



BUSL305

Global Trade Law

S1 Day 2015

Dept of Accounting & Corporate Governance

Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	3
<u>Assessment Tasks</u>	3
<u>Delivery and Resources</u>	6
<u>Unit Schedule</u>	7
<u>Policies and Procedures</u>	9
<u>Research and Practice, Global and Sustainability</u>	10

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General Information

Unit convenor and teaching staff

Lecturer

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E4A 316

Tuesdays 2 -4 pm and by appointment

Credit points

3

Prerequisites

39cp

Corequisites

Co-badged status

Unit description

This unit provides an introduction to the legal rules, fundamental principles and institutional framework of trade transactions at international level. The aim of this unit is to acquaint students with the legal regime governing international trade in goods, services and intellectual property rights (IPRs). It focuses on key World Trade Organization (WTO) agreements and provides insights into some major concepts, principles and rules of international trade law. It also examines the scope, functions and efficiency of the WTO. The interaction of international trade, investment and monetary issues and the interplay of global trade law, politics and international relations in regulating these issues are covered in this course. Topics addressed include evolution and institutionalisation of international trade law, fundamental principles and exceptions to the GATT-WTO legal regime, trade in goods, services (GATS) and intellectual property rights (TRIPS), rules on regional and bilateral preferential trade arrangements, trade remedies such as safeguards, anti-dumping and countervailing measures, and the WTO dispute settlement mechanism. It also encompasses major critical analysis of contemporary issues such as the legal protection of foreign direct investment, labour standards, environment and human rights, which are substantially interlinked with the regulation of international trade.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

Understand the origin, development and contemporary institutional arrangements of global trade;

Identify the interactions of legal and non-legal issues in international trade regulations;

Recognize multiple aspects of trade liberalization, protectionism, fair and unfair trade practices;

Determine relevant trade law, rules and principles which could be applied to complex fact situations as remedies;

Recognize concurrent global and regional trade-related problems and issues, and the ability to provide individual opinion/solution of the problems from legal point of view;

Able to make critical assessment and analysis of international trade regulations and undertake research on trade regulatory policies.

Assessment Tasks

Name	Weighting	Due
Participation	15%	Ongoing
Presentation	15%	Ongoing
Media Assignment	20%	End of Week 10 [15/05/2015]
Research Assignment	50%	09/06/2015

Participation

Due: **Ongoing**

Weighting: **15%**

Class participation does not necessarily mean and include mere physical attendance in a seminar. Students are expected to display their knowledge that they have completed the required reading for a seminar, and they are prepared to ask and answer questions on scheduled topics. Class participation will be assessed by a student's engagement in a class facilitated by the lecturer.

See the Assessment Guide on iLearn for Detailed Criteria and Information on Class Participation.

Note:

There is no alternative/supplementary assessment task to replace class participation.

Students who miss this task will lose the marks in proportion to their absence/non-performance

in seminar. The rationale for this forfeiture is that if a student is absent in a seminar (for any reason) s/he is unable to participate and contribute in the class. Unfortunately, a make-up seminar is not available in this session.

On successful completion you will be able to:

- Understand the origin, development and contemporary institutional arrangements of global trade;
- Identify the interactions of legal and non-legal issues in international trade regulations;
- Recognize multiple aspects of trade liberalization, protectionism, fair and unfair trade practices;
- Determine relevant trade law, rules and principles which could be applied to complex fact situations as remedies;
- Recognize concurrent global and regional trade-related problems and issues, and the ability to provide individual opinion/solution of the problems from legal point of view;
- Able to make critical assessment and analysis of international trade regulations and undertake research on trade regulatory policies.

Presentation

Due: **Ongoing**

Weighting: **15%**

Students of a seminar will be divided into small groups. Students are expected make a presentation on a topic representing their group. In every seminar, one student from each group will have to give a short presentation (10-15 minutes each) on a topic or issue discussed in the previous seminar. Presentation topics will be posted on iLearn from week 2, however students are also free to choose their own topics. Every student of the group has to give at least one presentation in the seminar.

See the Assessment Guide on iLearn for Detailed Criteria and Information on Presentation.

On successful completion you will be able to:

- Understand the origin, development and contemporary institutional arrangements of global trade;
- Identify the interactions of legal and non-legal issues in international trade regulations;
- Recognize multiple aspects of trade liberalization, protectionism, fair and unfair trade practices;
- Recognize concurrent global and regional trade-related problems and issues, and the

ability to provide individual opinion/solution of the problems from legal point of view;

Media Assignment

Due: **End of Week 10 [15/05/2015]**

Weighting: **20%**

Students are required to identify and make an independent analysis of any concurrent global or regional trade-related problem/issue that is reported in any news-media, article or journal. They are required to examine the problem/issue and give their own opinion to resolve it in the light of global trade laws that are covered in this unit.

Note:

No time extensions will be granted. Assignments submitted after due date will not be marked and will receive a score of 0. This penalty does not apply for cases in which an application in relation to disruption to studies is made and approved.

See the Assessment Guide on iLearn for Detailed Assessment Criteria.

