



LAWS13009 Corporations Law

Term 1 - 2018

Profile information current as at 26/04/2024 08:10 am

All details in this unit profile for LAWS13009 have been officially approved by CQUUniversity 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

LAWS13009 Corporations Law examines the various business structures available under Australian law, with a particular focus on companies. Topics include partnerships, corporate personality; the incorporation process; the corporate constitution; company contracts; administration of companies and management of the business of companies; duties and liabilities of directors and officers; share capital and membership; members' remedies; company credit and security arrangements; and winding up of companies. This unit meets the LPAB requirements for company law.

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 - 2018

- 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. **Group Discussion**

Weighting: 10%

2. **Written Assessment**

Weighting: 30%

3. **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 Feedback on Moodle and in class.

Feedback

Students expressed satisfaction with time spent in the zoom sessions discussing assessment expectations.

Recommendation

Continue to provide time in zoom sessions to discuss assessment expectations and continue to provide a marking rubric to students before the due date.

Unit Learning Outcomes

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

1. Advise on different forms of business organisation in Australia
2. Research business structures in foreign jurisdictions and compare them to Australian business structures
3. Understand and explain the rules and ethics of internal governance of companies, directors' duties and members' rights, and apply these principles to problem scenarios
4. Advise on the civil and criminal responsibility of a company for the actions of individuals purporting to act on its behalf
5. Understand and explain the different forms of financing for companies and the regulation of securities markets
6. 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	6
1 - Group Discussion - 10%		•				
2 - Written Assessment - 30%	•		•	•		
3 - Examination - 60%			•	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes					
	1	2	3	4	5	6
1 - Communication	•	•	•	•	•	•

Graduate Attributes	Learning Outcomes					
	1	2	3	4	5	6
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 - Group Discussion - 10%	•		•	•		•	•			
2 - Written Assessment - 30%	•	•	•	•		•		•		
3 - Examination - 60%	•	•	•	•				•		

Textbooks and Resources

Textbooks

LAWS13009

Prescribed

Corporations and Financial Markets Law

Edition: 7th (2017)

Authors: Redmond, P.

Lawbook Co. Thomson Reuters

Sydney , NSW , Australia

ISBN: 9780455237947

Binding: Paperback

Additional Textbook Information

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 Lexis Nexis or Thomson-Reuters edition of the Australian Corporations Legislation which includes annotations.

IT Resources

You will need access to the following IT resources:

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

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

Schedule

Week 1 - 05 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
Business Structures, Corporate Personality and Regulation	See unit notes	

Week 2 - 12 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
The Nature of a Company and its Promoters	See unit notes	

Week 3 - 19 Mar 2018

Module/Topic	Chapter	Events and Submissions/Topic
Internal Governance and Management Structures	See unit notes	

Week 4 - 26 Mar 2018		
Module/Topic	Chapter	Events and Submissions/Topic
Company Liabilities	See unit notes	Discussion Forum post Due: Week 4 Thursday (29 Mar 2018) 11:59 pm AEST
Week 5 - 02 Apr 2018		
Module/Topic	Chapter	Events and Submissions/Topic
Directors' Role and Fiduciary Duties	See unit notes	
Vacation Week - 09 Apr 2018		
Module/Topic	Chapter	Events and Submissions/Topic
	Revision and catch-up on readings	
Week 6 - 16 Apr 2018		
Module/Topic	Chapter	Events and Submissions/Topic
Directors' Duty of Care and Insolvent Trading	See unit notes	
Week 7 - 23 Apr 2018		
Module/Topic	Chapter	Events and Submissions/Topic
Members' Rights and Remedies	See unit notes	
Week 8 - 30 Apr 2018		
Module/Topic	Chapter	Events and Submissions/Topic
Corporate Reporting, Record-Keeping and Auditing	See unit notes	
Week 9 - 07 May 2018		
Module/Topic	Chapter	Events and Submissions/Topic
Corporate Financing	See unit notes	Written Assessment Due: Week 9 Friday (11 May 2018) 11:59 pm AEST
Week 10 - 14 May 2018		
Module/Topic	Chapter	Events and Submissions/Topic
External Administration: Receivership and Voluntary Administration	See unit notes	
Week 11 - 21 May 2018		
Module/Topic	Chapter	Events and Submissions/Topic
External Administration: Liquidation	See unit notes	
Week 12 - 28 May 2018		
Module/Topic	Chapter	Events and Submissions/Topic
Securities Trading and Takeovers	See unit notes	
Review/Exam Week - 04 Jun 2018		
Module/Topic	Chapter	Events and Submissions/Topic
	Revision, exam practice	
Exam Week - 11 Jun 2018		
Module/Topic	Chapter	Events and Submissions/Topic

Assessment Tasks

1 Discussion Forum post

Assessment Type

Group Discussion

Task Description

You are required to undertake research of the business structure of a foreign jurisdiction and discuss with a comparison to the Australian jurisdiction. Your discussion will be uploaded as a post/ blog to the assessment 1 discussion forum on Moodle.

Assessment Due Date

Week 4 Thursday (29 Mar 2018) 11:59 pm AEST
Assessment 1 post

Return Date to Students

Vacation Week Friday (13 Apr 2018)
Mark will be available via Moodle Gradebook

Weighting

10%

Assessment Criteria

You will be assessed on your research skills and discussion of the law using concise, clear and grammatically correct language.

Referencing Style

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

Submission

Online

Submission Instructions

Your discussion will be uploaded as a post/ blog to the assessment 1 discussion link on Moodle.

Learning Outcomes Assessed

- Research business structures in foreign jurisdictions and compare them to Australian business structures

Graduate Attributes

- Communication
- Critical Thinking
- Information Literacy
- Information Technology Competence
- Cross Cultural Competence

2 Written Assessment

Assessment Type

Written Assessment

Task Description

You will be presented with a legal problem, the assessment question will be released on Moodle. You will be required to undertake research of legislation and case law and apply this research to support your legal argument and conclusion.

Assessment Due Date

Week 9 Friday (11 May 2018) 11:59 pm AEST
To be uploaded as a word document via the assessment 2 upload link on Moodle

Return Date to Students

Week 11 Monday (21 May 2018)
Grade and feedback will be returned on Moodle

Weighting

30%

Assessment Criteria

You will be assessed on your research skills, your ability to reference case law, reference legislation and outline your legal argument linking the law to the problem scenario using concise, clear and grammatically correct language.

Referencing Style

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

Submission

Online

Learning Outcomes Assessed

- Advise on different forms of business organisation in Australia
- 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

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Information Technology Competence
- 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

Dictionary - non-electronic, concise, direct translation only (dictionary must not contain any notes or comments).
No calculators permitted

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