



# LAW 896

## International Business Transactions

S2 Day 2017

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

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Credit points

4

Prerequisites

Admission to LLM or MIntTrdeComLaw or MIntReIMIntTrdeComLaw or 42cp in LAW or LAWS units at 400 or 500 level or (admission to JD and 32cp in LAW or LAWS units at 800 level)

Corequisites

Co-badged status

Unit description

This unit examines the making, regulating and breaking of deals in the international business community. The unit will canvas the different legal forms of agreements (eg, direct foreign investment, international joint ventures); laws that influence the conduct of business internationally (eg, anti-trust laws, international financial regulation, international bankruptcy, international taxation laws); and the mechanisms available when disputes arise (eg, international arbitration, foreign litigation in domestic courts). Students will develop an understanding of key legal principles underpinning international business transactions from an international law perspective as well as in relation to selected jurisdictions.

## 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:

1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
2. Demonstrate a sophisticated knowledge and understanding of relevant international agreements and principles that influence international business, domestic legal regime and parties involved in cross-border dealings, and develop an analytical ability to

critically assess their application.

3. Evaluate the role of different institutions and organisations in guiding responsible business.
4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
5. Identify legal issues, problems and risk factors that a business entity may encounter in operating cross-border transactions, and apply appropriate strategies to overcome these.
6. Recognise the importance of different approaches to and methods of resolving disputes and address the strengths and weaknesses of the different procedures.
7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## General Assessment Information

### 1. Participation in Class/Tutorial and OCS worth 10% mark

Students are required to attend the tutorials in accordance with the schedule of classes/tutorials set out in this Unit Guide and complete the prescribed readings for each week.

Active participation in the class 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.

#### Assessment criteria:

1. Regular and timely presence in tutorials;
2. Active and effective class participation;
3. Knowledge and understanding of the subject matter;
4. Ability to develop ideas and think critically;
5. Problem solving skills; and
6. Oral communication skills.

### 2. Problem Solving worth 30% mark

This assignment will be assessed based on the discipline specific knowledge, understanding and identification of the relevant legal issues, and their application to a given (real or hypothetical) fact situation/problem of contemporary international transactions. Students may be required to take their research beyond the prescribed books and course materials (the supplementary books and journals provide a starting point for further research). Clarity of expression, presentation of argument, responsiveness to question, and correct and consistent reference style will also be taken into account.

**Assessment criteria:**

1. Originality of the work
2. Accurate identification of and analyse issues by using primary and secondary sources
3. Critical evaluation and efficient use of information
4. Concise and logical approach to address relevant aspects
5. Clear demonstration of knowledge and correct written expression
6. The degree of persuasion/depth of research evidenced from respective arguments
7. Coherent organisation of the paper/ structured presentation of ideas
8. Proper referencing and acknowledgement of sources

**3. Research Essay Synopsis worth 10% mark**

**4. Research Essay worth 50% mark**

Students will be required to write a research essay on a specific topic of the Unit. This task aims to assess students' skills and critical analytical ability to examine relevant issues raised with adequate support and acknowledgement. Students will be assessed on the basis of their discipline specific knowledge, understanding and evaluation of the issues, quality and depth of research, critical, interdisciplinary, policy-oriented approach, and overall presentation.

**Assessment criteria:**

1. Identification and analysis of the relevant legal and theoretical issues;
2. Evidence of reflection and critical thinking in relation to the issues;
3. Delivery of a persuasive argument in relation to the issues raised by the topic including quality of evidence, reasoning, illustrations and examples;
4. Quality and thoroughness of research;
5. Logical structure and clear, concise written expression;
7. Accurate use of the Australian Guide to Legal Citation AGLC 3rd edition, including proper acknowledgment of all sources.

**Formal requirements for both written (problem question and research) assignments**

The following requirements as to presentation of papers must be complied with:

- Both assignments are meant to be the independent works of individual student.

Assignments are not group works or exercises.

