

## Module 10: Company Law

<b>Stage</b>				2			
<b>Semester</b>				1			
<b>Module Title</b>				Company Law			
<b>Module Number</b>				10			
<b>Module Status</b>				Mandatory			
<b>Module ECTS Credits</b>				10			
<b>Module NFQ level</b>				7			
<b>Pre-Requisite Module Titles</b>				Legal Aspects of Business			
<b>Co-Requisite Module Titles</b>				N/A			
<b>Capstone Module?</b>				No			
<b>List of Module Teaching Personnel</b>				Deirdre Clerkin, David McGrath			
<b>Contact Hours</b>				<b>Non-contact Hours</b>			<b>Total Effort (hours)</b>
46				154			200
<b>Lecture</b>	<b>Practical</b>	<b>Tutorial</b>	<b>Seminar</b>	<b>Assignment</b>	<b>Placement</b>	<b>Independent Work</b>	
36		10		15		139	200
<b>Allocation of Marks (Within the Module)</b>							
	<b>Continuous Assessment</b>	<b>Project</b>	<b>Practical</b>	<b>Final Examination</b>	<b>Total</b>		
<b>Percentage Contribution</b>	20%			80%	100%		

### Intended Module Learning Outcomes

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

1. Explain the elements of company law and how it relates to other areas of law and business
2. Interpret relevant case law and legislation in the area of Company Law including the provisions of the Companies Act 2014
3. Apply rules and principles of company law in factual scenarios
4. Employ research skills and communicate effectively on matters of company law
5. Explain and debate the core provisions of company law
6. Discuss the societal impact of company law

### Module Objectives

- To provide the learner with a knowledge of the historical development of company law;
- To develop within the learner an understanding of the sources of company law, with particular emphasis on the Companies Act 2014, and their interaction;
- To provide the learner with an understanding of the main principles and rules of company law and their interaction;

- To provide the learner with an understanding of the practical operation of company law.

### **Module Curriculum**

- Introduction: historical background, current legislation 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
- Restriction and disqualification of company officers
- Capital maintenance
- Shareholders – rights, powers, duties, remedies
- Corporate borrowing
- Receivership
- Examinership
- Liquidation
- Fraudulent and reckless trading

### **Reading lists and other learning materials**

Courtney, T.B. (2012) *The Law of Private Companies*. Dublin: Bloomsbury

Davies, P. (2012) *Gower and Davies' Principles of Modern Company Law*. London: Sweet & Maxwell

Keane, R. (2007) *Company Law*. Dublin: Tottel

McCann, L. & Courtney, T.B. (2012) *Companies Acts 1963-2012*. Dublin: Bloomsbury

### **Module Learning Environment**

Lecture rooms are used for teaching purposes for the delivery of this module. Active involvement in learning is encouraged especially via tutorials and Moodle. Tutorials are structured to facilitate group discussion especially on case law. All lecture material is also available to learners on Moodle.

### **Module Teaching and Learning Strategy**

Primarily, teaching is conducted through the use of formal lectures with extensive notes supplied to learners which are explained in detail, using practical and contemporary examples during lectures. Learners are encouraged to answer and ask questions to ensure that material is understood. Learners are required to apply the knowledge learned in lectures to practical examples by completing problem questions.

### **Module Assessment Strategy**

Coursework accounts for 20% of the marks. It assesses the learners' achievement of the relevant learning outcomes by asking them to identify the relevant area of law, present

detailed research on that area and furthermore to apply that research to a practical scenario. The remaining 80% is examined by way of an exam comprised of both problem and essay type questions. Learners are assisted through the module with the preparation of mock exam questions.

### Constructive Alignment of Assessment

Module Learning Outcomes	Assessment Strategy	
	Assignment	Exam
Explain the elements of company law and how it relates to other areas of law and business		Yes
Interpret relevant case law and legislation in the area of Company Law including the provisions of the Companies Act 2014		Yes
Apply rules and principles of company law in factual scenarios		Yes
Employ research skills and communicate effectively on matters of company law	Yes	
Explain and debate the core provisions of company law		Yes
Discuss the societal impact of company law		Yes