

6.1 Module 8: Company Law

Module title			
Company Law			
Module NFQ level (only if an NFQ level can be demonstrated)	Module number / reference	ECTS Value	Duration
Level 8 NFQ	LLBH - COM	15 ECTS	24 weeks.
Parent programme(s). Principal programme title, and embedded(s) if relevant		Stage of parent programme	Semester No.
Bachelor of Laws (Honours)		2	1 and 2
Bachelor of Laws (Honours) in Criminal Justice		2	1 and 2
Bachelor of Laws (Honours) in Commercial Law		2	1 and 2
Teaching and Learning modes	Proportion (% of Total Directed Learning)		
Classroom / Face to Face	26%		
Workplace			
Online			
Other (Identify)	74% (Independent Research and Learning)		
Entry requirements (statement of knowledge, skill and competence)			
Fulfilment of entry requirements for programme or equivalent attainment from accredited prior experiential learning.			
Maximum number of learners per instance of the module	Sixty (60)		
Average (over the duration of the module) of the contact hours¹ per week	4		
Pre-requisite module title(s) (if any)	None		
Co-requisite module title(s) (if any)	No		
Is this a capstone module? (Yes or No)	No		
Module-specific physical resources and support required per centre (or instance of the module)			
Lecture room with internet access, audio-visual equipment and digital projector.			
Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff working in this module			
Role e.g. Tutor, Mentor etc	Qualifications & experience required:		# of Staff with this profile (WTEs²)
Lecturer	Lecturers expected to hold at least a level 8 legal qualification, preferably with a professional legal qualification. It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College.		0.25 WTE

¹ Effort while in contact with staff

² WTE is the whole-time equivalent number. The number 1 indicates a fulltime person fully dedicated to the programme. 0.5 indicates a part-time person available to this programme half of the time.

Analysis of required learning		
*Effort while in contact with staff	Minimum ratio teacher / learner	Hours
Classroom and demonstrations	1:60	96
Mentoring and small-group teaching	-	-
Other (specify)	-	-
Independent Learning		
Directed e-learning (hours)		-
Independent Learning (hours)		279
Other hours (specify)		-
Work-based learning hours of learning effort		-
Total Effort (hours)		375

Allocation of Marks					
	Continuous Assessment	Supervised Project	Proctored Practical Exam.	Proctored Written Exam	Total
Percentage Contribution	30			70	100%

6.8.1 Module aims and objectives

In this Module, learners are able to engage in the theory and practice of Company Law. The Module incorporates a broad range of learning allowing learners to become familiar with important ingredients of Company Law, from both a common law and statutory perspective. Opportunities for reform of Company Law are also explored, for example in relation to the treatment of corporate manslaughter in Ireland.

The Module places significant emphasis on the effects of the Companies Act 2014 while also placing this Act within the context of established common law practice and principles. The core principles and philosophical underpinnings of Company Law are presented, discussed and applied to factual scenarios.

From a company's foundation through to its dissolution, the Module examines all key aspects of Company Law including the role of shareholders, company officers and creditors. Learners are also introduced and familiarized with key procedural aspects of Company Law, including Examinership, Liquidation, Capital Maintenance and the Registration of Securities. Learners can, upon successful completion of the module, become more effective in a broad range of skills gained and thus develop careers in the commercial sphere.

6.8.2 Minimum intended module learning outcomes

On successful completion of this module, learners will be able to:

- (i) Interpret relevant case law and legislation in the area of Company Law;
- (ii) Analyse the distinction between common law and statute as it relates to the rules and principles of Company Law;
- (iii) Apply rules and principles of Company Law to factual scenarios;
- (iv) Employ research skills and communicate effectively on matters of Company Law;
- (v) Evaluate and analyse the core provisions of Company Law;
- (vi) Critique the societal impact of Company Law.

6.8.3 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs

Company Law is an important area of practice and academic interest in Ireland. This module is a required entrance subject to enable the successful learner sit the entrance examinations for the Barrister at Law at Kings Inns and is also an examinable subject in the Law Society FE1 examinations. The skills acquired through successful completion of the programme are transferable and relevant to lay a foundation to not only successfully progress to professional practice as a Barrister or Solicitor but also to other opportunities in business, commerce, politics or media.

