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17TH IDP AUSTRALIAN INTERNATIONAL EDUCATION CONFERENCE

*securing the FUTURE for International Education:
Managing growth and Diversity*

Cultural Awareness with International and Australian Business Students

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University of Southern Queensland's MBA Program

- . USQ University of the Year 2000-2001
- . Australian leader in distance education
- . USQ's MBA program largest fee paying MBA program of any Australian University
- . Includes many different specialisations eg accounting, business law, eBusiness, finance, HRM, IS, international business, marketing, project management, tech management, global economy, arts mgmt, PR, corporate info mgmt
- . 1439 MBA students as at 15/9/03, large majority are offshore



Student Makeup

- . Large percentage Asian, particularly Malaysia and Singapore
- . Partner arrangements with Asian colleges, supported by overseas teaching schools, comprehensive course resources, on-line discussion groups etc
- . Law and Business a core compulsory unit within MBA – enrolment s2, 2003 800 students
- . MBA (obviously) more practically focused than other programs



Cultural Issues

- . Learning modes
- presenter driven vs interactive
- black and white vs “grey”
- focus on exam and assessment vs other goals
- automatic respect for the academic):



Cultural Issues in Legal Context

- . Topics eg Rule of Law and Separation of Powers – Western Style Albert V Dicey and Montesquie
- . Rule of Law – same law applies to everyone regardless of their position in life, protection from arbitrary exercise of power, power must only be exercised pursuant to legislative authority
- . Separation of Powers – demarcation between legislative, executive and judicial functions
- . Application in Asian countries
- . Precedent and Role of Courts/Parliament
- . Means of Resolving Conflict



Cultural Issues in Legal Context

- . Law of Contract
- Little regulation, British tradition of laissez-faire freedom of contract, buyer beware
- Chinese – Contract Law of the People’s Republic of China
- Article 5 parties shall abide by the principle of fairness in defining the rights and obligations of each party
- Article 6 parties must act in accordance with principles of good faith, whether exercising rights or performing obligations, cannot conceal important facts etc



Cultural Issues in Legal Context

- . Law of personal injury
- Australia eg Johns v Cosgrove, Ollier v Magnetic Island Country Club
- Access court system to seek compensation

- Alternative focus on individual responsibility, harmony, inner peace, resolution of conflict outside court system



Meeting Students' Needs

- . Concern that majority of students outside Australia, yet were learning (only) about Australian law in MBA
- . Developing for 2004 new core course in Comparative Law and Business, exploring differences between selected countries in particular areas of business law students may find useful eg contract, personal injury, business organisation, competition law



Meeting Students' Needs

- . Student enrolment of at least 400 expected per offering (currently 800 in core Law and Business, this subject to be an alternative core course)
- . Limiting course materials to three countries – Australia, China and Germany, exam to be based on
- . Assignment can compare law of Australia with any other country, provided student submits suitable source materials to justify their discussion of local law
- . Marking assignments to be a challenge

