

SOCIETY OF CORPORATE LAW ACADEMICS CONFERENCE

Shifting Connections Between the
Corporation and Society

4-6 FEBRUARY 2024

SYDNEY



SCoLA
Society of Corporate Law Academics (SCoLA)

<https://scola.asn.au>

CONFERENCE LOCATION



ADDRESS

KARSTENS
Level 1, 111 Harrington Street
Sydney, NSW 2000

[GET DIRECTIONS](#)

ACCESS

Located in Circular Quay and close to The Rocks precinct.
Circular Quay and Wynyard stations are an easy walking distance from the venue.

DAY 1 / PROGRAM

SUNDAY, FEBRUARY 4

	TIME	EVENT DETAILS
NEXT-GEN SESSION	10.00 am - 11.00 am	Registration desk opens and Networking session
	11.00 am - 12.00 pm	PANEL DISCUSSION Corporate Law Next-Gen Forum: Teaching, Research and Outreach Redmond Barry Distinguished Professor Emeritus Ian Ramsay AO (Unimelb) Professor Dimity Kingsford Smith (UNSW) Associate Professor Timothy Peters (USC) <i>Chair: Associate Professor Akshaya Kamalnath (ANU)</i>
	12.00 pm - 1.00 pm	EMCR Research Profiles
	1.00 pm - 2.30 pm	LUNCH BREAK
EDUCATION SESSION	2.30 pm - 3.30 pm	TEACHING SESSION 1 Post lockdown challenges: students' attitudes Associate Professor Edith I-Tzu Su (NCHU, Taiwan) Ms Nicola Kozlina (UNSW) <i>Chair: Dr Sophia Bai (UNSW)</i>
	3.30 pm - 4.30 pm	TEACHING SESSION 2 Corporate law assessment and creativity - will it blend? Dr Michelle Worthington (ANU) <i>Chair: Ms Riona Moodley (UNSW)</i>
	4.30 pm	AFTERNOON TEA & DAY CONCLUDES

DAY 2 / PROGRAM

MONDAY, FEBRUARY 5

TIME	EVENT DETAILS
8.30 am	Registration desk opens
9.00 am - 9.15 am	<p>Welcome to Country</p> <p>Opening Remarks Redmond Barry Distinguished Professor Emeritus Ian Ramsay AO Emeritus Professor Stephen Bottomley Professor Vivienne Brand Professor Michael Handler (Head of School of UNSW School of Private and Commercial Law)</p>
9.15 am - 9.30 am	<p>30 years of the Life of the Association Emeritus Professor Paul Redmond AM (UTS and UNSW)</p>
9.30 am - 10.30 am	<p>KEYNOTE PRESENTATION Nudge versus Sludge: The Great Greenwashing and the Failure of Corporate Regulation Professor Christine Parker (Unimelb) <i>Chair: Professor Bronwen Morgan (UNSW)</i></p>
10.30 am - 11.00 am	MORNING TEA

