



BUSL100

Global Legal Frameworks for a Sustainable Planet

S1 Day 2018

Dept of Accounting & Corporate Governance

Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	2
<u>Assessment Tasks</u>	3
<u>Delivery and Resources</u>	6
<u>Unit Schedule</u>	9
<u>Learning and Teaching Activities</u>	10
<u>Policies and Procedures</u>	10
<u>Graduate Capabilities</u>	12
<u>Changes from Previous Offering</u>	14
<u>Global and Sustainability</u>	14
<u>Changes since First Published</u>	14

Disclaimer

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

General Information

Unit convenor and teaching staff

Unit Convenor and Lecturer

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E4A 240

For consultation hours please see iLearn

Moderator

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N/A

Credit points

3

Prerequisites

Corequisites

Co-badged status

Unit description

The unit focuses on the need for sustainable economic development worldwide. It assesses the impact of international environmental legal frameworks that relate to climate change, deforestation, water, fishing, waste and biodiversity and undertakes an overview of current scientific findings in the popular press. The unit evaluates the effectiveness of Australian legal frameworks designed to facilitate sustainable economic development. Corporate social responsibility for the protection of the planet is evaluated both internationally and nationally. The unit is designed to provide a basic understanding of environmental legal issues across a broad range of disciplines.

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:

Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development

Assess current mitigation and adaptation strategies that relate to sustainability

Evaluate international and national legal frameworks that address climate change, fresh water, fishing, deforestation, waste and land use

Demonstrate an ability to understand scientific articles in the popular press that relate to a sustainable planet

Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Class participation</u>	20%	No	Ongoing
<u>Case study</u>	20%	No	4pm, May 1st
<u>Research Final Assignment</u>	60%	No	4pm, June 8th

Class participation

Due: **Ongoing**

Weighting: **20%**

Weekly attendance at tutorials is required as, each week, students will be assessed for their classroom participation.

Submission

In-class participation. A roll will be taken each week. A student who is absent for a tutorial will be considered as not having participated for that tutorial.

Criteria upon which class participation is assessed and the relevant grade criteria which includes high distinction, distinction, credit, pass and fail is posted on iLearn. Refer to

<https://iLearn.mq.edu.au/login/MQ/>

Students are required to prepare in advance of classes and demonstrate an understanding of the materials prescribed. The depth of argument and presentation skills form part of the assessment criteria.

Estimated Student workload (outside class time)

On average 1.5 - 2.5 hours per week

On successful completion you will be able to:

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- Assess current mitigation and adaptation strategies that relate to sustainability

- Evaluate international and national legal frameworks that address climate change, fresh water, fishing, deforestation, waste and land use
- Demonstrate an ability to understand scientific articles in the popular press that relate to a sustainable planet

Case study

Due: **4pm, May 1st**

Weighting: **20%**

Students are required to undertake a case study of a public interest environmental litigation case. A guide to writing the case study and the actual case will be posted on iLearn. This assignment will require students to simplify a complex fact situation and evaluate the effectiveness of public interest litigation and how it is conducted in a court. (Worth 20 marks)

Correct referencing and a bibliography is also required. A guide to how to undertake these tasks is posted on iLearn.

Submission

Students will need to submit:

- 1) An **electronic** version of their assignment via **TURNITIN**, on the iLearn site of this unit, **before the deadline described above. Do NOT submit via TURNITIN more than once.**
- 2) A **hardcopy** of their electronic assignment submitted via Turnitin to **BESS** (location: E4B 106) **by Tuesday May 1st, 4pm.**

It is the student's responsibility to ensure that work is submitted correctly prior to the due date.

Only Turnitin records will be taken as records of submission. Multiple submissions via Turnitin are NOT POSSIBLE in this unit. Originality reports are NOT made available to students to view and check their work. Please refer to these instructions on how to submit your assignment through Turnitin. Should you have questions about Turnitin or experience issues submitting through the system, you must inform your unit convenor immediately. If the issue is technical in nature, you may also lodge a OneHelp Ticket or refer to the IT help page.

It is the responsibility of the student to retain a copy of any work submitted. Students must produce these documents upon request. Copies should be retained until the end of the grade appeal period each term. In the event that a student is asked to produce another copy of work submitted and is unable to do so, they may be awarded zero (0) for that particular assignment task.

