LAWS256

Business Organisations

S1 External 2018

Dept of Law

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Disclaimer

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General Information

Unit convenor and teaching staff Frank Carrigan frank.carrigan@mq.edu.au David Mullan david.mullan@mq.edu.au
Credit points 3
Prerequisites (18cp at 100 level or above) including LAWS104 and (admission 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 BMediaLLB or BScLLB or BSecStudLLB or BSocScLLB)
Corequisites
Co-badged status
Unit description This unit studies the doctrinal and historical evolution of the modern corporation. Particular attention is given to the social and legal role of directors and shareholders. The substantive law is examined through the prism of an interdisciplinary and contextualist approach.

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.

Evaluate the effectiveness of corporate legislation and its impact on corporate stakeholders.

Reflect on the interaction between corporate law, history and social context.

Identify and reflect on the contextual and doctrinal features of directors' duties.

Develop critical thought and engage with various perspectives on corporate law.

Apply relevant corporate and commercial law principles to resolve legal problems.

General Assessment Information

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests

Assessment Tasks

Name	Weighting	Hurdle	Due
Research Essay	40%	No	04/04/2018
Final Examination	60%	No	Examination Period

Research Essay

Due: **04/04/2018**
Weighting: **40%**

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 legislation and its impact on corporate stakeholders.
- Reflect on the interaction between corporate law, history and social context.
- Develop critical thought and engage with various perspectives on corporate law.

Final 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.

- Evaluate the effectiveness of corporate legislation and its impact on corporate stakeholders.
- Reflect on the interaction between corporate law, history and social context.
- Identify and reflect on the contextual and doctrinal features of directors' duties.
- Develop critical thought and engage with various perspectives on corporate law.
- Apply relevant corporate and commercial law principles to resolve legal problems.

Delivery and Resources

Delivery

1. Lectures are recorded and will be released through iLearn. There will be no live lectures.
2. A mark of 50% or above is required to complete the course successfully.
3. Online lectures will commence in week 1. Tutorials will also commence in week 1.
4. Students must attend the tutorial in which they are enrolled. Any change to tutorial enrollment 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, 7th edition, 2017).
2. A single volume of course materials (Available from the Co-Op.)

Students will also need access to the most recent edition of *CCH Australian Corporations Legislation*, *Volume One.*

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	Lecture Topic
1	Corporate personality and the history of the corporation
2	Central problems in corporate governance and the role of the lawyer

3	The incorporation process
4	The company constitution
5	Company contracts
6	Administration of companies and management of the business of companies
7	Duties and liabilities of directors and officers
8	Duties and liabilities of directors and officers part 2
9	Share capital and membership
10	Members remedies
11	Company credit and security arrangements
12	Winding up companies
13	No lecture this week

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- Academic Appeals Policy
- Academic Integrity Policy
- Academic Progression Policy
- Assessment Policy
- Fitness to Practice Procedure
- Grade Appeal Policy
- Complaint Management Procedure for Students and Members of the Public
- Special Consideration Policy *(**Note:** The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.)*

Undergraduate students seeking more policy resources can visit the Student Policy Gateway (https://students.mq.edu.au/support/study/student-policy-gateway). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit Policy Central (http

s://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/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

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.
- Evaluate the effectiveness of corporate legislation and its impact on corporate stakeholders.
- Reflect on the interaction between corporate law, history and social context.
- Identify and reflect on the contextual and doctrinal features of directors' duties.
- Develop critical thought and engage with various perspectives on corporate law.
- Apply relevant corporate and commercial law principles to resolve legal problems.

Assessment tasks

- Research Essay
- Final 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.
- Evaluate the effectiveness of corporate legislation and its impact on corporate stakeholders.
- Reflect on the interaction between corporate law, history and social context.
- Identify and reflect on the contextual and doctrinal features of directors' duties.
- Develop critical thought and engage with various perspectives on corporate law.
- Apply relevant corporate and commercial law principles to resolve legal problems.

Assessment tasks

- Research Essay
- Final 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

- Develop critical thought and engage with various perspectives on corporate law.
- Apply relevant corporate and commercial law principles to resolve legal problems.

Assessment tasks

- Research Essay
- Final 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

- Research Essay
- Final Examination

Changes since First Published

Date	Description
21/02/2018	Schedule of topics entered
15/02/2018	Duplication of a staff member's name rectified. Under Resources changes made to description of the statute.
14/02/2018	no changes - edit error (Lise)
14/02/2018	assessment date edited to 2018