

## Diploma in Law (Malta): Intake October 2023

<b>Assessment Task:</b> Written assignment based on chosen questions	
<b>Module:</b> <i>Award in Company Law Fundamentals</i>	<b>Tuition Centre:</b> 21 Academy <b>Licence Number:</b> 2018-017
<b>Level:</b> Award MQF Level 5	<b>Student Name:</b>
<b>Date:</b>	<b>ID Number:</b> <same no. submitted in student profile>
<b>Assignment Deadline:</b> 25 January 2024	
<p><b>Task</b> The purpose of this unit is to develop an understanding of a particular topic you will write about which forms part of Company Law.</p> <p><b>Note</b> This assessment provides students with an opportunity to put into practice the relevant provisions of the law in relation to the topic they choose to write about forming part of Company Law.</p> <p><b>Note</b> <i>You should plan to spend approximately 20 hours researching the assignment question, preparing for and writing the assignment for assessment. The nominal word count for the assignment is 1,700 words.</i></p>	
<p><b>Choose and answer 2 questions from the following:</b></p> <p><b>Question 1:</b> A company in financial distress is typically faced with two main paths before it: liquidation and dissolution or alternatively, recovery and rescue. Discuss, making reference to recent legislative amendments.</p> <p><b>Question 2:</b> Corporate governance is principally concerned with the consequences of the separation of ownership and control. How this agency problem presents itself and how it is addressed is dependent on the pattern of shareholding. Discuss with focus on concentrated shareholding structures, including the notion of majority rule, minority rights and minority shareholder remedies under Maltese law.</p> <p><b>Question 3:</b> The Companies Act simply provides that the term ‘director’ incorporates “any person occupying the position of director of a company by whatever name he may be called, carrying out substantially the same functions in relation to the direction of the company as those carried out by a director”. Discuss and distinguish between the different types of director.</p> <p><b>Question 4:</b> Describe the process for the incorporation of a company and the principal considerations to be made when preparing the constitutional documents of a company to be registered under Maltese law.</p>	
<b>Pass Mark - 50% of total weighted score of both assignments and MCQ exam</b>	<b>Total Assignments Weighting - 80%</b>
<b>By submitting I confirm that this assessment is my own work</b>	
<b>Mark:</b>	<b>Signature:</b> <main assessor>
<b>Date</b>	<b>Signature:</b> <quality assurance>