

COURSE OUTLINE



COURSE NAME: International Trade and Law	COURSE NO: IBUS 340
TERM: Fall 2012	COURSE CREDITS: 3
INSTRUCTOR: E-mail: Phone: Office:	
INSTRUCTIONAL HOURS PER WEEK: 4	SECTION NO.:

COURSE FORMAT:

Four instructional hours per week including 3 hours of lectures and 1 hour of fourth hour activities for 15 weeks.

COURSE PREREQUISITE: 45 credits of 100 level or higher coursework

COURSE OUTCOMES:

By the end of the course students should be able to:

Appreciate the effect upon international business trade relationships of the private and public laws of foreign jurisdictions.

LEARNING OUTCOMES:

1. Differentiate the basic world legal systems.
2. Review domestic business and trade laws as a framework for discussing international law or conflict of laws.
3. Identify the sources and objectives of private international law (public international law, legislation and common law) related to business.
4. Categorize the methods of enforcing international trade conventions and business agreements.
5. Understand the methods of conducting international business and trade, including consortia and joint ventures.

Learning outcomes as related to the FOUR ABILITIES and SIX LEVELS of comprehension

Upon successful completion of this course, students will be able to:

ABILITIES		LEVELS
COMMUNICATIONS	Effectively communicate legal risk management techniques applicable to a variety of international business scenarios.	3-4
	Identify and apply legal concepts to draft international legal agreements.	3

ANALYSIS AND DECISION-MAKING	Categorize the various elements of an international sale of goods/services, and the risk management steps in each element.	3-4
	Understand and explain the applications of the various international dispute resolution techniques applicable to international business scenarios.	2
	Conduct risk management assessments of various international business scenarios and formulate a risk management strategy by identifying and applying the appropriate legal concepts.	3-4
SOCIAL INTERACTION	Apply team-work concepts to group projects in international risk management.	3
	Appreciate the effect of culture factors on conducting business in the international forum.	3
CITIZENSHIP, SUSTAINABILITY AND GLOBAL PERSPECTIVES	Identify and understand the relationship between a business venture's profit motive and its international "social responsibility".	3-4
	Analyze and appreciate the impact of international events on doing business cross-border.	3

REQUIRED TEXT:

Nicholson, Mary Jo. Legal Aspects of International Business: A Canadian Perspective. 2nd ed. Edmond Montgomery Publications Ltd., Toronto, Canada. 2007

COURSE CONTENT/SCHEDULE:

WEEK	TOPICS
1/2	Review of sources of domestic Canadian law and contract law: concepts formation, breach and remedies: and a review of Bills of Lading.
3	The nature, object, scope and definition of private international law or conflict of laws.
4	Conflict of Laws – private international law and public international law.
5	Sources of private international law – public international law.
6	The role of legislation and common law in both Canada and foreign jurisdictions.
7/8	Selection of the law applicable; the nature of remedy and method of enforcement; the enforcement of foreign judgments; common law; and the Reciprocal Enforcement of Judgments Act and Uniform Foreign Judgments Act; and alternate dispute resolutions.
9	Export and Import Controls.
10	International contracts – express choice of the proper law and the absence of express choice, illegality by the proper law, public policy.
11 & 12	International contracts – Sale of Goods, Contracts of Affreightment, Air Transportation.
13	The enforceability of specific agreements, including WTP and the North American Free Trade Agreement.
14	A discussion of methods of conducting international business and trade, including consortia, joint ventures and foreign direct investment.
15	International protection of intellectual property and the movement of people.

Please note: The above schedule is an estimate only. Changes will be made at the discretion of the instructor. Please attend class to ensure you are prepared for all.

EVALUATION PROFILE:

Term Assignment	25%
Mid-Term Test	25%
Contract Drafting Assignment	25%
Final Examination	<u>25%</u>
	100%

UNIVERSITY POLICIES & EMERGENCY PROCEDURES

Capilano University has policies on Academic Appeals (including appeal of final grades), Student Conduct, Cheating and Plagiarism, Academic Probation and other educational issues. These and other policies are available on the University website.

Emergency procedures are posted in every classroom.

In addition to the policies of the university, the School of Business has the following policies governing the management of our classes and curriculum.

