

BUSL100

Global Legal Frameworks for a Sustainable Planet

S1 Day 2016

Dept of Accounting & Corporate Governance

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Disclaimer

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General Information

Unit convenor and teaching staff Convenor and Lecturer Trish Blazey trish.blazey@mq.edu.au Contact via email E4A240 Thursday 8 - 10am Tutor Tony Antoniou tony.antoniou@mq.edu.au

Contact via email

Credit points 3

Prerequisites

Corequisites

Co-badged status

Unit description

The unit focuses on the need for sustainable economic development worldwide. It assesses the impact of international environmental legal frameworks that relate to climate change, deforestation, water, fishing, waste and biodiversity and undertakes an overview of current scientific findings in the popular press. The unit evaluates the effectiveness of Australian legal frameworks designed to facilitate sustainable economic development. Corporate social responsibility for the protection of the planet is evaluated both internationally and nationally. The unit is designed to provide a basic understanding of environmental legal issues across a broad range of disciplines.

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:

Explain the concept of a sustainable planet and its capacity to sustain the current level of

economic development

Assess current mitigation and adaptation strategies that relate to sustainability

Evaluate international and national legal frameworks that address climate change, water,

the oceans, deforestation, and waste

Demonstrate an ability to understand scientific articles in the popular press that relate to sustainability

General Assessment Information

Class Participation

tutorial class)

Weighting: 20%

Class attendance and participation.

This Assessment Task relates to the following Learning Outcomes:

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- · Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, water, the oceans, deforestation, and waste
- Demonstrate an ability to understand scientific articles in the popular press that relate to sustainability

In Lecture Test

This Assessment Task relates to the following Learning Outcomes:

- Evaluate international and national legal frameworks that address climate change, water, the oceans, deforestation, and waste
- Demonstrate an ability to understand scientific articles in the popular press that relate to sustainability

Final Take Home Assignment

This Assessment Task relates to the following Learning Outcomes:

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, water,

the oceans, deforestation, and waste

Referencing Exercise

This Assessment Task relates to the following Learning Outcomes

• Demonstrate an ability to understand scientific articles in the popular press that relate to sustainability

Assessment Tasks

Name	Weighting	Due
Tutorial participation	20%	each week
In lecture test	18%	7 April 2016
Final take home assignment	60%	16 June 2016
Referencing excericse	2%	17 March 2016

Tutorial participation

Due: each week Weighting: 20%

Weekly attendance at tutorials is compulsory. A roll will be taken each week. A student who is absent for a tutorial will be considered as not having participated for that tutorial. Students will be assessed on a weekly basis.

Assessment criteria

Criteria upon which class participation is assessed are: students' preparation for the classes, understanding the materials, depth of arguments, presentationi skills and legal research. Please see guide to assessment on iLearn for details on how marks are awarded for participation in tutorials at https://ilearn.mq.edu.au/login/MQ/

Estimated Student workload (outside class time)

On average 1.5 - 2.5 hours per week

On successful completion you will be able to:

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- · Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, water, the oceans, deforestation, and waste
- Demonstrate an ability to understand scientific articles in the popular press that relate to sustainability

In lecture test

Due: 7 April 2016 Weighting: 18%

18 short questions worth one mark each are included and will focus on all the material you have learnt up until and including the lecture on 31 March 2016. It will be held during the time for the lecture. It will be held in the second half of the lecture. The

Criteria for assessment are: students' understanding of the materials, knowledge, and ability to analyse and evaluate issues concerning the topics covered in the unit for the test (detailed explanations of the assessment criteria provided on the iLearn site of the unit).

It is an Open Book test. Information about the test will be announced in the second week of the session.

The only exception to not sitting the test at the designated time is because of documented

illness or unavoidable disruption. In these circumstances, students may wish to consider

applying for Special Consideration under the University's Disruption to Studies Policy, which is

available at: http://mq.edu.au/policy/docs/disruption_studies/policy.html. If a Supplementary Test

is granted, the Supplementary Test will be scheduled by the Unit Convenor.

