LAWS8050

Sustainable Corporate Governance and Financing

Session 2, Special circumstance 2020

Macquarie Law School

Contents

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Notice

As part of Phase 3 of our return to campus plan, most units will now run tutorials, seminars and other small group learning activities on campus for the second half-year, while keeping an online version available for those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face and online activities for your unit, please go to timetable viewer. To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

General Information

Unit convenor and teaching staff
Lise Barry
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Credit points
10

Prerequisites
Admission to LLM or MIntTrdeComLaw or (admission to JD and 80cp in LAW or LAWS units at 6000 level or above)

Corequisites

Co-badged status

Unit description
The purpose of this unit is to introduce students to new economic and legal aspects of sustainable development. The unit covers key topics and emerging themes in sustainable corporate governance and financing. It explores the principles of corporate governance and the manner in which these principles link to sustainability. It also looks at diverse ways in which the links between corporate governance and sustainability can be strengthened and in this context, examines the role of financing (including socially responsible finance).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.

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:

> **ULO2:** Critically appraise the current discourse on corporate governance and how it links to sustainability.

ULO1: Review and critique existing strategies for the legal regulation of corporate governance in the domestic and international spheres.

ULO3: Identify problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform and alternative models.

ULO4: Assess the effectiveness of domestic laws and global norms of corporate governance in the Global South/ less developed states.

General Assessment Information

Please see iLearn for further details on learning strategies used and assessment tasks.

Assessment Tasks

Name	Weighting	Hurdle	Due
Early online multiple choice quiz	20%	No	11.59pm, 12 August; 11.59pm on 25 September
A sustained case study throughout the semester and incorporates a number of tasks described on iLean	50%	No	3 August - 15 October
Final assessment	30%	No	11.59pm, 23 November

Early online multiple choice quiz

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 2 hours
Due: **11.59pm, 12 August; 11.59pm on 25 September**
Weighting: **20%**

There are two online multiple choice quizzes that test understanding of the unit content

On successful completion you will be able to:

- Critically appraise the current discourse on corporate governance and how it links to sustainability.
- Review and critique existing strategies for the legal regulation of corporate governance in the domestic and international spheres.
- Identify problems and gaps in the manner in which the law seeks to govern for

sustainability and consider reform and alternative models.

- Assess the effectiveness of domestic laws and global norms of corporate governance in the Global South/ less developed states.

A sustained case study throughout the semester and incorporates a number of tasks described on iLean

Assessment Type [1]: Case study/analysis
Indicative Time on Task [2]: 50 hours
Due: **3 August - 15 October**
Weighting: **50%**

In class and online tasks including discussions, presentations, debates and problem solving tasks

On successful completion you will be able to:

- Critically appraise the current discourse on corporate governance and how it links to sustainability.
- Review and critique existing strategies for the legal regulation of corporate governance in the domestic and international spheres.
- Identify problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform and alternative models.
- Assess the effectiveness of domestic laws and global norms of corporate governance in the Global South/ less developed states.

Final assessment

Assessment Type [1]: Problem set
Indicative Time on Task [2]: 12 hours
Due: **11.59pm, 23 November**
Weighting: **30%**

A written assessment based around a combination of problem based questions and essay style response

On successful completion you will be able to:

- Critically appraise the current discourse on corporate governance and how it links to

sustainability.

- Review and critique existing strategies for the legal regulation of corporate governance in the domestic and international spheres.
- Identify problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform and alternative models.
- Assess the effectiveness of domestic laws and global norms of corporate governance in the Global South/ less developed states.

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[1] If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the Writing Centre for academic skills support.

[2] Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Delivery: This unit will be delivered online in Semester 2, 2020. A combination of online lectures, zoom tutorials and discussions forums will be used.

Prescribed textbook: Beate Sja?fjell and Christopher M. Bruner, *The Cambridge handbook of corporate law, corporate governance, and sustainability,* Cambridge, 2019. Electronic version available from Macquarie library.

Recommended textbooks: Please see iLearn for detailed references each week.

Unit Schedule

27th July	Lecture 1 online	The concept of 'Sustainability' (as it relates to corporate activities)	Chapter 1 and Chapter 33 Text
3rd Aug	Lecture 2 online	The concept of 'Corporate Governance' – a comparative study	TBA
10th Aug	Lecture 3 online	Importance of investment and trade in achieving sustainability	Chapter 2 Text
17th Aug	Lecture 4 online	Transnational Corporations and challenges posed to regulation	Chapter 4 and Chapter 27 Text
20th August	Tutorial No 1 zoom, Thursday 6-8pm	Activities will be allocated (see iLearn)	Covers weeks 1 to 3 lectures and readings
24th Aug	Lecture 5 online	Critical perspective on shareholder primacy and communities interest	Chapter 6 Text
31st Aug	Lecture 6 online	Global Supply chains and impact on sustainability	Chapter 39 Text
7th September	Lecture 7 online	Disclosure as a tool to encourage sustainability	Chapter 37 Text
14th September	Lecture 8 online	Redefining the role of the Board to drive sustainability	Chapter 49 Text
21st September	Tutorial No 2 zoom, Monday 6-8pm	Activities will be allocated	Weeks 4 to 6 lectures and readings
22nd September	Tutorial No 3 zoom, Tuesday 6-8pm	Activities will be allocated	Weeks 7 and 8 lectures and readings

21st September	Lecture 9 online	CSR and reputation as drivers of sustainability	Chapter 45, Chapter 31 and Chapter 34 Text
28th September	Lecture 10 online	Other tools: Certification; taxes;	Chapter 47 Text
5th October	Lecture 11 online	Institutional Investors as stewards	Chapter 41 Text
12th October	Lecture 12 online	Debt financing to drive sustainability	Chapter 42 Text
21st October	Tutorial No 4 zoom, Wednesday 6-8pm	Activities will be allocated	Weeks 9 to 12 lectures and readings

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.

Changes from Previous Offering

The following changes should be noted:

- change to online delivery mode,
- change to Text, and
- change to assessment.