

Course Outline

COURSE:	LAWS 3207A – International Transactions
TERM:	Fall 2023
PREREQUISITES:	LAWS 2202 or BUSI 2601 and 0.5 credit in LAWS at the 2000 level.
CLASS:	Day & Time: Tuesdays 8:35 AM – 11:25 AM Room: Please check Carleton Central for current room location
INSTRUCTOR:	Jean-Michel Marcoux
CONTACT:	Office: C564 LA (Loeb Building) Office Hrs: Mondays 1:00 PM – 2:00 PM Telephone: 613-520-2600 x 3672 Email: jeanmichel.marcoux@carleton.ca

CALENDAR COURSE DESCRIPTION

Topics may include: the international sale of goods, finance of transnational transactions, international carriage of goods, insurance, agency and trading houses; other forms of trade, e.g., counter-trade, foreign investment; settlement of international disputes by litigation and arbitration.

COURSE DESCRIPTION

International transactions occur between private actors that are based in different jurisdictions. From a legal perspective, they are primarily governed by international contracts. International practices, codes and rules emanating from public and private organizations also articulate the rights and obligations of individuals participating in global trade. Moreover, several international agreements negotiated by states to liberalize economic relations and harmonize domestic legislation play a crucial role in the regulation of international transactions. Ultimately, international transactions involve dispute resolution mechanisms that must be available if one of the parties to a transaction fails to fulfill its obligations.

This course introduces you to the regulation of international transactions by focusing on legal principles that are relevant for specific international business transactions. It includes three

main parts. Part I focuses on the legal environment of international business. It covers issues such as the ethics of international business, international commercial dispute resolution and international trade regulation. Part II provides a comparative law perspective with respect to legal systems, contract law and international sales law. Part III addresses specific aspects of international business transactions, namely transport of goods, documentary transactions and international trade finance.

This course is provided through lectures that will be held in person, every week. The instructor will focus on various topics related to the regulation of international transactions, based on the required readings. Lectures will also include learning activities to demonstrate the practical implications of the acquired knowledge (e.g., debates and breakout activities). Classes will not be recorded on Zoom and will not be made available to participants on Brightspace.

By the end of the semester, you will be able to:

- understand the fundamental legal principles governing international transactions;
- compare legal approaches regarding international transactions;
- analyze legal issues underlying specific international transactions; and
- engage with the ethics of international transactions.

REQUIRED TEXTS

DiMatteo, Larry A. *International Business Law and the Environment: A Transactional Approach*, 4th ed (London: Routledge, 2021). The textbook is available to purchase at the Carleton University Bookstore.

You are expected to complete readings from the textbook before each class (see “Schedule” below). The readings will allow you to respond to quizzes, write personal reflections and solve a practical case (see “Evaluation” below), in addition to lectures. On average, readings represent 40 pages for each class.

Additional references from publicly available sources are included on Brightspace.

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

All components must be successfully completed in order to get a passing grade.

Assignment	Weight	Due Date
Quiz #1 (Weeks 1 to 3)	15%	Friday, September 29 th , 11:59 PM
Quiz #2 (Weeks 4 to 6)	15%	Friday, October 20 th , 11:59 PM
Quiz #3 (Weeks 8 to 10)	15%	Friday, November 17 th , 11:59 PM
Personal reflections	20%	Friday, December 1 st , 11:59 PM
Practical Case	35%	Friday, December 8 th , 11:59 PM

Quizzes #1 to #3

You are required to complete three quizzes throughout the semester. Each quiz covers the readings from the textbook and the lectures of three weeks. Each quiz includes 15 multiple choice questions and true/false questions, and is worth 15% of the final grade. You will have one attempt to complete each quiz, with a maximum of 60 minutes once you have launched it.

Each quiz will be available on Brightspace immediately after the class preceding the deadline for its completion.

- Quiz #1 will be available from Tuesday, September 26th, 11:30 AM to Friday, September 29th, 11:59 PM;
- Quiz #2 will be available from Tuesday, October 17th, 11:30 AM to Friday, October 20th, 11:59 PM; and
- Quiz #3 will be available from Tuesday, November 14th, 11:30 AM to Friday, November 17th, 11:59 PM.

