



Gujarat National Law University

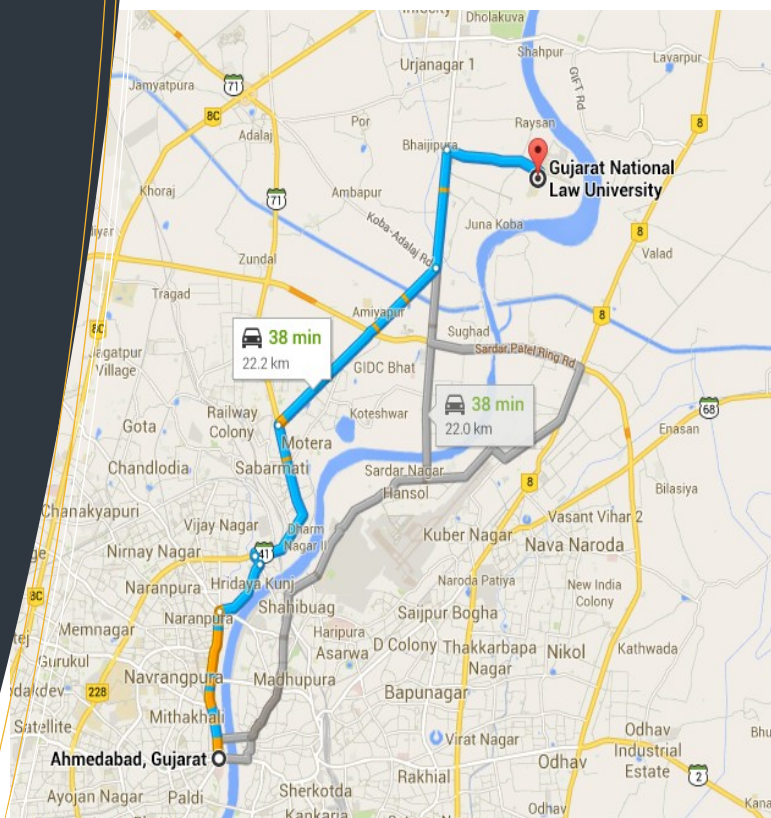
In Collaboration with

ONGC Research Scholarship



CERTIFICATE COURSE ON INTERNATIONAL CONTRACTS

November 21 - 23, 2014



ORGANISING COMMITTEE

Certificate Course on International Contracts

Principal Course Coordinator: Dr. R.K.Singh

Associate Course Coordinator: Mr. Joshua Aston

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About the Certificate Course

According to UNIDROIT Principles of International Commercial Contracts, the international character of a contract may be defined in a great variety of ways, and the solutions adopted in both national and international legislations range from a reference to the place of business or habitual residence of the parties in different countries to the adoption of more general criteria, such as, the contract having 'significant connections with more than one State', 'involving a choice between the laws of different States', or 'affecting the interests of international trade'. However, the assumption is that the concept of 'international' contracts should be given the broadest possible interpretation, so as ultimately to exclude only those situations where no international element at all is involved, i.e. where all the relevant elements of the contract in question are connected with one country only.

As a transaction qualifies to be international if elements of more than one country are involved, therefore, international contract law is concerned with the legal rules which are related to cross-border agreements. International contract law is broadly based on the idea of good faith and fair dealing in contracts. Good faith includes fair negotiations and an obligation to cooperate while terminating a contract, and also ensures that unfair agreements or deals are not enforced. Another important factor in international contracts is that the nationality of the parties does not play a major role.

GNLU, in collaboration with ONGC, organises a Certificate Course on International Contracts with the object of providing an overview of the laws governing cross-border sale transactions. The mechanisms commonly used when an international transportation of goods is involved, and the instruments available to the contracting parties looking to mitigate their respective transactional risks. The course will review the international instruments governing cross-border transactions/dispute resolution.

