

LAWS70389 Global Commercial Contract Law

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: March, Parkville - Taught on campus. This subject has a quota of 25 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support.
Contact:	Lecturers Professor Stefan Vogenauer (http://www.law.unimelb.edu.au/staff/Stefan%20Vogenauer) (Coordinator) Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	This subject provides an introduction to the global law relating to international commercial contracts. A major focus will be on contracts of sales, as codified by the Vienna Convention on the International Sale of Goods (CISG). However, some issues of the general law of contract will also be covered in detail (eg formation, interpretation, third party rights, the duty of good faith and fair dealing). The treatment of some of these topics will be based on an examination of the 2010 UNIDROIT Principles of International Commercial Contracts (PICC). The approach is comparative. Examples will be drawn from the decisions of national courts as well as arbitral awards. Principal topics include:

	<ul style="list-style-type: none"> # Global commercial contracts # Applicability and application of the CISG and the PICC # Interpretation and supplementation of the CISG and the PICC # Contract formation # Interpretation of international commercial contracts # Third party rights # Obligations of sellers and buyers # Contractual remedies # Good faith and fair dealing # Transnational commercial dispute resolution.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of transnational commercial law and the specific legal problems that arise from international commercial transactions # Have an advanced understanding of the Vienna Convention on the International Sale of Goods (CISG) and the 2010 UNIDROIT Principles of International Commercial Contracts (PICC) # Have a sophisticated understanding of the basics of transnational commercial dispute resolution # Have a sophisticated appreciation of the factors and processes driving the development of transnational commercial law # Be an engaged participant in debate regarding emerging and contemporary issues in the field of transnational commercial law # Have the cognitive and technical skills to generate critical and creative ideas relating to transnational commercial law and to evaluate existing legal theories, principles and concepts critically and with creativity and autonomy # Have the cognitive and technical skills independently to examine, research and analyse existing and emerging legal issues in transnational commercial law # Have the communication skills to articulate and convey complex information regarding transnational commercial law to relevant specialist and non-specialist audiences.
Assessment:	Class participation (10%) Take-home examination (5,000-6,000 words as specified in the subject reading guide) (90%) (15 - 18 April) A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70389/2016
Related Course(s):	<p>Graduate Diploma in Construction Law Graduate Diploma in International Economic Law Graduate Diploma in International Law Master of Commercial Law Master of Construction Law Master of Law and Development Master of Laws Master of Private Law Master of Public and International Law</p>