ACCG8089

Loss and Damage and other Dispute Engagements

Session 1, Weekday attendance, North Ryde 2020

Department of Accounting & Corporate Governance

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General Information

Unit convenor and teaching staff
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Credit points
10

Prerequisites
ACCG611 or ACCG6011 or (admission to GradDipForAccg or MForAccgFinCri)

Corequisites

Co-badged status

Unit description
This unit covers the legal context in which damages and other financial remedies can be quantified. Students will analyse the role of the forensic accountant in the assessment and calculation of loss and damage in relation to negotiation and litigation of disputes. Areas covered include damages for breach of contract, and in negligence, together with the application of other financial remedies such as an account of profits. The unit also focuses on loss and damage in relation to specialised areas such as intellectual property disputes. By the conclusion of the unit students will have developed a good understanding of the legal principles underpinning the quantification of damages and will be able to use and apply relevant techniques in relation to the assessment and calculation of damages and other financial remedies.

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:

ULO1: Examine the legal principles relevant to the quantification of damages.

ULO2: Identify and apply techniques commonly used in the quantification of damages.

ULO3: Differentiate between damages and other financial remedies.

ULO4: Analyse relevant issues in the assessment of damages and the calculation of compensation in relation to specific areas including intellectual property, insurance, and family law

ULO5: Investigate and review issues relevant to the preparation and use of experts reports in the context of the calculation and quantification of damages.

Assessment Tasks

Coronavirus (COVID-19) Update

Assessment details are no longer provided here as a result of changes due to the Coronavirus (COVID-19) pandemic.

Students should consult iLearn for revised unit information.

Find out more about the Coronavirus (COVID-19) and potential impacts on staff and students

Delivery and Resources

Coronavirus (COVID-19) Update

Any references to on-campus delivery below may no longer be relevant due to COVID-19.

Please check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Students are required to attend face-to-face seminars. The timetable for classes is on the University website at http://www.timetables.mq.edu.au/

TEXTS AND MATERIALS

Recommended Reference Books:

Covell, L.& P., 2018. Covell & Lupton Principles of Remedies 7e 2018.

Luntz, H., 2017. Assessment of damages for personal injury and death: General Principles / Harold Luntz. Sydney: Butterworths.

Crain, M., Hopwood, W., Pacini, C., Young G. 2015. Essentials of forensic accounting. Wiley.

Crumbley, D., Heitger, L., Smith, G. 2017. Forensic and Investigative Accounting (8th Edition), Wolters Kluwer. ISBN: 9780808046240

Hoffman, R., Finney, W., Cox, P., Cooper, K. 2013. The Accountant as an Expert Witness: A Basic Guide to Forensic Accounting, 2nd edition, CCH Australia.

There will be supplemental readings and materials available on the unit website.

TECHNOLOGY USED AND REQUIRED

Students are expected to have:

Proficiency in Word, Excel and Powerpoint.

Knowledge of Macquarie University iLearn - for downloading lecture materials, etc.

Knowledge of the library research databases - for accessing additional research material.

Access to a personal computer to be able to access iLearn and submit completed assessment material online.

UNIT WEB PAGE

Course content is available in the learning management system (iLearn). The web page for this unit is at http://mq.edu.au/iLearn/index.htm

Students should be ready to allocate at least 150 hours during session (in total) to ACCG8089. This includes all classes, assessment (estimates for assessment allocation are set out above under “Assessment Tasks”), personal study and other learning activities.

Unit Schedule

Coronavirus (COVID-19) Update

The unit schedule/topics and any references to on-campus delivery below may no longer be relevant due to COVID-19. Please consult iLearn for latest details, and check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Week of session	Topic	Readings
1, 2	Introduction to loss and damages. The legal principles and accounting techniques; distinctions between tort, contract, and statute; causation and the casual chain; remoteness; mitigation; contributory negligence	Covell
3, 4	Commercial and economic damages – expectation and reliance damages; the impact of statute	Covell Crumbley 10, 12 Crain 14
5, 6	Quantifying damages and other financial remedies including loss of opportunity claims	
7, 8	Issues relevant to quantifying loss in intellectual property disputes including account of profits claims; the impact of tax, interest, depreciation, and apportionment	See iLearn
9, 10, 11	Personal injury calculations	Luntz

Week of session	Topic	Readings
12, 13	Cybercrime management and loss valuations Role of experts: issues relating to the preparation and use of experts reports	Crumbley 15, 16 Hoffman

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.)*

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 (https://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 published on platform other than eStudent, (eg. iLearn, Coursera etc.) 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 or if you are a Global MBA

student contact globalmba.support@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 help you improve your marks and take control of your study.

- Getting help with your assignment
- Workshops
- StudyWise
- Academic Integrity Module

The Library provides online and face to face support to help you find and use relevant information resources.

- Subject and Research Guides
- Ask a Librarian

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

If you are a Global MBA student contact globalmba.support@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.

Late Submission of Assessment

Late Submission(s)

Where assessment is to be submitted through Turnitin, late assessment must also, where applicable, be submitted through Turnitin. 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 incurs a 20% penalty). Late submissions will not be accepted after solutions have been

discussed and/or made available. This penalty does not apply for cases in which an application for Special Consideration is made and approved. Note: applications for Special Consideration Policy must be made within 5 (five) business days of the due date and time.