The quizzes will be graded automatically via Brightspace. We will go over the questions in the class following their submission to make sure that the content of the course is well understood.

Personal Reflections

From Week 2 to Week 12 (except for Week 7), a discussion will be added to Brightspace after each class (see the module entitled “Discussions”). You are required to post two personal reflections throughout the term, either by starting a new thread under a discussion or by leaving a reply to a thread started by another student. Each reflection should demonstrate your understanding and engagement with the content of the readings and the lecture of a specific class. **You are required to explicitly refer to the readings in your text, by providing page numbers in parentheses throughout the reflection.**

Each reflection must be around 500 words. Moreover, each reflection must relate to a different class (i.e., you cannot post two reflections for the same class). All reflections must be posted on Brightspace by Friday, December 1st, 11:59 PM.

The personal reflections will be graded according to the following criteria: 1) references to readings; 2) depth of the analysis; and 3) capacity for synthesis.

Practical Case

You are required to provide a response to a practical case by the end of the semester. The practical case will be available on Brightspace from the beginning of the semester. It is based on a set of facts that must be analyzed in order to respond to specific questions.

You are required to provide an argumentation that includes references to legal provisions, where applicable. All the legal provisions and relevant materials are provided in the required textbook and on Brightspace. No additional research is expected to complete the practical case. However, you must clearly identify the legal basis at each step of your reasoning in your response.

Your response must include a maximum of 1,500 words and must be uploaded as a Word document (.docx) on Brightspace. While you can discuss the practical case with your colleagues, each student must write and submit their own response (see “Plagiarism” below).

The response to each practical case will be graded according to the following criteria: 1) accuracy of the analysis; 2) adequacy of references to legal provisions; 3) structure of the argumentation; 4) depth of the analysis; and 5) capacity for synthesis.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

When granting an extension, the instructor will balance three considerations: 1) issues raised by the student asking for an extension; 2) fairness for the other participants in the course; and 3) academic integrity.

Unjustified late submissions of the personal reflections and the practical case will be penalized, following a 10% deduction of the grade for each day (i.e., 2 points/day for the personal

reflections and 3,5 points/day for the practical case). No extension will be granted for quizzes.

SCHEDULE

The table below presents the topic that will be covered for each week of the semester. The chapters appearing under “Readings” refer to the chapters of the required textbook by DiMatteo (see “Required Texts” above).

Dates	Topics	Readings	Evaluation
Week 1 – 12 Sept	Introduction to international business transactions	Ch 1	
Week 2 – 19 Sept	Ethics of international business	Ch 2	
Week 3 – 26 Sept	Strategies for international business	Ch 3	Quiz #1
Week 4 – 3 Oct	International commercial dispute resolution	Ch 4	
Week 5 – 10 Oct	International and national trade regulation	Ch 5	
Week 6 – 17 Oct	Comparative legal systems	Ch 8	Quiz #2
Week 7 – 24 Oct	Fall break, no class		
Week 8 – 31 Oct	Comparative and international contract law	Ch 9	
Week 9 – 7 Nov	International sales law	Ch 10	
Week 10 – 14 Nov	Transport of goods	Ch 11	Quiz #3
Week 11 – 21 Nov	Documentary transactions	Ch 12	
Week 12 – 28 Nov	International trade finance	Ch 13	Reflections
Week 13 – 5 Dec	Conclusion		Practical Case

University and Departmental Policies

DEPARTMENT POLICIES AND REGULATIONS

Please review the following webpage to ensure that your practices meet our Department’s expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>.

PLAGIARISM

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations

and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>.

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows.

Pregnancy Obligation

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For accommodation regarding a formally-scheduled final exam, you must complete the Pregnancy Accommodation Form that can be found at:

<https://carleton.ca/equity/contact/form-pregnancy-accommodation/>

Religious Obligation

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>

Academic Accommodations for Students with Disabilities

The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are

supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. Read more here:

<https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit:

<https://students.carleton.ca/services/accommodation/>.