

MACQUARIE
UNIVERSITY



FACULTY OF
BUSINESS AND ECONOMICS

Unit code: BUSL100
Unit Name: GLOBAL LEGAL
FRAMEWORKS FOR A
SUSTAINABLE PLANET

Semester 1 year 2011

*Department: Accounting and Corporate
Governance*

**MACQUARIE UNIVERSITY
FACULTY OF BUSINESS AND ECONOMICS
UNIT OUTLINE**

Year and Semester: 2011 Semester 1

Unit convenor: Patricia Blazey

Credit points: 3

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 one of the teaching staff in the unit.

ABOUT THIS UNIT

This unit explores the effect of escalating economic development and the associated depletion of natural resources and environmental degradation. Fossil fuels comprising coal, gas and oil used to produce energy and facilitate transport are finite resources and not likely to last beyond about 100 years at the current rate and predicted rate of consumption. Increasing amounts of energy will have to be produced from renewable sources now and in the future.

Because of the high level usage of fossil fuels, the planet is under threat from increasing greenhouse gas emissions which are causing rising temperatures, erratic and severe weather patterns and associated sea level rises across the planet. As a result society has to mitigate and adapt to new conditions. 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.

Legal frameworks that control the use of resources and attempt to lower greenhouse gas emissions are essential if this planet is to survive as we know it today. Our lifestyles have to change in order to adapt. The unit will critically evaluate the regulations in place at both the international and national level in order to attempt to deal with these problems. 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 the legal frameworks that are in place in an attempt to sustainably manage the world's remaining natural resources and address the problem of climate change. Students will debate these challenges and consider whether enough is being done and what else can be done to promote and foster a sustainable planet.

TEACHING STAFF

Convenor and lecturer

Patricia Blazey – W3A - Room 426
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CONSULTATION TIMES

You are encouraged to seek help at a time that is convenient to you from a staff member teaching on this unit during their regular consultation hours. In special circumstances, an appointment may be made outside regular consultation hours. Staff will not conduct any consultations by email. You may, however, phone staff during their consultation hours.

The consultation hours for this unit are posted on Blackboard.

CLASSES

- The unit is comprised of one 2 hour lecture and 1 hour tutorial.
- The timetable for classes can be found on the University web site at: <http://www.timetables.mq.edu.au/>
- **Students are not allowed to change tutorials under any circumstances due to the enormous numbers involved. Attendance at tutorials is compulsory.**
- Attendance at the majority of lectures is required and random attendance will be recorded. The reason for this is that should students not do well in the unit and appeal their grade, the lecturer in charge will make a determination as to whether the appeal is justified based on whether students have attended lectures and gained the necessary knowledge to pass the unit.

PRIZES

- Prizes for this unit
http://www.businessandeconomics.mq.edu.au/undergraduate_degrees/prizes_scholarships

REQUIRED AND RECOMMENDED TEXTS AND/OR MATERIALS

Compulsory text:

David Hodgkinson and Renee Garner *Global Climate Change Australian Law and Policy*
Lexis Nexis Butterworths 2008

The text can be purchased from the Macquarie University Co-op Bookshop.

Recommended Tests:

Arnold Bloom *Global Climate Change Convergence of Disciplines* (Sinauer2010)

Jonathan Pinkse and Ans Kolk *International Business and Global Climate Change* Routledge
2009

Lakshman Guruswamy *International Environmental Law in a Nutshell* Thomson Legal 2003

William C.G. Burns and Hari M. Osofsky '*Adjudicating Climate Change*' Cambridge University Press 2009

Matti Palo, Heidi Vanhanen '*World Forests from Deforestation to Transition*' Kluwer 2000

P. Leadbeter, N. Gunningham, B. Boer *Environmental Outlook No 3. Law and Policy* Federation Press 1999

Melanie Jarman '*Climate change*' Pluto Press 2007

T. Bonyhady, P. Chirstoff '*Climate Change Law in Australia*' Federation Press 2007

This area of law is rapidly changing and during the time this unit is conducted students will be informed of new and changing important legal issues both at the international and national level.

TECHNOLOGY USED AND REQUIRED

Access to the internet

The web page for this unit can be found at: <http://learn.mq.edu.au/webct>.

The web site contains all power points presented in lectures, links to the legislation discussed in lectures, links to other useful sites, and extracts from relevant articles.

Useful web-sites include:

Legislation: All Commonwealth and State and International Law statutes and regulations are found at <http://www.austlii.edu.au>.