The Module serves to directly underpin programme-learning outcomes (iii) conceptualising and communicating legal arguments with clarity and precision. This module re-enforces the module learning outcomes (iv) critically analysing the theoretical and philosophical underpinnings of the law and (vi) effectively employ advanced research skills, including use of legal databases, to investigate, interrogate and critique the law. This module also directly underpins the Programme Minimum Learning Outcomes (i), (ii), (v), (ix) and (xi).

6.8.4 Information provided to learners about the module

The learners will have in their possession their Faculty Handbooks from their previous year. The Faculty Handbook provides general information about the faculty, its staffing, resources, and operation. Detailed programme information is supplied through Moodle, including copies of the approved module descriptors from the accredited programme (detailing related teaching, learning and assessment) along with a programme timetable. Another copy will be provided to the learners upon their request.

During the first class of the Module, learners are given a detailed outline of the Module showing the schedule of delivery and the dates when assignments are released and due for submission.

Moodle is used to provide learners with ongoing access to module related information, from the handbooks and module outlines provided in advance of the module commencement, the lecture material and links to related resources provided on a scheduled basis in line with the module delivery.

6.8.5 Module content, organisation and structure

Company Law is a 15 ECTS credit module taught and assessed over one academic year. The module is delivered over 24 lecture sessions of 4 hours duration for Full Time learners, 2 hours duration for Part Time learners and weekly pre-recorded lectures that will be supplemented with evening seminars and Live Days for the Blended learners.

Learners are provided with a knowledge of the historical development of company law and an understanding of the sources of company law and its relevance and importance for the appropriate governance within corporations. The practical operations of company law is considered via a holistic approach where learners apply, on a weekly basis, their ongoing knowledge to real-life scenarios.

The Learning Outcomes for this programme have been aligned with the knowledge, skills and competencies indicated as appropriate for Level 8 on the NFQ. They have been explicitly articulated using the Quality and Qualifications Ireland (QQI) Generic Awards Standards.

The module curriculum is as follows:

- Introduction: historical background and company law fundamentals
- Sources of company law
- Constitution of companies
- Separate legal personality

- Corporate capacity and authority
- Company directors
- Statutory obligations of companies and their officers
- Fraudulent and reckless trading
- Restriction and disqualification of company officers
- Capital maintenance
- Shareholders – rights, powers, duties, remedies
- Corporate borrowing
- Receivership
- Examinership
- Liquidation
- Winding up a company
- Operations and functions of the Company Law Review Group

6.8.6 Module teaching and learning (including formative assessment) strategy

The module uses participative lectures, which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources and directed reading. Formative assessment is provided in the form of interactive exercises such as directed class discussion topics which reference current affairs pertaining to Company Law at the time of instruction. Formative assessment is also provided through tutorial-style discussions, group work and exercises. These focus on specific case law and problem-based learning requiring learners to analyse the law and apply it to practical Company Law disputes or issues.

Learners also engage in collaborative work in pairs or small groups to brainstorm what learning has been achieved at the end of lectures. In order to support learners through the examination process, they engage in the answering of sample examination questions and correction of their own or peer's papers, thereby familiarising themselves with the marking criteria. Learners also engage in activities where they draft their own exam questions in order to recap and consolidate a particular topic.

Learners undertaking the course via blended learning benefit from varied and additional options for engagement to compensate their reduced attendance of campus. These include webinars, screencasts (recorded lectures), discussion fora, and increased use of the College's VLE (Virtual Learning Environment), Moodle.

In addition to what has been stated, classroom assessment and benchmarking techniques are deployed to encourage learners to develop more agency in terms of their own learning including in-class presentations, group work, peer-review exercises and reflective practice. The variety of teaching, learning and assessment techniques reflect an enhanced emphasis on skills acquisition to deepen practical knowledge. Finally, the attention of learners is drawn to current industry practice and technology used in the specific area of law to add a further dimension to learning, tracking the actual practice of legal professionals.

