Al-Farabi Kazakh National University

Faculty of International Relations

Department of International Law

Educational program in the specialty

5B030200 - “International Law”

Syllabus of the discipline

“International Finance Law”

Autumn semester of the 2020-2021 academic year

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| **Discipline code** | **Discipline** | **Independent Work of Student (IWS)** | **Number of hours** | | | | | **Number of credits** | **Independent student work under the guidance of a teacher (IWS)** | |
| Lectures (L) | Pract. classes (PC) | | Lab. classes (LC) | |
| **MFP 4311** | **International Finance Law** | 25 | 15 | 30 | | - | | 3 | 7 | |
| Academic Course Information | | | | | | | | | | |
| Type of training | Type / nature of the course | Types of lectures | | | Types of practical classes | | Number of IWS | | Final control form | |
| Online | Elective | Problematic, analytical,  the conference | | | Discussion, presentations | | 6 | | A written exam | |
| Lecturer | Senior Lecturer, PhD Otynshiyeva Aidana Aitukyzy | | | | | | Of / h | | |  |
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| **Academic presentation of the course** |

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| **Objective of the discipline** | **Expected learning outcomes (LO)**  As a result of studying the discipline student will be able to: | **Indicators of Achievement of LO** (IA)  (for each LO at least 2 indicators) |
| To form students' ability to understand the essence and meaning of international finance law legislation and apply the knowledge gained in the regulation of international finance law relations. | 1. LO 1.Systematize knowledge about legal nature of international finance law | IA 1.1. Understand the basic definitions in the current legislation in the field of international finance law;  IA 1.2. Explain the principles and sources of international finance law;  IA 1.3. Classify the subjects of international finance law. |
| LO 2. Understand the international finance law and domestic regulation of relations in the field of international finance law | IA 2.1. Use the specific knowledge in the study of the system and functions of international finance law;  IA 2.2. Understand the tasks and activities of international finance law;  IA 2.3. Differentiate the international international finance law types. |
| LO 3. Interpret the international agreements in area of guard of the international finance law | IA 3.1. Apply the principles of international finance law;  IA 3.2. Work with basic concepts in the field of international finance law;  IA 3.3. Apply the classification of international finance law. |
| LO 4. Determine the international finance law principles | IA 4.1. Apply the procedure for international finance law;  IA 4.2. Use the forms, methods and means of international finance law;  IA 4.3. analyze practical situations, judicial practice;  IA 4.4. apply norms of international agreements and Kazakhstan legislation for the protection of the broken international finance law. |
| LO 5. Obtain skills of work with normative material, able to summarize judicial practice, comment a legislation and international agreements. | IA 5.1. use the skills and abilities in practice;  IA 5.2. decide practical tasks in that it is necessary to apply collision norms and foreign rights. |
| **Prerequisites** | Civil law, Civil procedure, International private law | |
| **Postrequisites** | International Trade Law, International Economic Law | |
| **Resources and Literature** | Literature  P. Wood, Law and Practice of International Finance, Sweet & Maxwell, 2008. This book is the first building block of the Basic Reading;  Market aspects: S. Valdez, Ph. Molyneux, An Introduction to Global Financial Markets, 8th ed. (7th and 6th can also be used, but not older), Palgrave-McMillan 2015 | |

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| **Academic policy of the course in the context of university moral and ethical values** | Rules of academic conduct:  The deadlines for completing the online course modules must be strictly observed in accordance with the schedule for studying the discipline.  ATTENTION! Failure to meet deadlines leads to loss of points! The deadline for each assignment is indicated in the calendar (schedule) for the implementation of the content of the training course.  Academic values:  - Practical / laboratory studies, CDS should be independent, creative.  - Plagiarism, forgery, use of cheat sheets, cheating at all stages of control are unacceptable.  - Students with disabilities can receive consulting assistance at the e-address [aidana-best91@mail.ru](mailto:aidana-best91@mail.ru) |
| **Assessment and attestation policy** | Criteria assessment: assessment of learning outcomes in relation to descriptors (checking the formation of competencies at midterm control and exams).  Summative assessment: assessment of the activity of work in the audience (at the webinar); assessment of the completed assignment. |