11.00 am -
12.45 pm

CONCURRENT PANELS # 1

<p>PARALLEL SESSION 1 Directors & their Duties <i>Chair: Alan Koh (NTU, Singapore)</i></p>	<p>PARALLEL SESSION 2 Regulation & Enforcement <i>Chair: Vicky Comino (UQ)</i></p>	<p>PARALLEL SESSION 3 Insolvency <i>Chair: Zofia Bednarz (USyd)</i></p>	<p>PARALLEL SESSION 4 CSR, Corporate Culture & Corporate Behaviour <i>Chair: Kayleen Manwaring (UNSW)</i></p>
<p>A Theory of Corporate Office and the Representational Nature of the Director <i>Timothy Peters (USC)</i></p> <p>Governing in the Best Interests of the Planet: The Role of Directors' Duties in Influencing Companies' Climate and Biodiversity Impacts <i>Mayleah House (Monash)</i></p> <p>Sustainability in the Boardroom: a View from the UK <i>Ian MacNeil and Irene-Marié Esser (Uni of Glasgow)</i></p> <p>Directors' Duty of Loyalty and ESG Considerations: Aotearoa New Zealand's Controversial Companies (Directors' Duties) Amendment Act 2023 <i>Lynn Buckley (Auckland Uni)</i></p> <p>Going Back to the Future with Directors' Duties <i>Sulette Lombard (UniSA)</i></p>	<p>The Case for a Federal Specialist Enforcement Agency <i>Kerry Abadee (USyd)</i></p> <p>Regulatory Chameleon? An Examination of ASIC's Enforcement Style During the Years 2018-2023 <i>Tom Dearden, Helen Bird (Swinburne) and Grace Borsellino (WSU)</i></p> <p>The Exclusion of Deferred Prosecution Agreement Scheme from the CFB Bill 2023: A Missed Opportunity for Combating Serious Corporate Crime in Australia <i>Afroza Begum (UOW)</i></p> <p>ESG disclosure of the Semi Conductor industry in Taiwan <i>Edith I-Tzu Su (NCHU, Taiwan)</i></p> <p>The Stepping Stone Approach to the National Security Regulation of Foreign Involvement in Australian Critical Infrastructure <i>Joseph Lee (ANU)</i></p>	<p>Company Administrations: Policing Purposes, Relegating Results <i>Paulina Fishman (Deakin)</i></p> <p>Understanding Small Business Restructuring from the Practitioners' Perspective: Insights into Part 5.3B <i>Amanda Bull (QUT)</i></p> <p>China's Bankruptcy Law Odyssey: Exploration, Promotion and Reform (2007-2022) <i>Casey Watters (Bond) and Jinlu Liu (University College London)</i></p> <p>One Size Does Not Fit All? A Comparative Analysis of Structural Considerations and Insolvencies of Small, Micro and Medium Businesses in Australia and India <i>Jason Harris (USyd) and Preeti Nalavadi (Uni of Adelaide)</i></p> <p>Unravelling the Liability for CGT in Insolvency: A Dworkinian Approach to Priorities in Corporate Insolvency <i>Catherine Brown (QUT) and John Minas (Monash)</i></p>	<p>When Should Companies Provide Essential Services? Lessons from Corporate Commitments to Water Stewardship in Mining <i>Jacqui Robertson (Griffith)</i></p> <p>Corporate Social Responsibility, Profit-Making and Governance: A Comparative Analysis of New Zealand and Indian Companies <i>Amrapali Choudhury Macdonald (Lincoln University, NZ)</i></p> <p>Shifting Connections Between Corporations and Society: The Challenges of Corporatized Money <i>Steven Stern (Victoria Uni)</i></p>

12.45 pm -
1.30 pm

LUNCH BREAK

1.45 pm -
2.45 pm

PLENARY PANEL
The Role of Corporations in Australia's Consumer Data Right

Dr **Natalia Jevglevska** (UNSW)
Professor **Jason Harris** (USyd)
Mr **Mathew Mytka** (Co-founder & Chief Vision Shaper at Tethix)
Mr **Aidan Storer** (Treasury (Cth))
Chair: Dr Anton Didenko (UNSW)

2.45 pm -
4.15 pm

CONCURRENT PANELS # 2

<p>PARALLEL SESSION 1 Corporations & Their Nature <i>Chair: Timothy Peters (UniSC)</i></p>	<p>PARALLEL SESSION 2 Disclosure in All its Forms <i>Chair: Michael Duffy (Monash)</i></p>	<p>PARALLEL SESSION 3 Accountability & Regulation <i>Chair: Michelle Worthington (ANU)</i></p>	<p>PARALLEL SESSION 4 Business Structure & its Impact <i>Chair: Anil Hargovan</i></p>
<p>Revisiting the Relationship between the Corporation and Society <i>Susan Watson (University of Auckland)</i></p> <p>Revisiting Fiction Theory – Where Did it Come From? Where is it Now? Where is it Going? <i>Tim Connor (University of Newcastle)</i></p> <p>A Corporation: A Frankenstein's Monster? <i>Duncan Wallace (Monash)</i></p> <p>The S Company: A Reform Model for Australian Corporations Law to Encourage the Pursuit of Social and Sustainable Purpose <i>Apurva Kirti Sharma (RMIT)</i></p>	<p>'Where the Feet of the Corporate Elite are held to the Fire': Parliamentary Committees as a Site for Law Reform <i>Peta Spender (ANU)</i></p> <p>ESG Disclosure Quagmire: Challenges in Corporate Governance <i>Cecilia Anthony Das (Edith Cowan Uni)</i></p> <p>Biodiversity Reporting: Renewed Pressure for Disclosure on Corporate Purpose <i>Ellie Chapple (QUT)</i></p> <p>What Does the Social Licence to Operate Look Like? Visual Rhetoric in CSR Reporting <i>Alice Klettner and Claire Wright (UTS)</i></p>	<p>Governance in Practice: the Reality of Board Diversity and Recruitment in Australia <i>Kath Hall</i></p> <p>Public Interest Shareholder Engagement in Australia <i>Samantha Tang (NUS, Singapore)</i></p> <p>Holding Governments to Account for Culpable Conduct: Insights from Corporate Law <i>Elise Bant (UWA)</i></p> <p>Dual Class Shares Revisited: A Comparative View of Regulatory Competition among Singapore, Hong Kong, Mainland China and Taiwan <i>Chang-hsien Tsai (National Hsing Hua Uni, Taiwan)</i></p>	<p>The Corporate Purpose of Australian Government-Owned Businesses <i>Victoria Schnure Baumfield (Bond)</i></p> <p>Corporate Collective Investment Vehicles: Where are we Now? <i>Tamara Wilkinson (Monash)</i></p> <p>The Social Responsibility of Sporting Organisations and Clubs: Stay in the Lane or Widen the Lens? <i>Annette Greenhow (Bond)</i></p> <p>Lack of Investor Confidence in Securities Markets: Bangladesh Should Learn from Australian Overhauls for its Initial Public Offerings <i>S M Solaiman (UOW)</i></p>

