KING'S OWN INSTITUTE*

Success in Higher Education

BUS200 LAW OF BUSINESS ORGANISATIONS T325 BRIEF

All information in the Subject Outline is correct at the time of approval. KOI reserves the right to make changes to the Subject Outline if they become necessary. Any changes require the approval of the KOI Academic Board and will be formally advised to those students who may be affected by email and via Moodle.
Information contained within this Subject Outline applies to students enrolled in the trimester as indicated.

1. General Information

1.1 Administrative Details

Associated HE Award(s)	Duration	Level	Subject Coordinator
B Bus (Accg); B Bus (Mgt & Finance)	1 trimester	Level 2	Phillip Divisek phillip.divisek@koi.edu.au P: +61 (2) 9283 3583 L: Level 7-11, 11 York Street Consultation: via Moodle or by appointment

1.2 Core / Elective

This is a core subject for B Bus (Acc) and an elective subject for B Bus (Mgt & Finance)

1.3 Subject Weighting

Indicated below is the weighting of this subject and the total course points.

Subject Credit Points	Total Course Credit Points
4	B Bus (Accg) 96; B Bus (Mgt & Finance) 96;

1.4 Student Workload

Indicated below is the expected student workload per week for this subject

No. timetabled hours/week*	No. personal study hours/week**	Total workload hours/week***
4 hours/week 2 hour Lecture + 2 hour Tutorial	6 hours/week	10 hours/week

* Total time spent per week at lectures and tutorials
** Total time students are expected to spend per week in studying, completing assignments, etc.
*** Combination of timetable hours and personal study.

1.5 **Mode of Delivery** Classes will be face-to-face or hybrid. Certain classes will be online (e.g., special arrangements).

1.6 Pre-requisites BUS101 Intro to Business Law

1.7 General Study and Resource Requirements

- Students are expected to attend classes with the required textbook and to read specific chapters prior to the tutorials. Students should read this material before coming to class to improve their ability to participate in the weekly activities.

- Students will require access to the internet and their KOI email and should have basic skills in word processing software such as MS Word, spreadsheet software such as MS Excel and visual presentation software such as MS PowerPoint.
- Computers and WIFI facilities are extensively available for student use throughout KOI. Students are encouraged to make use of the campus Library for reference materials.

Resource requirements specific to this subject: There are no specific resources required for this subject.

1.8 Academic Advising

Academic advising is available to students throughout teaching periods including the exam weeks. As well as requesting help during scheduled class times, students have the following options:

- Consultation times: A list of consultation hours is provided on the homepage of Moodle where appointments can be booked.

- Subject coordinator: Subject coordinators are available for contact via email. The email address of the subject coordinator is provided at the top of this subject outline.

- Academic staff: Lecturers and Tutors provide their contact details in Moodle for the specific subject. In most cases, this will be via email. Some subjects may also provide a discussion forum where questions can be raised.

- Head of Program: The Head of Program is available to all students in the program if they need advice about their studies and KOI procedures.

- Vice President (Academic): The Vice President (Academic) will assist students to resolve complex issues (but may refer students to the relevant lecturers for detailed academic advice).

2 Academic Details

2.1 Overview of the Subject

This subject deals with the legal significance, in both statute and common law, of agency, partnership, trusts and corporations, explores other types of business organisations and identifies their relevance in present day business.

2.2 Graduate Attributes for Undergraduate Courses

Graduates of the *Bachelor of Business (Accounting),* and the *Bachelor of Business (Management and Finance)* courses from King's Own Institute will achieve the graduate attributes expected from successful completion of a Bachelor's degree under the Australian Qualifications Framework (2nd edition, January 2013). Graduates at this level will be able to apply an advanced body of knowledge from their major area of study in a range of contexts for professional practice or scholarship and as a pathway for further learning.

