Al-Farabi Kazakh National University

Faculty of International Relations

Department of International Law

7M04201 “International Law”

Syllabus of the discipline

“Actual Problems of International Trade Law”

Autumn semester of the 2022-2023 academic year

**Seminar questions**

Seminar No. 1

International trade law (General issues). Problems of state regulation of foreign trade

1. The subject of the ICC. Comparative characteristics of the principles of civil and commercial law.

2. The sources of the ICC. Legislation on foreign economic activity.

Seminar No. 2

State regulation of activities

1.foreign Trade policy of the state.

3.types of state regulation of international trade. Free trade policy. Protectionist policy.

4. Instruments of trade policy of the state: a) tariff measures; b) non-tariff measures.

Seminar No. 3

World trade organization and the RK

1.History of the WTO.

2.The documents of the WTO.

3. The structure of the WTO.

4.basic principles and rules of the WTO.

5.dispute resolution mechanism in the WTO.

6. KZ on the way to joining the WTO:

a) main goals of accession;

b) the progress of negotiations; C) the procedure for accession of a new member state to the WTO.

d) results of joining.

Seminar No. 4

Legal regulation of joint entrepreneurship in the countries of the Romano-German legal system (continental law)

1. The institution of a commercial partnership as a fundamental institution in the civil and commercial law of the countries of the Romano-German legal system:

a) the concept of a commercial partnership, its distinctive features;

b) types of trade partnerships:

 General partnership; limited partnership;

 limited liability partnership;

C) specific forms of trade partnerships:

• secret partnership;

• joint-stock limited partnership;

• limited partnership + limited liability partnership

EU equity legislation: Association with a common

economic purpose

Seminar No. 5

Legal regulation of joint entrepreneurship in the countries of the Anglo-American legal traditions

1.Organizational and legal forms of doing business in England and the USA.

2. Partnership (Partnership). Full partnership (generalpartnership) .Limited partnership or limited liability partnership (limitedpartnership).

3.Of the company in English law. The main provisions of the company law in England. CompaniesAct 2006 Types of companies. Features of the activities of certain types of companies.

4.Entrepreneurial corporations as the main organizational and legal form of doing business in the United States. The concept of a Corporation. The process of creating a Corporation. Public Corporation as a special type of Corporation. Dejure Corporation and defacto Corporation.

Seminar No. 6

Main types of monopolistic associations

Goals and objectives of the Association of entrepreneurs in monopolistic organizations.

but/. Cooperation agreement: •consortium;

•parent company agreement; •patent pool;

•the franchise agreement; •the financial group; •the cartel;

•syndicate.

b/. Integration agreements:

•concern;

•trust.

Antitrust legislation and its significance.

Seminar No. 7

International commercial operations. International trade transactions

International commercial operations:

1.the concept of an international commercial operation.

2.types of international commercial operations carried out on the world market: main and supporting commercial operations. Export-import operations. Re-export and re-import. Direct connection.

3. Commercial operations at international auctions, exchanges, and auctions.

4.Commodity exchange operations.

International trade transaction:

1. The concept of an international trade transaction.

2. Form of international commercial transactions.

3. Features of the international purchase and sale transaction.

4. Conflict issues

5. technique for concluding a foreign economic transaction. Offer and its types.

6. International legal regulation of international sale and purchase:

The Hague conventions of 1964

United Nations Convention on contracts for the international sale of goods, Vienna, 1980

. Convention on the limitation period in the international sale of goods, UNCITRAL, 1974.

Convention on the law applicable to contracts for the international sale of goods, the Hague, 1985

. General terms of delivery.

7.the civil code of the Russian Federation and the contract for the international sale of goods.

8. "LEX MERCATORIA".

Seminar No. 8

Procedures and techniques for preparing an international trade transaction.

Preparation of a foreign trade contract: commercial offer. Firm and free offer.

Seminar No. 9

Topic: procedures and techniques for preparing an international trade transaction

Business negotiation. The General rules of the Protocol, practices and methods of conducting commercial negotiations. Protocol of intentions. Preliminary contract. Compliance with the commercial interests of the parties. Confidentiality of information. Responsibility at the stage of pre-contract relations.

Seminar No. 10.

Topic: Legal support for the activities of a trade intermediary on the world market

1.the concept and significance of the institution of trade mediation in the modern world market.

2. International legal regulation of trade mediation.

Seminar No. 11.

Topic: Legal support of a trade intermediary's activity on the world market

Types of trade and intermediary operations resale operations. Commission operations. Agency operations. Brokerage.

Main commercial terms of contracts with Resellers.

Seminar No. 12

Topic: international technology exchange

1.international cooperation in the field of intellectual property and the world market of high-tech products.

2. legal regulation of relations in the sphere of international trade in intellectual property rights. WTO. TRIPS agreement and other international conventions.

Seminar No. 13

Topic: international technology exchange

Foreign trade operations for the exchange of scientific and technical knowledge in international entrepreneurship: international exchange of technologies, scientific and technical relations. Concepts of "technology", "patent", "license", "know-how". Technology as a commodity. Forms of technology transfer.

Contractual forms of international trade in intellectual property rights:

License agreement and its main terms. The price of the license. Royalty. International franchising. International engineering:

Seminar No. 14

Subject: International lease operations

1.the essence of international lease operations, the content of the concept of "international lease operation".

2.types of international leases.

Seminar No. 15

Subject: International lease operations

International legal regulation of relations in the field of international financial leasing.

The contract of international financial leasing.