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MODULE DESCRIPTOR

Module Title

International Commercial Dispute Resolution

Reference	BSM586	Version	4
Created	February 2017	SCQF Level	SCQF 11
Approved	June 2016	SCQF Points	15
Amended	August 2017	ECTS Points	7.5

Aims of Module

To undertake comparative study of several key issues of Commercial Dispute Resolution. To facilitate deep understanding and to develop analytical skills in the area of International Commercial Dispute Resolution.

Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Demonstrate an in depth comparative understanding of key themes and issues in commercial dispute resolution.
- 2 Analyse key issues in commercial dispute resolution.
- 3 Advise on commercial dispute resolution issues in respect of various nations around the world and on the resolution of international commercial disputes.

Indicative Module Content

The module will revolve around important 'themes' of commercial dispute resolution. The classes will undertake comparative study on the following broad areas. Examples, case studies and module content will be drawn from various jurisdictions around the world. The most commonly referred to laws will be those of the UK, USA, China, European nations, Malaysia, Japan and India. 1. Comparative analysis of Public resolution of disputes including: International Private Law matters such as jurisdiction, service, choice of law, forum shopping, recognition and enforceability; Adversarial v inquisitorial systems of justice; Aspects of international civil procedure. 2. Types of Alternative Dispute Resolution such as Med-Arb; Mediation; Conciliation; Mini-trial; comparative analysis of ADR and commercial contracts. 3. International Commercial arbitration including: An International Survey; UNCITRAL model law-especially, interim orders from a court and comparison with English Arbitration Act 1996; Institutional Rules - e.g. International Chambers of Commerce, World Intellectual Property Organisation, ICSID (Investment disputes).

Module Delivery

Intensive workshops in traditional mode and interactive materials in on line mode.

Indicative Student Workload

	Full Time	Part Time
Contact Hours	36	36
Non-Contact Hours	114	114
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	150	150
<i>Actual Placement hours for professional, statutory or regulatory body</i>		

ASSESSMENT PLAN

If a major/minor model is used and box is ticked, % weightings below are indicative only.

Component 1

Type:	Coursework	Weighting:	20%	Outcomes Assessed:	1, 2, 3
Description:	Coursework assignment of 2,500 word count(20% Weighting)				

Component 2

Type:	Examination	Weighting:	80%	Outcomes Assessed:	1, 2, 3
Description:	Examination (80% weighting)				

MODULE PERFORMANCE DESCRIPTOR**Explanatory Text**

The Module is assessed by two components: C1 - Coursework - 20% weighting. C2 - Examination - 80% weighting. Module Pass Mark = Grade D (40%)

Module Grade	Minimum Requirements to achieve Module Grade:
A	At least 70% on weighted aggregate and at least 35% in each component
B	At least 60% on weighted aggregate and at least 35% in each component
C	At least 50% on weighted aggregate and at least 35% in each component
D	At least 40% on weighted aggregate and at least 35% in each component
E	At least 35% on weighted aggregate
F	Less than 35% on weighted aggregate
NS	Non-submission of work by published deadline or non-attendance for examination

Module Requirements

Prerequisites for Module	None.
Corequisites for module	None.
Precluded Modules	None.

INDICATIVE BIBLIOGRAPHY

- 1 BLACKABY, N. et al., 2015. *Redfern and Hunter on international arbitration - student version*. 6th ed. Oxford: Oxford University Press. *ebook*
- 2 HARTLEY, T.C., 1999. *International commercial litigation: textbook, cases and materials on private international law*. 2nd ed. Cambridge: Cambridge University Press.
- 3 INTERNATIONAL BUREAU OF THE PERMANENT COURT OF ARBITRATION, 2000. *International alternative dispute resolution: past, present and future*. The Hague: Kluwer Law International.
- 4 MOSES, M. L., 2012. *The principles and practice of international commercial arbitration*. Cambridge: Cambridge University Press. *ebook*
- 5 TWEEDDALE, A. and TWEEDDALE, K., 2007. *Arbitration of commercial disputes: international and English law and practice*. Oxford: Oxford University Press.