



LAWS19032 *Company & Association Law*

Term 2 - 2022

Profile information current as at 25/04/2024 05:38 am

All details in this unit profile for LAWS19032 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

A study of company and securities industry law. Topics include partnership, trusts and companies, and incorporated associations. There is reference to the formation of companies, effects of incorporation, the corporate constitution, corporate governance, prospectus and share issues, administration of companies, raising finance, directors and shareholders meetings, transfer of shares, reorganisation and winding up of companies.

Details

Career Level: *Undergraduate*

Unit Level: *Level 2*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

Pre-requisites or Co-requisites

LAWS11030 or LAWS19031 or LAWS11054

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 2 - 2022

- Online

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. **Online Test**

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 Student feedback scores

Feedback

Strategies to make unit requirements clearer

Recommendation

Student feedback was extremely positive, but to improve the student experience even further the unit coordinator may wish to turn their mind to ways unit requirements can be made clearer to accounting and business students.

Unit Learning Outcomes

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

1. Describe and explain the various business structures considered in the court
2. Locate, interpret and analyse various sections of legislation applicable to corporations and other business structures
3. Apply your knowledge of law to particular fact situations relevant to the unit so that the legal issues raised are discussed coherently and reasonable conclusions are reached.

Alignment of Learning Outcomes, Assessment and Graduate Attributes



Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes		
	1	2	3
1 - Written Assessment - 40%	•	•	•
2 - Online Test - 60%	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

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

Textbooks and Resources

Textbooks

LAWS19032

Prescribed

Commercial Applications of Company Law 2022

23rd edition (2022)

Authors: Pamela Hanrahan, Ian Ramsay and Geof Stapledon

Oxford University Press

Docklands , Victoria , Australia

ISBN: 9780190337209

Binding: Paperback

[View textbooks at the CQUniversity Bookshop](#)

IT Resources

You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- Zoom (both microphone and webcam capability)

Referencing Style

All submissions for this unit must use the referencing styles below:

- [Australian Guide to Legal Citation, 4th ed](#)
- [American Psychological Association 7th Edition \(APA 7th edition\)](#)

For further information, see the Assessment Tasks.

Teaching Contacts

Leon Wolff Unit Coordinator

l.wolff@cqu.edu.au

Matt Nichol Unit Coordinator

m.nichol@cqu.edu.au

Akanksha Jumde Unit Coordinator

a.jumde@cqu.edu.au

Schedule

Week 1: Business organisations - 11 Jul 2022

Module/Topic	Chapter	Events and Submissions/Topic
Business organisations	Lexis Advance Pacific, Halsbury's Laws of Australia, Section 305	

Week 2: Companies and incorporation - 18 Jul 2022

Module/Topic	Chapter	Events and Submissions/Topic
--------------	---------	------------------------------

Companies and incorporation

Pamela Hanrahan, Ian Ramsay and Geof Stapledon, *Commercial Applications of Company Law* (Oxford University Press, 23rd ed, 2022), ch 1 (sections 1-001 to 1-140), ch 2 (sections 2-100 to 2-120, 2-500 to 2-540), ch 3 (all), ch 4 (sections 4-300 to 4-540), ch 5 (sections 5-100 to 5-140).

Week 3: Corporate governance and company management - 25 Jul 2022

Module/Topic	Chapter	Events and Submissions/Topic
Corporate governance, company management, and reporting and disclosure requirements of companies	Pamela Hanrahan, Ian Ramsay and Geof Stapledon, <i>Commercial Applications of Company Law</i> (Oxford University Press, 23rd ed, 2022), ch 6, ch 2 (sections 2-520, 2-540), ch 17	

Week 4: Company constitution - 01 Aug 2022

Module/Topic	Chapter	Events and Submissions/Topic
Company constitution	Pamela Hanrahan, Ian Ramsay and Geof Stapledon, <i>Commercial Applications of Company Law</i> (Oxford University Press, 23rd ed, 2022), ch 5, ch 9 (sections 9-200 to 9-260), ch 16.	

Week 5: Companies, outsiders and corporate liability - 08 Aug 2022

Module/Topic	Chapter	Events and Submissions/Topic
Companies, outsiders and corporate liability	Pamela Hanrahan, Ian Ramsay and Geof Stapledon, <i>Commercial Applications of Company Law</i> (Oxford University Press, 23rd ed, 2022), ch 23, ch 3 (sections 3-500 to 3-550).	

Vacation Week - 15 Aug 2022

Module/Topic	Chapter	Events and Submissions/Topic
--------------	---------	------------------------------

Week 6: Directors' and officers' duties, Part A - 22 Aug 2022

Module/Topic	Chapter	Events and Submissions/Topic
Directors' and officers' duties, Part A	Pamela Hanrahan, Ian Ramsay and Geof Stapledon, <i>Commercial Applications of Company Law</i> (Oxford University Press, 23rd ed, 2022), chs 11, 12.	Due: Week 6 Friday (26 Aug 2022) 5:00 pm AEST

Week 7: Directors' and officers' duties, Part B - 29 Aug 2022

Module/Topic	Chapter	Events and Submissions/Topic
Directors' and officers' duties, Part B	Pamela Hanrahan, Ian Ramsay and Geof Stapledon, <i>Commercial Applications of Company Law</i> (Oxford University Press, 23rd ed, 2022), chs 13, 14 and 15.	