4.15 pm -
4.30 pm

AFTERNOON TEA

4.30 pm -
6.00 pm

CONCURRENT PANELS # 3

PARALLEL SESSION 1

Directors & their Duties

Chair: Edith I-Tzu Su (NCHU, Taiwan)

PARALLEL SESSION 2

ESG

Chair: Guzyal Hill (CDU)

PARALLEL SESSION 3

Financial Services

Chair: Anton Didenko (UNSW)

**Mandatory Corporate Governance
Accountability for Senior Executives**
Tim Bowley and Steve Kourabas (Monash)

**Corporate Compliance Structures and
Director Liability for Environmental
Offences**
Rangika Palliyaarachchi (WSU)

**Mandatory Human Rights Due Dili-
gence and Director Liability: Bridging
the Enforcement Gap**
Alan Koh (NTU, Singapore)

**The Saudi Companies Ordinance
2022: Duties of Directors Between the
Common Law Influence and the Sharia
Judge Application**
Hussain Ahmad Hassan Alobaidi

**Evaluating the Influence of ESG and
India - Australia Trade Partnership: A
Critical Analysis**
*Avin Tiwari and Sunavo Ray Chowdhury (VIT
AP Uni, India)*

**Corporate Purpose and Human Capital
Management in the ESG Framework: A
Comparison Between the EU and US**
*Lance Ang (Singapore Uni of Social
Sciences)*

**Innovation, Disruption and Consumer
Harm: Regulating Buy Now Pay Later
in Australia**
Lucinda O'Brien (Unimelb)

**Enhancing Private Law Remedies for
Cryptocurrency Fraud**
Aaron Lane (RMIT)

**Mission Critical within the Financial
Services Industry**
Zehra G Kavame Eroglu (Deakin)

Finfluencers, ftw!
Akshaya Kamalnath (ANU)

7.30 pm

CONFERENCE DINNER

The Little Snail: [3/50 Murray St, Pyrmont NSW 2009](#)

DAY 3 / PROGRAM

TUESDAY, FEBRUARY 6

TIME	EVENT DETAILS		
8.30 am	Registration desk opens		
9.00 am - 10.45 am	CONCURRENT PANELS # 4		
	PARALLEL SESSION 1 Directors' and Officers' Duties <i>Chair: Irene-Marié Esser (Uni of Glasgow)</i>	PARALLEL SESSION 2 Financial Services <i>Chair: Natania Locke (Swinburne Uni)</i>	PARALLEL SESSION 3 Accountability & Regulation <i>Chair: Robin Bowley (UTS)</i>
	<p>Directors' Duty to Monitor <i>Pamela Hanrahan (Johnson Winter Slattery) and Tim Bednall (King & Wood Malletsons)</i></p> <p>Directors' Duties and Shareholder Power - Public-isation and Duty-fication <i>Pearlie Koh (Yong Pung How School of Law, Singapore)</i></p> <p>Volunteer Charity Directors' Duty of Care and Diligence: The Corporatisation of Accountability Regulation and Unintended Consequences for Board Volunteering <i>Jeanne Nel (La Trobe Uni)</i></p> <p>Safe Harbour or Quiet Revolution? Companies Act 1993 (NZ) S 131(5) <i>Jonathan Barrett (Victoria University, Wellington)</i></p> <p>CEO Benevolence and Corporate Culture: Addressing Top Management Team Gender Diversity <i>Ashesha Weerasinghe, Ellie Chapple and Alexandra Williamson (QUT)</i></p>	<p>Tipsters, Tippees, Insiders and Outsiders: Examining the Insider Trading Laws of the United States and Australia in Context <i>Donna M Nagy (Indiana University) and Juliette Overland (USyd)</i></p> <p>Regulatory Interventions in Green Financing: An Analysis of Indian Securities Law Regime <i>Bhagyalakshmi R (Central University of Tamil Nadu, India) and Shainy Pancrasius (Christ University)</i></p> <p>Sustainable Finance and Protected Areas: The 'No Go' Commitment of Financial Institutions Under the Ramsar and World Heritage Regimes <i>Evan Hamman (Uni of Canberra)</i></p> <p>Annual Super Fund Members' Meetings: the Evidence So Far <i>Scott Donald (UNSW)</i></p>	<p>Purdue Pharma and Moral Bankruptcy: Rethinking Responses to Corporate Malevolence <i>Meredith Edelman (Monash)</i></p> <p>Should the Ends Justify the Means? Whistleblower Protection for Antecedent Conduct <i>Olivia Dixon (USyd)</i></p> <p>Directors' Duties and Stakeholders' Interests: Public Enforcement Mechanism - Issues and Challenges <i>Param Pandya (National University of Singapore)</i></p> <p>Potential Challenges to Legal Regulation of CSR: Findings and Lessons from the Indian Experiment in the COVID Pandemic Context <i>Akanksha Jumde (CQU)</i></p> <p>Is Disclosure a Good Way to Monitor Insider Trading? Evaluating Trading Plan 2.0 <i>Chao-Sheng, Chiang (National Chung Cheng Uni, Taiwan)</i></p>