- Both assignments must be typed with 12 point font in the text and 10 point font in foot/end notes. Bibliography/reference must also be 12 point font.
- The word limit must be strictly maintained . The word limit does not include the footnotes and bibliography, although footnotes must not include any substantive content. The actual word length of your assignment must be stated on the cover sheet.
- Footnotes, bibliography and other referencing must be consistent with the *Australian Guide to Legal Citations*, which can be downloaded at <http://www.law.unimelb.edu.au/mul>

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## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Class Participation (CP)</a>	10%	No	Every tutorial
<a href="#">Problem Question</a>	30%	No	27 September by 5:00 pm
<a href="#">Research Essay Synopsis</a>	10%	No	9 October by 5.00 pm
<a href="#">Research Essay</a>	50%	No	4 November by 5:00 pm

### Class Participation (CP)

Due: **Every tutorial**

Weighting: **10%**

Face-to- face-seminars and group discussion, which will focus on *inter alia* problem-solving methods in addressing relevant legal issues, ie, the application of appropriate laws and standards to the scenarios provided each week. Students are required to complete the prescribed readings for each week. Regular and active participation in discussion questions is one of the requirements for successfully completing the subject. CP marks will be awarded based on the quality of performance and effective engagement in the group discussion. Attendance in itself is not enough to achieve a pass mark.

On successful completion you will be able to:

1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
2. Demonstrate a sophisticated knowledge and understanding of relevant international agreements and principles that influence international business, domestic legal regime

and parties involved in cross-border dealings, and develop an analytical ability to critically assess their application.

- 3. Evaluate the role of different institutions and organisations in guiding responsible business.
- 4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
- 5. Identify legal issues, problems and risk factors that a business entity may encounter in operating cross-border transactions, and apply appropriate strategies to overcome these.
- 6. Recognise the importance of different approaches to and methods of resolving disputes and address the strengths and weaknesses of the different procedures.
- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## Problem Question

Due: **27 September by 5:00 pm**

Weighting: **30%**

This written assignment is designed to enhance students' ability to examine a legal problem and provide information, explanation and critical analysis in a clear, concise and logical manner. The problem question will involve assessing a hypothetical scenario and identifying the factual and legal issues raised by the scenario and gives an opportunity to explain what further information is required to fully advise on the legal dimensions of the problem.

### **Word length 2000 words**

The work must be submitted via turnitin.

The assessment guidelines will be released in Week 5.

On successful completion you will be able to:

- 1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
- 4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
- 5. Identify legal issues, problems and risk factors that a business entity may encounter in operating cross-border transactions, and apply appropriate strategies to overcome these.
- 6. Recognise the importance of different approaches to and methods of resolving disputes and address the strengths and weaknesses of the different procedures.
- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## Research Essay Synopsis

Due: **9 October by 5.00 pm**

Weighting: **10%**

This assessment task is based on the research essay topic which will be released in week 7.

Students are required to develop a synopsis of the final research essay (assessment 4) which must include the key argument and its significance, the methodology adopted, potential disagreements, literature review and the outcome.

### **Word length 500 words**

The work must be submitted via turnitin.

On successful completion you will be able to:

- 1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
- 2. Demonstrate a sophisticated knowledge and understanding of relevant international agreements and principles that influence international business, domestic legal regime and parties involved in cross-border dealings, and develop an analytical ability to critically assess their application.
- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## Research Essay

Due: **4 November by 5:00 pm**

Weighting: **50%**

Students will be required to complete a research essay on a specific topic of the Unit. The paper should reflect independent research, in-depth analysis of relevant materials and application of appropriate laws and standards. The essay topic, the structure of the paper and guidelines will be discussed and released in week 7

The **word limit is 2500 words** which must be strictly maintained.

The paper should be submitted via turnitin.

On successful completion you will be able to:

- 2. Demonstrate a sophisticated knowledge and understanding of relevant international agreements and principles that influence international business, domestic legal regime and parties involved in cross-border dealings, and develop an analytical ability to critically assess their application.
- 3. Evaluate the role of different institutions and organisations in guiding responsible

business.

