



LAWS20059 Corporations and Business Structures

Term 2 - 2017

Profile information current as at 18/05/2024 11:51 pm

All details in this unit profile for LAWS20059 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

This unit will provide you with a comprehensive study of the law of business structures, with a particular focus on company and securities industry law. Topics include partnerships, trusts and other organisational structures, the effects of incorporation, the corporate constitution, registration requirements, prospectuses and share issues, administration of companies, raising finance, directors, shareholders, meetings, external administration and winding up, takeovers, special types of companies, and market regulation. If you have successfully completed the unit LAWS20029 you should not enrol in this unit.

Details

Career Level: *Postgraduate*

Unit Level: *Level 9*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

Pre-requisites or Co-requisites

Prerequisite: LAWS20058

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 - 2017

- Brisbane
- Distance
- Melbourne
- Sydney

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 Postgraduate 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. **Presentation and 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 Emails, student evaluations

Feedback

Students often seek guidance on how to formulate written answers to exam questions, including questions that are not in the problem style.

Recommendation

The problem-solving podcasts can be updated to a video format incorporating non-problem questions and questions similar to those found in exams.

Unit Learning Outcomes

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

1. Research and advise on the principles of partnerships, trusts and company law
2. Advise on the practical and legal features of the various types of corporate and non-corporate business structures, including advice on the risks and problems associated with particular structures
3. Advise on and resolve problems and disputes arising out of partnerships, trusts and corporations
4. Advise on proper practices of corporate governance, finance, reporting and record-keeping.

Alignment of Learning Outcomes, Assessment and Graduate Attributes

 N/A Level	 Introductory Level	 Intermediate Level	 Graduate Level	 Professional Level	 Advanced Level
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Alignment of Assessment Tasks to Learning Outcomes

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

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes			
	1	2	3	4
1 - Knowledge	○	○	○	○
2 - Communication	○	○	○	○
3 - Cognitive, technical and creative skills	○	○	○	
4 - Research	○		○	
5 - Self-management	○			
6 - Ethical and Professional Responsibility				○
7 - Leadership				
8 - 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
1 - Presentation and Written Assessment - 40%	○	○	○	○	○			
2 - Examination - 60%	○	○	○			○		

Textbooks and Resources

Textbooks

LAWS20059

Prescribed

Commercial Applications of Company Law

Edition: 18 th (2017)

Authors: Hanrahan P, Ramsay I and Stapledon G.

Oxford University Press

South Melbourne , Victoria , Australia

ISBN: 978-0-19-030436-2

Binding: Paperback

Additional Textbook Information

Students may also use the 14th, 15th, 16th or 17th editions of the textbook.

[View textbooks at the CQUniversity Bookshop](#)

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 styles below:

- [Australian Guide to Legal Citation, 3rd ed](#)
- [American Psychological Association 6th Edition \(APA 6th edition\)](#)

For further information, see the Assessment Tasks.

Teaching Contacts

Welshy Tupou Unit Coordinator

w.tupou@cqu.edu.au

Schedule

Week 1 - 10 Jul 2017

Module/Topic	Chapter	Events and Submissions/Topic
Sole Trading, Partnerships and Joint Ventures	Prescribed readings	

Week 2 - 17 Jul 2017

Module/Topic	Chapter	Events and Submissions/Topic
Trusts	Prescribed readings	

Week 3 - 24 Jul 2017

Module/Topic	Chapter	Events and Submissions/Topic
The Nature of Companies	Prescribed readings	

Week 4 - 31 Jul 2017

Module/Topic	Chapter	Events and Submissions/Topic
Internal Governance and Company Management	Prescribed readings	
Week 5 - 07 Aug 2017		
Module/Topic	Chapter	Events and Submissions/Topic
The Roles and Duties of Directors	Prescribed readings	
Vacation Week - 14 Aug 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Week 6 - 21 Aug 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Remedies for Breach of Duty and Reporting Requirements	Prescribed readings	
Week 7 - 28 Aug 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Corporate Finance	Prescribed readings	Written Assessment Due: Week 7 Monday (28 Aug 2017) 11:45 pm AEST
Week 8 - 04 Sep 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Corporate Contracting and Other Liability	Prescribed readings	
Week 9 - 11 Sep 2017		
Module/Topic	Chapter	Events and Submissions/Topic
External Administration	Prescribed readings	
Week 10 - 18 Sep 2017		
Module/Topic	Chapter	Events and Submissions/Topic
The Secondary Market	Prescribed readings	
Week 11 - 25 Sep 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Revision and Exam Practice		
Week 12 - 02 Oct 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Revision and Exam Practice		
Review/Exam Week - 09 Oct 2017		
Module/Topic	Chapter	Events and Submissions/Topic
Exam Week - 16 Oct 2017		
Module/Topic	Chapter	Events and Submissions/Topic

Assessment Tasks

1 Written Assessment

Assessment Type

Presentation and Written Assessment

Task Description

The assignment is a skills-based task, designed to provide practice in research and providing business advice on real-life issues. The detail is too long to include here, but will be available on the unit Moodle website early in the term.

Assessment Due Date

Week 7 Monday (28 Aug 2017) 11:45 pm AEST

Return Date to Students

Monday (11 Sept 2017)

Weighting

40%

Assessment Criteria

Research and advice are key skills of modern business professionals. You will be assessed on your research and problem solving skills and your ability to present your advice in a professional manner. You should assume that you are reporting to a business client who has asked you to provide a professional opinion. Any advice and explanations should be expressed in your own words and not simply copied from another source. Good explanations and summaries state the key information and omit information that is unimportant or irrelevant, so your ability to make intelligent decisions about what to include and what to exclude will be a key marking criterion. The format and presentation style of your assignment will also be assessed. Clients expect advice to be clearly stated, consistently formatted and presented in a user-friendly style. You are allowed a lot of leeway in how you do that, but the marker will assess how successful you have been in your presentation. All students should ensure that basic QA features like spell-checking, page-numbering, and consistent headings are incorporated into their final submission.

Referencing Style

- [Australian Guide to Legal Citation, 3rd ed](#)
- [American Psychological Association 6th Edition \(APA 6th edition\)](#)

Submission

Online

Learning Outcomes Assessed

- Research and advise on the principles of partnerships, trusts and company law
- Advise on the practical and legal features of the various types of corporate and non-corporate business structures, including advice on the risks and problems associated with particular structures
- Advise on and resolve problems and disputes arising out of partnerships, trusts and corporations
- Advise on proper practices of corporate governance, finance, reporting and record-keeping.

Graduate Attributes

- Knowledge
- Communication
- Cognitive, technical and creative skills
- Research
- Self-management

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

Dictionary - non-electronic, concise, direct translation only (dictionary must not contain any notes or comments).

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