The marked Tests will be returned to the students the following week.

Estimated Student Workload (outside class time)

On average 2 - 2.5 hours per week from Week 1 to the class test on 7 April 2016

On successful completion you will be able to:

- Evaluate international and national legal frameworks that address climate change, water, the oceans, deforestation, and waste
- Demonstrate an ability to understand scientific articles in the popular press that relate to sustainability

Final take home assignment

Due: 16 June 2016 Weighting: 60%

The final assignment contains 2 questions each worth 30 marks. The Questions are research based. Students will need to research outside the recommended reading materials for classes. Students will be expected to conduct their own research as the task is for each student to undertake. Collective or collaborative work is not acceptable.

The questions will be released on 9 June 2016 in the lecture.

Footnotes and a bibliography are required. The Australian Guide to Legal Citation 3rd ed is preferred. Criteria upon which the assignment is assessed are: content, structure, presentation and referencing. Detailed information on this assignment will be provided on iLearn. The assignment must be handed into BESS (Business and Economics Student Services by 3pm on 16 June 2016 in E4B 106.

No extensions will be granted. There will be a deduction of 10% of the total available marks made from the total awarded mark for each 24 hour period or part thereof that the submission is late.(for example 25 hours late in submission - 20% penalty). The penalty does not apply for cases in which an application for disruption of studies is made and approved. No submission will be accepted after solutions have been posted.

Estimated Student Workload (outside class time)

On average, 4.5 hours per week.

On successful completion you will be able to:

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- · Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, water, the oceans, deforestation, and waste

Referencing excericse

Due: **17 March 2016** Weighting: **2%**

You will undertake a referencing exercise in order to prepare you for your final assessment as outlined above. Full instructions will be posted on iLearn in the first week. You are to hand the assignment to your tutor. The time to undertake this exercise is an hour. Feedback will be provided within the first third of the study period. No extensions will be granted and as this exercise is only worth 2 marks the student will receive 0 marks for late submission. This penalty does not apply for cases in which an application for disruption of studies is made and approved.

On successful completion you will be able to:

• Demonstrate an ability to understand scientific articles in the popular press that relate to sustainability

Delivery and Resources

Classes

3 hours face to face teaching including 1 x 2 hour lecture and 1 x 1 hour tutorial

The timetable for classes can be found on the University web site at: <u>http://www.timetables.mq.e</u> du.au/

Weekly attendance at all tutorials is compulsory and a roll will be taken each week. A student who is absent from a tutorial will not be assessed for that tutorial. Details on each tutorial class can be found on iLearn (https://iLearn.mq.edu.au). The detailed criteria for assessment is posted on iLearn.

Compulsory Text

Phillipe Sands and Jacqueline Peel Principles of International Environmental Law 3rd Ed. Cambridge Press 2012 This can be purchased from the Macquarie University Co-op Bookshop.

Other Recommended Readings

See the weekly list of topics and prescribed readings for lecture and tutorials in this Unit Guide.

Blazey, P. Xiangbai He 'China's Past, Present And Future Approach To Climate Change Issues' 2 International Law E-Books Online, Collection 2015 Brill's Asian Law Series

East Asia's Renewed Respect for the Rule of Law in the 21st Century, pp 213-242

Blazey, P. (2014) 'The Trials and Tribulations of Gaining World Heritage Listing for Australia's only Tropical Rainforest'4 4 *Journal of International Law and Policy* 393-402

Blazey, P. (2012). Approaches to increasing desertification in Northern China. *The Chinese Economy: translation and studies, 45* (3), 88 - 101

Blazey, P. (2012). Challenges faced in sustainably managing the tropical rainforest in Papua New Guinea. *OIDA international Journal of Sustainable Development, 4* (4), 35 – 59

Blazey, P. (2012). Will China's 12th Five Year Plan allow for sufficient nuclear power to support its booming economy in the next twenty years? *Pacific Rim Law and Policy Journal, 21 (3)*, 461 - 484.