- 4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
- 5. Identify legal issues, problems and risk factors that a business entity may encounter in operating cross-border transactions, and apply appropriate strategies to overcome these.
- 6. Recognise the importance of different approaches to and methods of resolving disputes and address the strengths and weaknesses of the different procedures.
- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## Delivery and Resources

This unit will be delivered via seminar-format involving a combination of lecturing by the convenor and active class participation in tutorials by students. Students will be required to participate in discussion based upon the readings, as well as any problem and discussion questions set by the convenor.

The prescribed text for this unit is *International Business Law* by Bryan Mercurio et al, ( Oxford University Press, 2010). Students should purchase the text from the Co-Op Bookshop. Additional readings will be needed to supplement the textbook.

### Required and Recommended Readings

#### Required Textbook

Bryan Mercurio et al, *International Business Law* (Oxford University Press, 2010).

#### Recommended Readings

Folsom R H, *International Business Transactions: A Problem-Oriented Coursebook* (West Group, 10th ed, 2009).

Vagts D et al, *Transnational Business Problems* (Foundation Press, 4th ed, 2010).

Ray A August, *International Business Law* (Pearson, 6th ed, 2013).

R Burnet, *Law of International Business Transactions* (Federation press, 3rd ed, 2004).

Kevin K Kennedy, *International Trade Regulation: Readings, cases and Problems* (Aspen Publishers, 2009).

Schmitthoff's, *Export Trade: The Law and Practices of International Trade* (Thomson Sweet & Maxwell, 11th ed, 2007).

Emst-Ulrich Petersmann et al (ed), *Reforming the World Trading System: Legitimacy, Efficiency, and Democratic Governance* (Oxford University Press, 2005).

Simon Lester and Bryan Mercurio, *World Trade Law: Text Materials and Commentary* ( Hart Publishing, 2008).

John Mo, *International Commercial Law* (LexisNexis, Butterworths, 6th ed, 2015).



Hoekman, B and Kostecki, M, *The Political Economy of the World Trading System: The WTO and Beyond* (Oxford University Press, London, 2nd ed, 2001).

Moens G, *International Trade & Business, Law Policy & Ethics* (Cavendish, 2004).

G Pearson, *Financial Services Law and Compliance in Australia* (Cambridge University Press, 2009).

Arup, Christopher, *The New World Trade Organization Agreements: Services and Intellectual Property* (Cambridge University Press, 2010).

Robin Burnett and Vivienne Bath, *Law of International Business in Australasia* (The Federation Press, 2009).

Tunstall, *International Securities Regulation* (Lawbook Co, 2005).

Adhikari, R and Athukorala, P C (eds), *Developing Countries in the World Trading System*, (Edward Elgar Publishing Ltd, London, 2002).

John H. Dunning, 'The Study of International Business: A Plea for a More Interdisciplinary Approach' (1989) 20.3 *Journal of International Business Studies* 411-436.

Robert O. Keohane, International Institutions: Two Approaches, (1988) 32:4 *International Studies Quarterly* 379-396.

Andrew Rose, 'Which International Institutions Promote International Trade?' (2005) 13.4 *Review of International Economics* 682-698.

Hildy Teegen et al, The Importance of Nongovernmental Organizations (NGOs) in Global Governance and Value Creation: An International Business Research Agenda' (2004) 35:6 *Journal of International Business Studies* 463-483.

Islam, M R, 'GATT with Emphasis on its Dispute Resolution System' in Wilde, D and Islam M eds, *International Transactions: Trade and Investment, Law and Finance*, (Law Book Company, Sydney, 1993) 225-239.

Schwartz W F & Sykes, A O, 'Towards a Positive Theory of the MFN Obligation and its Exceptions in the WTO/GATT System' (1996) 16 *International Review of Law and Economics* 27-51.

J. Michael Geringer, Louis Hebert, 'Control and Performance of International Joint Ventures' (1989) 20.2 *Journal of International Business Studies* 235-254.