SCHOOL OF BUSINESS POLICIES

Examination and Pivotal Presentation Exemption Policy

All students are required to appear and write their scheduled Mid-Term and Final examinations, and to produce, by the assigned date, all pivotal presentations, individual and/or group, unless they meet one of the following criteria:

“Medical Exemption” will be considered, if:

Within the ten calendar days prior to a mid-term or final examination, or within ten days of a pivotal presentation, **a student falls ill or is injured.**

“Falling ill” is defined as being formally advised by a physician of the need to isolate oneself for the purpose of preventing communication of disease or infection to others; being advised by a physician of compromised immunity that requires isolating oneself from contact with others to prevent communication of disease or infection to themselves, or; being in a physical state of health which so compromises a student’s ability to function, physically or cogitatively, during the ten days prior to the examination or presentation date.

“Injury”, for the purpose of Exemption, is defined as sudden, unanticipated physical harm that renders the applicant physically incapable of attending campus or, in such physical distress that the student is specifically advised by their physician to abstain from appearing at their examination or presentation. Students who are prescribed medication(s) to treat their injury and who believe that the medication(s) may be impairing their ability to successfully prepare for or write their examination or presentation may provide written evidence of their concerns as verified by their physician.

“Catastrophic Personal Loss Exemption” will be considered, if:

Events occur in the student’s life that are of such scope as to sufficiently distract a student from the examination or presentation preparation period, or from appearing at or adequately focusing on, the scheduled examination or presentation itself. This could include; loss of housing due to eviction, flood or fire; or death of an *immediate* family member*. (Defined as a sibling, parent or grandparent, child, partner or spouse, parent or step-parent, aunt, uncle, niece, or nephew and first cousins.) Immediate family member *does not include* general acquaintances.

Circumstances that may qualify as a personal loss could also include an immediate family member being diagnosed with a significantly life-altering or life-threatening illness or injury.

In *all* of the above scenarios, a physician's letter or other specifically requested documentation must be provided to satisfy the Instructor as to the validity of the claim, and must be provided within ten calendar days prior to the date of the exam or presentation. If an instructor agrees with the request for Exemption, the request for *must* be presented by the instructor to their Unit Convenor for consideration and his/her approval. No request for Exemption will be considered approved by virtue of submission, and will remain as merely "under consideration" until approved or rejected by the Unit Convenor. A student applying for an exemption for a specific section which is instructed by the Unit Convenor will have their application reviewed by the Vice-Chair or Chair of the School of Business.

Any student who applies for and receives an Exemption will be assigned a Future Examination or Presentation Date: this date is non-negotiable. Failure to appear on/at the single date and time assigned by the instructor will result in an automatic "0" grade for that exam or assignment. This "0" grade may not be appealed or contested, and will not be changed.

Attendance: Regular attendance and punctuality are both essential and expected due to the nature and format of the course materials.

Cheating and Plagiarism:

Cheating includes permitting another person to use one's work as their own. Plagiarism is the presentation of another person's work or ideas as if they were one's own. Plagiarism is both dishonest and a rejection of the principles of scholarship. Information about how to avoid plagiarism by proper documentation of sources is available in the Library, the Writing Centre and is published in the University Calendar.

Penalties for Cheating and Plagiarism:

A grade of '0' for an examination, quiz or assignment or 'F' for the course may be assigned if cheating or plagiarism has taken place. First incidents deemed by the instructor to be particularly serious or second or subsequent incidents of cheating and plagiarism will be dealt with under the provisions of the University Policy on Cheating and Plagiarism (See the University Calendar). All students should familiarize themselves with the University Policy on Cheating and Plagiarism as such behaviour can result in suspension from the University.

Incomplete Grades:

Incomplete grades will not be given unless special arrangements have been made with the instructor prior to the date set by University Administration.

Professional Behaviour

Students must demonstrate a professional attitude and behaviour toward work, fellow students and their instructors. Each student should demonstrate reliability, respect for and co-operation with colleagues. A willingness to work calmly and courteously under difficult conditions as well as a determination to achieve first-class work while meeting deadlines is necessary in the Business School. Students should have respect for equipment and systems. Students should display a constructive response to criticism.

Copyright Policy:

Students are expected to familiarize themselves with and abide by the University's Copyright Policy. The University's Copyright Policy is published in the University Calendar.

Grading Profile:

A+ = 90-100%	B+ = 77-79	C+ = 67-69	D = 50-59
A = 85-89	B = 73-76	C = 63-66	F = 0-49
A- = 80-84	B- = 70-72	C- = 60-62	

Missed Exams and Quizzes:

Missed exams or quizzes will receive a grade of "0" unless PRIOR arrangements (wherever possible) are made with the instructor. See note above on **Examination and Pivotal Presentation Exemption Policy**.

