

MACQUARIE
UNIVERSITY



FACULTY OF
BUSINESS AND ECONOMICS

DEPARTMENT OF BUSINESS LAW

UNIT OUTLINE 2010

**BUSL100: Global Legal Frameworks for a
Sustainable Planet**

Unit convener: Ms Patricia Blazey

Students in this unit should read this unit outline carefully at the start of semester. It contains important information about the unit. If anything in it is unclear, please consult the teaching staff in the unit.

ABOUT THIS UNIT

Credit Points: 3 Credit Points (BUSL100)

Unit description:

This unit explores the effect of escalating economic development worldwide. The future of the planet is under threat from rising temperatures and erratic and severe weather patterns. The problem is caused by rising greenhouse gas emissions from fossil fuel use and deforestation activities. Scientists have provided convincing data that industry has caused greenhouse gases to rise steadily since the industrial revolution. Those responsible for escalating greenhouse gas emissions are the producers on the one hand i.e. businesses of all shapes and sizes and consumers on the other hand.

Deforestation results in the emission of CO₂ as trees store carbon dioxide in what are termed sinks and when cut down release the CO₂ back into the atmosphere. Developing countries are slashing their forests in order to gain agricultural land and provide areas for cattle ranching as well as supply their timber industries. Waste is a further problem as we live in a world where most of what we use is disposable but not biodegradable creating a massive waste dump on the land and in the oceans which too emits greenhouse gas.

Scientists and lawyers have joined forces in an attempt to restrict greenhouse gas emissions through the Kyoto Protocol, an international treaty promulgated by the United Nations whether it has achieved any benefits for the planet is the subject of ongoing discussions and disagreement...The unit will critically evaluate the regulations in place that are imposed on businesses in order to combat and lower the detrimental effect of greenhouse gas emissions. It is clear that the world as a whole must mitigate greenhouse gas emissions as climate change becomes more apparent. The insurance industry in particular is faced with a major upheaval in its traditional approach to insurance as a result of extreme weather conditions such as the New Orleans hurricane, Queensland floods and the recent Victorian bush fires.

The unit reviews the various forms of legal controls associated with environmental protection in a commercial context. Corporate social responsibility for the protection of the planet must be paramount and traverse transnational borders. The unit evaluates the comparative costs and benefits of private and public law controls by reference to Australian and overseas models. The unit reflects on how international politics influence the development of Australian environmental law and policy. The unit is designed to provide a basic understanding of environmental legal issues across a broad range of disciplines.

Students will debate these challenges and consider whether enough is being done to promote and foster a sustainable planet and what other initiatives can be introduced.

Structure

The unit will be taught in 13 modules through seminars and workshops. Guest speakers will take some units where possible. The seminars will involve interactive student group discussions and debates. A Blackboard site will be set up so that students will have access to a variety of relevant materials that foster discussion and debate. Students will also be able to post material of interest on the blackboard via the convenor.

Unit Overview - Topics to be covered are:

Week	Lecture topic(s)	Readings
1	<p>What are greenhouse gas emissions?</p> <p>Impact of greenhouse gas emissions on climate</p>	<p>Film 'an inconvenient truth'</p> <p>none</p>
No tutorials in week 1		
2	<p>What is climate?</p> <p>What does sustainability mean?</p>	<p>Bloom ch 1 and 2 and 3 and 4</p> <p>Pinske ch 1</p>
No tutorial 1	<p>Discussion on the film 'an inconvenient'</p> <p>Truth</p> <p>Discussion on footnoting</p> <p>Allocation of presentations for the semester</p>	
3	<p>Biological impacts of higher CO2 levels</p>	<p>Bloom ch 5 ch 6</p> <p>Film 'Changing Climate in Changing Times'</p>
No tutorial 2	<p>Presentations</p> <p>Discussion of a move to a sustainable climate</p>	<p>Questions Bloom page 102-3 nos 2, 6,7,8,9,10,11,12,13</p>
4	<p>Impact of Deforestation globally</p>	<p>Film on rainforest</p>

