

Tárgytematika / Course Description

International Commercial Transactions

DKNM_NJTA022

Tárgyfelelős neve /

Teacher's name: dr. Horváthy Balázs

Félév / Semester: 2022/23/2

Beszámolási forma /

Assesment: Vizsga

Tárgy heti óraszám /

Teaching hours(week): 2/0/0

Tárgy féléves óraszám /

Teaching hours(sem.): 0/0/0

OKTATÁS CÉLJA / AIM OF THE COURSE

Aim of the course:

The course explores the core of legal rules governing cross-border business dealings and activities, therefore, the students develop an understanding of the legal environment of international commercial transactions. The course, first, explores the main concepts, methods, and the key legal frameworks for international regulation of commercial transactions, as well as major international trade organizations that are shaping this framework. Subsequently, it goes into the international commercial contracts and examines the specifics of sales of goods, distribution and agency agreements, transport of goods, franchise, leasing, financial aspects of international transactions, technology transfer, e-commerce, and corporate transactions. Then the conflicts of laws, the rules of the private international law, and the dispute settlement mechanisms are addressed; and finally, the course offers an introduction in drafting and negotiating contracts. Beyond a theoretical understanding of the structure, main principles and legal terminology of contracts, students solve practical problems of international commercial transactions through collaborative workshops.

TANTÁRGY TARTALMA / DESCRIPTION

Description:

1. Introduction to the subject, requirements, assessment. Legal infrastructure of international transactions.

2. Main actors, International Organizations. Unification and harmonization of rules.
3. Multilateral, regional and domestic sources and instruments. Lex Mercatoria.
4. Sales of goods. The rules of CISG.
5. The Incoterms and international transactions. Incorporating Incoterms into contracts.
6. Distribution agreements. Agency.
7. Transport for international trade. Freight transport by sea, air, road and rail.
8. Franchise agreements. Leasing.
9. Finance of international transactions. Payments, insurance.
10. Transfer of technology. E-commerce transactions.
11. Foreign investments. Investment protection. Joint ventures. Off-shore companies.
12. Conflicts of laws. Role of the private international law.
13. Claims, actions and disputes. Dispute settlement. Arbitration and alternative dispute resolutions.
14. Structure, principles and legal terminology of contracts. Drafting and negotiating contracts (collaborative workshop).

SZÁMONKÉRÉSI ÉS ÉRTÉKELÉSI RENDSZERE / ASSESSMENT'S METHOD

Obligatory material:

- Course reader provided by the department
- Roy Goode (et al.): Transnational commercial law: Primary materials. Oxford University Press, 2007.
- Ray August (et. al.): International Business Law. Text, Cases, and Readings. 6th ed. Pearson, 2013.