

Corporate Law Teachers Association Conference 2012

Corporate Law in Times of Change

5-7 February 2012, Bond University

Preliminary Program

Sunday, 5 February 2012

- 3.00 - 5.00 pm **Teaching Interest Group - (in cooperation with Griffith University, Gold Coast)**
Boardroom, Level 3, Faculty of Law
*Jennifer Dickfos and Craig Cameron, Griffith University and Victoria
Baumfield, Bond University*
- 3:00 pm – 4:00 pm - **QUIET ON THE SET: LIGHTS, CAMERAS, ACTION ...** Using Videos to
Assess Oral Presentation Skills
- 4:00 pm – 5:00 pm - “Using Moots as an Assessment Tool for Corporations Students”.
- 5.00 pm - 7.00 pm **Conference Registration & Welcome Reception**
University Club Lounge, University Centre

Monday, 6 February 2012

- 8.45 – 9.00 am **Registration**
Princeton Room, University Centre
- 9.00 – 9.15 am **Opening and Welcome Address**
*Professor Laurence Boulle, Acting Deputy Dean, Faculty of Law, Bond
University*
- 9.15 – 11.00 am **Plenary Session 1 – Diversity in Corporate Governance - Historical
Perspective and Comparative Analysis of Initiatives.**
*Professor Douglas Branson, W. Edward Sell Professor of Business Law,
University of Pittsburgh, USA*
Commentators: Professor Peta Spender and Professor Susan Watson
Chair: Associate Professor Anil Hargovan
- 11.00 – 11.15 am **Morning Tea**

- 11.15 – 1.00 pm **Plenary Session 2 – Panel Discussion on Globalisation, the Global Financial Crisis and the Impacts on Corporate Law Teaching.**
Panel: Professor Douglas Branson, Professor Stephen Bottomley, Jason Harris and Professor Ian Ramsay
Chair: Emeritus Professor John Farrar
- 1.00 – 2.00 pm **Lunch**
- 2.00 – 3.30 pm **Interest Group Sessions 1**

Stream 1 - Princeton Room Chair: Dr Ellie Chapple	Stream 2 - Case Study 1 (Room 06_4_11) Chair: Phillip Lipton
Directors duties following Centro: legal and policy implications Associate Professor Anil Hargovan, University of New South Wales	Demanding a change: time for a re-think on statutory demands? Dr Colin Anderson, Queensland University of Technology and Catherine Brown, Queensland University of Technology
Stepping stones – From corporate fault to directors' personal civil liability for contravention of their statutory duties Abe Herzberg, Monash University and Associate Professor Helen Anderson, University of Melbourne	The paradigm of legal capital: times of change in European Corporate Law? Assistant Professor Fernando Dias Simões, University of Macau
Internal governance rules of indigenous corporations: before and after the introduction of the corporations (Aboriginal and Torres Strait Islander) Act 2006 Marina Nehme, University of Western Sydney	Directors' obligations in insolvency: is there room to move productively on business judgment? Associate Professor David Morrison, University of Queensland
Directors' oversight responsibility and expertise: addressing concerns about liability risks and board competencies Professor Aiman Nariman Mohd. Sulaiman, International Islamic University, Malaysia	The AA Fund - Government-paid sleuthing for insolvency practitioners; what's next? Associate Professor Christopher F Symes, University of Adelaide and Matt Simpson, Solicitor at Lipman Karas and Tutor at University of Adelaide

- 3.30 – 3.50 pm **Afternoon Tea**
- 3.50 – 5.15 pm **Interest Group Sessions 2**

Stream 1 - Princeton Room Chair: Prof Petra Spender	Stream 2 - Case Study 1 (Room 06_4_11) Chair: Prof Vicki Waye
The argument that won't go away: applying corporate law duties to advisers Dr Suzanne Le Mire, The University of Adelaide	An evaluation of the financial reporting provisions applicable to companies limited by guarantee under the Corporations Act 2001 Geoffrey Egert, Queensland University of Technology
Early Development of The English Joint Stock Company and Stock Exchanges: A Reassessment of The Legal Origins Thesis Phillip Lipton, Monash University	The deductibility of Sarbanes-Oxley Costs incurred by New Zealand companies Dr Julie Harrison, The University of Auckland

