



LAW 850

Sustainable Corporate Governance and Financing

S2 Block 2019

Macquarie Law School

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General Information

Unit convenor and teaching staff

Lecturer and convenor

Rod Smith

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Credit points

4

Prerequisites

Admission to MEnvLaw or MIntEnvLaw or MIntTrdeComLaw or MIntRel or MIntRelMIntTrdeComLaw or LLM or MIntLawGovPP or MSocEntre or GradCertSocEnt or GradDiplntRel or GradDipPP or 42cp in LAW or LAWS units at 400 or 500 level or (admission to JD and 32cp in LAW or LAWS units at 800 level)

Corequisites

Co-badged status

Unit description

The purpose of this unit is to introduce students to new economic and legal aspects of sustainable development. Markets, regulatory strategies, taxes, financial institutions, investment approaches and the insurance industry have responded to some aspects of this global challenge. This provides the wider context for the changing role and legal obligations of the modern corporation. Corporate approaches to environmental management are studied in the light of new economic realities, requirements, risks and standards such as ISO 14001.

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:

Describe the context within which corporate governance operates

Review and critique existing regulatory strategies in the domestic and international spheres

Understand and critically appraise the current discourse on corporate governance and how it links to sustainability

Discern problems and gaps in the manner in which the law seeks to govern for

sustainability and consider reform

Examine alternative regulatory modes and assess the role of law in achieving justice

Critically analyse and solve problems collaboratively

Assess the effectiveness of domestic laws and global norms in the Global South/ less developed states

General Assessment Information

Participation

Students will be required to participate in discussions during the intensive sessions. In the absence of an application for Special Consideration, any late submissions will be handled in accordance with the late penalty policy for the Faculty of Arts for non timed assessments.

For all details on the Special Consideration policy and process please see:

<<https://students.mq.edu.au/study/my-study-program/special-consideration>>

When considering approval of an application for Special Consideration the course convener may grant the student extra time for completion of the assessment task or may require the student to satisfactorily complete a different exercise.

Research Essay

In the absence of an application for Special Consideration, any late submissions will be handled in accordance with the late penalty policy for the Faculty of Arts for non timed assessments.

When considering approval of an application for Special Consideration the course convener may require the student to satisfactorily complete a different exercise to be completed at a time determined by the course convener.

Take Home Assessment

The take home assessment will be released on 7th November 2019. It is then due for submission at 11.59pm on 11 November 2019

In the absence of an application for Special Consideration, any late submissions will be handled in accordance with the late penalty policy for the Faculty of Arts for timed assessments.

When considering approval of an application for Special Consideration the course convener may require the student to satisfactorily complete a different exercise to be completed at a time determined by the course convener.

Macquarie Law School Policy on Assessment:

Special Consideration: Applications for a Special Consideration are made electronically via [as k.mq.edu.au](https://students.mq.edu.au) and should be accompanied by supporting documentation. Students should refer to the Special Consideration policy and procedure (<https://students.mq.edu.au/study/my-study-program/special-consideration>) for complete details of the policy and a description of the supporting documentation required.

In the absence of a successful application for Special Consideration, any late submissions will be

handled in accordance with the late penalty policy for the Faculty of Arts for non timed assessments.

Word limits: will be strictly applied and work above the word limit will not be marked.

Plagiarism: All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.

Moderation Policy: Detailed marking rubrics will be made available on iLearn. All Fail papers will be double marked.

Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Online Quiz</u>	10%	No	20/8/19
<u>Participation</u>	15%	No	15/9/19
<u>Research Essay</u>	35%	No	8/10/19
<u>Take home assessment</u>	40%	No	11/11/19 at 11.59pm

Online Quiz

Due: **20/8/19**

Weighting: **10%**

This is an online quiz that does count towards the final result. It is also made available by the end of week four for the purpose of giving early feedback on progress. This will be made available online for a duration of 24 hours opening at midday on 19/8/19 closing at midday on 20/8/19. You will be allocated 45 minutes once you log in, to complete the quiz.

On successful completion you will be able to:

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international spheres

Participation

Due: **15/9/19**

Weighting: **15%**

Students will be required to participate in discussions in the intensive sessions.

Participation during the intensive sessions will be directed by the lecturer. You will be given some presentation task to prepare and present during the OCS intensive session.

Intensive sessions are held as follows:

14th and 15th of September 2019. Check the timetable for room allocation.
These sessions run from 9am to 4pm each day.

On successful completion you will be able to:

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international spheres
- Understand and critically appraise the current discourse on corporate governance and how it links to sustainability
- Discern problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform
- Examine alternative regulatory modes and assess the role of law in achieving justice
- Critically analyse and solve problems collaboratively
- Assess the effectiveness of domestic laws and global norms in the Global South/ less developed states

Research Essay

Due: **8/10/19**

Weighting: **35%**

All students are required to complete a research essay. The research essay is to be submitted to Turnitin via iLearn.

The research essay question will be made available on iLearn. A marking rubric and administrative requirements for this assessment will be made available on iLearn.

The essay must comply with the *Australian Guide to Legal Citation* (4th ed). The Guide is available here <http://mulr.law.unimelb.edu.au/go/AGLC4>.

