

School of Accounting and Commercial Law

COML 306 LAW OF INTERNATIONAL BUSINESS

Trimester Two 2006

COURSE OUTLINE

Contact Details

Course Co-ordinator and Lecturer: Amanda Reilly, RH 720, Pipitea Campus, 7th floor Rutherford House, email Amanda.Reilly@vuw.ac.nz, telephone 463 6958.

Lecturer: Leslie Brown, RH 714, Pipitea Campus, 7th floor Rutherford House, email Leslie.Brown@vuw.ac.nz, telephone 463 6787.

Administrative Assistant: Marina Dobrovolskaya, RH 708, Pipitea Campus, 7th floor, Rutherford House, email Marina.Dobrovolskaya@vuw.ac.nz, telephone 463 5775.

Office Hours: Monday – Friday, 8.30 am – 5 pm. (Note: Office closed 10.30am-10.45am and 3.30pm-3.45pm).

The administrative co-ordinator should be contacted for assistance relating to tutorial sign ups, collection of marked assessment and other inquiries of an administrative nature.

Class Times and Room Numbers

Lectures will be on Monday, Thursday, Friday in RHLT 1, 13.40pm – 14.30pm.

The timetable for this course is available on Blackboard via Course Information, Timetable.

There will be four tutorials and you will have to attend three of them. Tutorial sign up will be via Blackboard at course COML 306 and should be done during the first week of term. The instructions for signing up are attached to page 8 of the course outline and will also be posted on the Announcements section of Course COML 306 on Blackboard. The completed tutorial lists will be posted on Blackboard.

The university examination period takes place between 16 October and 12 November.

Course Objectives

This course introduces students to the law and institutions governing international business. It explores major principles, concepts, and rules governing the regulation of international trade in goods and services and how national and international trade law is integrated. It shows how the rules in multilateral and regional trade agreements increasingly affect New Zealand exporters, importers and producers of goods and services. It also looks at the law pertaining to individual business to business transactions.

Students completing this course are expected to:

- (a) Have a broad general understanding of the process and impact of international trade law making on New Zealand producers of goods and services;
- (b) Understand the basic structure and rules of some international trade agreements, including how they may be used to advance the interests of New Zealand producers and traders;
- (c) Understand the implications of the law on international sales, including how individual transactions are linked to achieve a commercial objective;
- (d) Be able to apply the law to individual fact situations;
- (e) Be able to critically evaluate the legal framework international business operates within and, if appropriate, formulate ideas for law reform.

Course Content

The course is broadly concerned to provide an overview of the law and institutions that comprise the legal framework of international business.

1. The first six weeks look at the public law aspects of this framework. i.e. the international and national trade law constraints on governments, and private firms and citizens. Selected multinational and regional trade agreements are examined to understand the implications and opportunities that arise for the New Zealand private and government sectors.
2. The second six weeks is concerned with the private law of this framework. i.e. the law that will be applicable between individuals. The principles of conflicts of law are introduced and the web of contracts including, sales, banking and transport contracts, which are necessary to carry out an international sale, are examined.

The course thus has an applied aspect in that students learn how transactions work and how the law impacts on these, as well as a theoretical framework relating to the process of law making and its limitations.

Assessment consists of one test (25%), one essay (25%), and an exam (50%). Students will have the opportunity to show that they are able to apply their knowledge to practical fact situations, as well as having mastered and engaged with the broad themes of the course.

Expected Workload

As this course is worth 24 points and one point typically requires about 10 hours of student work you should expect to spend about 16 hours per week during teaching weeks and up to 48 hours in other periods on this course.

This time will be divided between attending lectures and tutorials (3 to 4 hours per week), keeping up with the assigned readings and preparing for the test, exam and essay.

Readings

The course book for COML 306 (2006) should be purchased from Student Notes Shop. The price is \$25.10.

Robin Burnett *Law of International Business Transactions* Third Edition The Federation Press, New South Wales 2004. It is strongly recommended that you purchase this. The price is \$89.95.

Individual lecturers may advise other readings.

There is no charge for class handouts. Spare copies are located on the 6th floor on the shelves outside Room 623.

Materials and Equipment

The test and the exam are **OPEN BOOK**.

NB. It is your responsibility to ensure you have copies of any materials you want to refer to during the test or exam. It will not be possible to share materials with other students during the test or exam and lecturers do not have spare copies for loan.

Assessment Requirements

Assessment is as follows:

Terms Test	25%
Essay	25%
<u>Exam</u>	<u>50%</u>
	<u>100%</u>

Terms Test

The terms test will take place on Friday 4 August in the normal lecture time in RHLT 1. The test will be 45 minutes long and will start as close to 13.40 pm as possible. You are advised to try to arrive early so you will be seated in plenty of time. It is **OPEN** book.

Essay

Essays are to be handed in by 12 noon on the due date Monday 2 October to the appropriately labelled box on the Mezzanine floor, Rutherford House. Essays must not exceed 1,500 words (including reasonable footnotes, which should be limited to referencing and citations and small asides).

