

LAWS70017 Comparative Companies Law in Asia

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2012, Parkville This subject commences in the following study period/s: Semester 1, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	None.
Corequisites:	None.
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None.
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	For more information, contact the Melbourne Law Masters office. Email law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) or phone +61 3 8344 6190. Alternatively, visit our website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	Company law is a key element of the legal framework for business in Asian countries. This subject explores – using a comparative law approach – the company laws of several Asian jurisdictions, including China (PRC), Japan, Indonesia and Singapore. Particular attention is given to how corporations are formed and regulated within common law, civil law and China's ostensibly socialist law systems. Where appropriate, comparisons are also made with the Australian company law framework. While the subject does not seek to cover the intricacies of company law in each of the focus jurisdictions, certain topics – such as shareholders' rights and one-tier and two-tier board structures – are examined in greater detail. The lecturer previously worked as a lawyer and academic in Hong Kong and Singapore, and is an authority on Indonesian company law. Principal topics will include: # The historical origins of company law in each of the jurisdictions

	<ul style="list-style-type: none"> # How companies are structured in each jurisdiction with an emphasis on distinguishing characteristics, such as the use of two-tier boards in Indonesia and worker participation in company management in China # The prevalence of, and governance issues relating to, family-controlled companies in some jurisdictions # Recent changes in, and proposals for, company law reform in certain jurisdictions # Comparisons with the company law of Australia # Key concepts, issues and strategies relating to the use of companies in Asian business, using a cross-border corporate joint venture project as a case study.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the salient features of the laws regulating companies in Singapore, Japan, Indonesia and the People's Republic of China # Be able to identify key differences and similarities among the company laws of these four jurisdictions # Appreciate how company law operates in Asia Pacific jurisdictions with differing legal traditions.
Assessment:	10,000 word research paper (100%) (14 June) on a topic approved by the subject coordinator
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5147