6.8.7 Work-based learning and practice-placement

Company Law is a class based 15 ECTS credit module and does not require work-based learning and practice placement.

6.8.8 E-learning

Moodle, the College Virtual Learning Environment is used to disseminate notes, advice, and online resources to support the learners. E-learning activities include learner feedback, forums where learners contribute, formative quizzes and video links. The learners will also have access to a number of other online resources through the library such as access to databases and research tools

(Westlaw.ie, Westlaw.uk, JustisOne (vLex) and Hein Online) as well as access to online copies of books published from Bloomsbury Online.

6.8.9 Module physical resource requirements

Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in conjunction with Microsoft Office in order to record the lectures when the module is being delivered for block release or for the Blended Programme when organised in advance. Zoom will also be required for the seminars through which the module will be taught (block release).

6.8.10 Reading lists and other information resources

Primary reading

- Conroy, B. (2018), *The Companies Act 2014: An Annotation*. Dublin: Roundhall.
- Courtney, T.B. (2016) *The Law of Companies*. 4th ed. Dublin: Bloomsbury
- Courtney, T.B. (ed.) (2017) *The Bloomsbury Professional Guide to the Companies Act 2014*. Dublin: Bloomsbury
- Hutchinson, B. (2016) *Keane on Company Law*. 5th ed. Dublin: Roundhall
- Forde, M. & Kennedy, H., (2017) *Company Law*. 5th ed. Dublin: Roundhall
- Callanan Grainne (2021), *An Introduction to Company Law*. 5th ed. Dublin: Gill

Secondary reading

- Davies, P. (2021) *Gower and Davies' Principles of Modern Company Law*. 11th ed. London: Sweet & Maxwell
- Thuillier, A. (2015) *Company Law in Ireland*. 2nd ed. Dublin: Clarus Press
- Girvin, S. (2010) *Charlesworth's Company Law*. 18th ed. London: Sweet & Maxwell
- Samad, M. (2013) *Court Applications Under the Companies Acts*. Dublin: Bloomsbury

e-Resources

- Bloomsbury Professional Online
- JustisOne – Vlex
- Westlaw.ie
- Westlaw UK
- Heinonline
- Griffith College Library Website

6.8.11 Specifications for module staffing requirements

Lecturers qualified to at least a Level 8 legal qualification (LLB (Honours), preferably with a professional legal qualification and a third level teaching qualification (e.g. Certificate in Education, Learning and Development offered by Griffith College). Learners also benefit from the support of the Programme Director, Faculty Administrators, a dedicated Learning Technologist Office, the Learning Supports Office, at least one Learner Representative for each Stage, the Students' Union and a free (off campus) Counselling Service.

6.8.12 Module summative assessment strategy

Theoretical knowledge will be assessed by both continuous assessment (30%) and a summative end of year examination (70%). The continuous assessment shall consist of a written assignment (30%). The examination will consist of both essay and problem style questions. Essay style questions will place

emphasis on the demonstration of understanding pertaining to Company Law. Problem Style questions will enable learners to apply the principles of Land Law to a factual scenario.

The assessed work breakdown can be seen in the table below.

No.	Description	MIMLOs	Weighting
1	Assignment (3,000 words)	iv, v	30%
2	Exam	i, ii, iii, iv, v, vi	70%

Reassessment/Repeat assessment strategy: Griffith College regulations state that learners must pass all component elements of the module to be deemed to have passed the module.

- In the event of a learner failing components of / this module, they will be required to submit a new individual repeat assignment which will be made available on Moodle to learners, and which must be submitted as per faculty instructions.
- In the event of a learner failing the group assessment element of this module, a new individual repeat assignment will be made available on Moodle to learners which must be submitted as per faculty instructions.
- In the event of the learner failing the exam, learners will take the re-sit exam at the next available sitting, details of which will be made available to learners via Moodle.

6.8.13 Sample assessment materials

Please see sample assessment supplementary document.