

MODULE DESCRIPTOR

Module Title

Arbitration Law

| | | | |
|-----------|-------------|-------------|---------|
| Reference | BSM601 | Version | 9 |
| Created | May 2019 | SCQF Level | SCQF 11 |
| Approved | August 2019 | SCQF Points | 15 |
| Amended | August 2019 | ECTS Points | 7.5 |

Aims of Module

To provide students with an in-depth knowledge and comparative understanding of UK and international arbitration law. To convey a deep understanding of the issues that can arise in cross-border arbitrations. To consider some of the key arbitral rules. To understand the specific features of oral advocacy in arbitration. To understand in outline some of the alternatives to arbitration.

Learning Outcomes for Module

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

- 1 Discuss in depth the basic structure of the arbitral regimes in the UK and in other key jurisdictions.
- 2 Evaluate and explain the main issues that arise out of arbitrations with a cross-border element.
- 3 Critically analyse the various institutional and ad hoc rules available for the conduct of UK and international arbitrations.
- 4 Develop skills of oral advocacy including presentation skills, addressing the tribunal in an appropriate and professional manner.
- 5 Critically analyse the diverse non-arbitral methods of commercial dispute resolution.

Indicative Module Content

UK arbitral law from appointment of arbitrator to enforcement of award; similar arbitral law in selected jurisdictions; international private law (choice of law, recognition and enforcement of decrees and awards and jurisdiction); overview of non-arbitral dispute resolution methods; overview of UNCITRAL Model Law on International Commercial Arbitration 1985 as amended; overview of selected arbitral rules.

Module Delivery

This course will be taught via online lecture notes, online tutorials, assigned reading and exercises, case studies and directed reading/research.

Indicative Student Workload

| | Full Time | Part Time |
|--|-----------|-----------|
| Contact Hours | N/A | 50 |
| Non-Contact Hours | N/A | 100 |
| Placement/Work-Based Learning Experience [Notional] Hours | N/A | N/A |
| TOTAL | N/A | 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: | 70% | Outcomes Assessed: | 1, 2, 3 |
| Description: | A coursework exercise worth 70% of the overall mark. | | | | |

Component 2

| | | | | | |
|--------------|---|------------|-----|--------------------|------|
| Type: | Examination | Weighting: | 15% | Outcomes Assessed: | 1, 5 |
| Description: | Made up of three multiple choice quizzes making up 15% of the overall mark. | | | | |

Component 3

| | | | | | |
|--------------|---|------------|-----|--------------------|---------|
| Type: | Practical Exam | Weighting: | 15% | Outcomes Assessed: | 2, 3, 4 |
| Description: | An oral presentation to be submitted online comprising 15% on the overall mark. | | | | |

MODULE PERFORMANCE DESCRIPTOR**Explanatory Text**

The Module is assessed by three components: C1 - Coursework - 70% weighting. C2 - Multiple Choice Questions - 15% weighting. C3 - Oral Presentation - 15% 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

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

ADDITIONAL NOTES

None.

INDICATIVE BIBLIOGRAPHY

- 1 BLACKABY, N. and PARTASIDES, C., 2015 *Redfern and Hunter on international arbitration - student version* 6th ed. Oxford: Oxford University Press.
- 2 BROWN, H. and MARRIOT, A., 2011. *ADR Principles and practice*. 3rd ed. London: Sweet and Maxwell.
- 3 HARRIS, B., PLANTEROS R. and TECKS, J., 2014. *Arbitration act 1996*. 5th ed. London: Blackstone Press.
- 4 LEW, J.D.M., MISTELIS, L.A. and KROLL, S.M., 2003. *Comparative international commercial arbitration*. The Netherlands: Kluwer Law International.
- 5 SUTTON, J.D., GILL, J., et al 2014. *Russell on arbitration*. 24th ed. London: Sweet and Maxwell.