Extension and penalties

In view of the time given to students to complete this assignment, no extensions will be granted. There will be a deduction of 10% of the total available marks made from the total awarded mark for each 24 hour period or part thereof that the submission is late (for example, 25 hours late in submission – 20% penalty). For example, if the assignment is worth 50 marks, a student is 23 hours late in submission and (before penalty) this student's mark is 30, the penalty

will be a deduction of 5 marks (50 marks x 10% = 5 marks) (i.e. this student will obtain 25 marks for the Assignment). This penalty does not apply for cases in which an application for Special Consideration is made and approved.

Estimated Student workload (outside class time)

10 hours in total

On successful completion you will be able to:

- Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, fresh water, fishing, deforestation, waste and land use

Research Final Assignment

Due: **4pm, June 8th**

Weighting: **60%**

The final assignment is a research essay of no more than 3000 words (excluding footnotes and bibliography) requiring students to undertake significant research and analyse their findings. It will focus on a current relevant topic. The research question / topic will be posed on iLearn four weeks before the due date in order to give students ample time to undertake the research.

References and a bibliography are required. The Australian Guide to Legal Citation 3rd edition posted on iLearn is preferred.

Collaborative work is not acceptable.

Submission

Students will need to submit:

1) An **electronic** version of their assignment via **TURNITIN**, on the iLearn site of this unit, **before the deadline described above. Do NOT submit via TURNITIN more than once.**

2) A **hardcopy** of their electronic assignment submitted via Turnitin to **BESS** (location: E4B 106) **by Friday June 8th, 4pm.**

Students will need to submit the Assignment electronically via **TURNITIN** on the iLearn site of this unit **before the deadline described above. Do NOT submit via TURNITIN more than once.**

It is the student's responsibility to ensure that work is submitted correctly prior to the due date.

Only Turnitin records will be taken as records of submission. Multiple submissions via Turnitin are NOT POSSIBLE in this unit. Originality reports are NOT made available to students to view and check their work. Please refer to these instructions on how to submit your assignment through Turnitin. Should you have questions about Turnitin or experience issues submitting through the system, you must inform your unit coordinator immediately. If the issue is technical in nature, you may also lodge OneHelp Ticket or refer to the IT help page.

It is the responsibility of the student to retain a copy of any work submitted. Students must produce these documents upon request. Copies should be retained until the end of the grade appeal period each term. In the event that a student is asked to produce another copy of work submitted and is unable to do so, they may be awarded zero (0) for that particular assignment task.

Extension and penalties

In view of the time given to students to complete the Assignment, no extensions will be granted. There will be a deduction of 10% of the total available marks made from the total awarded mark for each 24 hour period or part thereof that the submission is late (for example, 25 hours late in submission – 20% penalty). For example, if the Assignment is worth 50 marks, a student is 23 hours late in submission and (before penalty) this student's mark is 30, the penalty will be a deduction of 5 marks ($50 \text{ marks} \times 10\% = 5 \text{ marks}$) (i.e. this student will obtain 25 marks for the Assignment). This penalty does not apply for cases in which an application for Special Consideration is made and approved.

Estimated Student Workload (outside class time)

On average, 4.5 hours per week from Week 6 to the end of semester when final assignment is due.

On successful completion you will be able to:

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, fresh water, fishing, deforestation, waste and land use
- Demonstrate an ability to understand scientific articles in the popular press that relate to a sustainable planet

Delivery and Resources

Classes

3 hours face to face teaching including 1 x 2 hour lecture and 1 x 1 hour tutorial

The timetable for classes can be found on the University web site at: <http://www.timetables.mq.edu.au/>

Weekly attendance at all tutorials is required and a roll will be taken each week. A student who is absent from a tutorial will not be assessed for that tutorial. Details on each tutorial class can be found on iLearn (<https://iLearn.mq.edu.au>). The detailed criteria for assessment is posted on iLearn.

Tutorials begin in the second week of the session.

Compulsory Text

Philippe Sands and Jacqueline Peel, Principles of International Environmental Law, 3rd Ed., Cambridge University Press 2012.

This can be purchased from the Macquarie University Co-op Bookshop.

