

International Commercial Law

Module title			
International Commercial Law			
Module NFQ level (only if an NFQ level can be demonstrated)	Module number / reference	ECTS Value	Duration
8		5	12 weeks
Parent programme(s). Principal programme title, and embedded(s) if relevant		Stage of parent programme	Semester No.
Bachelor of Laws (Honours)		3	1 or 2
LL.B. (Hons) in Criminal Justice		3	1 or 2
LL.B. (Hons) in Commercial Law		3	1 or 2
Teaching and Learning modes	Proportion (% of Total Directed Learning)		
Classroom / Face to Face	19%		
Workplace			
Online			
Other (Identify)	81% (research hours and independent learning)		
Entry requirements (statement of knowledge, skill and competence)			
Please see section 4.2 for full details of entry requirements.			
Maximum number of learners per instance of the module	60		
Average (over the duration of the module) of the contact hours per week	2		
Pre-requisite module title(s) (if any)	None		
Co-requisite module title(s) (if any)	No		
Is this a capstone module? (Yes or No)	No		
Module-specific physical resources and support required per centre (or instance of the module)			
Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle.			
Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff working in this module.			
Role e.g. Tutor, Mentor etc	Qualifications & experience required:		# of Staff with this profile (WTEs)

Lecturer	Lecturers are required to hold at least a level 8 legal qualification, preferably with a professional legal qualification. It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College. Industry experience is beneficial but not a requirement.	0.25 WTE
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Analysis of required learning effort

*Effort while in contact with staff	Minimum ratio teacher / learner	Hours
Classroom and demonstrations	1:60	24
Mentoring and small-group teaching		
Other (specify)		
Independent Learning		
Directed e-learning (hours)		
Independent Learning (hours)		101
Other hours (specify)		
Work-based learning hours of learning effort		
Total Effort (hours)		125

Allocation of Marks					
	Continuous Assessment	Supervised Project	Proctored Practical Exam.	Proctored Written Exam	Total
Percentage Contribution				100	100%

6.3.1 Module aims and objectives

Typical international commercial transactions involve numerous contracts over national boundaries. The objective of the module is to make participants familiar with the key contracts and institutions in international commerce. Learners examine private international law (conflict of laws) issues, international contract terms (INCOTERMS), and the United Nations Convention on Contracts for the International Sale of Goods (CISG) and UNIDROIT principles as they apply to international contracts. Attention is paid to the role of the WTO as it is considered one of the most important developments in the history of international trade law. GATT is another significant area upon which there is significant focus.

6.3.2 Minimum intended module learning outcomes

On successful completion of this module, learners will be able to:

- (i) Analyse the process by which international contracts are drawn up;
- (ii) Appraise the relevant legal provisions applicable to international contracts;
- (iii) Critically comment on the effect of international treaties on international contracts;
- (iv) Critically analyse the legal system governing international trade with a central focus on WTO and the General Agreement on Tariffs and Trade;
- (v) Present a critical awareness of the world trading system;
- (vi) Critically evaluate European trade law and its effect on trade in other EU Member States.

6.3.3 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs

International commercial law provides learners with a grounding in both procedural aspects of the law (i.e. rules of jurisdiction and choice of law) and also substantive aspects of the law (i.e. WTO rules, Incoterms, Insurance law). Accordingly, learners are equipped with useful and practical knowledge of the main aspects of international commercial law. Learners will be able to contribute positively to solving practical legal problems arising in international commercial law. This area of law continues to evolve and is therefore a contemporary area of study.

This module serves to directly underpin programme learning outcomes 1, 2,3,5,6,9 and 11.

6.3.4 Information provided to learners about the module

Learners will receive the following resources and materials in advance of commencement:

- Module descriptor
- Module learning outcomes
- Assignment briefs
- Assessment strategy
- Reading materials
- Class notes (on a weekly basis).

Additionally, this material will be made available through Moodle, the College VLE, along with other relevant resources and activities.

6.3.5 Module content, organisation and structure

The topics covered in the module are:

- Key Concepts in International Trade Transactions
- Private International Law (Conflict of Laws) Issues
- International Contract Terms (INCOTERMS)
- International Commercial Contracts under Major International Regimes – Part I: CISG Principles

- International Commercial Contracts under Major International Regimes
 - Part II: UNIDROIT Principles
- Contracts for Carriage by Sea, Air and Land
- The World Trade Organisation
- GATT
- Means of Payment in International Trade
- Insurance Issues in International Trade

6.3.6 Module teaching and learning (including formative assessment) strategy

The module is delivered by means of participative lectures which consist of tutorial-style discussions, group work sessions and exercises.