<p>Understanding corporate laws: lessons from cartography Professor Stephen Bottomley, Australian National University</p>	<p>Auditor obligations in an evolving legal landscape Professor Julie-Anne Tarr, Queensland University of Technology</p>
<p>ASIC v Healy (No 2): A case study of the appropriateness and applicability of Disqualification Orders to breaches by corporate directors Maria Nicolae, Bond University</p>	<p>When is a company to blame? Finding principles for attribution of liability Professor Susan Watson, Deputy Director of the New Zealand Governance Centre, The University of Auckland Business School</p>

6.30 pm (for 7.00pm) **Conference Dinner (sponsored by CCH Australia)**
University Club, University Centre
The Chartered Secretaries Australia (CSA) sponsored Best Paper Prize will be announced at the conference dinner.

Tuesday, 7 February 2012

- 8.00 – 9.00 am *Breakfast Meeting for CLTA Executives – University Club*
- 9.00 – 10.00 am **Plenary Session 3 – Company law developments in South Africa: modernisation and salient features of the Companies Act 71 of 2008.**
Professor Jean du Plessis, Deakin University
Commentators: Ellie Chapple, Professor John Farrar
Chair: Professor Ian Ramsay
- 10.00 – 10.15 am **Morning Tea**
- 10.15 – 11.15 am **Plenary Session 4 – Panel Discussion on “Where do we publish now”?**
Panel: Professor Ian Ramsay, Associate Professor Colin Anderson and Professor Susan Watson
Chair: Professor Peta Spender
- 11.15 – 12.30 pm **Interest Group Sessions 3**

Stream 1 - Princeton Room Chair: Jason Harris	Stream 2 - Case Study 1 (Room 06_4_11) Chair: Dr Colin Anderson
Toner-Gate: When good incentive schemes go bad Beth Nosworthy, The University of Adelaide	The derivative action in Asia: a complex reality Dr Dan Puchniak, National University of Singapore
Enforcing directors’ duty of oversight in the US: lessons from Australia Dr Michelle Welsh, Monash University	Independent directors in China Dr Greg Yang, Tsinghua University Wenge Wang, Doctorial candidate, University of Auckland
Voluntary administration and the protection of employee entitlements Associate Professor Helen Anderson, University of Melbourne	Confucian principles of corporate governance: paternalistic order and relational obligations without legal rules Dr Alex Chu Kwong Chan, Hang Seng Management College

12.30 – 1.30 pm **Lunch and CLTA Annual General Meeting**

1.30 – 3.00 pm **Interest Group Session 4**

Stream 1 - Princeton Room Chair: Abe Herzberg	Stream 2 - Case Study 1 (Room 06_4_11) Chair: Dr Michelle Welsh
<p><i>Is a bank or receiver “strictly liable” under section 420A for the acts or omissions of an agent engaged to sell security property?</i> Mark Wellard, Queensland University of Technology</p>	<p><i>“Say on pay”: Threats and opportunities for boards</i> Tereaze Huebner, Queensland University of Technology and Ellie Chapple, Australian National University</p>
<p><i>Microfinance and the corporate governance conundrum</i> Assistant Professor Umakanth Varottil, National University of Singapore</p>	<p><i>Developments in United States Securities Class Actions – The Status of “Fraud on the Market” causation and implications for Australia.</i> Michael Duffy, Monash University</p>
<p><i>Corporations – what do we expect?</i> Margaret Hyland, University of Western Sydney</p>	<p><i>Personal Property Securities Act Reforms</i> Jason Harris, University of Technology Sydney</p>

3.00 – 3.15 pm **Closing Remarks and Drinks**