Other Recommended Readings

Other readings will be posted on iLearn

- Blazey P., Purskiss S., 'The Empowerment of Papua New Guinea's Tribe's People: Overcoming the Challenges of Foreign Investment *Australasian journal of Regional Studies Vol 22 No 2* 2016
- Blazey, P., & He, X. (2015). China's past, present and future approach to climate change. In S. Miyazawa, W. Ji, H. Fukurai, K-W. Chan, & M. Vanhullebusch (Eds.), *East Asia's Renewed Respect for the Rule of Law in the 21st Century: The Future of Legal and Judicial Landscapes in East Asia* (Vol. 2, pp. 215-242). Leiden, Boston: Brill. DOI: [10.1163/9789004274204_013](https://doi.org/10.1163/9789004274204_013)
- Blazey, P. (2014). The trials and tribulations of gaining World Heritage listing for Australia's only tropical rainforest, the Wet Tropics World Heritage Area. *International Journal of Public Law and Policy*, 4(4), 393-402.
- Blazey, P. (2012). Approaches to increasing desertification in Northern China. *Chinese Economy*, 45(3), 88-101. DOI: [10.2753/CES1097-1475450306](https://doi.org/10.2753/CES1097-1475450306)
- Blazey, P. J. (2012). Challenges faced in sustainably managing the tropical rainforest in Papua New Guinea. *OIDA International Journal of Sustainable Development*, 4(4), 35-58.
- Blazey, P. (2012). Will China's 12th Five Year Plan allow for sufficient nuclear power to support its booming economy in the next twenty years? *Pacific Rim Law and Policy Journal*, 21(3), 461-484.
- Blazey, P. (2012). Theoretical issues that underlie the drafting of a binding treaty to prevent further deforestation and degradation of the world's tropical rainforests. *International Journal of Public Law and Policy*, 2(2), 176-190. DOI: [10.1504/IJPLAP.2012.046073](https://doi.org/10.1504/IJPLAP.2012.046073)
- Cadman, T., Maraseni, T., & Blazey, P. (2012). Perspectives on the quality of global environmental governance: an evaluation of NGO participation in global climate negotiations in the Asia-Pacific and beyond. *Third Sector Review*, 18(1), 145-169.

- Blazey, P. (2011). Sustainable management of world forests - to what extent can regulation drive it? *International Journal of Public Law and Policy*, 1(2), 202-219. DOI: [10.1504/IJPLAP.2011.042623](https://doi.org/10.1504/IJPLAP.2011.042623)
- Gillies, P., & Blazey, P. (2010). Feed-in tariffs in Australia: Fiscal incentives and regulatory regimes - Current developments and policies for the future. *International Journal of Private Law*, 3(3), 317-331. DOI: [10.1504/IJPL.2010.033411](https://doi.org/10.1504/IJPL.2010.033411)
- Blazey, P., & Gillies, P. (2009). China - growth and its challenges. *Macquarie Journal of Business Law*, 6, 253-264.
- Blazey, P., & Connors, B. (2008). Emissions trading: traps for new players. *Macquarie Journal of Business Law*, 5, 291-308.
- Kapterian, G., Gillies, P., & Blazey, P. (2008). Reducing emissions from coal in Australia: fiscal and related instruments - the current state of play. *Murdoch University Electronic Journal of Law*, 15(1), 56-71.
- Blazey, P., & Govind, P. (2007). Financial adaptation challenges for the insurance industry due to climate change. *Macquarie Journal of Business Law*, 4, 15-48.
- Blazey, P. (2007). China's rapid economic growth and resultant negative externalities. *University of New South Wales Law Journal*, 30(3), 867-878.
- Ashiabor, H., & Blazey, P. (2007). Phasing out detrimental ecological subsidies in the fossil fuel sector: Challenges and prospects for the Asia Pacific Region. *Asia Pacific Journal of Environmental Law*, 10(3-4), 211-252.

Grades

Macquarie University uses the following grades in coursework units of study:

- HD - High Distinction
- D - Distinction
- CR - Credit
- P - Pass
- F - Fail

All final grades in the Department of Accounting and Corporate Governance are determined by a grading committee and are not the sole responsibility of the Unit Convenor. Students will be awarded one of these grades. The final grade that is awarded reflect the corresponding grade descriptor in the [Assessment Policy Schedule 1 Grading Requirements](#).

Grade Appeal

If at the conclusion of the unit you have performed below expectations and are considering lodging an appeal of grade and/or viewing your essay, please refer to the following website which provides information about these processes and the cut off dates in the first instance. Please read the instructions provided concerning what constitutes a valid ground for appeal before appealing your grade.

http://www.businessandconomics.mq.edu.au/current_students/undergraduate/how_do_i/grade_appeals

There is no hurdle assessment task in this unit. Students will pass if they get an overall mark of 50%.

