

開講科目名	International Business Transactions (B)				
担当教員	Luke NOTTAGE、齋藤 彰			開講区分	単位数
				後期	1.0単位
ナンバリングコード		曜日・時限	他	時間割コード	3J575

授業のテーマ

This course builds on and complements any more general courses that may be offered through Kobe University on comparative contract law, corporate governance, arbitration and investment law, by focusing especially on developments in the Asia-Pacific region. Several case studies will be introduced and discussed in each of these fields, often drawing on the author's lecturer's practical experiences. The Appendix gives an example of an overarching case study that illustrates some of the connections among these areas of law.

授業の到達目標

By the end of this course, participants will be able to appreciate how these topics of global importance inter-relate, in a regional setting, from both theoretical and practical perspectives.

授業の概要と計画

There will be a total of eight classes covering the following topics.
The topics and schedule may be adjusted depending on our progress and student interests.

1. Fri 24 Nov (13:20-14:50)
2. Fri 24 Nov (15:10-16:40)
Comparative and International Contract Law (including Consumer Contracts)
3. Sat 25 Nov (8:50-10:20)
4. Sat 25 Nov (10:40-12:10)
Comparative and International Product Liability Law (and Product Safety Regulation)
5. Sat 25 Nov (13:20-14:50)
Comparative Corporate Governance: especially Independent Directors
6. Fri 1 Dec (13:20-14:50)
Foreign Investment: National Law and International Treaties
7. Fri 1 Dec (15:10-16:40)
Investment treaty arbitration in Asia
8. Fri 1 Dec (17:00-18:30)
International Commercial Arbitration in Asia

成績評価方法

Attendance and class participation 50%; final research essay 50% (due date after classes, topics, and other details to be advised by the first class session).

成績評価基準

With the method stated above, grades will be determined in accordance with the degrees of students' achievement of the object.

履修上の注意 (関連科目情報)

This course is recommended for students who wish to apply pre-existing general understandings of these areas of law and practice in a regional setting, or learn about these areas for the first time, with a view to law-related careers in the Asia-Pacific region.

事前・事後学修

Read the assigned Readings below. The listed optional Readings will also be used to prompt further class discussion, and/or will assist you in preparing your final research essays.

オフィスアワー・連絡先

To be announced in the first session

学生へのメッセージ

今年度の工夫

教科書

Please refer to the following link for more detailed information on texts.

[https://www.dropbox.com/home/2017%20Lectures/2017%20International%20Business%20Transactions%20\(B\)/Detailed%20Syllabus%20%26%20Materials](https://www.dropbox.com/home/2017%20Lectures/2017%20International%20Business%20Transactions%20(B)/Detailed%20Syllabus%20%26%20Materials)

CISG commentary (4th ed) / <http://olrl.ouplaw.com/view/10.1093/law/9780198723264.001.0001/law-9780198723264> : , ISBN:

UPICC commentary (2nd ed, with chapter on Offers by Luke Nottage) /

<https://global.oup.com/academic/product/commentary-on-the-unidroit-principles-of-international-commercial-contracts-picc-9780198702627?cc=gb&lang=en&> : , ISBN:

Comparing Asian contract law (of remedies) / <https://global.oup.com/academic/product/studies-in-the-contract-laws-of-asia-9780198757221?cc=gb&lang=en&> : , ISBN:

参考書・参考資料等

Please refer to the following link for more detailed information on reference materials.

[https://www.dropbox.com/home/2017%20Lectures/2017%20International%20Business%20Transactions%20\(B\)/Detailed%20Syllabus%20%26%20Materials](https://www.dropbox.com/home/2017%20Lectures/2017%20International%20Business%20Transactions%20(B)/Detailed%20Syllabus%20%26%20Materials)

Harmonisation of Contract Law in Asia - Harmonising Regionally or Adopting Global Harmonisations - The Example of the Cisg, pp. 362-372 / Bell, Gary F. : Singapore Journal of Legal Studies ,2005 ,ISBN:

Who's Afraid of the Vienna Sales Convention (CISG)? A New Zealander's View from Australia and Japan. Sydney Law School Research Paper No. 06/21, pp. 815-45 / Nottage, Luke R. : Victoria University of Wellington Law Review ,2005 , ISBN:

Afterthoughts: International Commercial Contracts and Arbitration (May 1, 2011), Vol. 17, pp. 197-204 / Nottage, Luke R. : Sydney Law School Research Paper No. 10/144 ,2010 ,ISBN:

授業における使用言語

英語

キーワード

Contract and Consumer Law; Corporate Governance; Foreign Investment; International Arbitration