

COURSE OUTLINE		
<b>TERM: Fall 2018</b>	<b>COURSE NO: IBUS 340</b>	
<b>INSTRUCTOR:</b>	<b>COURSE TITLE: International Trade and Law</b>	
<b>OFFICE:</b> <b>E-MAIL:</b>	<b>SECTION NO(S):</b>	<b>CREDITS: 3</b>
<b>OFFICE HOURS:</b>		
<b>COURSE WEBSITE:</b>		

Capilano University acknowledges with respect the Lil'wat, Musqueam, Squamish, Sechelt, and Tsleil-Waututh people on whose territories our campuses are located.

### **COURSE FORMAT**

Three hours of class time, plus an additional hour delivered through on-line or other activities for a 15-week semester, which includes two weeks for final exams.

### **COURSE PREREQUISITES**

45 credits of 100-level or higher coursework

### **CALENDAR DESCRIPTION**

This course examines the effect of international business trade relationships within the private and public laws of foreign jurisdictions. Topics range from International trade conventions and agreements, the legal processes of importing and exporting, and the challenge of dealing with conflicting domestic laws between countries.

### **COURSE NOTE**

IBUS 340 is an approved Self and Society course for Cap Core requirements.

### **REQUIRED TEXTS AND/OR RESOURCES**

Nicholson and Brierley, *Legal Aspect of International Business, A Canadian Perspective*. 3<sup>rd</sup> ed. Edmond Montgomery Publications, 2015.

### **COURSE STUDENT LEARNING OUTCOMES**

**On successful completion of this course, students will be able to do the following:**

1. Explain the effect upon international business trade relationships of the private and public laws of foreign jurisdictions.
2. Differentiate the basic world legal systems.
3. Review domestic business and trade laws as a framework for discussing international law or conflict of laws.

4. Identify the sources and objectives of private international law (public international law, legislation and common law) related to business.
5. Categorize the methods of enforcing international trade conventions and business agreements.
6. Identify the methods of conducting international business and trade, including consortia and joint ventures.

Students who complete this Self and Society course will be able to do the following:

1. Identify potential root causes of local/global problems and how they affect local/global cultures, economies, politics, and policies.
2. Assess and evaluate individual and collective responsibilities within a diverse and interconnected global society.
3. Apply concepts of sustainable development to address sustainability challenges in a global context.
4. Synthesize a range of differing community perspectives on ethics and justice and explain how these perspectives can inform structural change.

## COURSE CONTENT

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 international agreements. Methods of conducting international business and trade, including consortia, joint ventures and foreign direct investment. International protection of intellectual property and the movement of people.
14 - 15	Final Exam Period

## EVALUATION PROFILE

Assessment	% of Final Grade
Term Assignments	20%
Oral Presentations	10%
Midterm Exam	25%
Contract Drafting Assignment	10%
Class Participation	10%
Final Exam	25%
Total	100%

### Term Assignments and Oral Presentations

Students will complete a detailed memorandum for a project relating to international global business, and will do a group presentation to the class on the chosen topic. The project and presentations are intended to identify the significant risks and the associated risk control measures. The project will also identify potential root causes of local/global problems and how they affect local/global cultures, economies, politics, and policies, assess and evaluate individual and collective responsibilities within a diverse and interconnected global society, and apply concepts of sustainable development to address sustainability challenges in a global context.

### Examinations

- The Mid-term exam covers text, lecture, classroom discussion and assignment material in the first half of the course.
- The Final Exam covers text, lecture, classroom discussion and assignment material in the second half of the course; it is noncumulative. A portion of the final exam will assess the students' abilities to synthesize a range of differing community perspectives on ethics and justice and explain how these perspectives can inform structural change.

### Drafting Assignment

Students draft a short contract – a contract scenario and a contract precedent will be provided.

### **Class Participation**

Class participation **does not** mean attendance. It means, inter alia, intelligent and meaningful discussions of class topics. Participation also includes bringing relevant newspaper articles, periodical articles or court cases to class for discussion. It also means bringing in information on relevant government programmes (not related to your Term Project topics), arranging guest speakers, etc.

### **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	

### **Incomplete Grades**

Grades of Incomplete "I" are assigned only in exceptional circumstances when a student requests extra time to complete their coursework. Such agreements are made only at the request of the student, who is responsible to determine from the instructor the outstanding requirements of the course.