Week 8: Membership, members' powers and dividends - 05 Sep 2022

Module/Topic	Chapter	Events and Submissions/Topic
Membership, members' powers and dividends	Pamela Hanrahan, Ian Ramsay and Geof Stapledon, <i>Commercial Applications of Company Law</i> (Oxford University Press, 23rd ed, 2022), chs 7, 8 and 20 (20-200 to 20-240).	

Week 9: Members' remedies - 12 Sep 2022

Module/Topic	Chapter	Events and Submissions/Topic
--------------	---------	------------------------------

Members' remedies
Pamela Hanrahan, Ian Ramsay and Geof Stapledon, *Commercial Applications of Company Law* (Oxford University Press, 23rd ed, 2022), ch 16.

Week 10: Financing a company, shares and shareholding - 19 Sep 2022

Module/Topic	Chapter	Events and Submissions/Topic
Financing a company, shares and shareholding	Pamela Hanrahan, Ian Ramsay and Geof Stapledon, <i>Commercial Applications of Company Law</i> (Oxford University Press, 23rd ed, 2022), chs 18, 19, ch 20 (section 20-220).	

Week 11: External administration - 26 Sep 2022

Module/Topic	Chapter	Events and Submissions/Topic
External administration	Pamela Hanrahan, Ian Ramsay and Geof Stapledon, <i>Commercial Applications of Company Law</i> (Oxford University Press, 23rd ed, 2022), chs 24, 25.	

Week 12: Revision - 03 Oct 2022

Module/Topic	Chapter	Events and Submissions/Topic
Revision		

Review/Exam Week - 10 Oct 2022

Module/Topic	Chapter	Events and Submissions/Topic
--------------	---------	------------------------------

Exam Week - 17 Oct 2022

Module/Topic	Chapter	Events and Submissions/Topic
--------------	---------	------------------------------

Assessment Tasks

No Assessment Title

Assessment Type

Written Assessment

Task Description

In this assignment students will be required to conduct an interview about a business, and write a report for a fictitious professional services firm which explains business structures to advise on the most appropriate business structure for the business. Assignment details will be posted on the Moodle site.

Assessment Due Date

Week 6 Friday (26 Aug 2022) 5:00 pm AEST

The extensions policy will be strictly enforced. Late submissions will incur the following penalty in accordance with CQU policy: 5% of the available marks will be deducted for each full or part calendar day the assessment task is overdue.

Return Date to Students

Week 8 Friday (9 Sept 2022)

Results and feedback will be available on Moodle

Weighting

40%

Assessment Criteria

- Written expression and structure;
- Use of headings and, where appropriate, sub-headings;
- Research;
- Knowledge of business structures and the law;
- Use of most appropriate authority, such as legislation and case law;

- Critical thinking;
- Ability to evaluate different options, and recommend one option from different alternatives.

Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)
- [American Psychological Association 7th Edition \(APA 7th edition\)](#)

Submission

Online

Submission Instructions

Submission will be online via Moodle

Learning Outcomes Assessed

- Describe and explain the various business structures considered in the court
- Locate, interpret and analyse various sections of legislation applicable to corporations and other business structures
- Apply your knowledge of law to particular fact situations relevant to the unit so that the legal issues raised are discussed coherently and reasonable conclusions are reached.

No Assessment Title

Assessment Type

Online Test

Task Description

Students will be required to solve legal problems and answer questions. Students will be required to have knowledge of relevant law, and apply that law to answer questions and solve problems. A detailed rubric will be provided on the unit's Moodle page.

Assessment Due Date

The date of the online test will be set by the School and advised to students during the term.

Return Date to Students

Results of the online test will only be made available after certification of grades

Weighting

60%

Assessment Criteria

The online test will assess a number of skills, such as:

- written expression;
- referencing;
- the ability to use legislation and case law;
- the ability to identify legal issues;
- the ability to identify applicable law;
- the ability to accurately explain the law;
- the ability to apply law to solve problems, and/or to answer questions;
- the ability to reach a conclusion and/or provide advice based on legal analysis.

Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)
- [American Psychological Association 7th Edition \(APA 7th edition\)](#)

Submission

Online

Submission Instructions

Submission will be online via Moodle

Learning Outcomes Assessed

- Describe and explain the various business structures considered in the court
- Locate, interpret and analyse various sections of legislation applicable to corporations and other business

structures

- Apply your knowledge of law to particular fact situations relevant to the unit so that the legal issues raised are discussed coherently and reasonable conclusions are reached.

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