Tracy R. Harmon, Merlyn A. Griffiths, 'Franchisee perceived relationship value' (2008) 23:4 *Journal of Business & Industrial Marketing* 256 – 263.

Christopher R. Drahozal and Keith N. Hylton, 'The Economics of Litigation and Arbitration: An Application to Franchise Contracts' (2003) 32:2 *The Journal of Legal Studies* 549-584.

Luke Nottage, 'Consumer Law Reform in Australia: Contemporary and Comparative Constructive Criticism' (2009) 9.2 *The QUT Law & Justice Journal*.

Matthias Busse and José Luis Groizard, 'Foreign Direct Investment, Regulations and Growth' (2008) 31.7 *The World Economy* 861-886.

Alan A. Bevan and [Saul Estrin](#), 'The determinants of foreign direct investment into European transition economies' (2004) 32.4 [Journal of Comparative Economics](#) 775-787.

Rolf H. Weber Douglas W. Arner, 'Toward a New Design for International Financial Regulation' (2007) 29:2 *University of Pennsylvania Journal of International Law* 391-453.

Jeffrey M. Drope, 'The Political Economy of Nontariff Trade Barriers in Emerging Economies' (2007) 60.3 *Political Research Quarterly* 401-414.

Chad P. Bown and Patricia Tovar, 'Trade Liberalization, Antidumping, and Safeguards: Evidence from India's Tariff Reform' (2011) 96.1 *Journal of Development Economics* 115-125.

McDonald, J, 'Domestic Regulation, International Standards, and Technical Barriers to Trade' (2005) 4:2 *World Trade Review* 249-274.

Joanna Bonarriva et al, 'Export Controls: An Overview of their Use, Economic Effects, and Treatment in the Global Trading System' *Journal of International Commerce and Economics* 2009.

Marceau, G and Trachtman, J P, 'The Technical Barriers to Trade Agreement, the Sanitary and Phytosanitary Measure Agreement, and the General Agreement on Tariff and Trade' (2002) 36:5 *Journal of World Trade* 811-881.

Peter. K. Yu, 'TRIPS Enforcement and Developing Countries' (2011) 26 [American University International Law Review](#) 727-782.

Sell, S, 'Post TRIPs Developments: The Tension between Commercial and Social Agendas in the Context of Intellectual Property' (2002) 14 *Florida J I L* 195.

Tamir Agmon' and Mary Ann Von Glinow, 'Technology Transfer in International Business' (1993) 6 *Harvard Journal of Law & Technology*.

[Fiona Murraya](#), [Scott Stern](#) 'Do formal intellectual property rights hinder the free flow of scientific knowledge?: An empirical test of the anti-commons hypothesis', (2007) 63:4 [Journal of Economic Behavior & Organization](#) 648-687.

J M Magid et al, 'Quantifying Brand Image: Empirical Evidence of Trademark Dilution' (2006) 43 *American Business Law Journal* 1,12.

Crampes and Langinier, 'Are Intellectual Property Rights Detrimental to Innovation?' (2009) 16.3 *International Journal of the Economics of Business* 249.

T A Bunch, 'Well-Known Marks Doctrine: Where Do We Go From Here?' (2008) 90 *J. Pat. & Trademark Off. Soc'y* 227. .

Kenneth Amaeshi et al, 'Corporate Social Responsibility in Supply Chains of Global Brands: A Boundaryless Responsibility? Clarifications, exceptions and implications' (2008) 81 *Journal of Business Ethics* 223-234.

Radu Mares, 'The limits of supply chain responsibility – A critical analysis of CSR instruments'

(2010) 79.2 *Nordic Journal of International Law* 193-244..

Sweeney, Brendan, 'International Competition Law and Policy: A Work in Progress' (2009) 10.1 *Melbourne Journal of International Law* 58.

Simon Bronitt, 'Policing corruption and corporations in Australia: Towards a new national agenda' (2013) 37 *Crim LJ* 283.