Department of Sustainability, Environment, Water, Population and Communities
<http://www.environment.gov.au/>

Case Law: For *reported* case law, use the Macquarie University library to access the: Lawbookonline database; and Lexisnexis (Aus) database.

You can also use austlii for case law as well as for *unreported* case law.

The Austlii data base contains access to all international law sites, journals, etc.

unfccc.int/kyoto_protocol/items/2830.phd

The Macquarie University library's Information and Technology Training Unit (ITTU) provides a range of computing and library research skills. ITTU web page: <http://www.lib.edu.au/services/>.

UNIT WEB PAGE

- Unit material is available on the learning management system (Blackboard)
- Power point slides of lectures will be posted on blackboard.
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LEARNING OUTCOMES (THIS AND THE FOLLOWING SECTION MAY BE REPLACED BY A COMBINED SECTION AS SHOWN BELOW)

Student learning outcomes of this unit are:

1. To understand the concept of a sustainable planet
2. Appreciate the link between consumption and green house gas emissions
3. Critically analyse international and national legal frameworks that address greenhouse gas emissions
4. Understand mitigation and adaptation principles
5. Analyse the effects of increasing global deforestation on the health of the planet
6. To be able to properly footnote and provide a comprehensive bibliography
7. Undertake interesting research from a variety of sources

GRADUATE CAPABILITIES (THIS AND THE PREVIOUS SECTION MAY BE REPLACED BY A COMBINED SECTION AS SHOWN BELOW)

In addition to the discipline-based learning objectives, all academic programs at Macquarie seek to develop the capabilities the University's graduates will need to develop to address the challenges, and to be effective, engaged participants in their world.

This unit contributes to this by developing the following graduate capabilities:

1. Critical, Analytical and Integrative Thinking
- 2 Problem Solving and Research Capability
- 3 Creative and Innovative
- 4 Effective Communication
- 5 Engaged and Ethical Local and Global citizens
- 6 Socially and Environmentally Active and Responsible
- 7 Capable of Professional and Personal Judgement and Initiative
- 8 Commitment to Continuous Learning

TEACHING AND LEARNING STRATEGY

- The week-by-week list of the topics to be covered are set out below:

WEEK	LECTURE TOPICS
1	What is the meaning of sustainability? What is international Law and how does it relate to national law?
2	International Law and its relationship to Sustainability and Climate Change
3	Climate Change
4	The International Framework
5	Australia's Climate Change Framework and the role of local governments
6	Climate Change and Litigation in Australia
7	Forests and Carbon Sequestration World Heritage Areas Threatened Species
8	Calculate Your carbon footprint Carbon taxes
9	Emissions Trading and the Carbon Market
10	Renewable Energy
11	Businesses Mitigation and Adaptation Strategies Corporate Social Responsibility
12	The Future
13	Revision, exam practice and Assessment of unit

RESEARCH AND PRACTICE

This unit uses research by Macquarie University researchers

P Blazey B Connors C DeLacey *'The Vicissitudes of Emissions Trading'* Green Power Monash University Publication

P Blazey B Connors C DeLacey *'The Australian Emissions Trading Scheme'* Green Power Monash University Publication

P Blazey P Gillies *Feed-In Tariffs in Australia – Fiscal Incentives and Regulatory Regimes – Current Developments – Policies for the Future'* International Journal of Private Law 2010

P Blazey *'Fiscal and Regulatory Challenges of Managing Sinks on the Basis of the Australian Experience'* Critical Issues in Environmental Taxation; International and Comparative Perspectives Vol VI Oxford University Press UK March 2009

P Blazey and P Gillies *'China – Growth and Current Challenges'* Business Law Journal June 2009

P Blazey P Gillies *'Sustainable Housing in Australia – Fiscal Incentives and Regulatory Regimes - Current Developments – Policies for the Future'* Critical Issues in Environmental Taxation; International and Comparative Perspectives Vol VI Oxford University Press UK March 2009

P Blazey P Gillies *'Reducing Emissions from Coal in Australia: Fiscal and Related Instruments – the Current State of Play'* Murdoch University E-Law Journal July 2008

H Ashiabor P Blazey *'Phasing Out Detrimental Environmental Subsidies in the Fossil Fuel Sector: Challenges and Prospects for the Asia Pacific Region'* Asia Pacific Journal of Environmental Law Vol 10 issues 3 and 4 2008

H Ashiabor P Blazey B Connors *'The Political Economy of Taxes and Emissions Trading in Australia's Climate Change Policies'* Critical Issues in Environmental Taxation; International and Comparative Perspectives Vol V Oxford University Press UK November 2008

P Blazey B Connors *'Emissions Trading Schemes –Traps for New Players'* Macquarie Business Law Journal. November 2008

