



# LAWS13009 Corporations Law

## Term 1 - 2017

Profile information current as at 09/10/2025 10:46 am

All details in this unit profile for LAWS13009 have been officially approved by CQU University and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

### General Information

#### Overview

This unit examines the company as a business structure. Topics include an analysis of the incorporation process, the effects of incorporation, management and control of the company, company financing and finally the process of winding a company up. You will be exposed to provisions of the Corporations Act 2001 and other relevant company-based legislation.

#### Details

Career Level: *Undergraduate*

Unit Level: *Level 3*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

#### Pre-requisites or Co-requisites

Prerequisites: LAWS11057, LAWS11059, LAWS11061 and LAWS11062

Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the [Assessment Policy and Procedure \(Higher Education Coursework\)](#).

#### Offerings For Term 1 - 2017

- Distance

#### Attendance Requirements

All on-campus students are expected to attend scheduled classes - in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

#### Website

[This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.](#)

## Class and Assessment Overview

### Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

### Class Timetable

#### [Regional Campuses](#)

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

#### [Metropolitan Campuses](#)

Adelaide, Brisbane, Melbourne, Perth, Sydney

### Assessment Overview

#### 1. **Written Assessment**

Weighting: 40%

#### 2. **Examination**

Weighting: 60%

### Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the [University's Grades and Results Policy](#) for more details of interim results and final grades.

## CQUniversity Policies

**All University policies are available on the [CQUniversity Policy site](#).**

You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the [CQUniversity Policy site](#).

## Previous Student Feedback

### Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

#### Feedback from Moodle discussion and email requests.

##### Feedback

Students requested access to prior exams which were previously not available on the database.

##### Recommendation

An exam from T3 2013 is now available on the past exams database. It is recommended that these questions be discussed in tutorials as part of exam revision and model answers posted on Moodle.

##### Action

Past exam papers were available for students to view.

## Unit Learning Outcomes

### On successful completion of this unit, you will be able to:

1. Advise on different forms of business organisation in Australia, and research and compare them to standard forms of business organisation in other jurisdictions
2. Understand and explain the rules and ethics of internal governance of companies, directors' duties and members' rights, and apply these principles to problem scenarios
3. Advise on the civil and criminal responsibility of a company for the actions of individuals purporting to act on its behalf
4. Understand and explain the different forms of financing for companies
5. Advise on various forms of external administration of companies.

## Alignment of Learning Outcomes, Assessment and Graduate Attributes



### Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes				
	1	2	3	4	5
1 - Written Assessment - 40%	•	•	•	•	•
2 - Examination - 60%	•	•	•	•	•

### Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes				
	1	2	3	4	5
1 - Communication	•	•	•	•	•

Graduate Attributes	Learning Outcomes				
	1	2	3	4	5
2 - Problem Solving	•	•	•	•	•
3 - Critical Thinking	•	•	•	•	•
4 - Information Literacy	•	•	•	•	•
5 - Team Work					
6 - Information Technology Competence					
7 - Cross Cultural Competence					
8 - Ethical practice		•			
9 - Social Innovation					
10 - Aboriginal and Torres Strait Islander Cultures					

### Alignment of Assessment Tasks to Graduate Attributes

Assessment Tasks	Graduate Attributes									
	1	2	3	4	5	6	7	8	9	10
1 - Written Assessment - 40%	•	•	•	•				•		
2 - Examination - 60%	•	•	•	•						

## Textbooks and Resources

### Textbooks

LAWS13009

#### Prescribed

#### Corporations and Financial Markets Law

Edition: 6th (2013)

Authors: Redmond, P.

Lawbook Co. Thomson Reuters

Sydney , NSW , Australia

ISBN: 9780455230528

Binding: Hardcover

#### Additional Textbook Information

##### Note:

Redmond is the essential casebook for this unit. It will be used in most online classes. Additional commentary and the legislation are available via the CCH online subscriptions and the Australasian Legal Information Institute (austlii.edu.au). However, the Corporations Act 2001 is large and can be hard to navigate online, so it is recommended that students purchase the latest Thomson-Reuters edition of *Corporations Legislation* edited by Baxt.

[View textbooks at the CQUniversity Bookshop](#)

### IT Resources

#### You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- iTunesU

## Referencing Style

All submissions for this unit must use the referencing style: [Australian Guide to Legal Citation, 3rd ed](#)

For further information, see the Assessment Tasks.

## Teaching Contacts

**Lance Rundle** Unit Coordinator

[l.rundle@cqu.edu.au](mailto:l.rundle@cqu.edu.au)

## Schedule

### Week 1 - 06 Mar 2017

Module/Topic	Chapter	Events and Submissions/Topic
Corporations and Other Business Organisations	Redmond, Ch 1, Ch 2 (sections 2.05-2.150)	

### Week 2 - 13 Mar 2017

Module/Topic	Chapter	Events and Submissions/Topic
The Nature of the Company and its Promoters	Redmond, Ch 3 (sections 3.10-3.180, 3.220-3.245), Ch 4 (sections 4.10-4.70, 4.90-4.120)	

### Week 3 - 20 Mar 2017

Module/Topic	Chapter	Events and Submissions/Topic
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Internal Governance and Management Structures Redmond, Ch 5 (sections 5.30, 5.95-5.130), Ch 6 (sections 6.05-6.50, 6.60-6.85), Ch 8 (sections 8.45-8.67, 8.195-8.210)

#### Week 4 - 27 Mar 2017

Module/Topic	Chapter	Events and Submissions/Topic
Company Liabilities	Redmond, Ch 4 (sections 4.130-4.185), Ch 5 (sections 5.310-5.380).	

