LAWS5036

Modern Corporate Governance

Session 2, Special circumstances 2021

Macquarie Law School

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Session 2 Learning and Teaching Update

The decision has been made to conduct study online for the remainder of Session 2 for all units WITHOUT mandatory on-campus learning activities. Exams for Session 2 will also be online where possible to do so.

This is due to the extension of the lockdown orders and to provide certainty around arrangements for the remainder of Session 2. We hope to return to campus beyond Session 2 as soon as it is safe and appropriate to do so.

Some classes/teaching activities cannot be moved online and must be taught on campus. You should already know if you are in one of these classes/teaching activities and your unit convenor will provide you with more information via iLearn. If you want to confirm, see the list of units with mandatory on-campus classes/teaching activities.

Visit the MQ COVID-19 information page for more detail.

General Information

Unit convenor and teaching staff Hannah Harris hannah.harris@mq.edu.au
Credit points 10
Prerequisites (80cp in LAW or LAWS units) or (130cp including (MMCC2014 or MAS214) or (BUSL250 and BUSL301) or (BUSL251 or ACCG2051)
Corequisites
Co-badged status
Unit description What exactly is a corporation? Whose interests do corporations serve? How should corporations be held responsible for social or environmental harms? These are just some of the questions this course addresses. Corporations are powerful and complex legal creations with immense influence over society, economy, politics and environment. In this advanced unit, students will build on existing knowledge of business organisations and corporate law to gain deeper insight into how corporations govern themselves and how they are regulated by external actors, both in Australia and internationally. Students will engage in research and critical analysis of existing corporate governance strategies and the laws that govern corporate interactions, advancing their understanding of the actors and organisations that impact corporate governance, including: corporate boards, corporate regulators, auditors and stock exchanges. This course provides an opportunity to explore concepts such as Corporate Social Responsibility (CSR), Environmental and Social Governance (ESG), and Business and Human Rights. Students will analyse the relationships and legal obligations between corporations and their shareholders, creditors, employees and customers.

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: Understand and convey key concepts related to corporate governance and

corporate regulation.

ULO2: Describe and analyse the context in which corporate governance policies and practices operate

ULO3: Examine alternative corporate law and regulatory models and assess their application

ULO4: Review and critique existing corporate law and regulatory strategies domestically and internationally

General Assessment Information

Please note the change to case study component listed above. Rather than a series of case studies, you will be required to select a single case study from the course and write an 1,800 word research essay (inclusive of footnotes) using that case study. Your research essay should demonstrates your critical understanding and engagement with the subject matter from this course AND your ability to conduct independent research. This essay will provide 40% of your final grade. Details of the relevant components of the essay and the formal structure will be provided on Monday the 6th of September. The essay will be due on 7 November at 5pm.

NEW FACULTY LATE ASSESSMENT POLICY

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – **10 marks out of 100 (10%) will be deducted per day for assignments submitted after the due date** – and (b) **no assignment will be accepted seven days (incl. weekends) after the original submission deadline.**

Assessment Tasks

Name	Weighting	Hurdle	Due
Participatory tasks	15%	No	22:00 Sunday, weekly and ongoing
3 online quizzes	45%	No	17:00 22/08/21; 17:00 12/09/21; 17:00 17/10/21
Case Studies	40%	No	22:00 7/11/21

Participatory tasks

Assessment Type [1]: Participatory task
Indicative Time on Task [2]: 36 hours
Due: **22:00 Sunday, weekly and ongoing**
Weighting: **15%**

Participation tasks including discussions, presentations and problem-solving.

On successful completion you will be able to:

- Understand and convey key concepts related to corporate governance and corporate regulation.
- Describe and analyse the context in which corporate governance policies and practices operate
- Examine alternative corporate law and regulatory models and assess their application
- Review and critique existing corporate law and regulatory strategies domestically and internationally

3 online quizzes

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 1.5 hours
Due: **17:00 22/08/21; 17:00 12/09/21; 17:00 17/10/21**
Weighting: **45%**

Multiple choice quizzes assessing key concepts

On successful completion you will be able to:

- Understand and convey key concepts related to corporate governance and corporate regulation.
- Describe and analyse the context in which corporate governance policies and practices operate

Case Studies

Assessment Type [1]: Case study/analysis
Indicative Time on Task [2]: 70 hours
Due: **22:00 7/11/21**
Weighting: **40%**

A series of case studies throughout the semester that incorporate a number of tasks described on iLearn.

On successful completion you will be able to:

- Examine alternative corporate law and regulatory models and assess their application

- Review and critique existing corporate law and regulatory strategies domestically and internationally

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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

This course is based on the text: **du Plessis, Hargovan & Harris, *Principles of Contemporary Corporate Governance* (4th Ed, 2018)**

It is HIGHLY recommended that you purchase the textbook for this course, as it is essential reading.

Additional readings will be noted on iLearn and provided via Leganto.

Unit Schedule

This course is made up of 12 weeks of online content (approximately 2 hours of content each week) and 6 online tutorials of two hours each.

Please note, some of the online content for this course is shared with its undergraduate sister course LAWS5036. However, in LAWS8050 we will explore content in greater detail than in LAWS5036 and the assessment structure reflects this reality.

The 12 weekly modules and accompanying tutorials cover the following topics:

1. The Concept of Corporate Governance
2. Stakeholders & Corporate Social Responsibility
3. Board Functions & Structures
4. Regulating Corporate Governance in Australia
5. Accounting Governance: Auditors & Audits
6. Director's Duties & Liabilities
7. Enforcement of Director's Duties
8. The Global Context: Part One
9. The Global Context: Part Two
10. Corporate Governance & Crises
11. Shareholder Activism

12. Ethics & the Future of the Corporation

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://policies.mq.edu.au). 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

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

To find other policies relating to Teaching and Learning, visit Policy Central (https://policies.mq.edu.au) and use the search tool.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/admin/other-resources/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.