



CORPORATE AND ACADEMIC SERVICES

MODULE SPECIFICATION

Part 1: Basic Data					
Module Title	The Law of International Trade				
Module Code	UJUUKQ-30-3	Level	2	Version	1
Owning Faculty	FBL	Field	Law Undergraduate		
Contributes towards	LLB (Hons) Commercial Law; LLB European and International Law; LLB (Hons) Law with Business; BA (Hons) Business and Law; BA (Hons) Business Management with Law; Law Joint Awards				
UWE Credit Rating	30	ECTS Credit Rating	15	Module Type	Standard
Pre-requisites			Co- requisites	None	
Excluded Combinations	UJUTG9-30-3 International Trade	Module Entry requirements	75 credits acceptable to the award on which the student is registered of which at least 30 credits must be credits from law modules		
Valid From	September 2014	Valid to	September 2018		

CAP Approval Date	13 February 2014
--------------------------	------------------

Part 2: Learning and Teaching	
Learning Outcomes	<ol style="list-style-type: none"> 1. To introduce the student to international commercial transactions and their peculiarities and to provide some basic understanding of the sale and carriage contracts more commonly used. 2. To explain the financing of international trade and the legal significance of such financial instruments. 3. To enable students to understand and to critically interpret the dynamics of international trade and solve legal and practical problems arising in this growing area. 4. To enable students to research, to develop an appreciation of complexity and the limits of scholarship in this sphere, and to solve problems relating to commercial transaction across borders, involving different jurisdictions and systems of law. <p>On successful completion of this module students will be able to:</p> <p>1. - Knowledge and understanding</p> <p>To identify and analyse the different legal issues involved in an international transaction and resolve them by applying the relevant legal rules and principles. Assessed in components A and B.</p>

	<p>2. - Intellectual skills</p> <p>To integrate domestic rules of law with international principles and convention provisions. Assessed in components A and B.</p> <p>3. - Subject/Practical skills</p> <p>To understand abstract concepts and apply those concepts to practical problems arriving to relevant conclusions. Assessed in components A and B.</p> <p>4. - Transferable/key skills</p> <p>To research into different areas of international trade and communicate the outcome of that research in an articulate way. Assessed in component B</p> <p>(Please note that verbal communication is encouraged but not assessed)</p>
Syllabus Outline	<p>(a) The Sale Contract</p> <p>Sale of goods-introduction to international trade-the <i>Lex Mercatoria</i>.</p> <p>The contract of sale- types of contract. F.o.b. and C.i.f.- the passing of risk and property–insurance aspects- duties of buyer and seller- Incoterms</p> <p>Delivery against documents- Bills of Lading and other documents- rejection of documents and goods.</p> <p>(b) Financing the Sale</p> <p>Bills of exchange – parties- rights of recourse- enforcement.</p> <p>Documentary letters of credit – types- contractual relationship between the parties- autonomy of the credit- strict compliance-fraud- UCP.</p> <p>(c) Carriage of Goods by Sea</p> <p>Carriage by sea- bills of lading as contracts of carriage-duties of carrier- limitation of liability- the Hague-Visby rules.</p> <p>Marine insurance –loss of cargo-Acts of general average- War Risks- insurance contracts- duty of disclosure.</p> <p>(d) International disputes</p> <p>Disputes in international transactions- brief overview of conflict of laws.</p> <p>Litigation, arbitration and ADR. International commercial arbitration- international litigation: English and conventional rules of jurisdiction.</p> <p>The law applicable to the contract.</p> <p>N.B. Please note that the whole of the syllabus may not be taught in any one year. Selection of topics will depend on staff current research and interests.</p>
Contact Hours/Scheduled Hours	Lectures/workshop: 3 hours per week
Teaching and Learning Methods	The emphasis throughout will be on providing the student the opportunity and facilities to question, understand, analyse and evaluate the law in its historical, practical, academic and social context. The learning context is student-centred and

	<p>utilizes a variety of techniques to encourage independent thought and constructive criticism. Dialogue is promoted between student and lecturer in an inter-active relationship which emphasizes the two-way flow of information and criticism. Subject to the requirements of the Professional Bodies, it is not necessarily envisaged that every topic in the syllabus will be covered in any one academic year. Areas which have topical significance could, therefore, be developed at greater length and less important areas delineated in outline only.</p> <p>Students will be expected to conduct research with both traditional and electronic sources and will be instructed how to do this both during the Programme as a whole and, where necessary, within the module.</p> <p>Student preparation:</p> <p>Workshops: Workshop preparation tasks include working individually, in pairs or in small groups.</p> <p>Students will be given seminar sheets/case studies in advance of their workshops which will be centred on the analysis of cases, statutes, as appropriate. The material will usually be problem or discussion title-based. Supplementary material (usually of a problem-solving nature) may be provided in the workshop. Directed reading will be suggested along with internet sources and video material as appropriate.</p> <p>Students are expected to make full use of their independent learning time to reflect critically upon the subject and to develop their own ideas.</p> <p>Operation and purpose:</p> <p>Workshops: Workshops will involve problem-solving and the analysis and synthesis of conceptual and contextual issues, through plenary discussion and presentations by individual students or groups of students. Students are expected to fully participate in workshop discussions, which will cover the controversial and difficult areas of the subject.</p> <p>We see the function of workshops to be:</p> <ul style="list-style-type: none"> (a) to monitor the acquisition by students of the knowledge, understanding and skills mentioned under the <i>Learning Outcomes</i>; and (b) to facilitate and enhance the acquisition of that knowledge, understanding and skills and to foster deeper learning. (c) to allow students to evaluate, analyse and synthesise legal materials in an interactive environment and to facilitate their appreciation of the levels of variation of opinion which may be generated in legal discussion. <p>Other learning activities:</p> <p>Students will be expected to pursue independent and directed study between class contact sessions.</p> <p>Students will be encouraged to engage in extra-curricular activities such as debating and mooting.</p>
Reading Strategy	<p>Essential reading –This will be either in the form of a resource pack/booklet /handout or given electronically. They will contain essential lecture outlines and reference to cases, statutes, conventions, etc.</p> <p>Further reading – The resource pack/booklet/handout will give references to important cases, statutes, conventions, etc. Many of these will be available either electronically or in books from the Frenchay library.</p>