#### Week 5 - 03 Apr 2017

Module/Topic	Chapter	Events and Submissions/Topic
Directors' Role and Fiduciary Duties	Redmond, Ch 5 (sections 5.105, 5.210-5.300), Ch 7 (sections 7.10-7.30, 7.215-7.540)	

#### Vacation Week - 10 Apr 2017

Module/Topic	Chapter	Events and Submissions/Topic

#### Week 6 - 17 Apr 2017

Module/Topic	Chapter	Events and Submissions/Topic
Directors' Duty of Care and Insolvent Trading	Redmond, Ch 7 (sections 7.55-7.205, 7.545-7.560)	

#### Week 7 - 24 Apr 2017

Module/Topic	Chapter	Events and Submissions/Topic
Members and their Remedies	Redmond Ch 8	

#### Week 8 - 01 May 2017

Module/Topic	Chapter	Events and Submissions/Topic
Corporate Reporting, Record Keeping and Auditing	Redmond Ch 9 (sections 9.120-9.195) CCH Online, <i>Australian Company Law Commentary Premium</i> , Sections 100-050, 101-050 to 101-075, 286-100 to 286-180.	

#### Week 9 - 08 May 2017

Module/Topic	Chapter	Events and Submissions/Topic
Corporate Financing	Redmond, Ch 9 (sections 9.10-9.115, 9.230-9.390), Ch 10	<b>Assessment 1- Written Assignment</b> Due: Week 9 Friday (12 May 2017) 11:45 pm AEST

#### Week 10 - 15 May 2017

Module/Topic	Chapter	Events and Submissions/Topic
External Administration: Schemes, Receivership and Voluntary Administration	Redmond, Ch 3 (sections 3.185-3.195, 3.215) CCH Online, <i>Australian Company Law Commentary</i> , sections 122-040, 131-020 to 131-080, 131-500, 134-020, 136-200, 136-210, 136-220 to 136-300, 136-440 to 136-640, 137-540 - 137-600, 137-630.	

#### Week 11 - 22 May 2017

Module/Topic	Chapter	Events and Submissions/Topic

External Administration: Liquidation

Redmond Ch 3 (section 3.200)  
 CCH Online, *Australian Company Law Commentary Premium*, sections 140-010 (introduction + headings: *Structure of the winding up provisions, Modes of winding up, Liquidators, Winding up in insolvency, Statutory demand procedure*), 140-900 to 141-010, 141-040, 141-100 to 141-130, 141-140, 141-180, 141-800, 161-900, 162-300, 162-550 (introduction only), 162-620 to 162-640, 166-220, 166-280.

### Week 12 - 29 May 2017

Module/Topic	Chapter	Events and Submissions/Topic
Securities Trading and Takeovers	Redmond, Ch 11 (sections 11.40-11.50, 11.80-11.130, 11.185-11.225, 11.240-11.245), Ch 12, (sections 12.05, 12.20 to 12.25, 12.50 to 12.95, 12.135 to 12.150, 12.185 to 12.205, 12.250)	

### Review/Exam Week - 05 Jun 2017

Module/Topic	Chapter	Events and Submissions/Topic
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### Exam Week - 12 Jun 2017

Module/Topic	Chapter	Events and Submissions/Topic
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## Assessment Tasks

### 1 Assessment 1- Written Assignment

#### Assessment Type

Written Assessment

#### Task Description

Assessment 1 is a practical task aimed at developing your skills in research, problem solving, analysis and advice on particular aspects of the law covered in the first half of this unit. The detail of the assignment will be available on the Unit Moodle site.

#### Assessment Due Date

Week 9 Friday (12 May 2017) 11:45 pm AEST

The university's policies about extensions of time and late penalties will be strictly enforced.

#### Return Date to Students

Monday (29 May 2017)

Assessment with feedback and grade will be returned via Moodle.

#### Weighting

40%

#### Assessment Criteria

The emphasis of the marking will be on the quality of your research, analysis of law and recommendations, and the professional presentation of your arguments and ideas. Recital of law without any critical analysis or relevance will score poorly. The research task includes assessing the relevance of cases and statute law. The analysis task involves applying law relevantly to the actual scenarios contemplated in the question.

#### Referencing Style

- [Australian Guide to Legal Citation, 3rd ed](#)

**Submission**

Online

**Submission Instructions**

Submit via Moodle as a word document.

**Learning Outcomes Assessed**

- Advise on different forms of business organisation in Australia, and research and compare them to standard forms of business organisation in other jurisdictions
- Understand and explain the rules and ethics of internal governance of companies, directors' duties and members' rights, and apply these principles to problem scenarios
- Advise on the civil and criminal responsibility of a company for the actions of individuals purporting to act on its behalf
- Understand and explain the different forms of financing for companies
- Advise on various forms of external administration of companies.

**Graduate Attributes**

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Ethical practice

## Examination

**Outline**

Complete an invigilated examination.

**Date**

During the examination period at a CQUniversity examination centre.

**Weighting**

60%

**Length**

180 minutes

**Exam Conditions**

Open Book.

**Materials**

No calculators permitted

Law dictionaries, Business and Law dictionaries (discipline specific dictionaries) are authorised.

## Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the [Student Academic Integrity Policy and Procedure](#). This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

### What is a breach of academic integrity?

A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

### Why is academic integrity important?

A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

### Where can I get assistance?

For academic advice and guidance, the [Academic Learning Centre \(ALC\)](#) can support you in becoming confident in completing assessments with integrity and of high standard.

### What can you do to act with integrity?



#### Be Honest

If your assessment task is done by someone else, it would be dishonest of you to claim it as your own



#### Seek Help

If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)



#### Produce Original Work

Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem