)

Corequisites

Co-badged status

Unit description

The purpose of this unit is to introduce students to new economic and legal aspects of sustainable development. Markets, regulatory strategies, taxes, financial institutions, investment approaches and the insurance industry have responded to some aspects of this global challenge. This provides the wider context for the changing role and legal obligations of the modern corporation. Corporate approaches to environmental management are studied in the light of new economic realities, requirements, risks and standards such as ISO 14001.

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:

Describe the context within which corporate governance operates

Review and critique existing regulatory strategies in the domestic and international spheres

Understand and critically appraise the current discourse on corporate governance
Discern problems and gaps in the manner in which the law seeks to govern
Examine alternative regulatory modes and assess their application
Analyse and solve problems collaboratively
Independently generate research questions and identify solutions related to corporate governance

General Assessment Information

Participation

Students will be required to participate in discussions during the semester: through the online discussion board and the intensive sessions. In the absence of an application for Disruption to Studies approved by the course convener, any student who does not attend the intensive sessions will result in a grade of 0 for participation.

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 course convener.

Research Essay 1 and 2

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 receive a grade of 0. Submission time and date is strictly enforced.

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 course convener.

Macquarie Law School Policy on Assessment:

In the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero. Applications for a Disruption to Studies are made electronically via ask.mq.edu.au and should be accompanied by supporting documentation. Students should refer to the [Disruption to Studies policy](#) for complete details of the policy and a description of the supporting documentation required.

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

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

Assessment Tasks

Name	Weighting	Due
Participation	10%	Ongoing

Name	Weighting	Due
<u>Research Essay Part 1</u>	40%	20/04/16
<u>Research Essay Part 2</u>	50%	13/06/16

Participation

Due: **Ongoing**

Weighting: **10%**

Students will be required to participate in discussions during the semester: through the online discussion board and the intensive sessions.

Participation during the intensive sessions will be directed by the lecturer. At other times, participation will be prompted on the discussion board.

Intensive sessions are held in W5C 221 on Friday 22nd April, Saturday 23rd April and Sunday 24th April. Intensive sessions run from 9am until 4pm on all days.

On successful completion you will be able to:

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international spheres
- Understand and critically appraise the current discourse on corporate governance
- Discern problems and gaps in the manner in which the law seeks to govern
- Examine alternative regulatory modes and assess their application
- Analyse and solve problems collaboratively

Research Essay Part 1

Due: **20/04/16**

Weighting: **40%**

Students are to identify a current issue in corporate regulation and generate a research question. This assessment will involve formulating the research question, providing a literature review and analysing the issue. 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.

The essay must comply with the *Australian Guide to Legal Citation* (3rd ed). The Guide is available here <http://mulr.law.unimelb.edu.au/go/AGLC3>.

On successful completion you will be able to:

- Describe the context within which corporate governance operates

- Review and critique existing regulatory strategies in the domestic and international spheres
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- Analyse and solve problems collaboratively
- Independently generate research questions and identify solutions related to corporate governance

Research Essay Part 2

Due: **13/06/16**

Weighting: **50%**

Students are to identify a possible solution to the issue identified in Research Essay Part 1. Students will write an additional 1,500 words offering a solution to the problem and hand in a completed 3,000 word essay (incorporating parts 1 and 2). The research essay is to be submitted to Turnitin via iLearn.

The take home assessment must comply with the *Australian Guide to Legal Citation* (3rd ed). The Guide is available here: <http://mulr.law.unimelb.edu.au/go/AGLC3>.

On successful completion you will be able to:

- Discern problems and gaps in the manner in which the law seeks to govern
- Examine alternative regulatory modes and assess their application
- Analyse and solve problems collaboratively
- Independently generate research questions and identify solutions related to corporate governance

Delivery and Resources

Attendance at intensive sessions

This unit is taught only in intensive mode. Intensive sessions are held in W5C 221 on Friday 22nd April, Saturday 23rd April and Sunday 24th April. Intensive sessions run from 9am until 4pm on all days.

Attendance at the intensive sessions is compulsory for students. Please do not enrol in this unit if you are unable to attend these sessions.

Delivery

Lectures are recorded and will be released through iLearn.

Resources

Students are required to have access to the following texts:

1. duPlessis JJ, Bagaric M, Hargovan A and Harris J, *Principles of Contemporary*

Governance, Cambridge University Press 2014 (3rd ed).

2. Corporations Act 2001 (Cth) (you can access this online).

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.

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

New Assessment Policy in effect from Session 2 2016 http://mq.edu.au/policy/docs/assessment/policy_2016.html. For more information visit http://students.mq.edu.au/events/2016/07/19/new_assessment_policy_in_place_from_session_2/

Assessment Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/grading/policy.html>

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

Complaint Management Procedure for Students and Members of the Public http://www.mq.edu.au/policy/docs/complaint_management/procedure.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/

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](#).

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://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.

Graduate Capabilities

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 outcome

- Independently generate research questions and identify solutions related to corporate governance

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

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international spheres
- Understand and critically appraise the current discourse on corporate governance
- Discern problems and gaps in the manner in which the law seeks to govern
- Examine alternative regulatory modes and assess their application
- Independently generate research questions and identify solutions related to corporate governance

Assessment tasks

- Participation
- Research Essay Part 1
- Research Essay Part 2

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

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international spheres
- Understand and critically appraise the current discourse on corporate governance
- Discern problems and gaps in the manner in which the law seeks to govern
- Examine alternative regulatory modes and assess their application
- Analyse and solve problems collaboratively
- Independently generate research questions and identify solutions related to corporate

governance

Assessment tasks

- Participation
- Research Essay Part 1
- Research Essay Part 2

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

- Review and critique existing regulatory strategies in the domestic and international spheres
- Examine alternative regulatory modes and assess their application
- Analyse and solve problems collaboratively

Assessment tasks

- Research Essay Part 1
- Research Essay Part 2

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

- Describe the context within which corporate governance operates
- Analyse and solve problems collaboratively
- Independently generate research questions and identify solutions related to corporate governance

Assessment tasks

- Participation
- Research Essay Part 2