**Calendar (schedule) for the implementation of the content of the training course**

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| --- | --- | --- | --- | --- | --- | --- | --- |
| Week | Topic name | LO | IA | Number of hours | Maximum score | Knowledge Assessment Form | Lesson form / platform |
| 1 | * **Lecture 1.** Introduction to financial law | LO 1 | IA 1.1. | 1 |  |  | Video lecture in ZOOM |
| 1 | **Seminar 1.**  To define the international the financial market. | LO 2 | IA 1.1. | 2 | 8 | Analysis | Video meeting in ZOOM |
| 2 | **Lecture 2**. Creating risk - Raising capital | LO 1  LO 2 | IA 1.1  IA 1.3  IA 2.1 | 1 |  |  | Video lecture in ZOOM |
| 2 | **Seminar 2.** To expand and discuss the provisions on Loans and interest. | LO 1  LO 2 | IA 1.1  IA 1.3  IA 2.1 | 2 | 8 | Analysis | Video meeting in ZOOM |
| 3 | **Lecture 3.** Creating risk II and risk transfer | LO 1 | IA 1.2 | 1 |  |  | Video lecture in ZOOM |
| 3 | **Seminar З.** To determine the Issuance of Shares | LO 1 | IA 1.2. | 2 | 8 | Analysis | Video meeting in ZOOM |
| 3 | **IWST 1. Consultation on the implementation of the IWS 1.** |  |  |  | 5 |  | Video meeting in ZOOM |
| 3 | **IWS 1.** Issuance of International Bonds (Eurobonds) | LO 2 | IA 2.1.  IA 2.2. |  | 25 | IW | Video meeting in ZOOM |
| 4 | **Lecture** **4.** Risk mitigation I – Security interests | LO 4 | IA 4.1. | 1 |  |  | Video lecture in ZOOM |
| 4 | **Seminar 4.** To define the Security interests: pledge, mortgage, fix and floating charge | LO 4 | IA 4.1. | 2 | 8 | Analysis | Video meeting in ZOOM |
| 5 | **Lecture 5.** Risk mitigation II – Financial collateral | LO 4 | IA 4.1.  IA 4.2 | 1 |  |  | Video lecture in ZOOM |
| 5 | **Seminar 5.** To expand the Substitution, margining, right of use | LO 4 | IA 4.1.  IA 4.2 | 2 | 8 | Analysis | Video meeting in ZOOM |
| 5 | **IWST 2. Consultation on the implementation of the IWS 2.** |  |  |  | 5 |  | Video meeting in ZOOM |
| 5 | **IWS 2.** To determine the features of Insurance | LO 4 | IA 4.1. |  | 20 | IW | Video meeting in ZOOM |
| 5 | **Make a structural and logical diagram of the material read** |  |  |  | 10 |  | Video meeting in ZOOM |
| 5 | **RK 1** |  |  |  | 100 |  |  |
| 6 | **Lecture 6.** Risk mitigation III – Personal surety, derivatives | LO 4 | IA 4.1. | 2 |  |  | Video lecture in ZOOM |
| 6. | **Seminar 6.** To identify theconcept of Guarantee and indemnity | LO 4 | IA 4.1. | 1 | 8 | Analysis | Video meeting in ZOOM |
| 7. | **Lecture 7**. Risk mitigation IV – Set off, netting and clearing | LO 4 | IA 4.1. | 2 |  |  | Video lecture in ZOOM |
| 7. | **Seminar 7.** To classify the Importance for monetary operations, derivatives, repos, securities lending | LO 4 | IA 4.1. | 1 | 8 | Analysis | Video meeting in ZOOM |
| 8. | **Lecture 8.** Securitisation and Asset-backed securities | LO 4 | IA 4.1. | 2 |  |  | Video lecture in ZOOM |
