



LAWS5036

Modern Corporate Governance

Session 2, In person-scheduled-weekday, North Ryde 2022

Macquarie Law School

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General Information

Unit convenor and teaching staff

Hannah Harris

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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

Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Participatory tasks</u>	15%	No	Ongoing in class participation and pop quizzes weeks 2-11
<u>Case studies and final research essay.</u>	40%	No	Week 3; Week 8 and Week 13
<u>3 online quizzes</u>	45%	No	Week 4; Week 7; Week 10

Participatory tasks

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 36 hours

Due: **Ongoing in class participation and pop quizzes weeks 2-11**

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

Case studies and final research essay.

Assessment Type ¹: Case study/analysis

Indicative Time on Task ²: 70 hours

Due: **Week 3; Week 8 and Week 13**

Weighting: **40%**

A series of case studies throughout the semester that incorporate a number of tasks described on iLearn and include a final research essay component.

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

3 online quizzes

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 1.5 hours

Due: **Week 4; Week 7; Week 10**

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

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 unit relies on the textbook: Du Plessis et al, "Principles of contemporary corporate governance " (4th Edition) Cambridge University Press, 2018.

You must purchase a copy of this textbook, which is available in hard copy and electronic form.

Additional reading materials will be provided through iLearn.

Lectures will be provided online through Echo360 and tutorials will be F2F on campus. The online offering for this unit will involve weekly Zoom tutorials in addition to the online lectures.

Unit Schedule

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

Materials for each module will be provided on iLearn, along with tutorial questions for discussion each week.

Policies and Procedures

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

- [Assessment Procedure](#)
- [Complaints Resolution 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) (<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) (<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

Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

Late Assessment Submission Penalty

Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of '0' (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue.

*This late penalty will apply to non-timed sensitive assessment (incl essays, reports, posters, portfolios, journals, recordings etc). **Late submission of time sensitive tasks** (such as tests/exams, performance assessments/presentations, scheduled practical assessments/labs etc) **will only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic.***

Student Support

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

The Writing Centre

The [Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the 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

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)

Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

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.

Unit information based on version 2022.03 of the [Handbook](#)