LAWS8050

Corporate Governance Law

Session 2, Online-scheduled-weekday 2023

Macquarie Law School

Contents

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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.

General Assessment Information

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-time-sensitive assessment (including 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.

Assessment Tasks

Name	Weighting	Hurdle	Due
Class Participation	20%	No	ongoing
Case Studies	40%	No	4th September; 9th October
Professional Skills Task	40%	No	5th November

Class Participation

Assessment Type [1]: Participatory task
Indicative Time on Task [2]: 0 hours
Due: **ongoing**
Weighting: **20%**

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.

Case Studies

Assessment Type [1]: Case study/analysis
Indicative Time on Task [2]: 15 hours
Due: **4th September; 9th October**
Weighting: **40%**

Students will apply key concepts and theory to a series of real word case studies

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.

Professional Skills Task

Assessment Type [1]: Professional writing
Indicative Time on Task [2]: 15 hours
Due: **5th November**
Weighting: **40%**

Students will research and produce a piece of writing that demonstrates professional skills relevant to modern corporate governance.

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.

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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.

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
- 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). 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

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.

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 Advocacy provides independent advice on MQ policies, procedures, and processes

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.