

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
Actual Placement hours for professional, statutory or regulatory body		

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:						
		A	B	C	D	E	F	NS
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.