### **Late Assignments**

Assignments are due at the beginning of the class on the due date listed. If you anticipate handing in an assignment late, please consult with your instructor beforehand.

### **Missed Exams/Quizzes/Labs etc.**

Make-up exams, quizzes and/or tests are given at the discretion of the instructor. They are generally given only in medical emergencies or severe personal crises. Some missed labs or other activities may not be able to be accommodated. Please consult with your instructor.

### **Attendance**

Students are expected to attend all classes and associated activities.

### **English Usage**

Students are expected to proofread all written work for any grammatical, spelling and stylistic errors. Instructors may deduct marks for incorrect grammar and spelling in written assignments.

### **Electronic Devices**

Students may use electronic devices during class for note-taking only, as specified by the instructor.

### **On-line Communication**

Outside of the classroom, instructors will (if necessary) communicate with students using either their official Capilano University email or Moodle; please check both regularly. Official communication between Capilano University and students is delivered to students' Capilano University email addresses only.

## UNIVERSITY OPERATIONAL DETAILS

### Tools for Success

Many services are available to support student success for Capilano University students. A central navigation point for all services can be found at: <http://www.capilanou.ca/services/>

**Capilano University Security: download the [CapU Mobile Safety App](#)**

### Policy Statement (S2009-06)

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

### Academic Integrity (S2017-05)

Any instance of academic dishonesty or breach of the standards of academic integrity is serious and students will be held accountable for their actions, whether acting alone or in a group. See policy S2017-05 for more information: <http://www.capilanou.ca/about/governance/policies/Policies/>

Violations of academic integrity, including dishonesty in assignments, examinations, or other academic performances, are prohibited and will be handled in accordance with the Student Academic Integrity Procedures.

**Academic dishonesty** is any act that breaches one or more of the principles of academic integrity. Acts of academic dishonesty may include but are not limited to the following types:

**Cheating:** Using or providing unauthorized aids, assistance or materials while preparing or completing assessments, or when completing practical work (in clinical, practicum, or lab settings), including but not limited to the following:

- Copying or attempting to copy the work of another during an assessment;
- Communicating work to another student during an examination;
- Using unauthorized aids, notes, or electronic devices or means during an examination;
- Unauthorized possession of an assessment or answer key; and/or,
- Submitting of a substantially similar assessment by two or more students, except in the case where such submission is specifically authorized by the instructor.

**Fraud:** Creation or use of falsified documents.

**Misuse or misrepresentation of sources:** Presenting source material in such a way as to distort its original purpose or implication(s); misattributing words, ideas, etc. to someone other than the original source; misrepresenting or manipulating research findings or data; and/or suppressing aspects of findings or data in order to present conclusions in a light other than the research, taken as a whole, would support.

**Plagiarism:** Presenting or submitting, as one's own work, the research, words, ideas, artistic imagery, arguments, calculations, illustrations, or diagrams of another person or persons without explicit or accurate citation or credit.

**Self-Plagiarism:** Submitting one's own work for credit in more than one course without the permission of the instructors, or re-submitting work, in whole or in part, for which credit has already been granted without permission of the instructors.

**Prohibited Conduct:** The following are examples of other conduct specifically prohibited:

- Taking unauthorized possession of the work of another student (for example, intercepting and removing such work from a photocopier or printer, or collecting the graded work of another student from a stack of papers);
- Falsifying one's own and/or other students' attendance in a course;
- Impersonating or allowing the impersonation of an individual;
- Modifying a graded assessment then submitting it for re-grading; or,
- Assisting or attempting to assist another person to commit any breach of academic integrity.

### **Sexual Violence and Misconduct**

All Members of the University Community have the right to work, teach and study in an environment that is free from all forms of sexual violence and misconduct. Policy B401 defines sexual assault as follows:

Sexual assault is any form of sexual contact that occurs without ongoing and freely given consent, including the threat of sexual contact without consent. Sexual assault can be committed by a stranger, someone known to the survivor or an intimate partner.

Safety and security at the University are a priority and any form of sexual violence and misconduct will not be tolerated or condoned. The University expects all Students and Members of the University Community to abide by all laws and University policies, including [B.401 Sexual Violence and Misconduct Policy](#) and [B.401.1 Sexual Violence and Misconduct Procedure](#).

**Emergencies:** Students are expected to familiarise themselves with the emergency policies where appropriate and the emergency procedures posted on the wall of the classroom.