As learners undertake the module via blended learning, learners benefit from varied and additional options for engagement. These include webinars, screencasts (recorded lectures), discussion fora, and increased use of the College's VLE (Virtual Learning Environment), Moodle. In addition, learners will receive three-hour live, online synchronous classes on three scheduled evenings during the semester.

In order to support learners through the exam process, they engage in answering of sample exam questions and correction of their own and peers' papers, thereby familiarising themselves with the module learning outcomes and marking criteria. Learners also engage in workshops and online discussion forums to complement and reinforce their learning.

In addition to what has been stated, classroom assessment and benchmarking techniques are deployed to encourage learners to develop more agency in terms of their own learning including inclass presentations, group work, peer-review exercises and reflective practice. The variety of teaching, learning and assessment techniques reflect an enhanced emphasis on skills acquisition to deepen practical knowledge. Finally, the attention of learners is drawn to current industry practice and technology used in the specific area of law to add a further dimension to learning, tracking the actual practice of legal professionals.

6.3.7 Work-based learning and practice-placement

There is no work based learning or practical placement in the module.

6.3.8 E-learning

Griffith College uses Moodle, a virtual learning environment, to support its delivery of e-learning activities in the form of peer-to-peer support based around activities where apprentices give and receive feedback, forums where apprentices must contribute, formative quizzes and video links.

6.3.9 Module physical resource requirements

Requirements are for a fully equipped classroom. The classroom is equipped with a PC with audiovisual supports and a digital projector.

Moodle can be accessed in the learner's home, various open labs on campus and in the library.

6.3.10 Reading lists and other information resources

Primary reading

Twigg-Flesner, C. (2021). *Foundations of International Commercial Law*. Routledge, London.

Di Matteo, L. (2020). *International Business Law and the Legal Environment*. Routledge, London.

Carr, I. (2017). *International Trade Law*. 6th ed. Cavendish, Singapore.

Fentiman, R. (2015). *International Commercial Litigation*. 2nd ed. Oxford Publishing, Oxford.

Mo, J. (2015). *International Commercial Law*. 6th ed., LexisNexis, New York. White,

F. (2021). *Commercial Law*. 3rd ed. Roundhall, Dublin.

Secondary reading

Aughen, S. (2012). *Shipping Law*. 5th ed. Routledge, Abingdon.

Wilson J. (2010). *Carriage of Goods by Sea*. 7th ed. Blackstone, Ashland.

eResources

Bloomsbury Professional Online

JustisOne – Vlex

Westlaw.ie

Westlaw UK

Heinonline

6.3.11 Specifications for module staffing requirements

Lecturers qualified to at least a Level 8 legal qualification (LLB (Honours), preferably with a professional legal qualification and a third level teaching qualification (e.g. Certificate in Education, Learning and Development offered by Griffith College). Learners also benefit from the support of the Programme Director, Faculty Administrators, a dedicated Learning Technologist Office, the Learning

Supports Office, at least one Learner Representative for each Stage, the Students' Union and a free (off campus) Counselling Service.

6.3.12 Module summative assessment strategy

Theoretical knowledge will be assessed through a written final examination. The examination will consist of both essay and problem-style questions. The essay style questions will place emphasis on the demonstration of understanding pertaining to important elements of theoretical and philosophical underpinning and principles. By contrast, problem-style questions enable learners to apply the principles and sources of international commercial law to factual scenarios.

The following table indicates the module's learning outcomes' alignment with the assessment used for the module:

No.	Description	MIMLOs	Weighting
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1	Examination	i - vi	100%
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Reassessment/Repeat assessment strategy: Griffith College regulations state that learners must pass all component elements of the module to be deemed to have passed the module.

- In the event of a learner failing components of / this module, they will be required to submit a new individual repeat assignment which will be made available on Moodle to learners, and which must be submitted as per faculty instructions.
- In the event of a learner failing the group assessment element of this module, a new individual repeat assignment will be made available on Moodle to learners which must be submitted as per faculty instructions.
- In the event of the learner failing the exam, learners will take the re-sit exam at the next available sitting, details of which will be made available to learners via Moodle.

6.3.13 Sample assessment materials

Please see sample assessment supplementary document.