Extensions will be only be granted in exceptional cases and supporting documentation such as a medical certificate will be required.

Exam

The exam will be three hours long. It is **OPEN** book.

Penalties

A penalty of 5 marks out of 100 per day will be applied to late essays if an extension application is not accepted. Be aware that it is important that the word limit is adhered to. Essays will only be marked on the first 1,500 words.

Mandatory Course Requirements

All items of assessment i.e. the test, the essay and the exam are compulsory and necessary for terms. You will also need to attend and satisfactorily participate in three out of the four tutorials.

Communication of Additional Information

Additional information concerning this course will be provided -

- (i) in lectures
- (ii) posted on the Commercial Law course notice board on the Mezzanine floor of Rutherford House.
- (iii) Materials such as copies of the course outline, tutorials etc will be available on the Blackboard web-based software. The login is at <http://blackboard.scs.vuw.ac.nz>. You should check this frequently since important course announcements will be made at this site.

Faculty of Commerce and Administration Offices

Railway West Wing (RWW) - FCA Student and Academic Services Office

The Faculty's Student and Academic Services Office is located on the ground and first floors of the Railway West Wing. The ground floor counter is the first point of contact for general enquiries and FCA forms. Student Administration Advisers are available to discuss course status and give further advice about FCA qualifications. To check for opening hours call the Student and Academic Services Office on (04) 463 5376.

Easterfield (EA) - FCA/Education/Law Kelburn Office

The Kelburn Campus Office for the Faculties of Commerce and Administration, Education and Law is situated in the Easterfield Building - it includes the ground floor reception desk (EA005) and offices 125a to 131 (Level 1). The office is available for the following:

- Duty tutors for student contact and advice.
- Information concerning administrative and academic matters.
- Forms for FCA Student and Academic Services (e.g. application for academic transcripts, requests for degree audit, COP requests).
- Examinations-related information during the examination period.

To check for opening hours call the Student and Academic Services Office on (04) 463 5376.

General University Policies and Statutes

Students should familiarise themselves with the University's policies and statutes, particularly the Assessment Statute, the Personal Courses of Study Statute, the Statute on Student Conduct and any statutes relating to the particular qualifications being studied; see the Victoria University Calendar available in hard copy or under 'About Victoria' on the VUW home page at www.vuw.ac.nz.

Student and Staff Conduct

The Statute on Student Conduct together with the Policy on Staff Conduct ensure that members of the University community are able to work, learn, study and participate in the academic and social aspects of the University's life in an atmosphere of safety and respect. The Statute on Student Conduct contains information on what conduct is prohibited and what steps are to be taken if there is a complaint. For information about complaint procedures under the Statute on Student Conduct, contact the Facilitator and Disputes Advisor or refer to the statute on the VUW policy website at www.vuw.ac.nz/policy/studentconduct. The Policy on Staff Conduct can be found on the VUW website at www.vuw.ac.nz/policy/staffconduct.

Academic Grievances

If you have any academic problems with your course you should talk to the tutor or lecturer concerned; class representatives may be able to help you in this. If you are not satisfied with the result of that meeting, see the Head of School or the relevant Associate Dean; VUWSA

Education Coordinators are available to assist in this process. If, after trying the above channels, you are still unsatisfied, formal grievance procedures can be invoked. These are set out in the Academic Grievances Policy which is published on the VUW website at www.vuw.ac.nz/policy/academicgrievances.

Academic Integrity and Plagiarism

Academic integrity is about honesty – put simply it means **no cheating**. All members of the University community are responsible for upholding academic integrity, which means staff and students are expected to behave honestly, fairly and with respect for others at all times.

Plagiarism is a form of cheating which undermines academic integrity. The University defines plagiarism as follows:

The presentation of the work of another person or other persons as if it were one's own, whether intended or not. This includes published or unpublished work, material on the Internet and the work of other student or staff.

It is still plagiarism even if you re-structure the material or present it in your own style or words.

Note: It is however, perfectly acceptable to include the work of others as long as that is acknowledged by appropriate referencing.

Plagiarism is prohibited at Victoria and is not worth the risk. Any enrolled student found guilty of plagiarism will be subject to disciplinary procedures under the Statute on Student Conduct and may be penalised severely. Consequences of being found guilty of plagiarism can include:

- an oral or written warning
- cancellation of your mark for an assessment or a fail grade for the course
- suspension from the course or the University.

Find out more about plagiarism, and how to avoid it, on the University's website at www.vuw.ac.nz/home/studying/plagiarism.html.

