

GX 1832

Ollscoil na hÉireann, Gallimh
National University of Ireland, Galway

Semester II Examinations, 2002/2003

Exam Code(s)	3CL1, 4CL2
Exams(s)	3 rd & 4 th Bachelor of Corporate Law Erasmus & Occasional
Module Codes(s)	LW379
Module(s)	Legal & Business Ethics
Paper No.	1
Repeat Paper __ Special Paper __	
External Examiner(s)	Professor Fried Van Hoof
Internal Examiner(s)	Mr. Dennis Driscoll Mr. Larry Donnelly
Instructions	Answer THREE questions
Duration	TWO Hours. Erasmus students may have TWO AND A HALF Hours and may use a language dictionary.
No. of AnswerBooks	
Requirements:	
Handout	
MCQ	
Statistical Tables	
Graph Paper	
Log Graph Paper	
Other Material	
No. of Pages	3
Department(s)	Law

1. Outline the efforts of the European Commission to promote social responsibility on the part of European companies.
2. Answer **EITHER** (a) **OR** (b):
 - (a) Sean is the Managing Director of an Irish construction company which is entering the West African market. He has been told that bribery is a common practice in West Africa, but he has also been warned that European Governments, including the Irish Government, are cracking down on the problem because of their ratification of the new OECD Anti-Bribery Convention. Sean wants to know how the provisions of the Convention will affect his business.

Advise him.
 - (b) Sheila is the Human Resources Manager of Impact, an Irish clothing company whose garments are made in Asia. She is aware that some of Impact's competitors have suffered embarrassing revelations about the use of child labour in the factories of their Asian suppliers, and she wants to avoid any possible embarrassment to Impact. She asks your advice about whatever international regime may exist with regard to child labour. Advise her.
3. Discuss in detail and distinguish the utilitarian/teleological and deontological approaches to ethics. Which, if either, is the superior approach for businesses and lawyers to follow when operating in the "real world"?
4. Outline the provisions of the UN Global Compact. What strengths and weaknesses as a code of conduct do you believe it has, bearing in mind other codes of conduct?
5. *"In 1970 Milton Friedman wrote that 'the one and only social responsibility of business' is to increase its profits. While there are still remnants of that thinking around, a growing number of business leaders see the equation as more complex"*

Discuss.

PTO

6. Ann is the Marketing Manager for EmeraldIsle, an Irish conglomerate that manufactures foods, toys and cosmetics. All the company's sales are in EU countries. EmeraldIsle has recently adopted a mission statement to the effect that it wishes to be "*a force for good*". Ann wants to ensure that the company's advertising campaigns are in keeping with the mission statement.

You are a member of the legal staff of the company, and Ann asks you for a memorandum setting out the types of legal and other constraints that may impinge upon the company's advertising campaigns.

Write the memorandum.

7. Discuss and define the functions and attributes of the two professions (i.e., solicitors and barristers) in the Irish legal system. In your view, are the distinctions between the professions drawn by convention, by statute and by the codes of professional conduct justifiable? Why or why not? If not, which of these distinctions would you eliminate?

END