Indicative Reading List	<p>Benjamin Sale of Goods (online)</p> <p>Chitty on Contracts (online)</p> <p>Chuah J <i>Law of International Trade</i> (4th edition) UK Sweet & Maxwell</p> <p>McKendrick E <i>Goode on Commercial Law</i> (4th edition) UK Penguin</p> <p>Murray C <i>Schmitthoff Export Trade: The Law and Practice of International Trade</i> (11th edition) UK Sweet & Maxwell</p> <p>Sealy LS & Hooley RJA <i>Texts and materials in Commercial Law</i> (4th edition) UK Oxford University Press</p>
-------------------------	--

Part 3: Assessment

Assessment Strategy	<p>For Component A:</p> <p>This is an examination under examination conditions/controlled conditions. Students will critically analyse /identify the different legal issues involved in an international transaction, exploring domestic law, international principles, conventions and cases.</p> <p>Assessment Criteria:</p> <ol style="list-style-type: none"> 1. Subject knowledge and understanding. The ability to: <ul style="list-style-type: none"> - Identify the appropriate subject area - Grasp the issues relevant to the subject - Be aware of the arguments in connection with it - Appreciate what is relevant material and what is not - Explain what the topic is about. 2. Analysis and evaluation. The ability to: <ul style="list-style-type: none"> - Work out what is important in a problem or question, and what is unimportant - Apply your knowledge to a problem or a question - Bring together relevant information and materials from a variety of sources - Explain that information and those materials and not contradict or repeat yourself - Work out what is the best solution to the problem or best argument for your assignment/answer - Explain why you have chosen that solution or argument. 3. Communication and literacy. The ability to: <ul style="list-style-type: none"> - Use language appropriate to the task and the audience - Present information or argument clearly, concisely and comprehensively - Understand and use legal terminology correctly - Use correct grammar, punctuation and spelling. 4. Research and organisation. The ability to: <ul style="list-style-type: none"> - Adopt a logical and structured approach to: <ol style="list-style-type: none"> a. The information gathering process, and b. The use of information compiled as a result of this process. - Identify relevant primary sources and eminent academic authority relevant to the topic. Apply these sources and authorities
---------------------	---

	<p>appropriately to the topic area.</p> <ul style="list-style-type: none"> - Underpin argument by reference to appropriate authorities. These might be statute, case law, commentary in articles or books, or socio-legal research relevant to the topic area. <p>For Component B:</p> <p>This is an extended essay based on a practical/problem question. Students will analyse parts of modified documents to identify the different legal issues involved in an international transaction. They will need to look at domestic law, international principles and conventions, and apply these to practical problems so as to arrive at conclusions. They will need to do research in order to get to the correct conclusions.</p> <p>This method of examining was chosen so that the students can actually deal with “real-life” problems in this area of law should they wish to eventually work in the field of International Trade. This will hopefully advance the employability skills of these students.</p> <p>N.B.: The assessments for the level 2 and level 3 iterations of this module will vary - as indicated in the respective module specifications - in terms of learning outcomes and reflecting the differing expectations of different levels of study. The assessments will reflect this e.g. via more in-depth work being required for level 3 as compared to level 2.</p>
--	---

Identify final assessment component and element	Component A
---	--------------------

% weighting between components A and B (Standard modules only)	A:	B:
	50%	50%

First Sit

Component A Description of each element	Element weighting (as % of component)
1. Examination (2 hours)	100%
Component B (controlled conditions) Description of each element	Element weighting (as % of component)
1. Extended Essay (maximum 3,000 words)	100%

Resit (further attendance at taught classes is not required)

Component A Description of each element	Element weighting (as % of component)
1. Examination (2 hours)	100%
Component B (controlled conditions) Description of each element	Element weighting (as % of component)
1 . Extended Essay (maximum 3,000 words)	100%

If a student is permitted an **EXCEPTIONAL RETAKE** of the module the assessment will be that indicated by the Module Description at the time that retake commences.