<p>No tutorial 3</p>	<p>Presentations</p> <p>Overview of impact of CO2 levels</p> <p>Discussion of Film ‘Changing Climate in Changing Times’</p>	
<p>5</p>	<p>International legal strategies to address climate change</p>	<p>Pinske ch 2 4</p> <p>Bloom ch 11</p>
<p>No tutorial 4</p>	<p>Presentations</p> <p>What can be done about deforestation?</p>	
<p>6</p>	<p>What is Australia doing?</p> <p>MRET</p> <p>Feed in Tariffs</p> <p>Overview of emissions trading</p>	<p>MRET the basics</p> <p>http://www.orer.gov.au/publications/pubs/mret-thebasics-0709.pdf</p> <p>http://www.energymatters.com.au/government-rebates/feedintariff.php</p> <p>article to be supplied on blackboard</p>
<p>No tutorial 5</p>	<p>Presentations</p> <p>Evaluation of international legal frameworks directed at a sustainable planet</p>	
<p>7</p>	<p>Mitigation of climate change</p>	<p>Bloom ch 7 and 8</p>
<p>No tutorial 6</p>	<p>Presentations</p> <p>Assessment of global legal frameworks</p>	
<p>8</p>	<p>Renewable Energy</p> <p>Emissions trading and the carbon market</p>	<p>Bloom ch 9</p>
<p>Tutorial no 7</p>	<p>Presentations</p> <p>How urgent is mitigation of climate change?</p>	

9	Voluntary agreements and partnerships	Pinske ch 3
Tutorial no 8	Presentations Discussions on different global approaches to renewable energy	
10	Your carbon footprint What is Macquarie doing?	Guest speaker
Tutorial no 9	Presentations Which voluntary arrangements are going to work?	
11	Business strategies for climate change	Pinske ch 5
Tutorial no 10	Presentations What is my carbon footprint and can I improve it	
12	Carbon trading	Pinske ch 6
Tutorial no 11	Presentations Evaluation of business strategies to address climate change	
13	The way forward	Pinske ch 7 and 8
Tutorial no 12	Presentations Carbon trading	

TEACHING STAFF

Lecturer and Convenor

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CLASSES

2 hour lecture and 1 tutorial

REQUIRED TEXTS

Arnold Bloom Global Climate Change Convergence of Disciplines Sinauer 2010

and

Jonatan Pinkse and Ans Kolk International Business and Global Climate Change Routledge 2009

UNIT WEB PAGE

The web page for this unit can be found at:

http://www.buslaw.mq.edu.au/undergraduate_programs/units/BUSL100

LEARNING OBJECTIVES AND OUTCOMES

The **learning objective** of this unit is: (1) to introduce students to the current Chinese legal system; and (2) for students to study in detail some aspects of Chinese commercial law, particularly law in relation to foreign investment and foreign trade.

The **learning outcomes** of this unit are that:

1. Students will acquire knowledge and understanding about the characteristics and principal elements of the Covered Topics. The “Covered Topics” mean the topics listed in the Unit Overview below.
2. Students will acquire knowledge and understanding of how to search for materials in English about the characteristics and principal elements of the Covered Topics.

In addition to the discipline-based learning objectives, all academic programs at Macquarie seek to develop students’ generic skills in a range of areas. One of the aims of this unit is that students develop their skills in the following:

Communication and interpersonal skills - through:-

- participating in class discussions and class activities;

Self-awareness – through:-

- self discipline and time management skills;
- Identifying and setting targets.

Critical analysis skills – through:-

- participating in class discussions and class activities

TEACHING AND LEARNING STRATEGY

The classes will be a combination of lectures and class activities. **As assessment includes class activities, students will be expected to complete the required reading prior to class and to contribute to class activities.**

RELATIONSHIP BETWEEN ASSESSMENT AND LEARNING OUTCOMES

The assessment tasks (described in details below, namely class participation and assignment) adopted in this unit will test the extent that the student achieves the learning outcomes (as stated above), i.e. the extent of his/her knowledge and understanding about (1) the characteristics and principal elements of the Covered Topics; and (2) how to search for materials in English about these characteristics and principal elements.

Assessment: 3 pieces of work

1. CLASS PARTICIPATION AND PRESENTATIONS AND FIELD WORK - 20 MARKS

Class Participation:

- Attendance is required for all students and a roll will be taken at each class.
- Students are expected to do the required readings (if any), prepare for and actively participate in class activities.
- Class activities are designed to test students' understanding about (1) the characteristics and principal elements of the Covered Topics; and (2) how to search for materials in English about such characteristics and principal elements.
- Criteria upon which class participation is to be assessed are: frequency of participation, attitude towards participation, and quality of participation.
 - ***Excellent performance (8.5 marks or above out of 10 marks)***: detailed explanations on minimum requirements provided in the Blackboard site of the unit.
 - ***Very good performance (7.5 – 8.4 marks out of 10 marks)***: detailed explanations on minimum requirements provided in the Blackboard site of the unit.
 - ***Good performance (6.5 – 7.4 marks out of 10 marks)***: detailed explanations on minimum requirements provided in the Blackboard site of the unit.
 - ***Satisfactory performance (5.0 – 6.4 marks out of 10 marks)***: detailed explanations on minimum requirements provided in the Blackboard site of the unit.
 - ***Poor performance (0 – 4.9 marks out of 10 marks)***: failing to achieve the minimum requirements for satisfactory performance (see detailed explanations provided in the Blackboard site of the unit.).