King's Own Institute's generic graduate attributes for a bachelor's level degree are summarised below:

	KOI Bachelor Degree Graduate Attributes	**Detailed Description**
	Knowledge	Current, comprehensive and coherent knowledge
	Critical Thinking	Critical thinking and creative skills to analyse and synthesise information and evaluate new problems
	Communication	Communication skills for effective reading, writing, listening and presenting in varied modes and contexts and for transferring knowledge and skills to a variety of audiences

	Information Literacy	Information and technological skills for accessing, evaluating, managing and using information professionally
	Problem Solving Skills	Skills to apply logical and creative thinking to solve problems and evaluate solutions
	Ethical and Cultural Sensitivity	Appreciation of ethical principles, cultural sensitivity and social responsibility, both personally and professionally
	Teamwork	Leadership and teamwork skills to collaborate, inspire colleagues and manage responsibly with positive results
	Professional Skills	Professional skills to exercise judgement in planning, problem solving and decision making

Across the course, these skills are developed progressively at three levels:

- **Level 1 Foundation –** Students learn the basic skills, theories and techniques of the subject and apply them in basic, stand-alone contexts.
- **Level 2 Intermediate –** Students further develop skills, theories and techniques of the subject and apply them in more complex contexts, beginning to integrate the application with other subjects.
- **Level 3 Advanced** – Students have a demonstrated ability to plan, research and apply the skills, theories and techniques of the subject in complex situations, integrating the subject content with a range of other subject disciplines within the context of the course.

2.3 Subject Learning Outcomes

This is a Level 2 subject.

Listed below, are *key* knowledge and skills students are expected to attain by successfully completing this subject:

Subject Learning Outcomes	Contribution to Graduate Attributes
a) Identify and evaluate the principles of company law as they apply to various business structures and organisations	
b) Describe business structures and the associated legal implications	
c) Compare and contrast the fiduciary and statutory responsibilities of persons involved in various business organisations towards one another and third parties	
d) Apply basic concepts and principles of company law to commercial situations. Analyse and synthesise information in accordance with those concepts and principles and select appropriate courses of action	
e) Evaluate and describe current corporate law in public policy	

2.4 Subject Content and Structure

Below are details of the subject content and how it is structured, including specific topics covered in lectures and tutorials. Reading refers to the text unless otherwise indicated.

Weekly Planner:

Week (beginning)	Topic covered in each week's lecture	Reading(s)	Expected work as listed in Moodle
Week 1 27 Oct	**Company law environment:** How does the company compare to other business organisations?	Prescribed text: Chapter 1. Additional Readings as listed for the week on Moodle.	Students are expected to read Chapters 1 of the text as well as the relevant sections in the Corporations Act. Students will be asked to answer the Review and Applied Problem questions at the end of the chapter.
Week 2 03 Nov	**The legal nature of companies:** What are the legal frameworks for the company? What is the capacity and liability of the company?	Prescribed text: Chapters 2 and 5. Additional Readings as listed for the week on Moodle.	Students are expected to read Chapters 2 & 5 of the text as well as *Salomon's* Case. Students should find current matters as displayed on the ASIC website and also the listing requirements as per the ASX website. Students will be asked to answer the Review and Applied Problem questions at the end of the chapters.
Week 3 10 Nov	**Constituting Companies:** How is a company set-up? Once registered, how should a company be managed and run?	Prescribed text: Chapters 3 and 4. Additional Readings as listed for the week on Moodle.	Students are expected to read Chapters 3 and 4 of the text, cases including *Ely v Positive Government Securities Life Assurance Co. Ltd, s117* from the Act and *Form 201*. Students will be asked to answer the Review and Applied Problem questions at the end of the chapters.
Week 4 17 Nov	**Members of the company:** What role do members play in the company? What rights do members have?	Prescribed text: Chapter 6. Additional Readings as listed for the week on Moodle.	Students are expected to read Chapter 6 of the text as well as the following sections of the Act; *ss201G-201H, s249X, s250D, S250R*. Students will be asked to answer the Review and Applied Problem questions at the end of the chapter.
Week 5 24 Nov	**Corporate Governance and Company Management:** How is the Board constituted? What roles do Board members play in the company?	Prescribed text: Chapter 7. Additional Readings as listed for the week on Moodle.	Students are expected to read Chapter 7 of the text, as well as ASIC's *Corporate Governance Principles and Recommendations*. Students will be asked to answer the Review and Applied Problem questions at the end of the chapter. Students shall also be asked to complete practice

