



Module Specification

The Law of International Trade

Version: 2023-24, v3.0, 08 Jun 2023

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Part 1: Information

Module title: The Law of International Trade

Module code: UJUUKQ-30-3

Level: Level 6

For implementation from: 2023-24

UWE credit rating: 30

ECTS credit rating: 15

Faculty: Faculty of Business & Law

Department: FBL Dept of Law

Partner institutions: None

Delivery locations: Not in use for Modules

Field: Law Undergraduate (Programmes)

Module type: Module

Pre-requisites: None

Excluded combinations: None

Co-requisites: None

Continuing professional development: No

Professional, statutory or regulatory body requirements: None

Part 2: Description

Overview: Not applicable

Features: 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.

Educational aims: 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 education aims include:

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.

To explain the financing of international trade and the legal significance of such financial instruments.

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.

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.

(Please note that verbal communication is encouraged but not assessed).

Outline syllabus: The syllabus includes:

The Sale Contract:

Sale of goods-introduction to international trade-the Lex Mercatoria. 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-Incotems.

Delivery against documents- Bills of Lading and other documents rejection of documents and goods.

Financing the Sale:

Bills of exchange – parties- rights of recourse- enforcement.

Documentary letters of credit – types- contractual relationship between the parties- autonomy of the credit- strict compliance-fraud- UCP.

Carriage of Goods by Sea:

Carriage by sea- bills of lading as contracts of carriage-duties of carrier limitation of liability- the Hague-Visby rules.

Marine insurance –loss of cargo-Acts of general average- War Risks insurance contracts- duty of disclosure.

International disputes:

Disputes in international transactions- brief overview of conflict of laws.

Litigation, arbitration and ADR. International commercial arbitration-international litigation: English and conventional rules of jurisdiction.

The law applicable to the contract.

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.

Part 3: Teaching and learning methods

Teaching and learning methods: The learning context is student-centred and utilises a variety of techniques to encourage independent thought and constructive criticism. Dialogue is promoted between student and lecturer in an inter-active relationship which emphasises 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.

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.

Student preparation:

Workshops: Workshop preparation tasks include working individually, in pairs or in small groups.

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.

Students are expected to make full use of their independent learning time to reflect critically upon the subject and to develop their own ideas.

Operation and purpose:

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.

We see the function of workshops to be:

(a) to monitor the acquisition by students of the knowledge, understanding and skills mentioned under the Learning Outcomes; 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.

Other learning activities:

Students will be expected to pursue independent and directed study between class contact sessions.

Students will be encouraged to engage in extra-curricular activities such as debating and mooting.

Contact Hours: Lectures/workshop: 3 hours per week.

Module Learning outcomes: On successful completion of this module students will achieve the following learning outcomes.

MO1 Knowledge and understanding

To identify and analyse the different legal issues involved in an international transaction and resolve them by applying the relevant legal rules and principles.

MO2 Intellectual skills

To integrate domestic rules of law with international principles and convention provisions.

MO3 Subject/Practical skills

To understand abstract concepts and apply those concepts to practical problems arriving to relevant conclusions.

MO4 Transferable/key skills

To research into different areas of international trade and communicate the outcome of that research in an articulate way.

Hours to be allocated: 300

Contact hours:

Independent study/self-guided study = 228 hours

Face-to-face learning = 72 hours

Total = 300

Reading list: The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://uwe.rl.talis.com/modules/ujuukq-30-3.html) via the following link <https://uwe.rl.talis.com/modules/ujuukq-30-3.html>

Part 4: Assessment

Assessment strategy: Assessment task B: (50% of module mark) Coursework of 2500 words

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.

Assessment task A: (50% of module mark) Coursework - two problem questions (2500 words)

This method of assessing 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 advance the employability skills of these students.

Assessment components:

Written Assignment (First Sit)

Description: Coursework - problem questions

Weighting: 50 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

Written Assignment (First Sit)

Description: Extended essay (maximum of 2500 words)

Weighting: 50 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

Written Assignment (Resit)

Description: Coursework - problem questions

Weighting: 50 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

Written Assignment (Resit)

Description: Extended essay (maximum of 2500 words)

Weighting: 50 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

Part 5: Contributes towards

This module contributes towards the following programmes of study:

Law [Villa] LLB (Hons) 2022-23

Law [Sep][FT][Frenchay][3yrs] LLB (Hons) 2021-22

European and International Law {Foundation} [Sep][FT][Frenchay][4yrs] - Not Running LLB (Hons) 2020-21

European and International Law [Sep][SW][Frenchay][4yrs] - Not Running LLB (Hons) 2020-21

Law [Sep][SW][UCW][4yrs] LLB (Hons) 2020-21

Commercial Law {Foundation} [Sep][FT][Frenchay][4yrs] - Not Running LLB (Hons) 2020-21

Commercial Law [Sep][SW][Frenchay][4yrs] - Not running LLB (Hons) 2020-21

Law [Sep][SW][Frenchay][4yrs] LLB (Hons) 2020-21

Law {Foundation} [Sep][FT][Frenchay][4yrs] LLB (Hons) 2020-21

European and International Law {Foundation} [Sep][SW][Frenchay][5yrs] LLB (Hons) 2019-20

Commercial Law {Foundation} [Sep][SW][Frenchay][5yrs] LLB (Hons) 2019-20

Law {Foundation} [Sep][SW][Frenchay][5yrs] LLB (Hons) 2019-20