



# LAWS5010

## Trade Law

Session 2, Online-scheduled-weekday 2022

*Macquarie Law School*

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### Disclaimer

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## General Information

Unit convenor and teaching staff

Convenor

Claire Barker

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Tutor and Co-convenor

Dalma Demeter

[dalma.demeter@mq.edu.au](mailto:dalma.demeter@mq.edu.au)

Credit points

10

Prerequisites

130cp in LAW or LAWS units

Corequisites

Co-badged status

Unit description

The unit introduces students to the principal areas of international trade law and policy, and in particular examines the legal regime governing the international exchange of goods, services, and intellectual property under the WTO. Topics include the WTO dispute settlement system; rules on non-discrimination; rules on market access; rules on unfair trade; preferential trade agreements.

## 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:

**ULO1:** Understand various multilateral trade agreements and other legal principles embedded in international trade.

**ULO2:** Analyse how international trade law impacts on national trading policy and practice, and confronts controversial and pressing issues of trade and finance in the contemporary era of economic globalisation.

**ULO3:** Understand the way economic, political and ethical values shape the

development of international regulation and relevant standards.

**ULO4:** Apply multilateral trade agreements, case law, and soft law to resolve legal problems in international trade law.

## General Assessment Information

### Research essay

This mid-semester assessment may include a theoretical research question and/or a problem-solving question requiring extensive research to answer. Questions can be related to any topic from weeks 1-7 inclusive. Detailed instructions will be released on iLearn on September 9, allowing two weeks for completion.

### Take home exam

This end-of-semester assessment may include a range of multiple-choice questions, short answer theoretical questions, and/or problem questions. Questions can be about any topic from the entire semester. The exam will be available all of week 13, but once opened the attempt must be finished in one sitting of maximum three hours.

### Class participation

This assessment is about active engagement in tutorials; not mere attendance. Contributing to tutorial discussions and tutorial exercises throughout the entire semester will be the primary activity marked for this assessment. Online contributions to the weekly discussion forums can add to the class participation, not replace it - except when absence from a tutorial is notified in advance and approved as justified.

### Late Assessment Submission Penalty

Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of '0' (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue. This late penalty will apply to non-timed sensitive assessment (incl essays, reports, posters, portfolios, journals, recordings etc). Late submission of time sensitive tasks (such as tests/exams, performance assessments/presentations, scheduled practical assessments/labs etc) will only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<u>Participatory tasks</u>	20%	No	Ongoing weeks 1-12

Name	Weighting	Hurdle	Due
<u>Research Essay</u>	50%	No	25/09/2022
<u>Take-Home Exam</u>	30%	No	06/11/2022

## Participatory tasks

Assessment Type <sup>1</sup>: Participatory task

Indicative Time on Task <sup>2</sup>: 12 hours

Due: **Ongoing weeks 1-12**

Weighting: **20%**

Active class participation will require students to read and understand various issues scheduled for discussions on a regular basis. Students are also required to participate in discussions that extend beyond these set topics and readings through their own evaluation of the issues raised.

On successful completion you will be able to:

- Understand various multilateral trade agreements and other legal principles embedded in international trade.
- Analyse how international trade law impacts on national trading policy and practice, and confronts controversial and pressing issues of trade and finance in the contemporary era of economic globalisation.
- Understand the way economic, political and ethical values shape the development of international regulation and relevant standards.

## Research Essay

Assessment Type <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 41 hours

Due: **25/09/2022**

Weighting: **50%**

Students will be required to write a research essay focusing on aspects of the unit content.

On successful completion you will be able to:

- Understand various multilateral trade agreements and other legal principles embedded in international trade.

- Analyse how international trade law impacts on national trading policy and practice, and confronts controversial and pressing issues of trade and finance in the contemporary era of economic globalisation.
- Apply multilateral trade agreements, case law, and soft law to resolve legal problems in international trade law.

## Take-Home Exam

Assessment Type <sup>1</sup>: Quiz/Test

Indicative Time on Task <sup>2</sup>: 3 hours

Due: **06/11/2022**

Weighting: **30%**

The take-home exam involves a long hypothetical problem question that tests students on a range of topics covered in this unit.

On successful completion you will be able to:

- Understand various multilateral trade agreements and other legal principles embedded in international trade.
- Analyse how international trade law impacts on national trading policy and practice, and confronts controversial and pressing issues of trade and finance in the contemporary era of economic globalisation.
- Apply multilateral trade agreements, case law, and soft law to resolve legal problems in international trade law.

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<sup>1</sup> If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

<sup>2</sup> Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

## Delivery and Resources

### Delivery

Lectures and tutorials will both commence in week 1. Students are expected to watch pre-recorded weekly lectures that will be made available for each week in Echo 360 via the iLearn

unit page, **before** attending tutorials.

Students are expected to have **prepared for the tutorials** by watching the lecture and reading the prescribed text for that week, and preparing for the **tutorial exercise** provided through iLearn. Active participation in tutorials is assessed.

## Resources

Required textbook: Peter van den Bossche and Werner Zdouc, *The Law and Policy of the World Trade Organization - Text, Cases and Materials* (5th edn, 2022, Cambridge University Press).

Additional, recommended resources will be provided through iLearn.

## Unit Schedule

Week 1: The WTO and the WTO Dispute Settlement Body

Week 2: GATT

Week 3: GATS

Week 4: Tariff Barriers

Week 5: Non-Tariff Barriers

Week 6: Technical Barriers to Trade (TBT)

Week 7: Sanitary and Phytosanitary (SPS) Measures

Week 8: Exceptions

Week 9: Dumping and Subsidies

Week 10: Regional and Bilateral Trade Agreements

Week 11: TRIPS and Emerging Issues

Week 12: Revision and exam preparation

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Assessment Procedure](#)

- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies](https://students.mq.edu.au/support/study/policies) (<https://students.mq.edu.au/support/study/policies>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>) and use the [search tool](#).

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

## Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) 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](http://ask.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

## Student Support

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

## The Writing Centre

[The Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

## Student Services and Support

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support](#) including information about finances, tenancy and legal issues

## Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

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