

# GUJARAT TECHNOLOGICAL UNIVERSITY

## MASTER OF BUSINESS ADMINISTRATION (Part-Time)

Year II (Semester: –IV) (W.E.F. Academic Year 2017-18)

**Specialization: International Business**

**Subject Name: International Commercial Law (ICL)**

**Subject Code: 3559941**

**Subject Credits: 3**

**Total Marks: 150**

### 1. Learning Outcome:

- Introduction to International commercial transactions and their regulation through various international instruments.
- Understanding the basic principles of international commercial contracts and the instruments that facilitates and ease the governance of international contracts.
- Understanding the common international trade terms which facilitates the commercial trade transactions while discussing commercial carriage transactions through various transport systems such as transport by air and sea.
- Insights into the payment mechanism and dispute settlement and modern means of commerce such as ecommerce.

2. **Course Duration:** The course duration is of **36 sessions of 75 minutes** each.

### 3. Course Contents:

Module No.	Modules / Sub-Modules	No. of Sessions	70 Marks (External Evaluation)
I	<b>Introduction to International Commercial Law</b> Evolution and Development of International Commercial law from old Lex Mercatoria to New LexMercatoria. UNIDROIT Principles on international Commercial Contracts: Preamble and General Principles The Vienna Convention on International Sale of Goods (CISG): Introduction, Nature, Scope and Salient Features, Interpretation of CISG	9	17
II	<b>International Commercial Contracts under CISG, 1980</b> Party Autonomy Principle Formation of Contracts Performance Obligation of seller and buyer Hardship Remedies and Exemption	9	17
III	<b>E-Commerce</b> Introduction UNCITRAL Model Law on E-Commerce	9	18

	The United Nations Conventions on the use of Electronic Communications in Electronic Contracts Electronic Transactions and security issues		
<b>IV</b>	<b>International Carriage of goods</b> International Trade Terms: INCOTERMS 2010 By Sea: Introduction, Interpretation of Hague-Visby Rules, Hamburg Rules and Rotterdam Rules, Rights, Duties, Liabilities and Immunities of various parties By Air: Introduction, The Warsaw System, Carrier Liability, Consignor's Responsibilities and Rights <b>International payments, dispute settlement and Insurance</b> Documentary Credits Marine and Aviation Insurance International Commercial Arbitration	9	18
<b>V</b>	<b>Practical:</b> Select any topic/case related to international commercial law, study an topic/case involved and prepare a report under the guidance of your subject faculty.	---	(30 Marks CEC)

#### 4. Teaching Methods:

The course will use the following pedagogical tools:

- Lectures
- Case Discussions and Role Playing
- Audio-visual Material (Using CDs/Clippings/ online videos)
- Assignments and Presentations

#### 5. Evaluation:

The evaluation of participants will be on continuous basis comprising of the following elements:

<b>A</b>	Continuous Evaluation Component comprising of Projects / Assignments / Quiz / Class Participation / Class test / Presentation on specific topic etc.	(Internal Assessment- 50 Marks)
<b>B</b>	Mid-Semester examination	(Internal Assessment-30 Marks)
<b>C</b>	End –Semester Examination	(External Assessment-70 Marks)

#### 6. Reference Books:

Sr. No.	Author	Name of the Book	Publisher	Year of Publication
1	Roy Goodey	Transnational commercial law: International Instruments and Commentary	Oxford Publication	Latest Edition
2	Roy Goodey	Commercial Law	Oxford Publication	Latest Edition

3	Chow Schoenbaum,	International Business Transactions: Problems, Cases, and Materials,	Aspen Publishers	Latest Edition
4	J H Dalhuisen, Dalhuisen	Transnational and Comparative Financial and Trade Law	Hart Publishing	3 <sup>rd</sup> , 2007

Note: Wherever the standard books are not available for the topic appropriate print and online resources, journals and books published by different authors may be prescribed.

### **7. List of Journals / Periodicals / Magazines / Newspapers, etc.**

1. Journal of International Commercial Law & Technology
2. International Commercial Law Review
3. Journal of International Trade Law and Policy & All the Journals of International Commercial Law.