

## MODULE DESCRIPTOR

### Module Title

Dispute Resolution in Oil and Gas Contracting

Reference	LLM144	Version	1
Created	January 2022	SCQF Level	SCQF 11
Approved	September 2018	SCQF Points	15
Amended	August 2021	ECTS Points	7.5

### Aims of Module

To provide students with an in-depth understanding of the various methods and concepts relevant to dispute resolution in the oil and gas industry; whilst comparing and distinguishing between the various methods existing in the dispute resolution continuum of choice.

### Learning Outcomes for Module

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

- 1 Demonstrate a thorough understanding of the legitimate means of resolving disputes arising from oil and gas commercial relationships.
- 2 Analyse dispute resolution methods and identify those best suited to the particular dispute.
- 3 Demonstrate a critical understanding of the methods, institutions involved and characteristics of each process existing in the dispute resolution spectrum of choice.
- 4 Critically assess the role of the courts with respect to the different methods.

### Indicative Module Content

Introduction to dispute resolution mechanisms; adjudication of disputes; effect of chosen dispute resolution processes on the proper management of disputes and continued relationships; effects of identifying the proper law of arbitration, arbitrability of disputes, lex arbitri; institutional and ad hoc arbitration; Arbitration Act 1996; Active case management and its relationship to dispute resolution (CPR 1998); UNCITRAL Model Law, ICSID, ICC, LCIA; Methods of ADR (mediation, executive tribunal); Enforcement

### Module Delivery

This module is based on lecture notes and other learning materials and problem exercises available on the RGU Campus Moodle, group activities, directed reading/research and a coursework.

Indicative Student Workload	Full Time	Part Time
Contact Hours	35	35
Non-Contact Hours	115	115
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: 30% Outcomes Assessed: 1, 2, 3, 4

Description: Distance Learning - forum postings. On Campus - Coursework essay or participation in class discussions or group presentations or posting on set topics.

#### Component 2

Type: Coursework Weighting: 70% Outcomes Assessed: 1, 2, 3, 4

Description: Essay

### MODULE PERFORMANCE DESCRIPTOR

#### Explanatory Text

The calculation of the overall grade for this module is based on 30% weighting of C1 (horizontal axis) and 70% weighting of C2 (vertical axis) components. An overall minimum grade D is required to pass the module.

		Coursework:						NS
		A	B	C	D	E	F	
Coursework:	A	A	A	B	B	B	E	
	B	B	B	B	C	C	E	
	C	B	C	C	C	D	E	
	D	C	C	D	D	D	E	
	E	D	D	D	E	E	E	
	F	E	E	E	E	F	F	
	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*. 6th ed. Oxford: Oxford University Press.
- 2 BROWN, H.J. and MARRIOTT, A.L., 2011. *ADR principles and practice*. 3rd ed. London: Sweet and Maxwell.
- 3 FISHER, R., URY, W. and PATON, B., 2012. *Getting to yes: negotiating agreement without giving in*. 3rd ed. London: Random House Business.
- 4 MERRILLS, J.G., 2005. *International dispute settlement*. 4th ed. Cambridge: Cambridge University Press.
- 5 TWEEDDALE, A. and TWEEDDALE, K., 2007. *Arbitration of commercial disputes: international and English law and practice*. Rev ed. Oxford: Oxford University Press.