Students with Impairments

The University has a policy of reasonable accommodation of the needs of students with disabilities. The policy aims to give students with disabilities the same opportunity as other students to demonstrate their abilities. If you have a disability, impairment or chronic medical condition (temporary, permanent or recurring) that may impact on your ability to participate, learn and/or achieve in lectures and tutorials or in meeting the course requirements, please contact the Course Coordinator as early in the course as possible. Alternatively you may wish to approach a Student Adviser from Disability Support Services (DSS) to discuss your individual needs and the available options and support on a confidential basis. DSS are located on Level 1, Robert Stout Building, telephone (04) 463 6070, email disability@vuw.ac.nz. The name of your School's Disability Liaison Person is in the relevant prospectus or can be obtained from the School Office or DSS.

Student Support

Staff at Victoria want students to have positive learning experiences at the University. Each Faculty has a designated staff member who can either help you directly if your academic progress is causing you concern, or quickly put you in contact with someone who can. Assistance for specific groups is also available from the Kaiwawao Māori, Manaaki Pihipihinga or Victoria International.

In addition, the Student Services Group (email student-services@vuw.ac.nz) is available to provide a variety of support and services. Find out more at www.vuw.ac.nz/st_services/.

VUWSA employs Education Coordinators who deal with academic problems and provide support, advice and advocacy services, as well as organising class representatives and Faculty delegates. The Education Office (tel. 04 463 6983 or 04 463 6984, email education@vuwsa.org.nz) is located on the ground floor, Student Union Building.

Manaaki Pihipihinga - Maori and Pacific Mentoring Programme (Faculty of Commerce and Administration)

This is a mentoring service for Maori and Pacific students studying at all levels. Weekly one hour sessions are held at the Kelburn and Pipitea Campuses in the Mentoring Rooms, 14 Kelburn Parade, and Room 210 and 211, Level 2, Railway West Wing. Sessions cover drafting and discussing assignments, essay writing, and any questions that may arise from tutorials and/or lectures. A computer suite networked to Cyber Commons is available for student use.

To register with Manaaki Pihipihinga, please contact one of the following:

Puawai Wereta
Room 210, Level 2
Railway West Wing
Tel. (04) 463 8997
Email: Puawai.Wereta@vuw.ac.nz

Fa'afai Seiuli
Room 109 B
14 Kelburn Parade
Tel. (04) 463 5842
Email: Faafoi.Seiuli@vuw.ac.nz



Lecture Programme

	Date	Lecturer	Topic
Week 1	Mon 10 July Thurs 13 July Fri 14 July	AR LB LB	Introduction <u>Public International Law</u>
Week 2	Mon 17 July Thurs 20 July Fri 21 July	LB LB LB	
Week 3 First tutorial	Mon 24 July Thurs 27 July Fri 28 July	LB LB LB	
Week 4	Tues 31 July Thurs 3 Aug Fri 4 Aug	LB LB LB	Terms Test
Week 5	Mon 7 Aug Thurs 10 Aug Fri 11 Aug	LB LB LB	
Week 6 Second Tutorial	Mon 14 Aug Thurs 17 Aug Fri 18 Aug	AR AR AR	TRIPS
Mid Semester Break			
Week 7	Mon 4 Sept Thurs 7 Sept Fri 8 Sept	AR AR AR	<u>Private International Law</u>
Week 8	Mon 11 Sept Thurs 14 Sept Fri 15 Sept	AR AR AR	
Week 9 Third Tutorial	Mon 18 Sept Thurs 21 Sept Fri 22 Sept	AR AR AR	Discussion of the Essay
Week 10	Mon 25 Sept Thurs 28 Sept Fri 29 Sept	LB LB LB	
Week 11	Mon 2 Oct Thurs 5 Oct Fri 6 Oct	AR AR AR	Essay Due
Week 12 Fourth Tutorial	Mon 9 Oct Thurs 12 Oct Fri 13 Oct	AR AR AR	Discussion of the Exam

TUTORIAL SIGN-UP INSTRUCTIONS

To sign up for your tutorial you need to follow the instructions below:

1. Log in to *Blackboard*. To log in to *Blackboard* you must use your Victoria University student domain (SCS) user name and password.
2. Select the **Discussion Board** button on the left-hand side of the screen.
3. Click on **Tutorial Sign-up**, which will open a list of tutorial times. Click on the tutorial time of your choice. Note that **only 17 students per tutorial are accepted**. Count the number of names under the tutorial to ensure that there are no more than 17 names. If there are fewer than 17 names and you want to register your name for this tutorial, you must click on the **Reply** button at the bottom of the page.
4. Place an 'x' in the **message** box, which is below **subject** and click on **submit** at the bottom of the page. You have now registered for this tutorial. Your name should appear under the tutorial of your choice.
5. If you need to change your tutorial group, please **remove** your name from the tutorial you signed up for. To do this, follow Steps 1 and 2 above. Select **Tutorial Sign-up** and double click on the tutorial time beside your name. Click the **remove** button, followed by **OK**. You can now choose a different tutorial time by following Steps 4 and 5.
6. If you sign up more than once you will be placed into your last requested tutorial, provided there are vacancies. All previous requests will be deleted.
7. If you sign up after a tutorial group has been filled, you will be placed into the next available tutorial group that has vacancies.