

GUILDHALL COLLEGE



Module: **Company Law (Re-submission CW-1)**

Module Leader: Ms Meera Furtado

Programme: PgDip in IBL (October 2009 cohort)

Awarding body: University of Gloucestershire

Issue Date: Wednesday, 23 June 2010

Submission Date: Tuesday, 13 July 2010 (by 5:00 pm)

Duration: 3 weeks

Word Count: 3,000 excluding relevant appendices

Submission guidelines:

1. You must submit one hard copy of your coursework to Ludmila at Academic Department. All coursework to be submitted by 5 pm to the Academic Department ONLY and NOT Reception or any other department within the college. Please ensure that your submission sheet is stamped by the person accepting the coursework as it works as evidence of submission. It is your responsibility to ensure it is stamped. Without a stamped receipt from programme administration office we will not be held responsible for any loss of assignments. Please note that work submitted after the above deadline without a signed extension from the Programme Manager will be awarded a mark of 0%

2. The coursework should be 3,000 words in length, excluding footnotes and bibliography. Essays substantially outside the limit will be penalised. Please see your handbook further information on penalties.
3. The coursework should be typed in 12-point font, lines spaced at 1½ or double spacing.
4. Your essay must have both, references and bibliography. Footnotes should be at the bottom of the page. The bibliography should be in alphabetical order. References to Internet material must be detailed enough to enable the reader to find the document(s) consulted, so you have to provide more than just the address of the institution's homepage.

You must fully attribute any judicial quotations or passages taken from articles or textbooks. Failure to do so may result in your work being referred to the Academic Registry for plagiarism.

Any academic misconduct e.g. Plagiarism will be investigated and could result in a mark of zero. (Please see guidance notes below)

Please use the OSCOLA style guide. More details on:

http://denning.law.ox.ac.uk/published/oscola_2006.pdf

5. Penalties will be applied to coursework handed in after the stated deadline. Extensions up to 5 days may only be given by Programme Manager on the submission of appropriate evidence demonstrating the need for extension.
6. The College requires the compulsory use of 'Turnitin' software as part of its procedures for the submission of coursework. All students must therefore submit their coursework through the 'Turnitin' portal.

Any coursework must be accompanied by the appropriate 'Turnitin' report sheet when submitted to Academic Department.

Submissions without an appropriate 'Turnitin' report sheet will not be accepted by Academic Department.

Late and non-submissions resulting from this will be dealt with in accordance with Rule 5, above.

ASSESSMENT SCENARIO:

GLM plc's articles of association contain the following regulation: 'No single director is empowered to enter into contracts on behalf of the company in excess of £250,000 without a written authorisation by the chairman of the board of directors.'

Matthew, the managing director has recently committed the company to a contract with PQR Ltd for the supply of equipment valued at £300,000. PQR Ltd demanded a copy of GLM plc's articles and asked Matthew whether he had obtained the consent of the chairman. Matthew stated that he had, when he actually did not.

Discuss whether the board of GLM plc can avoid the contract. In what circumstances can the director's actions be absolved and the contract affirmed?

3000 Words

Your marks will be capped at 40.

GENERIC ASSESSMENT CRITERIA

70% +

- Excellent standard demonstrating a thorough understanding of the subject.
- Successfully links theory to practice with good evidence of research knowledge.
- Very well developed analysis and logical presentation of argument.
- Presentation is clear, with a well planned logical sequence and accurate referencing.
- Originality of thought is evident.
- Exceptionally good use of knowledge and explanation.
- Clear structure.
- Identifies major and minor issues.
- Makes links between areas of question as appropriate.
- Demonstrates clarity of thought. Answers question fully.

60 – 69%

- Good comprehensive answer demonstrating evidence of sound and relevant knowledge of subject.
- Well developed analysis, linking theory to practice.
- Very good use of explanation.
- Some evidence of originality but conclusions reached are not substantiated.
- Presentation is good with adequate referencing.
- Logical presentation and clear structure.
- Makes most relevant links between areas of question as appropriate.

50 – 59%

- Shows basic mastery of concepts.
- Evidence of relevant knowledge.
- Fairly good use of explanation. An adequate attempt made at linking theory to practice and beginning to show analytical skills.
- Generally logical presentation of argument.
- Some links between areas of question as appropriate.
- Demonstrates some clarity of thought.
- Some omissions in referencing.
- Partially answers question.

40 – 49%

- Demonstrates adequate understanding of basic concepts.
- Discusses subject with little depth.
- Some analysis and attempt at linking theory with practice.
- Contains some irrelevant materials and/or inaccuracies.
- Inadequate referencing.
- Mainly descriptive use of knowledge.
- Adequate use of explanation.
- Some structure, but not entirely clear.
- Arguments not always logical.
- Thinking occasionally confused.
- Makes few links between areas of question as appropriate.
- Some aspects of question answered.

30 – 39%

- The student has failed to demonstrate adequate knowledge of subject.
- Material is largely unrelated to subject, or contains several major inaccuracies or omissions.
- Poor explanation.
- Weak structure. Little logical argument.
- Links between different areas of question missing or inaccurate.
- Thinking sometimes confused. Poor referencing.
- Only attempted to answer question.

Less than 30%

- Use of inaccurate, outdated and inadequate knowledge of subject.
- Does not explain.
- Virtually no structure and arguments lacking in logic.
- Little or no referencing.
- Thinking generally confused.
- Not answered question.

ACADEMIC IMPROPRIETY (PLAGIARISM)

Plagiarism is a form of dishonesty which is viewed by the University of Gloucestershire as a serious offence. The University's Regulations contain provisions by which the Examination Board may penalise students who are found to have presented plagiarised work for assessment. The purpose of this statement is to explain what plagiarism is. Further information about the procedures which are followed where allegations of plagiarism are made, together with the penalties that may be imposed can be found in the Regulations.

Plagiarism consists of presenting someone else's work as your own. Some examples of plagiarism are:

- reproducing or paraphrasing published material without acknowledgement of the source
- copying from the work of another student
- undeclared collusion with another student
- getting someone else to do your work for you

This is not an exhaustive list. There are clearly degrees of plagiarism, particularly where published work is concerned. At one extreme there may be a very short section of a coursework which is copied without being properly referenced; at the other extreme a coursework may consist almost entirely of copied work.

Students who are found to have colluded in making their work available to be copied by others will not themselves be deemed to have committed plagiarism, but will be dealt with under the student disciplinary procedures described in the Students' Handbook of Regulations. Similarly, disciplinary action will be taken against any student who is found to have undertaken a coursework on behalf of another.