Jordan J, 'Recent Developments in the Foreign Corrupt Practices Act and the New UK Bribery Act: A Global Trend Towards Greater Accountability in the Prevention of Foreign Bribery' (2011) 7 *NYU J L & Bus* 866.

David J. Mclean, 'Toward a New International Dispute Resolution Paradigm: Assessing the Congruent Evolution of Globalisation and International Arbitration' (2009) 30:4 *U. Pa. J. Int'l L.* 1087-97.

J Nolan, 'Corporate Accountability and Triple Bottom Line Reporting: Determining the Material Issues for Disclosure' [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=975414](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=975414).

This reading list is by no means exclusive. For additional resources students are encouraged to use the library catalogue and databases.

### **Journals**

- *The Journal of International Business & Law*
- *Law & Policy in International Business*
- *CURRENTS: International Trade Law Journal*
- *International Business Review*
- *International Trade and Business Law Review*
- *Yale Journal of International Law*
- *Harvard Journal of International Law*
- *Journal of World economy*
- *Journal of World Trade*
- *Journal of International Business Studies*
- *Global Journal of International Business Research*

### **Relevant Website**

- (<http://www.uncitral.org>; <http://www.iccwbo.org>; <http://untreaty.un.org>;
- <http://www.worldtradelaw.net>; <http://www.wto.org>; <http://www.unidroit.org>;
- <http://www.ilo.org>;
- [australia.gov.au](http://australia.gov.au); <http://www.apra.gov.au>;
- <http://www.asic.gov.au>; <http://www.imf.org/external>;
- <http://www.daff.gov.au/aqis/export>; <http://www.customs.gov.au>;
- <http://www.accc.gov.au>;

- <http://www.austrade.gov.au> (Austrade-Australian Trade Commission);
- <http://www.australia.gov.au/topics/defence-and-international/international-relations>;
- <http://www.austlii.edu.au>;
- <https://www.comlaw.gov.au/Details/F2014L01472>.

Subject **website**- iLearn. Students are expected to check iLearn on a regular basis.

For lecture times and classrooms please consult the MQ Timetable website: <http://www.timetables.mq.edu.au>. This website will display up-to-date information on your classes and classroom locations.

## Unit Schedule

The following schedule is for guidance only, refer to iLearn for updates:

Week 1 – Introduction – History & Overview

Week 2 – Role of International Institutions

Week 3 – Agency, Distributorships, Licensing

Week 4 – Franchising, Joint Ventures

Week 5 – Foreign Direct Investment

Week 6 – Financial Regulation

Week 7 – Customs Law & Import Controls

Mid-Session Break – (18 September-2 October); On Campus Sessions for external students

Week 8 – Export Controls & National Security

Week 9 - Corporate Social Responsibility & Human Rights

Week 10 – International Anti-trust/Competition Laws

Week 11 – Protection of Intellectual Property

Week 12 – Dispute Resolution in National Courts

Week 13 - International Dispute Resolution

## 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](http://mq.edu.au/policy/docs/academic_honesty/policy.html)

Assessment Policy [http://mq.edu.au/policy/docs/assessment/policy\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.html)

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

Complaint Management Procedure for Students and Members of the Public [http://www.mq.edu.au/policy/docs/complaint\\_management/procedure.html](http://www.mq.edu.au/policy/docs/complaint_management/procedure.html)

Disruption to Studies Policy (in effect until Dec 4th, 2017): [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html)

Special Consideration Policy (in effect from Dec 4th, 2017): <https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/special-consideration>

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/](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](http://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](http://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](http://ask.mq.edu.au)

## 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.

## Graduate Capabilities

### PG - Capable of Professional and Personal Judgment and Initiative

Our postgraduates will demonstrate a high standard of discernment and common sense in their professional and personal judgment. They will have the ability to make informed choices and decisions that reflect both the nature of their professional work and their personal perspectives.