10.45 am - 11.15 am	MORNING TEA		
11.15 am - 12.15 pm	PLENARY PANEL Enforcement of the Corporation's Obligations to Society Professor Michael Legg (UNSW) Mr Joseph Longo (the Australian Securities and Investments Commission Chairman) Dr Vicky Comino (UQ) <i>Chair: Ms Sera Mirzabegian SC, NSW Bar</i>		
12.15 pm - 1.45 pm	LUNCH & SCoLA AGM		
1.45 pm - 3.00 pm	KEYNOTE PRESENTATION Good Faith Information Forcing Professor Hillary Sale (Georgetown Law) Discussant: Professor Jennifer Hill (Monash) Chair: Professor Dimity Kingsford Smith (UNSW)		
3.05 pm - 4.05 pm	CONCURRENT PANELS # 5		
	PARALLEL SESSION 1 Disclosure in all its Forms <i>Chair: Scott Donald (UNSW)</i>	PARALLEL SESSION 2 Corporations and AI <i>Chair: Akshaya Kamalnath (ANU)</i>	PARALLEL SESSION 3 Accountability <i>Chair: Juliette Overland (USyd)</i>
	<p>ESG, CSR and Disclosure of Non-financial Matters: Considerable Developments Especially Regarding Sustainability Disclosure Taxonomy <i>Jean J Du Plessis (Deakin Uni) and Beth Nosworthy (Uni of Adelaide)</i></p> <p>Corporate Conduct, Climate Change and Market Regulation: An Analysis of the Scope and Impact of Forthcoming, TCFD Aligned, Legislative Amendments to Company Disclosure <i>Maria Nicolae (Bond)</i></p> <p>The Potential Use of Misleading and Deceptive Conduct and Disclosure Provisions with Reference to Net Zero Statements <i>Natania Locke (Swinburne Uni)</i></p>	<p>Fighting Fire with Fire: Regulating AI by Accounting for Corporate Design <i>Michelle Worthington (ANU)</i></p> <p>AI and Principles-Based (Director) Regulation <i>Vivienne Brand (Flinders Uni)</i></p> <p>AI Risks, Failures and Consequences: Corporate Governance for the AI Era <i>Zofia Bednarz and Susan Bennett (USyd)</i></p>	<p>A Sustainability Panel for the World: Replicating the Success of Australia's Takeovers Panel <i>Ruoying Chen (ANU)</i></p> <p>Third Party Litigation Funding in Insolvency and Class Actions Compared <i>Michael Duffy (Monash) and Sulette Lombard (UniSA)</i></p>

4.05 pm -
4.20 pm

AFTERNOON TEA

4.20 pm -
5.00 pm

FINAL SESSION - INSOLVENCY

Preference Post Badenoch: Anomalies and Policy Considerations Arising from the Abolition of the 'Peak Indebtedness Rule'

Mark Wellard (SCU) and Anil Hargovan

Technology and the Insolvency Profession

Catherine Brown (QUT) and Jennifer Dickfos (Griffith)

Chair: Ellie Chapple (QUT)

5.00 pm

OFFICIAL CONFERENCE CLOSING

THANK YOU!
SEE YOU
NEXT YEAR.

