

COURSE-IV: OPTIONAL - VI:
LAW RELATING TO INTERNATIONAL TRADE

Objectives :

International trade has assumed great importance in 21st century and its regulation under law has become a necessity to prevent exploitation of the weaker people. A new legal regime to regulate international trade is emerging. Students of law should have understanding of these developments. This course is worked out to provide the future lawyers basic inputs in the area of international trade law.

Course contents:

UNIT I

Historical perspectives of International Trade, Institutions - UNCTAD, UNCITRAL, GATT (1947-1994); World Trade Organisation- Objectives, Structure, Power; Most Favoured Nation Treatment and National Treatment; Tariffs and Safeguard measures.

UNIT II

Technical Barriers to Trade; Sanitary and Phyto- sanitary measures; Trade Related Investment Measures (TRIMs); Anti- Dumping. Subsidies and Countervailing Measures; Dispute Settlement Process.

UNIT III

International Sales of Goods Formation and Performance of International Contracts, Various Forms and Standardisation of Terms; Acceptance and Rejection of Goods. Frustration of Contract, Invoices and packing, Product liability.

UNIT IV

Exports - Insurance of Goods in Transit; Marine Insurance and kinds; Law on Carriage of goods by sea, land and air, Container transport, Pre-shipment Inspection; Licensing of Export and Imports.

UNIT V

Laws Governing Finance and Investments; Foreign Collaboration and Investment Policy; Foreign Direct Investment in Industries and Governing Policies; Foreign Institutional Investors (FIIs): Investment by Non-resident Indians (NRIs) and Overseas Corporate Bodies (OCBs); Foreign Collaboration Agreement- Foreign Technology Agreement; Foreign Companies and Foreign Nationals in India.

Prescribed Books:

1. Bhalla, Raj, International Trade Law: Theory and Practice, 2nd Edition (Lexis Nexis, 2001).
2. A.K. Kaul, Guide to the WTO and GATT: Economics, Law and Politics, (Kluwer Law International, 2006).