This graduate capability is supported by:

#### Learning outcomes

- 1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
- 2. Demonstrate a sophisticated knowledge and understanding of relevant international agreements and principles that influence international business, domestic legal regime and parties involved in cross-border dealings, and develop an analytical ability to critically assess their application.
- 4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
- 5. Identify legal issues, problems and risk factors that a business entity may encounter in operating cross-border transactions, and apply appropriate strategies to overcome these.
- 6. Recognise the importance of different approaches to and methods of resolving disputes and address the strengths and weaknesses of the different procedures.
- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

#### Assessment tasks

- Class Participation (CP)
- Problem Question
- Research Essay Synopsis
- Research Essay

### PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

This graduate capability is supported by:



## Learning outcomes

- 1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
- 2. Demonstrate a sophisticated knowledge and understanding of relevant international agreements and principles that influence international business, domestic legal regime and parties involved in cross-border dealings, and develop an analytical ability to critically assess their application.
- 4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
- 5. Identify legal issues, problems and risk factors that a business entity may encounter in operating cross-border transactions, and apply appropriate strategies to overcome these.
- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## Assessment tasks

- Class Participation (CP)
- Problem Question
- Research Essay Synopsis
- Research Essay

## PG - Critical, Analytical and Integrative Thinking

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

This graduate capability is supported by:

## Learning outcomes

- 1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
- 3. Evaluate the role of different institutions and organisations in guiding responsible business.
- 4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
- 6. Recognise the importance of different approaches to and methods of resolving disputes and address the strengths and weaknesses of the different procedures.

- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## **Assessment tasks**

- Class Participation (CP)
- Problem Question
- Research Essay Synopsis
- Research Essay

## **PG - Research and Problem Solving Capability**

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

This graduate capability is supported by:

## **Learning outcomes**

- 1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
- 2. Demonstrate a sophisticated knowledge and understanding of relevant international agreements and principles that influence international business, domestic legal regime and parties involved in cross-border dealings, and develop an analytical ability to critically assess their application.
- 4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
- 5. Identify legal issues, problems and risk factors that a business entity may encounter in operating cross-border transactions, and apply appropriate strategies to overcome these.
- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## **Assessment tasks**

- Class Participation (CP)
- Problem Question

## **PG - Effective Communication**

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.



This graduate capability is supported by:

## Learning outcomes

- 1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
- 2. Demonstrate a sophisticated knowledge and understanding of relevant international agreements and principles that influence international business, domestic legal regime and parties involved in cross-border dealings, and develop an analytical ability to critically assess their application.
- 3. Evaluate the role of different institutions and organisations in guiding responsible business.
- 4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
- 5. Identify legal issues, problems and risk factors that a business entity may encounter in operating cross-border transactions, and apply appropriate strategies to overcome these.
- 6. Recognise the importance of different approaches to and methods of resolving disputes and address the strengths and weaknesses of the different procedures.
- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## Assessment tasks

- Class Participation (CP)
- Research Essay

## PG - Engaged and Responsible, Active and Ethical Citizens

Our postgraduates will be ethically aware and capable of confident transformative action in relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues

This graduate capability is supported by:

## Learning outcomes

- 1. Describe and analyse the regulatory framework and standards that govern international business transactions and relationships.
- 2. Demonstrate a sophisticated knowledge and understanding of relevant international agreements and principles that influence international business, domestic legal regime and parties involved in cross-border dealings, and develop an analytical ability to

critically assess their application.

- 3. Evaluate the role of different institutions and organisations in guiding responsible business.
- 4. Investigate the relationship between international and domestic regulations and the way in which Australia has endorsed those international standards.
- 5. Identify legal issues, problems and risk factors that a business entity may encounter in operating cross-border transactions, and apply appropriate strategies to overcome these.
- 6. Recognise the importance of different approaches to and methods of resolving disputes and address the strengths and weaknesses of the different procedures.
- 7. Analyse hypothetical international legal problems, constructing and defending arguments in a well structured, reasoned, coherent and logical manner.

## **Assessment tasks**

- Class Participation (CP)
- Problem Question
- Research Essay Synopsis
- Research Essay