Blazey, P. (2012). Theoretical issues that underlie the drafting of a binding treaty to prevent further deforestation and degradation of the world's tropical rainforests. *International Journal of Public Law and Policy, 2 (2),* 176-190.

Cadman, T., Maraseni, T., & Blazey, P. (2012). Perspectives on the quality of global

environmental governance: an evaluation of NGO participation in global climate negotiations in the Asia-Pacific and beyond. *Third Sector Review, 18 (1)*, 145 - 169.

Blazey, P. (2011). Sustainable management of world forests - to what extent can regulation drive it? *International journal of public law and policy, 1 (2),* 202-219

Gillies, P. & Blazey, P. (2010). Feed-in tariffs in Australia: fiscal incentives and regulatory regimes - current developments and policies for the future. *International Journal of Private Law, 3 (3)*, 317-331

Blazey, P. & Gillies, P. (2009). China - Growth and its Challenges. *Macquarie Journal of Business Law, 6* 253-264

Blazey, P. & Connors, B. (2008). Emissions Trading- Traps For New Players. *Macquarie Journal of Business Law, 5 (-)*, 291-308.

Kapterian, G., Gillies, P., & Blazey, P. (2008). Reducing Emissions from Coal in Australia: Fiscal and Related Instruments - the Current State of Play. *Murdoch University Electronic Journal of Law, 15 (1)*, 56-71

Blazey, P. & Govind, P. (2007). Climate Change - Financial adaptation challenges for the insurance industry. *Macquarie Journal of Business Law, 4 (-)*, 15-48

Blazey, P. (2007). China's Rapid Economic Growth and Resultant Negative Externalities. *University of New South Wales Law Journal, 30 (3)*, 867-878.

Ashiabor, H. & Blazey, P. (2007). Phasing Out Detrimental Ecological Subsidies in the Fossil Fuel Sector: Challenges and Prospects for the Asia Pacific Region. *Asia Pacific Journal of Environmental Law, 10 (3-Apr)*, 211-252.

Technology Used and Required

Technology Used: learning management system (ILearn: https://ilearn.mq.edu.au/login/MQ/)

Students have to frequently access this Unit's Ilearn site for the Lecture Notes, tutorial instructions announcements and detailed information regarding the unit.

Tutorials will commence in the second week of the session.

Unit Schedule

LECTURE NO.	LECTURE DATE	TOPIC BUSL100	MATERIALS – the power points will guide you through the chapters and provide an overview
1	3 MARCH	Overview of unit content Assessment tasks What is meant by sustainability	Ch 1 Sands power points
2	10 MARCH	Governance of this planet	Ch 3 Sands power points
3	17 MARCH	International Law, and regulation	Ch 4 Sands power points
4	24 MARCH	Climate change	Ch 7 Sands power points
5	31 MARCH	Energy production	Power points
6	7 APRIL	Deforestation and REDD+ followed by ½ hour test	Ch10 Sands power points
	11 – 22 APRIL RECESS		
7	28 APRIL	Deforestation and Biodiversity	Ch 10 power points
8	5 MAY	Freshwater resources	Ch 8 Sands Power points
9	12 MAY	Oceans and Fishing	Ch 9 Sands Power points
10	19 MAY	Oceans and Fishing	Ch 9 Sands Power points

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11	26 MAY	Waste	Ch 12 Sands Power points
12	2 JUNE	Liability for damage	Ch 17 Sands power points
13	9 JUNE	Review	

TUTORIAL QUESTIONS BUSL100 - 2016

Tutorial dates and topics	Questions and activities for the tutorials All the materials and readings cited above are relevant to each of the tutorials.
Tutorial 1 10 March The meaning of sustainability and sustainable development	What does sustainable development mean? What is the meaning of scientific literacy This tutorial is an introduction to the unit and also a brain storming session by students
Tutorial 2 17 March Governance of this planet by international states and non- state actors	This tutorial requires you to identify the organizations both public and private that govern the way in which this planet is managed. You will identify both the effective and non-effective organizations involved.