P Blazey P Govind *'Environment Law in China' 'Intellectual Property Law in China''* in *'Chinese Commercial law and Legal System'* July 2008 Thomson Legal and Regulatory Ltd

P Blazey *'China's Rapid Economic Growth and Resultant Negative Externalities'*, University of New South Wales Law Journal November by invitation. 2007

P Blazey P Govind *'Financial Adaptation Challenges for the Insurance Industry due to Climate Change'* Macquarie Journal of Business Law November 2007

P Blazey H Ashiabor B Connors *'The Political Economy of Taxes and Emissions Trading in Australia's Climate Change Policies'* Critical Issues in Environmental Taxation; International and Comparative Perspectives Vol V Oxford University Press UK November 2007

H Ashiabor P Blazey *'Fiscal Instruments and the Management of the Transition to Sustainable Mobility in Australia'* Critical Issues in Environmental Taxation; International and Comparative Perspectives Vol 111 Richmond Law and Tax Richmond UK March 2005

You are expected to present yourself for examination at the time and place designated in the University Examination Timetable. The timetable will be available in Draft form approximately eight weeks before the commencement of the examinations and in Final form approximately four weeks before the commencement of the examinations.

<http://www.timetables.mq.edu.au/exam>

The only exception to not sitting an examination at the designated time is because of documented illness or unavoidable disruption. In these circumstances you may wish to consider applying for Special Consideration. The University's policy on special consideration process is available at

http://www.mq.edu.au/policy/docs/special_consideration/policy.html

If a Supplementary Examination is granted as a result of the Special Consideration process the examination will be scheduled after the conclusion of the official examination period. (Individual Faculties may wish to signal when the Faculties' Supplementary Exams are normally scheduled.)

The Macquarie university examination policy details the principles and conduct of examinations at the University. The policy is available at:

<http://www.mq.edu.au/policy/docs/examination/policy.htm>

ACADEMIC HONESTY

The nature of scholarly endeavour, dependent as it is on the work of others, binds all members of the University community to abide by the principles of academic honesty. Its fundamental principle is that all staff and students act with integrity in the creation, development, application and use of ideas and information. This means that:

- all academic work claimed as original is the work of the author making the claim
- all academic collaborations are acknowledged
- academic work is not falsified in any way
- when the ideas of others are used, these ideas are acknowledged appropriately.

Further information on the academic honesty can be found in the Macquarie University Academic Honesty Policy at

http://www.mq.edu.au/policy/docs/academic_honesty/policy.html

GRADES

Macquarie University uses the following grades in coursework units of study:

HD - High Distinction

D - Distinction
CR - Credit
P - Pass
F - Fail

Grade descriptors and other information concerning grading are contained in the Macquarie University Grading Policy which is available at:
<http://www.mq.edu.au/policy/docs/grading/policy.html>

GRADING APPEALS AND FINAL EXAMINATION SCRIPT VIEWING

If, at the conclusion of the unit, you have performed below expectations, and are considering lodging an appeal of grade and/or viewing your final exam script please refer to the following website which provides information about these processes and the cut off dates in the first instance. Please read the instructions provided concerning what constitutes a valid grounds for appeal before appealing your grade.

http://www.businessandeconomics.mq.edu.au/for/new_and_current_students/undergraduate/admin_central/grade_appeals.

SPECIAL CONSIDERATION

The University is committed to equity and fairness in all aspects of its learning and teaching. In stating this commitment, the University recognises that there may be circumstances where a student is prevented by unavoidable disruption from performing in accordance with their ability. A special consideration policy exists to support students who experience serious and unavoidable disruption such that they do not reach their usual demonstrated performance level. The policy is available at:

http://www.mq.edu.au/policy/docs/special_consideration/procedure.html

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>.

IT CONDITIONS OF USE

Access to all student computing facilities within the Faculty of Business and Economics is restricted to authorised unit work for approved units. Student ID cards must be displayed in the locations provided at all times.

Students are expected to act responsibly when utilising University IT facilities. The following regulations apply to the use of computing facilities and online services:

- Accessing inappropriate web sites or downloading inappropriate material is not permitted. Material that is not related to unit work for approved unit is deemed inappropriate.
- Downloading copyright material without permission from the copyright owner is illegal, and strictly prohibited. Students detected undertaking such activities will face disciplinary action, which may result in criminal proceedings.

Non-compliance with these conditions may result in disciplinary action without further notice.

Students must use their Macquarie University email addresses to communicate with staff as it is University policy that the University issued email account is used for official University communication.