Technology Used and Required

Technology Used: Learning management system (iLearn: <https://ilearn.mq.edu.au/login/MQ/>)

Students have to frequently access this Unit's iLearn site for the lecture notes, tutorial instructions announcements and detailed information regarding the unit.

IT

When using the University's IT, you must adhere to the Acceptable Use Policy. The policy applies to all who connect to the MQ network including students. Access to all student computing facilities within the Faculty of Business and Economics is restricted to authorised coursework for approved units. Student ID cards must be displayed in the locations provided at all times. Students are expected to act responsibly when using University IT facilities. The following regulations apply to the use of computing facilities and online services:

- Accessing inappropriate web sites or downloading inappropriate material is not permitted. Material that is not related to coursework for approved units is deemed inappropriate
- Downloading copyright material without permission from the copyright owner is illegal and strictly prohibited. Students detected undertaking such activities will face disciplinary action which may result in criminal proceedings.

Non compliance with these conditions may result in disciplinary action without further notice.

Students must use their Macquarie University email addresses to communicate with staff as it is University policy that the University issued email account is used for official University communication.

Consultation is not available via email or telephone.

Unit Schedule

Week	Week Commencing	Topic(s)
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1	26 February	Introduction to the unit What is meant by sustainable development? What is meant by scientific literacy?
2	5 March	The role of the United Nations, the states and non state actors in environmental governance Public interest litigation
3	12 March	International environmental law Liability for damage to the environment
4	19 March	Climate change, the Paris Agreement
5	26 March	Climate change – Renewable energy
6	3 April	Deforestation
7	9 April	Waste management and plastic in the oceans
	16 April	Mid-session break
	23 April	Mid-session break
8	30 April	Sustainable management of the oceans
9	7 May	Sustainable fishing
10	14 May	Freshwater resources
11	21 May	Land management
12	28 May	Antarctica and Arctic

Learning and Teaching Activities

Tutorials

The tutorial readings and the activities that students need to prepare for are posted on iLearn a week before the relevant lecture

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) (<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.*)

Undergraduate students seeking more policy resources can visit the [Student Policy Gateway](https://students.mq.edu.au/support/study/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](http://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<http://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 shown in *iLearn*, 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.

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 improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

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

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.

Graduate Capabilities

Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

Learning outcomes

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, fresh water, fishing, deforestation, waste and land use
- Demonstrate an ability to understand scientific articles in the popular press that relate to a sustainable planet

Assessment tasks

- Class participation
- Case study
- Research Final Assignment

Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and

systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

Learning outcomes

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- Assess current mitigation and adaptation strategies that relate to sustainability
- Evaluate international and national legal frameworks that address climate change, fresh water, fishing, deforestation, waste and land use
- Demonstrate an ability to understand scientific articles in the popular press that relate to a sustainable planet

Assessment tasks

- Class participation
- Case study
- Research Final Assignment

Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

Learning outcomes

- Assess current mitigation and adaptation strategies that relate to sustainability
- Demonstrate an ability to understand scientific articles in the popular press that relate to a sustainable planet

Assessment tasks

- Class participation
- Research Final Assignment

Socially and Environmentally Active and Responsible

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active

participants in moving society towards sustainability.

This graduate capability is supported by:

Learning outcomes

- Explain the concept of a sustainable planet and its capacity to sustain the current level of economic development
- Evaluate international and national legal frameworks that address climate change, fresh water, fishing, deforestation, waste and land use
- Demonstrate an ability to understand scientific articles in the popular press that relate to a sustainable planet

Assessment tasks

- Class participation
- Research Final Assignment

Changes from Previous Offering

No assessed referencing exercise

Global and Sustainability

The unit focuses on the need for sustainable economic development worldwide. It assesses the impact of international environmental legal frameworks that relate to climate change, deforestation, water, fishing, waste and biodiversity and undertakes an overview of current scientific findings in the popular press. The unit evaluates the effectiveness of Australian legal frameworks designed to facilitate sustainable economic development. Corporate social responsibility for the protection of the planet is evaluated both internationally and nationally. The unit is designed to provide a basic understanding of environmental legal issues across a broad range of disciplines.

Changes since First Published

Date	Description
23/01/2018	Week 12 topic on Antarctica and Arctic added.
22/01/2018	Update to Unit Schedule and assessment due dates.