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Tutorial 3	What are treaties?
24 March	What are the pros and cons of these instruments?
24 March International law and regulation	 What are the pros and cons of these instruments? What is a protocol? Name the principles and explain them in international environmental law What is meant by customary international law and how important is this? What is the practical effect of the sovereignty principle? What legal principles are contained in environmental legislation? What is the role of the United Nations regarding environmental issues? What are non-state actors? What is the purpose of the Vienna treaty? How are international laws incorporated into state legislation?
Tutorial 4 Climate Change 31 March Debate no 1.	 This week's tutorial will be the first of many debates. 3 people are to debate in favour of addressing climate change and state why it is necessary and whether enough is being done. What are the current pitfalls? Does Australia need to address climate change and global warming? 3 people are to debate against addressing climate change. Is it worth it? Is it taken seriously? Will it make any difference? Three students are to run the debating session The debaters will need to allocate various issues between them so that there is no repetition The class will then challenge the debaters and vote for the best team.
Tutorial 5	
7 April	Is Australia doing enough to introduce renewable energy?
Energy Debate no 2.	3 debaters will argue that Australia is addressing the problem adequately 3 debaters will argue it is not. Consider the following in your arguments – What types of renewable energy are there in this country? What do you think is the cheapest and easiest form to introduce in this country? What are the problems with nuclear energy? Should Australia introduce nuclear power stations? What is the effect of the RET?
RECESS	11 – 22 APRIL

Tutorial 6	The tropical rainforest film demonstrates the importance of protecting these valuable forests.
28 April	Forests store vast quantities of carbon.
Deforestation and REDD+	Rainforests in particular which are extremely valuable to the climate are being deforested rapidly.
	This tutorial will focus on trying to find a solution to deal with deforestation and the effects of it.
Tutorial 7	Forests are important for biodiversity.
5 May Biodiversity	You are to undertake a debate.
Debate no 3.	3 members of the class will argue in favour of amending the current Convention on Biological Diversity and three will argue against.
	The argument in favour of an amendment will focus on the need to make the Convention more effective.
	There are to be 3 judges who will give their reasons for their decision at the end of the debate.
	The class will also ask the debaters questions about their views thereby asking them to justify their arguments.
Tutorial 8	The tutorial will require students to identify where the world's main fresh water areas are located and the
12 May	numerous threats to their on-going viability. Certain questions will be assigned to students in the preceding tutorial.
Freshwater Resources	
Tutorial 9	This tutorial will be an open forum discussing the End of the Line video and the implications for future fishing.
19 May	What has been done and what can be done to address over fishing?
Oceans and Fishing	
Open forum	
Tutorial 10	Prosecution of a foreign fishing vessel illegal fishing in Australian waters. Further facts on iLearn
26 May	2 students are to undertake the prosecution
Oceans and fishing	2 students are to be the defence lawyer
Court case	The judge will be your tutor.
	The class is required to be the jury and to ask questions during the proceedings.
Tutorial 11	You will work in groups of 3. Each group will be given a specific question on waste in the preceding
2 June	tutorial and will present their finding in this tutorial. Questions on iLearn.
Waste	
Tutorial 12	Who pays for the damage to the environment?
9 June	This tutorial will be an open forum to discuss these issues.
Liability for Damage	

Policies and Procedures

Macquarie University policies and procedures are accessible from <u>Policy Central</u>. 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/assessm ent/policy_2016.html. For more information visit http://students.mq.edu.au/events/2016/07/19/ne w_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 <u>http://www.mq.edu.a</u> u/policy/docs/complaint_management/procedure.html

Disruption to Studies Policy <u>http://www.mq.edu.au/policy/docs/disruption_studies/policy.html</u> 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 <u>eStudent</u>. For more information visit <u>ask.m</u> <u>q.edu.au</u>.

