1. **Title of the module**

LAWS6290 (LW629) Critical Law and Practice of International Business Transactions

1. **School or partner institution which will be responsible for management of the module**

Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 6

1. **The number of credits and the ECTS value which the module represents**

15 credits (7.5 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring

1. **Prerequisite and co-requisite modules**

None

1. **The programmes of study to which the module contributes**

All single and joint honours law programmes

1. **The intended subject specific learning outcomes.  
   On successfully completing the module, students will be able to:**

1. Demonstrate a systematic introductory knowledge and understanding of a range of critical and theoretical perspectives, of the structure and distribution of power among states and the effects of this on international trade as well as parties in different states

2. Demonstrate a critical knowledge and understanding of the legal rules governing international trade

3. Demonstrate a detailed knowledge and understanding of international business transactions

4. Demonstrate a systematic understanding of current developments in international trade regulation

5. Identify and evaluate the legal validity of contracts governing international business transactions

6. Identify and critically evaluate the institutional structures of hegemony and identify their causal power in determining the way in which individuals and corporate persons may respond to them within the national and international system

7. Critically evaluate the impact of a range of treaties and Statutes of England and Wales on the emergence and development of:

- Free trade

- Dispute resolution

- Anticorruption and money laundering

8. Read and evaluate legal texts and cases and understand their relevance to international trade and cross national business transactions.

1. **The intended generic learning outcomes.  
   On successfully completing the module, students will be able to:**

1. Conduct independent research, which informs a sustained and complex argument

2. Coherently present complex arguments in writing

3. Appreciate that juridical problems can only be fully understood through interdisciplinary research methods.

1. **A synopsis of the curriculum**

The module focuses on current issues in the law and practice of international business and trade law from critical perspectives. This includes exposing deficiencies in the regulation of international trade finance, international marketing operations, countertrade, international commercial dispute settlement mechanisms and corruption in international business. The module considers the peculiar problems that emerging business and financial jurisdictions face in their involvement in international trade. It broadly explores the inequities of global integration of international trade law and considers the influences of European Community law and those of leading developed economies and financial jurisdictions on regulation and actual practice of the field of international business transactions. Attention will be given to specialist and emerging areas of law such as international mergers and acquisition as well as philosophical aspects of international trade such as the lex mercatoria. It seeks to provide a comparative overview of emerging trends in international business regulation and aims to make students aware of ethical dimensions of international business transactions.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

John Braithwaite and Peter Drahos, Global Business Regulation (Cambridge: Cambridge University Press, 2008).

Indira Carr, International Trade Law, 6th edition (Oxford: Routledge, 2017).

Leo D’Arcy, Carole Murray and Barbara Cleave, Schmitthoff’s Export Trade: The Law and Practice of International Trade, 12th edition (London: Sweet & Maxwell, 2012).

Peter T. Muchlinski, Multinational Enterprises & the Law, 2nd Edition (Oxford: Oxford University Press 2007).

Alan Redfern and Martin Hunter, Law and Practice of International Commercial Arbitration, 5th edition (Sweet & Maxwell, 2009)

1. **Learning and teaching methods**

Contact hours: 20

Private study hours: 130

Total study hours: 150

1. **Assessment methods.**

13.1 Main assessment methods

• Essay of no more than 3000 words (50%)

• Examination, 2-hour (50%)

13.2 Reassessment methods

Like-for-like

1. **Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 8.8 | 9.1 | 9.2 | 9.3 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |  |
| Lectures | X | X | X | X | X | X |  |  | X | X |  |
| Seminars |  |  |  |  |  |  | X | X | X | X | X |
| Private Study | X | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |  |
| Essay | X | X | X | X | X | X | X | X | X | X | X |
| Exam | X | X | X | X | X | X | X | X | X | X | X |

1. The School recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, lectures will be recorded to assist notetaking unless one or more of the lectures contains sensitive material. The module convenor will notify students in advance of any lectures that will not be recorded.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

The module is an inherently internationalised subject and focuses on current issues in the law and practice of international business and trade law. A number of the module learning outcomes are internationalised in their outlook.

**FACULTIES SUPPORT OFFICE USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
| 22/01/2019 | Major | September 2019 | 5, 8-11, 13 | No |
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