Description: Corporations Law

<table>
<thead>
<tr>
<th>Subject</th>
<th>Cat-nbr</th>
<th>Class</th>
<th>Term</th>
<th>Mode</th>
<th>Units</th>
<th>Campus</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAW</td>
<td>5206</td>
<td>38244</td>
<td>3, 2004</td>
<td>WEB</td>
<td>1.00</td>
<td>TW MBA</td>
</tr>
</tbody>
</table>

Academic group: FOBUS
Academic org: FOB010
Student contribution band: 3
ASCED code: 090901

STAFFING
Examiner: Mark Byrne
Moderator: James Mayanja

REQUISITES
Pre-requisite: LAW5201

SYNOPSIS
The objective of this course is to introduce students to the legal principles associated with partnerships, associations, trusts and corporations. In particular, students will be exposed to the Partnership Act and Corporations Law in detail and shall be required to be able to describe all appropriate legal principles dealing with such entities and the internal and external relationships thereof.

OBJECTIVES
Completion of this course should enable students to:

1. define, analyse, illustrate and apply principles of partnership law;
2. describe, analyse and apply the basic principles of law affecting trusts;
3. identify problem areas of the law affecting unincorporated bodies and the consequences of having incorporated associations;
4. define, illustrate and apply principles of corporations law including those applicable to: the incorporation of companies; relations with third parties; membership; corporate governance; meetings and procedures of companies; finance of companies; external administration of companies;
5. demonstrate satisfactory skills in communication.
TOPICS

<table>
<thead>
<tr>
<th>Description</th>
<th>Weighting (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Partnerships</td>
<td>10.00</td>
</tr>
<tr>
<td>2. Trusts</td>
<td>10.00</td>
</tr>
<tr>
<td>3. Associations</td>
<td>5.00</td>
</tr>
<tr>
<td>4. Incorporation of Companies (background, significance, procedure)</td>
<td>10.00</td>
</tr>
<tr>
<td>5. Relation with Outsiders</td>
<td>10.00</td>
</tr>
<tr>
<td>6. Membership (including shareholders rights and minority protection)</td>
<td>10.00</td>
</tr>
<tr>
<td>7. Corporate Governance</td>
<td>15.00</td>
</tr>
<tr>
<td>8. The Life Cycle of the Company (meetings, reporting)</td>
<td>10.00</td>
</tr>
<tr>
<td>9. Finance</td>
<td>10.00</td>
</tr>
<tr>
<td>10. External Administration</td>
<td>10.00</td>
</tr>
</tbody>
</table>

TEXT and MATERIALS required to be PURCHASED or ACCESSED:

ALL textbooks and materials are available for purchase from USQ BOOKSHOP (unless otherwise stated). Orders may be placed via secure internet, free fax 1800642453, phone 07 46312742 (within Australia), or mail. Overseas students should fax +61 7 46311743, or phone +61 7 46312742. For costs, further details, and internet ordering, use the 'Textbook Search' facility at http://bookshop.usq.edu.au click 'Semester', then enter your 'Course Code' (no spaces).

1994, Partnership act 1891 (Qld), Government Printer, Queensland.

REFERENCE MATERIALS:

Reference materials are materials that, if accessed by students, may improve their knowledge and understanding of the material in the course and enrich their learning experience.

Fletcher, KL 2001, Higgins and Fletcher the law of partnership in Australia and New Zealand, 8th edn, LBC Information Services, Pyrmont, New South Wales.
STUDENT WORKLOAD REQUIREMENTS:

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>HOURS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment</td>
<td>20.00</td>
</tr>
<tr>
<td>Directed Study</td>
<td>52.00</td>
</tr>
<tr>
<td>Private Study</td>
<td>93.00</td>
</tr>
</tbody>
</table>