The above are not definitive statements about marking and are not to be used as a basis for disputing the marks of Class Participation.

2. ASSIGNMENT WORTH 40 MARKS – In 2000 words critically evaluate the film ‘an Inconvenient Truth.’ Do you find it convincing or otherwise? Can we avoid global warming? Should we take action? In your answer you must supply reference materials as well as your own opinion

To be handed in at the end of week 3.

- **Late submissions:**
No late submissions will be accepted.
- **Cover Sheet:**
 - The **Cover Sheet** (in the form as provided in the unit’s Blackboard site) must be **completed, signed and stapled** to the top left-hand corner of the Assignment. It is students’ responsibility to print and attach it to the front of the Assignment. **Assignment without coversheet will not be marked and will be returned to the student with a zero mark.**
- **Format:**
 - Handwritten Assignments will **not** be accepted. All Assignments must be **typed**, in A4-sized white papers, in the following **format**:
 - ✧ **Font size:** 12 point
 - ✧ **Font:** Times New Roman
 - ✧ **Spacing:** One-and-a-half-line spacing
 - ✧ **Margins:** not less than 2.6 cm.
 - Failure to comply with any of the required format described above is subject to a **penalty of 4 marks.**
- **Referencing:**
- All assignments must have referencing by **footnotes**
- **Referencing Format: to be discussed**
- - (i.e. footnotes) and bibliography is **the Australian Guide to Legal Citation**, which is available online (for viewing) at: <http://mulr.law.unimelb.edu.au/index.cfm?objectid=EC680959-CA26-5FED-64377B996D86A395>. More details about the Referencing Format can be found in the Blackboard site for this unit.

3. Final - multiple choice exam worth 40 marks

PLAGIARISM

The University defines plagiarism in its rules: "Plagiarism involves using the work of another person and presenting it as one's own." Plagiarism is a serious breach of the University's rules and carries significant penalties. You must read the University's practices

and procedures on plagiarism. These can be found in the *Handbook of Undergraduate Studies* or on the web at: <http://www.student.mq.edu.au/plagiarism/>

The policies and procedures explain what plagiarism is, how to avoid it, the procedures that will be taken in cases of suspected plagiarism, and the penalties if you are found guilty. Penalties may include a deduction of marks, failure in the unit, and/or referral to the University Discipline Committee.

DETERMINATION OF OVERALL GRADE

The overall grade for the unit will be determined with regard to the student's performance in each of the assessment tasks described above (namely Class Participation and Assignment).

STUDENT SUPPORT SERVICES

Macquarie University provides a range of Academic Student Support Services. Details of these services can be accessed at <http://www.student.mq.edu.au>.

ASSESSMENT CRITERIA FOR FINAL TAKE HOME ASSIGNMENT

The final assignment will be marked according to the criteria for assessment described below. They are not definitive statements about marking and are not to be used as a basis for disputing the final marks.

Minimum requirements for a High Distinction

- Excellent understanding of the legal principles and their assumptions, limitations and relevance
- Grasp of all key concepts
- Discussion of the principles that show insight and innovation
- Excellent use of authorities and references.
- Excellent footnoting
- Clear and logical statements
- Conclusion - excellent and interesting
- Thought provoking arguments
- Very well structured

- Clear and smooth flow of arguments
- No irrelevant material

Minimum requirements for a Distinction

- Excellent understanding of the legal principles
- Good analysis
- Grasping of most of the key concepts
- Thorough understanding of assumptions, limitations and relevance
- Clear explanation and examples to support ideas
- Thorough use of authorities to support arguments
- Accurate use of footnoting i.e. conformity to footnoting guide
- Opinion well supported
- Well structured
- No irrelevant material

Minimum requirements for a Credit

- Good quality in the contents:
- Good discussion of principles and good application to the question
- Some valid observations opinions and conclusions supporting arguments
- Good use of explanation and examples
- Use of relevant authorities
- Good referencing to support authorities

Minimum requirements for a Pass

- Understanding of most of the relevant legal principles
- Satisfactory coverage of the important and relevant points
- Showing satisfactory knowledge and understanding of the relevant laws and/or legal issues (as the case may be) and (if applicable) the broader context within which such laws operate;
- satisfactory analysis and discussions
- good referencing to support authorities
- reasoned arguments
- Satisfactory referencing (footnoting and bibliography):

Fail

- Shallow grasp of material
- Poor explanation of legal principles
- Lack of relevance

- Poor referencing to support authorities
- Unclear statements
- Incorrect explanations or examples