UCL SUMMER SCHOOL

INTERNATIONAL TRADE AND MARITIME LAW

Key Information

Module code    ISSU0043
Taught during  Session Two: Monday 22 July - Friday 9 August 2019
Module workload 45 teaching hours plus approximately 100 study hours
Module leader  Dr Melis Özdel
Department  Faculty of Laws
Credit  15 UCL credits, 7.5 ECTS, 4 US
Level  Level 1, first year Undergraduate
Pre-requisites  Standard entry requirements
Assessment  Memorandum (75%)
             Presentation (25%).

Module Overview

The selling and purchasing of goods across territorial borders is an ancient yet sophisticated commercial activity. International trade involves interlocking contracts, including letters of credit and contracts of sale, carriage and insurance, all of which concern the minds of traders whilst performing this activity for profit. In pursuit of certainty and predictability in their affairs, traders around the world typically refer to English law in their sale contracts as the governing law. London has an unrivalled reputation as a global centre for dispute resolution, and it has always been the heart of international trade and maritime disputes.

Carriage of goods by sea has been the backbone of international trade since ancient times. This age-old yet sophisticated commercial activity remains to this day of importance to traders selling and purchasing goods across territorial borders for profit. The business of carriage of goods by sea is obviously risky. A cargo carried aboard a ship may arrive late or in damaged condition, or it may not even arrive at all. Due to bad weather conditions, a chartered ship may stay at anchor for days before the cargo can be loaded or discharged. The risk of sea carriage has, over the centuries, given rise to a great number of disputes between carriers and various other parties who have an interest in the vessel and her cargo. English law enjoys a long-standing predominance in the international shipping market, as it is frequently chosen by the parties to govern their contracts of carriage. A vast amount of goods is carried around the world under contracts of carriage governed by English law.

This module covers all facets of CIF and FOB sales, ranging from contract formation to remedies, focusing on the problems when the interlocking contracts are not back-to-back. It also covers the main principles of the law of carriage of good by sea, offering an essential
Week One:
- Types of international sale contracts and the regulatory framework (INCOTERMS 2010 and UCP600)
- Goods: Description, quantity and quality
- Goods: Delivery, transfer of risk and property
- Shipping documents

Week Two:
- Payment methods in international trade
- Documentary credits
- Discharge of the international sale contract: frustration and force majeure; breach of the sale contract and damages
- Carriage of goods by sea: overview and the regulatory framework

Week Three:
- Charterparties: Voyage Charterparties
- Charterparties: Time Charterparties
- Bills of Lading

Module Aims
This module aims to
- offer a deep understanding of the workings of international trade
- give students the ability to understand how international sale contracts interact with contracts of carriage of goods by sea, bank guarantees and letters of credit
- prepare students for practice in the maritime and international trade fields
- give students the ability to consider the ways to avoid problems encountered in the maritime and international trade practice
- provide students with the knowledge and understanding of the key legal principles of international sale of goods and carriage of goods by sea

Teaching Methods
This module is conducted in an interactive, participative manner and all students will be expected to contribute regularly to class discussions. Students will study the themes from a practical perspective, learning how to analyse legal problems and offer solutions. Students will be encouraged to consider the practical results of the judicial decisions and the ways to avoid problems encountered in practice. They will also be encouraged to familiarise themselves with the standard form sale contracts promulgated by the major trade associations (namely GAFTA and FOSFA). Reading lists will be available online via the UCL library site and students will be directed towards class materials and additional sources as well as support and discussion forums on the Virtual Learning Environment.

Learning Outcomes
Upon successful completion of this module, students will:
- have a clear understanding of the workings of international trade and the ways in which this field interlinks and operates with the law of carriage of goods by sea
- display an ability to discuss the key legal principles underpinning the sale contracts on CIF and FOB terms under English law and their practical implications in light of the commonly used standard form sale contracts promulgated by the major trade associations (namely GAFTA and FOSFA)
- have awareness of the different functions of the bills of lading and the international conventions governing contracts of carriage of goods by sea

Please note that this module description is indicative and may be subject to change.
have a good understanding of the main principles of time charterparties and voyage charterparties
have the ability to navigate through real life legal problems encountered in the maritime and international trade fields
have awareness of the various standard form contracts for the carriage of goods by sea that are widely in use

Assessment Methods

The students will be assessed through a mini-moot. They will be required:

• to submit a 2,500 word memorandum (75%)
• to make a 15-minute presentation (25%)

Key Texts