English Usage: All assignments are marked for correct English usage, proofreading and formatting.

Emergency Procedures:

Emergency procedures are posted in every classroom. Students should familiarize themselves with these procedures.

CAPILANO UNIVERSITY VISION, MISSION and GOALS

UNIVERSITY VISION

Students are drawn to our dynamic and unique programs, passionate faculty, welcoming staff, and close-knit learning environment; graduates are independent learners, thinkers, and doers actively contributing to their communities.

UNIVERSITY MISSION STATEMENT

We are a teaching-focused university offering a wide range of programs and services that enable students to succeed in their current studies, in their ongoing education, in their chosen careers, in their lifelong pursuit of knowledge, and in their contribution as responsible citizens in a rapidly changing and diverse global community.

UNIVERSITY GOALS

Arising from the Mission statement, the Institutional Goals are broadly defined as the general areas of success that are desired for all students. From the Mission, the Institutional Goals are:

- Student success in ongoing education
- Student success in chosen career
- Student success in lifelong pursuit of knowledge
- Student success in contributing as responsible citizens in a rapidly changing and diverse global community

In order to support student success in these areas, the institution has identified seven broad learning outcomes for students in all programs.

These **institutional student learning outcomes** are:

1. Self-directed learning, awareness, and responsibility
2. Up-to-date information gathering and research skills
3. Communication skills
4. Quantitative reasoning ability
5. Group and social interaction skills
6. Creative, critical, and analytical thinking skills
7. Community/global consciousness and responsibility

FACULTY OF BUSINESS

MISSION STATEMENT

To provide students with the necessary skills and abilities to be immediately effective in their employment or further studies, and to possess a sound basis for future progression in their chosen career, in the lifelong pursuit of knowledge, and in their contribution as responsible citizens in a rapidly changing and diverse global community.

OUR COMMITMENT TO SKILLS AND ABILITIES

The School of Business, through the delivery of this course, is committed to the development of skills so that students can perform the tasks of this discipline in an efficient and effective way.

In addition, through the delivery of all courses, the School is committed to the development of core 'abilities' that will prepare students for future career progression in a chosen field. A well rounded graduate, in addition to being able to perform certain tasks, will have the following CAPabilities;

CAPability	Description
Communication	Selects, uses and integrates communication skills to develop informative, explanatory and persuasive presentations to a variety of audiences using oral and written communication and language, quantitative and technological literacy.
Analysis and Decision-Making	Brings a unique perspective to the analysis of organizational issues through systematic thinking and the application and adaptation of frameworks and tools that assist decision-making
Social Interaction	Uses appropriate interpersonal and group theory to deal with interpersonal, team, stakeholder and professional situations to inform, persuade and influence.
Citizenship, Sustainability and Global Perspective	Understands corporate social responsibility within organizational contexts and the social role and impacts of organizations. Understands sustainability within organizational contexts, decisions

	<p>and business practices. Assesses the interrelationships between business models and decisions and the social and natural environments in which they operate.</p> <p>Integrates personal, professional and community values in a decision-making context as a member of an organization.</p> <p>Works effectively with interdependence and diversity by framing issues in the broader global context, understanding the social and cultural roots of business, governments and other organizations and by providing managerial support as part of a global strategy.</p>
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OUR COMMITMENT TO ASSESSMENT AND CONSTRUCTIVE FEEDBACK

The School of Business is committed to providing feedback that rewards excellence and motivates personal development. We use a mixture of personal, peer and professional assessment so that students have a diverse view of their progress in skills and abilities development. It is important to use feedback to enhance the quality of learning.

The assessment model is designed to give a fair reflection of the letter grade earned, as well as a road map for personal skill and ability development. For each skill and ability in the course students will be assessed as to the level of comprehension demonstrated. Grades are a function of how students have met course expectations as to those levels of comprehension.

SIX "LEVELS" of comprehension

KNOWLEDGE	
1. Recognize	Be able to identify the components of a framework or tool.
2. Define	Be able to describe the aspects of the components of the framework or tool.
APPLICATION	
3. Use	Be able to manipulate the framework or tool to cause a result.
4. Interpret Results	To understand the result of the manipulation in a meaningful way.
JUDGMENT	
5. Situational Use	To be able to identify situations where the framework or tool should be applied, and then apply the framework or tool, including using the results effectively.
6. Adaptation	To be able to creatively adapt the framework or tool such that its use will maximized in a given situation.