



LAWS8050

Corporate Governance Law

Session 2, Online-scheduled-weekday 2022

Macquarie Law School

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General Information

Unit convenor and teaching staff

Hannah Harris

hannah.harris@mq.edu.au

Credit points

10

Prerequisites

Admission to LLM or MIntTrdeComLaw or (Admission to JD and LAWS600 or LAWS8001)

Corequisites

Co-badged status

Unit description

Corporations are powerful and complex legal creations with immense influence over society, economy, politics and the environment. Whose interests do corporations serve? How should corporations be held responsible for social or environmental harms? What are the best methods for addressing corporate misconduct and preventing abuses of power by corporate entities? These are just some of the questions this unit addresses. In this advanced unit, students will build on existing knowledge of 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 critically analyse existing corporate governance strategies and the laws that govern corporate interactions. Student's will advance their understanding of the actors and organisations that impact corporate governance, including: corporate boards, corporate regulators, investors, auditors and stock exchanges. This course allows students to research and critically assess concepts such as Corporate Social Responsibility (CSR), Environmental and Social Governance (ESG), and Business and Human Rights. Through research and critical engagement, students will analyse the relationships and legal obligations between corporations and their shareholders, creditors, employees, customers and other external stakeholders.

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: Explain and communicate key concepts related to corporate governance and

corporate regulation.

ULO2: Critically appraise the current discourse on corporate governance and how it links to social and environmental challenges.

ULO3: Review and critique existing strategies for the legal regulation of corporate governance in the domestic and international spheres.

ULO4: Identify problems and gaps in law that governs corporations and their interaction with social and environmental issues; consider alternative models and opportunities for reform.

Assessment Tasks

Name	Weighting	Hurdle	Due
Case Study Reflections and Research Essay.	40%	No	Week 3; Week 8 and Week 13
Online quizzes	45%	No	Week 4; Week 7; Week 10
Participation	15%	No	Ongoing in class participation and pop quizzes weeks 2-11

Case Study Reflections and Research Essay.

Assessment Type ¹: Case study/analysis

Indicative Time on Task ²: 50 hours

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

Weighting: **40%**

A series of written assessment tasks, including a final research essay, applying key concepts and theory to real word case studies explored during the unit.

On successful completion you will be able to:

- Critically appraise the current discourse on corporate governance and how it links to social and environmental challenges.
- Review and critique existing strategies for the legal regulation of corporate governance in the domestic and international spheres.
- Identify problems and gaps in law that governs corporations and their interaction with social and environmental issues; consider alternative models and opportunities for reform.

Online quizzes

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 2 hours

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

Weighting: **45%**

Three online quizzes evaluating understanding of key concepts.

On successful completion you will be able to:

- Explain and communicate key concepts related to corporate governance and corporate regulation.
- Critically appraise the current discourse on corporate governance and how it links to social and environmental challenges.
- Identify problems and gaps in law that governs corporations and their interaction with social and environmental issues; consider alternative models and opportunities for reform.

Participation

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 12 hours

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

Weighting: **15%**

A series of engagement activities and tutorial discussion.

On successful completion you will be able to:

- Explain and communicate key concepts related to corporate governance and corporate regulation.
- Critically appraise the current discourse on corporate governance and how it links to social and environmental challenges.
- Review and critique existing strategies for the legal regulation of corporate governance in the domestic and international spheres.
- Identify problems and gaps in law that governs corporations and their interaction with social and environmental issues; consider alternative models and opportunities for

reform.

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 via Zoom every second week for 2 hours.

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.

Policies and Procedures

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

[s.mq.edu.au](https://www.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.