ASSESSMENT DETAILS

<table>
<thead>
<tr>
<th>Description</th>
<th>Marks out of</th>
<th>Wtg(%)</th>
<th>Due date</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASSIGNMENT</td>
<td>50.00</td>
<td>50.00</td>
<td>11 Jan 2005</td>
</tr>
<tr>
<td>PART A EXAM (MULTI-CHOICE)</td>
<td>20.00</td>
<td>20.00</td>
<td>END S3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(see note 1)</td>
</tr>
<tr>
<td>PART B EXAM (THEORY)</td>
<td>60.00</td>
<td>30.00</td>
<td>END S3</td>
</tr>
</tbody>
</table>

NOTES:

1. The examination is scheduled to be held in the end-of-semester examination period. Students will be advised of the official examination date for Exam (Parts A and B) after the timetable has been finalised. The total working time for Exam (Parts A and B) is 3 hours.

IMPORTANT ASSESSMENT INFORMATION

1. Attendance requirements:
   There are no attendance requirements for this course. However, it is the students' responsibility to study all material provided to them or required to be accessed by them to maximise their chance of meeting the objectives of the course and to be informed of course-related activities and administration.

2. Requirements for students to complete each assessment item satisfactorily:
   Students must submit assignments that represent a reasonable attempt as determined by the Examiner. Students must obtain at least 50% of the marks available for the examination.

3. Penalties for late submission of required work:
   If students submit assignments after the due date without prior approval then a penalty of 20% of the total marks gained by the student for the assignment will apply for each working day late.

4. Requirements for student to be awarded a passing grade in the course:
   To be assured of receiving a passing grade a student must attempt all of the summative assessment items, achieve at least 50% in the examination and achieve...
an aggregated mark of at least 50% of the available weighted marks for the
summative assessment items.

5 Method used to combine assessment results to attain final grade:
The final grades for students will be assigned on the basis of the weighted aggregate
of the marks obtained for each of the summative assessment items in the course.

6 Examination information:
This will be an open examination. Candidates may have access to any material
during the examination except the following: electronic communication devices
(eg mobile telephones, pagers), bulky materials, devices requiring mains power
and material likely to disturb other students.

7 Examination period when Deferred/Supplementary examinations will be held:
Any Deferred or Supplementary examinations for this course will be held during
the next examination period.

8 University Regulations:
Students should read USQ Regulations 5.1 Definitions, 5.6. Assessment, and 5.10
Academic Misconduct for further information and to avoid actions which might
contravene University Regulations. These regulations can be found at the URL
http://www.usq.edu.au/corporateservices/calendar/part5.htm. Students should also
read the Faculty of Business Guide to Policies and Procedures of the Faculty which
can be found at the URL http://www.usq.edu.au/handbook/current/buspolproc.html.

ASSESSMENT NOTES

1 Assignments: (i) The due date for an assignment is the date by which a student
must despatch the assignment to the USQ. The onus is on the student to provide
proof of the despatch date, if requested by the Examiner. (ii) Students must retain
a copy of each item submitted for assessment. This must be produced within 24
hours if required by the Examiner. (iii) The Examiner may grant an extension of
the due date of an assignment in extenuating circumstances. If students submit
assignments after the due date and wish to claim extenuating circumstances then
they shall provide validated documentary evidence with the assignment, explaining
the circumstances. The Examiner shall consider the statement accompanying a late
assignment and decide on the outcome. (iv) Assignments are to be submitted in
the appropriate manner. (v) In the event that a due date for an assignment falls on
a local public holiday in their area, such as a Show holiday, the due date for the
assignment will be the next day. Students are to note on the assignment cover the
date of the public holiday for the Examiner's convenience.

2 Course Weightings: Course weightings of topics should not be interpreted as
applying to the number of marks allocated to questions testing those topics in an
examination paper. The examination may test material already tested in assignments.

3 Deferred Work: Students who, for medical, family/personal, or employment-related
reasons, are unable to complete an assignment or to sit for an examination at the
scheduled time may apply to defer an assessment in a course. Such a request must
be accompanied by appropriate supporting documentation. One of the following
temporary grades may be awarded: IDS (Incomplete - Deferred Examination);
IDM (Incomplete Deferred Make-up); IDB (Incomplete - Both Deferred
Examination and Deferred Make-up).