			questions to prepare for the Mid-trimester Test in week 6.
Week 6 01 Dec	**Mid trimester Exam and Directors Duties - Part A**: What are the duties of directors? What is the duty of due care and diligence? What defences for directors may apply?	Prescribed text: Chapter 8 (8.1 – 8.5.1) Additional Readings as listed for the week on Moodle.	Students are expected to read the indicated parts of Chapter 8 of the text. Students should also read the directors duties case, *Daniels v AWA*. **Students will complete the Assessment 1: Mid-trimester Test (20%).**
Week 7 08 Dec	**Directors Duties - Part A (continued):** What is the duty to prevent insolvent trading? What defences for directors may apply? What consequences for directors may follow?	Prescribed text: Chapter 8 (8.6 – end of chapter)	Students are expected to read the remainder of Chapter 8 of the text. Students should also read the directors duties case, *ASIC v Healey*. Students will be asked to answer the Review and Applied Problem questions at the end of the chapter.
Week 8 15 Dec	**Directors Duties – Part B:** What is the duty to act in good faith, in the best interests of the company and for a proper purpose? What is the duty to avoid conflicts of interest? What defences for directors and consequences for breach may apply?	Prescribed text: Chapter 9. Additional Readings as listed for the week on Moodle.	Students are expected to read Chapter 9 of the Text. Students should also read directors duties cases, *ASIC v Vizard*, *Whitehouse v Carlton Hotels* et al. Students will be asked to answer the Review and Applied Problem questions at the end of the chapter. **Deferred Mid-trimester Tests - see Section 2.6 below for more information**
Week 9 05 Jan	**Financing a Company via Equity or Debt:** How may a company resource its capital needs?	Prescribed text: Chapter 10. Additional Readings as listed for the week on Moodle.	Students are expected to read Chapter 10 of the text. Students will be asked to answer the Review and Applied Problem questions at the end of the chapter.
Week 10 12 Jan	**Members Remedies:** What remedies can members seek against the company and or other persons?	Prescribed text: Chapter 12. Additional Readings as listed for the week on Moodle.	Students are expected to read Chapter 12 of the text. **Students will complete Assessment 2: Online workshop (30%).** Students will be asked to answer the Review and Applied Problem questions at the end of the chapter.

Week 11 19 Jan	**Receivership and Administration, and Liquidation:** What happens when a company goes into external administration? How are priorities assessed for the liquidation process?	Prescribed text: Chapters 13 and 14. Additional Readings as listed for the week on Moodle.	Students are expected to read Chapters 13 and 14 of the text. Students will be asked to answer the Review and Applied Problem questions at the end of the chapters. Students will also complete some questions on the topic of priorities in a simple liquidation scenario.
Week 12 27Jan (Tue)	**Revision**	Students should review all the materials provided on Moodle, specifically the practice exam questions given in the Sample Questions folder.	Revision: Students will complete Sample Exam questions in preparation for **Assessment 3: Final Exam**. Answers to these questions will be modelled in class.
Week 13 02 Feb	Study Review Week and Final Exam Week		
Week 14 09 Feb	Examinations Continuing students - enrolments for T126 open	Please see exam timetable for exam date, time and location	
Week 15 16 Feb	Student Vacation begins New students - enrolments for T126 open		
Week 16 23 Feb	● Results Released ● Review of Grade Day for T325 – see Sections 2.6 and 3.2 below for relevant information. ● Certification of Grades NOTE: More information about the dates will be provided at a later date through Moodle/KOI email.		
T126 2 Mar 2026			
Week 1 02 Mar	Week 1 of classes for T126		

2.5 Teaching Methods/Strategies

Briefly described below are the teaching methods/strategies used in this subject:

- *Lectures* (2 hours/week) are conducted in seminar style and address the subject content, provide motivation and context and draw on the students' experience and preparatory reading.
- *Tutorials* (2 hours/week) include class discussion of case studies and research papers, practice sets and problem-solving and syndicate work on group projects. Tutorials often include group exercises and so contribute to the development of teamwork skills and cultural understanding. Tutorial participation is an essential component of the subject and contributes to the development of many of the graduate attributes

(see section 2.2 above). Tutorial participation contributes towards the assessment in many subjects (see details in Section 3.1 for this subject). Supplementary tutorial material such as case studies, recommended readings, review questions etc. will be made available each week in Moodle.