On successful completion you will be able to:

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international spheres
- Understand and critically appraise the current discourse on corporate governance and how it links to sustainability
- Discern problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform
- Examine alternative regulatory modes and assess the role of law in achieving justice
- Assess the effectiveness of domestic laws and global norms in the Global South/ less

developed states

Take home assessment

Due: 11/11/19 at 11.59pm

Weighting: 40%

All students are required to complete a take home assessment. The take home assessment will be released on 7th November 2019 and is due at 11.59pm on 11 November 2019 and is to be submitted to Turnitin via iLearn.

NB this is a timed assessment and no extension of time is available without approved special consideration

The take home assessment questions will be made available on iLearn. A marking rubric and administrative requirements for this assessment will be made available on iLearn. The take home assessment will include one legal hypothetical and one essay question.

The take home assessment must comply with the *Australian Guide to Legal Citation* (4th ed).

The Guide is available here: <http://mulr.law.unimelb.edu.au/go/AGLC4>.

On successful completion you will be able to:

- Describe the context within which corporate governance operates
- Understand and critically appraise the current discourse on corporate governance and how it links to sustainability
- Discern problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform
- Examine alternative regulatory modes and assess the role of law in achieving justice
- Critically analyse and solve problems collaboratively

Delivery and Resources

Attendance at intensive sessions

This unit is taught only in intensive mode. Intensive sessions will run from 9am until 4pm on 14th and 15th September.

Attendance at the intensive sessions is required for students if you wish to succeed in this course. Please do not enrol in this unit if you are unable to attend these sessions.

Delivery

Lectures are recorded and will be released through iLearn.

Resources

Students are required to have access to the following texts:

1. Christine Mallin, *Corporate Governance*, Oxford, 2015 (5th edition). This book can be

obtained from multiple sources including the Co-op Bookshop, Zookal: <https://www.zookal.com/corporate-governance-685989/>; and Booktopia: <https://www.booktopia.com.au/corporate-governance-christine-mallin/prod9780198718024.html>.

2. Corporations Act 2001 (Cth) (you can access this online at http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/cth/consol_act/ca2001172/).
3. Further readings on specific topics and case studies will be made available electronically through the library.

Technology Use

1. Online units can be accessed at: <http://ilearn.mq.edu.au/>.
2. A computer with internet access is required. Students must possess basic computer skills including internet browsing and word processing.
3. Students are advised that a mobile device will not be sufficient to complete the coursework for this unit.
4. Please consult teaching staff for any further, more specific requirements.

Unit Schedule

Week one - Introduction on Sustainable corporate Governance concepts and definitions

Week two - theoretical aspects of Corporate Governance

Week three - Consideration of codes of conduct

Week four - Shareholders and Stakeholders in Australia

Week five - Shareholders and Stakeholders Globally

Week six - International Efforts to incorporate sustainability in Corporate Governance

Week seven - Further international Corporate Governance case studies

Week eight - The Global Financial Crisis and corporate Collapses

Week nine - Shareholder Activism

Week ten - The Banking Royal Commission and other banking scandals.

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 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 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

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.

Graduate Capabilities

PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

Learning outcomes

- Describe the context within which corporate governance operates
- Understand and critically appraise the current discourse on corporate governance and how it links to sustainability
- Discern problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform
- Examine alternative regulatory modes and assess the role of law in achieving justice
- Critically analyse and solve problems collaboratively

Assessment tasks

- Participation
- Research Essay
- Take home assessment

PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:

Learning outcomes

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international spheres
- Understand and critically appraise the current discourse on corporate governance and how it links to sustainability
- Discern problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform
- Assess the effectiveness of domestic laws and global norms in the Global South/ less developed states

Assessment tasks

- Online Quiz
- Participation
- Research Essay

PG - Critical, Analytical and Integrative Thinking

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

Learning outcomes

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international spheres
- Understand and critically appraise the current discourse on corporate governance and how it links to sustainability
- Discern problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform
- Examine alternative regulatory modes and assess the role of law in achieving justice
- Assess the effectiveness of domestic laws and global norms in the Global South/ less developed states

Assessment tasks

- Participation

- Research Essay
- Take home assessment

PG - Research and Problem Solving Capability

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

This graduate capability is supported by:

Learning outcomes

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international spheres
- Understand and critically appraise the current discourse on corporate governance and how it links to sustainability
- Discern problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform
- Examine alternative regulatory modes and assess the role of law in achieving justice
- Critically analyse and solve problems collaboratively
- Assess the effectiveness of domestic laws and global norms in the Global South/ less developed states

Assessment tasks

- Online Quiz
- Participation
- Research Essay
- Take home assessment

PG - Effective Communication

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

This graduate capability is supported by:

Learning outcomes

- Describe the context within which corporate governance operates
- Review and critique existing regulatory strategies in the domestic and international

spheres

- Understand and critically appraise the current discourse on corporate governance and how it links to sustainability
- Discern problems and gaps in the manner in which the law seeks to govern for sustainability and consider reform
- Examine alternative regulatory modes and assess the role of law in achieving justice
- Critically analyse and solve problems collaboratively

Assessment tasks

- Participation
- Research Essay
- Take home assessment

PG - Engaged and Responsible, Active and Ethical Citizens

Our postgraduates will be ethically aware and capable of confident transformative action in relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues

This graduate capability is supported by:

Learning outcomes

- Describe the context within which corporate governance operates
- Examine alternative regulatory modes and assess the role of law in achieving justice

Assessment tasks

- Participation
- Research Essay
- Take home assessment

Changes since First Published

Date	Description
22/07/2019	The assignment noted it was due in 2018. This has been changed to 2019