

GX 1669

Ollscoil na hÉireann, Gallimh
National University of Ireland, Galway

SEMESTER 1 Examinations, 2003/2004

Exam Code(s)	3CL1, 4CL2, 1EM, 1OA
Exams(s)	3 rd & 4 th Bachelor of Corporate Law Erasmus & Occasional
Module Codes(s)	LW379
Module(s)	Legal & Business Ethics
Paper No.	1
External Examiner(s)	Professor Fried Van Hoof
Internal Examiner(s)	Mr. Dennis Driscoll
Instructions	Answer THREE questions
Duration	TWO Hours
No. of AnswerBooks	
Requirements:	
Handout	
MCQ	
Statistical Tables	
Graph Paper	
Log Graph Paper	
Other Material	
Department(s)	Law

PTO

You have just been hired by the General Counsel of PriceBeaters, a retailing multinational, to implement their corporate social responsibility programme. The CEO asks you for a memorandum on your strategic plan, and he asks you in particular to describe: scoping the issues; integrating the plan within the company; engaging the company's stakeholders; and also measuring and reporting on the plan's progress.

Write him the memorandum.

Describe *either* the UN Global Compact *or* the Ethical Trading Initiative. What strengths and weaknesses as a code of conduct do you believe that it has?

Paul is the Managing Director of a construction company which is entering the Asian market. He has been told that bribery is a common practice in Asia, 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. Paul wants to know how the provisions of the Convention will affect his business.

Advise him.

You are being interviewed for a position as an in-house counsel with HappyHomes, a multinational company manufacturing foods and household products. You are informed that one of the responsibilities of the new post will be the legal dimensions of corporate social responsibility.

Your possible future boss, the General Counsel, asks you:

- (a) how, if at all, it might be possible for HappyHomes to be sued if it should be claimed that HappyHomes had violated international human rights norms; and
- (b) how, if at all, HappyHomes might be sued civilly for the violation of domestic law provisions bearing upon human rights.

The General Counsel explains that she does not expect you to have a sophisticated grasp of these issues – at least, not yet – but that she wants to assure herself that you have at least a general awareness of the issues.

What would you say to the General Counsel concerning each issue?

Bearing in mind the power of advertising to influence behaviour, in what ways is advertising controlled in Ireland?

Answer *either* (a) *or* (b):

- (a) Write a commentary on the development of monitoring efforts concerning corporate codes of conduct.

OR

- (b) *"Nike [became] the poster boy of sweatshop outsourcing."*

Describe the efforts that Nike has made to deal with its image problem. In your opinion, how do these efforts compare with other leading brand names such as Mattel and Walt Disney?

Ann is the General Counsel of BestBuys, a multinational retailer. The Board of Directors has recently adopted a Code of Conduct which BestBuys intends to apply to its suppliers worldwide. The implementation of the Code is to be Ann's responsibility. Her difficulty, however, is that some of her BestBuys colleagues in Developing Countries believe that the whole matter is a waste of time.

Ann has invited the country chiefs to Dublin to discuss the Code. She wants to make the best arguments she can about the business need for such a code, and she asks for your help in writing her presentation. Advise her.

END