The course aims to:

- Impart the basic knowledge of International Contracts, besides recent issues and challenges emerging in such contracts.
- Appreciate the rights and responsibilities of the contracting parties in a cross-border sale transaction, along with understanding and assessing associated legal concerns.
- Give an overview of the jurisdictional concerns and enforcement in international transactions and trades in various sectors.
- Accommodate for transactional risks in international trade.
- Provide an overview on the types of disputes in international transactions and their settlement.
- Provide knowledge on the new forms of international contracts in this technologically advanced time.
- Provide an overview of electronic contracts as well.

HOW TO APPLY:

- Each applicant shall have to send the **Registration Form along with the requisite fees**. The Registration Form is available on the University website.
- The fees can be paid in the form of a Demand Draft in favour of 'Gujarat National Law University' payable at **Ahmedabad, Gujarat**.
- A scanned copy of the Demand Draft along with the soft copy of the registration form is to be e-mailed to **ccoic@gnlu.ac.in**
- The hard copy of the Registration Form and Demand Draft must reach us on or before **30th September 2014**.

WHO SHOULD ATTEND?

- Advocates
- Legal personnel/counsels
- Commercial and contract managers
- Business development managers
- Project managers
- Business consultants
- Finance and business executives
- Students (students pursuing full time undergraduate and postgraduate programmes in Law / Business Management / or any related field are eligible to register for this course)

A minimum number of 20 to a maximum of 40 Participants will be accepted on a First Come First Served Basis.

METHODOLOGY:

- Lectures will be conducted every day from 10:00 am to 1:00 pm and 2:00 pm to 5:00 pm
- Presentations and/or Group Discussions and Case Studies will also be conducted.
- Study materials will be provided to every participant / student.

READING / STUDY MATERIAL:

Reading/Study Material (consisting of articles, reports and case laws) will be provided to every participant after registration.

NON REFUNDABLE FEES:

For Non GNLU Participants: ₹ 2,500/-

For GNLU Students: ₹ 2,000/-

The fees will include Registration Fee, Tuition Fee, Course Kit and Meals, i.e. breakfast, lunch and tea. Additional Charges would apply for Accommodation.

SCHEDULE

1. Introduction to International Contracts: 04 sessions

- Legislative landscape in common law and civil law countries
 - * Comparison between civil law and common law contracts
 - * The UNIDROIT Principles of International Commercial Contracts
 - * Necessity of harmonisation and unification of international sales law
 - * A brief analysis of UNIDROIT general principles of contracts
 - * Introduction to CISG
 - * UNIDROIT principles and CISG - side by side
- International Commercial Litigation and Conflict of Laws
 - * International contracts and private international law: an introduction
 - * Proper law of contract
 - * Jurisdictional issues
 - * Maxims, usages and principles
 - * Characterisation of stages in private international contract laws
 - * Case Analyses
 - * International conventions

2. Contract Formation and Enforcement in International Transactions: 03 sessions

- International commercial contracts and protection of parties' interests
- International contracts in different sectors: infrastructure, shipping, procurement of goods and services
- Public policy
- The role of good faith and fair dealing in international contracts
- Cross-border transactions and importance of professional ethics and values in drafting, negotiating, enforcing and concluding international contracts

3. Breach of Contracts and Dispute Resolution in International Transactions: 04 sessions

- Role of public policy, good faith and fair dealings in international contracts
- Negotiation and conclusion of international contracts
- International regulations and punitive sanctions for the breach of contract
- Dispute resolution
- Jurisdictional issues in settlement of disputes arising out of international contracts
- Enforcement of awards resulting from dispute settlement of international contracts in courts/tribunals

4. New trends in Contracts, including International Contracts: 04 sessions

- Electronic contracts
- Recognition and validity of electronic contracts
- Consumer interest and electronic contracts

EVALUATION METHOD:

The evaluation will be in the form of an Objective Test (Multiple Choice Questions)

IMPORTANT DATES:

Last Date of Registration: September 30, 2014

Duration of Certificate Course: November 21, 2014 to November 23, 2014