- *Online* teaching resources include class materials, readings, model answers to assignments and exercises and discussion boards. All online materials for this subject as provided by KOI will be found in the Moodle page for this subject. Students should access Moodle regularly as material may be updated at any time during the trimester
- *Other contact* - academic staff may also contact students either via Moodle messaging, or via email to the email address provided to KOI on enrolment.

2.6 Student Assessment

Provided below is a schedule of formal assessment tasks and major examinations for the subject.

Assessment Type	When assessed	Weighting	Learning Outcomes Assessed
Assessment 1: Mid-trimester test - individual assessment – open book	Week 6	20%	a, d
Assessment 2: Online Workshop	Week 10	30%	b, d, e
Assessment 3: Final examination On-campus: 2 hours + 10 mins reading time	Final Exam Period	50%	a, b, c, d, e

Requirements to Pass the Subject:

To gain a pass or better in this subject, students must gain a *minimum of 50%* of the total available subject marks.

2.7 Prescribed and Recommended Readings

Provided below, in formal reference format, is a list of the prescribed and recommended readings.

Prescribed Text:

Chapple, E., Baumfield, R., Copp, R., Cunningham, R., Kamalnath, A., Floyd, L., & Wong, A. (2023). *Company law: An interactive approach* (3rd ed.). Milton, QLD: John Wiley & Sons Australia.

***Recommended Readings*:**

Austlii.edu.au., 2001. *Commonwealth Consolidated Acts: Corporations Act 2001.* [online] Available at: <http://www.austlii.edu.au/au/legis/cth/consol_act/ca2001172/>

Austin, B. & Black, A., 2020. *Australian Corporations Legislation 2020* Practitioner Edition. Australia: LexisNexis.

Du Plessis, J. J., Hargovan, A., & Harris, J., 2018. *Principles of Contemporary Corporate Governance*. Australia: Cambridge University Press.

Hargovan, A., 2019. *LexisNexis Study Guide: Corporations Law* 4th Ed. Australia: LexisNexis.

Harris, J., Hargovan, A., & Adams, M., 2018. *Australian Corporate Law*. Australia: LexisNexis Butterworths.

Langford, R. T., & Ramsay, I., 2019. Removal of Directors of Public Companies by Shareholders: When do Companies Contract out of the Corporations Act? *Company and Securities Law Journal,* 37(1), 54-57.

Lipton, P., Herzberg, A., and Welsh, M., 2019. *Understanding Company Law*. 20th Ed. Australia: Thomson Reuters.

Quilter, M., 2019. *Company Law Perspectives*. 4th ed. Australia: Thomson Reuters.

Suman, A., 2020. Comparative Study of Company Law in China, India and Australia. *India and Australia (August 07, 2020)*.

Wilson, K. and Harten, N., 2020. Be careful what you wish for: company law. *Without Prejudice*, *20*(4), pp.39-41.

Periodicals:

- *Alternative Law Journal*
- *Australian Journal of Corporate Law (AJCL)*
- *Australian Business Law Review*
- *Company and Securities Law Journal*

Useful Websites:

The following websites are useful sources covering a range of information useful for this subject. However, most are not considered to be sources of Academic Peer Reviewed theory and research. If your assessments require ***academic peer reviewed journal articles*** as sources, you need to access such sources using the Library database, Ebscohost, or Google Scholar. Please ask in the Library if you are unsure how to access Ebscohost. Instructions can also be found in Moodle.

- Australian Securities & Investments Commission (ASIC) www.asic.gov.au
- Understanding Company Law http://www.uclaw.com.au/home/