Grades

Macquarie University uses the following grades in coursework units of study:

- HD High Distinction
- D Distinction
- CR Credit
- P Pass
- F Fail

Grade descriptors and other information concerning grading are contained in the Macquarie University Grading Policy which is available at: http://www.mq.edu.au/policy/docs/grading/ policy.html.

All final grades in the Department of Accounting and Corporate Governance are determined by a grading committee and are not the sole responsibility of the Unit Coordinator.

Students will be awarded one of these grades plus a Standardised Numerical Grade (SNG). The SNG is not necessarily a summation of the individual assessment components.

The final grade and SNG that are awarded reflect the corresponding grade descriptor in the Grading Policy.

To pass the unit, the students need an overall mark of 50%.

Grading Appeals

If, at the conclusion of the unit, you have performed below expectations, and are considering lodging an appeal of grade and/or viewing your essay please refer to the following website which provides information about these processes and the cut off dates in the first instance. Please read the instructions provided concerning what constitutes a valid grounds for appeal before appealing your grade. http://www.businessandeconomics.mq.edu.au/ new_and_current_students/undergraduate_current_students/how_do_i/grade_appeals/.

Academic Honesty

The nature of scholarly endeavour, dependent as it is on the work of others, binds all members of the University community to abide by the principles of academic honesty. 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.

Further information on academic honesty can be found in the Macquarie University Academic honesty Policy at http://www.mq.edu.au/policy/docs/academic_honesty/policy.html

Disruption to Studies Policy

The University is committed to equity and fairness in all aspects of its learning and teaching. It

recognises that students may experience disruptions that adversely affect their academic

performance in assessment activities. A Disruption to Studies Policy exists to support students

who experience serious and unavoidable disruption. The policy is available at:

http://www.mq.edu.au/policy/docs/disruption_studies/policy.html.

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 Enquiry Service

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

Equity 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.

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.

Access to all student computing facilities within the Faculty of Business and Economics is

restricted to authorised coursework for approved units. Student ID cards must be displayed in the

locations provided at all times.

Students are expected to act responsibly when using University IT facilities. the following regulations apply to the use of computing facilities and online services:

Accessing in appropriate web sites or downloading inappropriate material is not permitted. Material that is not related to coursework for approved units is deemed inappropriate

Downloading copyright material without permission from the copyright owner is illegal and strictly prohibited. Students detected undertaking such activities will face disciplinary action which may result in criminal proceedings.

Non compliance with these conditions may result in disciplinary action without further notice.

Students must use their Macquarie University email addresses to communicate with staff as it is University policy that the University issued email account is used for official University communication.

Consultation is not available via email or telephone.

Student Support

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

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- 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 <u>http://www.mq.edu.au/about_us/</u>offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the <u>Acceptable Use of IT Resources Policy</u>. 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

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- · Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, water, the oceans, deforestation, and waste
- Demonstrate an ability to understand scientific articles in the popular press that relate to sustainability

Assessment tasks

- Tutorial participation
- In lecture test

• Final take home assignment

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

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- · Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, water, the oceans, deforestation, and waste

Assessment tasks

- Tutorial participation
- · Final take home assignment

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

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- · Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, water, the oceans, deforestation, and waste

Assessment tasks

- Tutorial participation
- In lecture test
- · Final take home assignment

• Referencing excericse

Socially and Environmentally Active and Responsible

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

Learning outcomes

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- · Assess current mitigation and adaptation strategies that relate to sustainability
- Demonstrate an ability to understand scientific articles in the popular press that relate to sustainability

Assessment task

· Final take home assignment

Changes from Previous Offering

The journal exercise will not be undertaken this year however the referencing exercise that formed part of the journal exercise is included and is worth 2 marks.

The in lecture test is now worth 18 marks and not 20 marks.

Environmental governance - international, state and non state actors has been added to the unit lectures and tutorials

The final assignment is worth 20 more marks than last year and is now worth 60 marks.