On successful completion you will be able to:

- Identify the interactions of legal and non-legal issues in international trade regulations;
- Recognize multiple aspects of trade liberalization, protectionism, fair and unfair trade practices;
- Determine relevant trade law, rules and principles which could be applied to complex fact situations as remedies;
- Recognize concurrent global and regional trade-related problems and issues, and the ability to provide individual opinion/solution of the problems from legal point of view;
- Able to make critical assessment and analysis of international trade regulations and undertake research on trade regulatory policies.

Research Assignment

Due: **09/06/2015**

Weighting: **50%**

Students are required to select their respective topics from the sample trade-related topics posted on iLearn. Students may choose a topic of their own interest but **that must be approved by the lecturer first**. Students **MUST NOT** start working on a research assignment on any unapproved and/or unlisted topic.

Assignment topics will be posted on iLearn during semester time.

Note:

Penalty applies for late submission. Essays submitted after the 7th day of deadline will not be marked, except where disruption to studies is determined as 'serious and unavoidable'.

See Also the Assessment Guide on iLearn for Detailed Criteria for this Assessment Task.

On successful completion you will be able to:

- Recognize multiple aspects of trade liberalization, protectionism, fair and unfair trade practices;
- Determine relevant trade law, rules and principles which could be applied to complex fact situations as remedies;
- Recognize concurrent global and regional trade-related problems and issues, and the ability to provide individual opinion/solution of the problems from legal point of view;
- Able to make critical assessment and analysis of international trade regulations and undertake research on trade regulatory policies.

Delivery and Resources

Unit Structure and Requirements

Students are required to attend a 3 hour seminar session in each week. The lecture part of the seminar will be recorded on ECHO360.. The sequencing of seminar program and the unit contents will allow students to develop gradually the understanding of global trade law as the unit progresses.

Note that besides regular class lectures and discussions on seminar topics, the seminar sessions will also cover students' presentations on scheduled topics relevant to the unit.

Students are generally expected to devote at least 150 hours for this unit. Here is a sample breakdown of workloads.

	Activities	Hours
1	Weekly Seminars (3×13)	39
2	Assessment Task 1 (self-study for class participation)	16
3	Assessment Task 2 (self-study and Presentation)	10
4	Assessment Task 3 (self-study and preparation of media assignment)	25
5	Assessment Task 4 (self-study and preparation of research assignment)	60
	Total	150

Required and Recommended Texts

Required Textbook:

Peter Van den Bossche and Werner Zdouc, *The Law and Policy of the World Trade Organization* (3rd Edition), Cambridge University Press, 2013

Recommended Texts:

Michael J. Trebilcock, *Advanced Introduction to International Trade Law*, Edward Elgar Publishers, 2015

Michael J. Trebilcock and Robert Howse, *The Regulation of International Trade* (3rd Edition), Routledge Publications, 2010

Useful Websites:

www.wto.org

www.ictsd.org

www.worldtradelaw.net

<http://insidetrade.com>

www.southcentre.org

www.twn.my

Unit Schedule

See the Assessment Guide on iLearn for a Detailed Unit Schedule

Week	Lecture Topics
1	Global Trade and the Law of the World Trade Organization (WTO)
2	The Origins of GATT-WTO and its Institutional Structure

3	Non-discrimination Principles of WTO and General Exceptions
4	Regional and Bilateral Preferential Trading Arrangements
5	Rules on Market Access: Tariff, Quotas, Non-tariff Barriers to Trade and the SPS, TBT Agreements
6	Rules on Unfair Trade Practices: Dumping, Anti-dumping, Subsidies and Countervailing Measures, and Safeguards
Semester Break	
7	Regulations and Protectionism in Trade in Goods and Agricultural Products
8	Global Trade Rules on Intellectual Property Rights (IPRs)
9	Liberalisation and Free Movement of Labour, Capital and Services (GATS)
10	Settlement of Global Trade Disputes under the WTO (DSU)
11	International Trade and the Protection of Global Environment, Labour Standard and Human Rights
12	Global Regulatory Framework of Foreign Direct Investment (FDI)

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](#). Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy http://mq.edu.au/policy/docs/academic_honesty/policy.html

Assessment Policy <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Grievance Management Policy http://mq.edu.au/policy/docs/grievance_management/policy.html

Disruption to Studies Policy http://www.mq.edu.au/policy/docs/disruption_studies/policy.html *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/support/student_conduct/

Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit ask.mq.edu.au.

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

IT Help

For help with University computer systems and technology, visit <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). The policy applies to all who connect to the MQ network including students.

Research and Practice, Global and Sustainability

This unit addresses global and sustainability issues as direct areas of study and as necessary implications arising from the materials, assessment and academic discussion and debate in classes/seminars. We promote sustainability by developing ability in students to research and locate information within accounting discipline. We aim to provide students with an opportunity to obtain skills which will benefit them throughout their career.

The unit materials have a reference list at the end of each chapter/module/text containing all references cited by the author. These provide some guidance to references that could be used to research particular issues.