



# Law

## LAWCOMM 437 : Iwi Corporate Governance (15 POINTS)

### Course Prescription

An examination of the common governance structures employed by iwi, why those structures are chosen and the legal and practical issues that arise as a result. Aspects of the law related to trusts, limited partnerships, charities and Māori Authorities, and how they may be interwoven within one overarching structure.

### Course Overview

We will focus on the common legal structures utilised by iwi. We will look at why those structures are chosen and the legal, tax and practical issues that arise. This will lead us to consider aspects of the law related to trusts, limited partnerships, charities, taxation (including Māori Authorities), and how these aspects are interwoven within one overarching structure.

The course will focus on each of the common legal structures used by iwi and their charitable, taxation and governance profile. For each structure we will look at contemporary examples in iwi business and governance structures including trusts, companies, limited partnerships and joint ventures.

Roughly half of the course time will focus on corporate issues with the remaining half focusing on charitable/taxation aspects.

The course is taught by a small number of senior practitioners from Chapman Tripp.

### Course Requirements

Prerequisite: LAW 211, 241 Restriction: LAW 497

### Capabilities Developed in this Course

- Capability 1: Disciplinary Knowledge and Practice
- Capability 2: Critical Thinking
- Capability 3: Solution Seeking
- Capability 4: Communication and Engagement
- Capability 5: Independence and Integrity
- Capability 6: Social and Environmental Responsibilities

Graduate Profile: [Bachelor of Laws](#)

## Learning Outcomes

By the end of this course, students will be able to:

1. Identify and evaluate the appropriateness of the application of different legal structures in the context of iwi corporate operations (Capability 1.1, 2.2, 4.1, 6.1, 6.2 and 6.3)
2. Articulate and apply key legal principles and concepts that relate to the common legal structures to different factual scenarios in order to reach reasoned solutions and make reasoned recommendations as to the appropriate legal structure to be adopted in the given circumstances (Capability 1.1, 1.3, 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 5.1, 6.1, 6.2 and 6.3)
3. Identify, critique and evaluate New Zealand's legal approach to governance of iwi business and operations (Capability 1.1, 1.2, 1.3, 2.1, 2.2, 2.3, 3.3, 4.1, 5.1, 6.1, 6.2 and 6.3)
4. Demonstrate effective written communication skills (Capability 4.1)

## Assessments

| Assessment Type            | Percentage | Classification         |
|----------------------------|------------|------------------------|
| 1000 word reflection piece | 20%        | Individual Coursework  |
| Multiple-choice quiz       | 10%        | Individual Coursework  |
| Final Exam                 | 70%        | Individual Examination |
| 3 types                    | 100%       |                        |

| Assessment Type            | Learning Outcome Addressed |   |   |   |
|----------------------------|----------------------------|---|---|---|
|                            | 1                          | 2 | 3 | 4 |
| 1000 word reflection piece | ✓                          |   | ✓ | ✓ |
| Multiple-choice quiz       |                            | ✓ | ✓ |   |
| Final Exam                 | ✓                          | ✓ | ✓ | ✓ |

## Workload Expectations

This is standard 15-point course. There will be around 36 hours of lectures in this course. As a general guide, you should expect a workload of three hours outside of the classroom for each hour spent in class. The guideline for the total workload for this course is 150 hours.

## Delivery Mode

### Campus Experience

Attendance is expected for lectures.

Lectures will be available as recordings. However much of the learning will not be gained through listening to the recording only and the more interactive parts of the class will not necessarily be picked up in the recordings.

The activities for the course are scheduled as a standard weekly timetable. Attendance is required for the final exam.

## Learning Resources

The course is taught through lectures, starting on Tuesday 14 January and ending on Thursday 13 February.

The lectures will be on Tuesday and Thursday between 9 am and 1 pm.

Each lecturer will be available immediately before and after their class to answer questions about the course content or to clarify areas of misunderstanding.

## Student Feedback

At the end of every semester students will be invited to give feedback on the course and teaching through a tool called SET or Qualtrics. The lecturers and course co-ordinators will consider all feedback and respond with summaries and actions.

Your feedback helps teachers to improve the course and its delivery for future students.

Class Representatives in each class can take feedback to the department and faculty staff-student consultative committees.

## Digital Resources

Course materials are made available in a learning and collaboration tool called Canvas which also includes reading lists and lecture recordings (where available).

Please remember that the recording of any class on a personal device requires the permission of the instructor.

## Academic Integrity

The University of Auckland will not tolerate cheating, or assisting others to cheat, and views cheating in coursework as a serious academic offence. The work that a student submits for grading must be the student's own work, reflecting their learning. Where work from other sources is used, it must be properly acknowledged and referenced. This requirement also applies to sources on the internet. A student's assessed work may be reviewed against online source material using computerised detection mechanisms.

## Inclusive Learning

All students are asked to discuss any impairment related requirements privately, face to face and/or in written form with the course director, lecturer or tutor.

Student Disability Services also provides support for students with a wide range of impairments, both visible and invisible, to succeed and excel at the University. For more information and contact details, please visit the [Student Disability Services' website](http://disability.auckland.ac.nz) <http://disability.auckland.ac.nz>

## Special Circumstances

If your ability to complete assessed coursework is affected by illness or other personal circumstances outside of your control, contact a Student Academic and Support Adviser as soon as possible before the assessment is due.

If your personal circumstances significantly affect your performance, or preparation, for an exam or eligible written test, refer to the University's [aegrotat or compassionate consideration page](https://www.auckland.ac.nz/en/students/academic-information/exams-and-final-results/during-exams/aegrotat-and-compassionate-consideration.html) <https://www.auckland.ac.nz/en/students/academic-information/exams-and-final-results/during-exams/aegrotat-and-compassionate-consideration.html>.

This should be done as soon as possible and no later than seven days after the affected test or exam date.

## Learning Continuity

In the event of an unexpected disruption we undertake to maintain the continuity and standard of teaching and learning in all your courses throughout the year. If there are unexpected disruptions the University has contingency plans to ensure that access to your course continues and your assessment is fair, and not compromised. Some adjustments may need to be made in emergencies. You will be kept fully informed by your course co-ordinator, and if disruption occurs you should refer to the University Website for information about how to proceed.

## Student Charter and Responsibilities

The Student Charter assumes and acknowledges that students are active participants in the learning process and that they have responsibilities to the institution and the international community of scholars. The University expects that students will act at all times in a way that demonstrates respect for the rights of other students and staff so that the learning environment is both safe and productive. For further information visit [Student Charter](https://www.auckland.ac.nz/en/students/forms-policies-and-guidelines/student-policies-and-guidelines/student-charter.html) <https://www.auckland.ac.nz/en/students/forms-policies-and-guidelines/student-policies-and-guidelines/student-charter.html>.

## Disclaimer

Elements of this outline may be subject to change. The latest information about the course will be available for enrolled students in Canvas.

In this course you may be asked to submit your coursework assessments digitally. The University reserves the right to conduct scheduled tests and examinations for this course online or through the use of computers or other electronic devices. Where tests or examinations are conducted online remote invigilation arrangements may be used. The final decision on the completion mode for a test or examination, and remote invigilation arrangements where applicable, will be advised to students at least 10 days prior to the scheduled date of the assessment, or in the case of an examination when the examination timetable is published.