| 8. | **Seminar 8.** To determine the role of rating agencies and investment banks | LO 4 | IA 4.1. | 1 | 8 | Analysis | Video meeting in ZOOM |
| 8. | **IWST 3. Consultation on the implementation of the IWS 3.** |  |  |  | 5 |  | Video meeting in ZOOM |
| 8. | **IWS 3.** Insolvency of multinational financial institutions | LO 1  LO 2 | IA 1.3  IA 2.1 |  | 25 | IW | Video meeting in ZOOM |
| 9. | **Lecture 9.** Internationalisation of the Market | LO 5 | IA 5.1  IA 5.2  IA 5.3 | 2 |  |  | Video lecture in ZOOM |
| 9. | **Seminar 9.** To identify the conflict of laws: Lex rei sitae, lex societatis, lex situs, lex contractus, PRIMA | LO 5 | IA 5.1  IA 5.2  IA 5.3 | 1 | 8 | Analysis situational tasks | Video meeting in ZOOM |
| 10. | **Lecture 10**. Transfer of financial instruments | LO 5 | IA 5.1  IA 5.2  IA 5.3 | 2 |  |  | Video lecture in ZOOM |
| 10. | **Seminar 10.** To define the Stock exchanges – trading of securities | LO 5 | IA 5.1  IA 5.2  IA 5.3 | 1 | 8 | Analysis situational tasks | Video meeting in ZOOM |
| 10. | **IWST 4. Consultation on the implementation of the IWS 4.** |  |  |  | 5 |  | Video meeting in ZOOM |
| 10. | **IWS 4.** The regulatory side of the financial market | LO 1  LO 2 | IA 1.1  И.Д 2.1 |  | 15 | IW | Video meeting in ZOOM |
| 10. | **IWST 5.** Oral survey of completed material. |  |  |  | 10 |  | Video meeting in ZOOM |
| 10. | **МТ (MidtermExam)** |  |  |  | 100 |  |  |
| 11. | **Lecture 11.** Financial sector insolvency – a special area of law | LO 1  LO 2 | IA 1.1  IA 2.2 | 2 |  |  | Video lecture in ZOOM |
| 11. | **Seminar 11.** To expand the tension between contract law and insolvency law | LO 1  LO 2 | IA 1.1  IA 2.2 | 1 | 8 | Analysis | Video meeting in ZOOM |
| 12. | **Lecture 12**. The Financial Crisis and financial law | LO 3  LO 4 | IA 3.2  IA 4.1 | 2 |  |  | Video lecture in ZOOM |
| 12. | **Seminar 12**. To consider the role of financial law and regulation | LO 3  LO 4 | IA 3.2  IA 4.1 | 1 | 8 | Analysis | Video meeting in ZOOM |
| 12. | **IWST 6. Consultation on the implementation of the IWS 5.** |  |  |  | 5 |  | Video meeting in ZOOM |
| 12. | **IWS 5.** International holding and transfer of securities | LO 2  LO 3 | IA 2.2  IA 3.2 |  | 25 | IW | Video meeting in ZOOM |
| 13. | **Lecture 13.** The Financial Crisis and financial law | LO 2  LO 4 | РО 2.2  IA 4.1 | 2 |  |  | Video lecture in ZOOM |
| 13. | **Seminar 13.** To analyze the Bank resolution and financial law (bail-in, asset transfer and moratorium) | LO 2  LO 4 | РО 2.2  IA 4.1 | 1 | 8 | Analysis | Video meeting in ZOOM |
| 14. | Lecture 14.  Transfer of financial instruments | LO 5 | IA 5.1  IA 5.2  IA 5.3 | 2 |  |  | Video lecture in ZOOM |
| 14. | **Seminar 14.** To determine the International holding and transfer of securities | LO 5 | IA 5.1  IA 5.2  IA 5.3 | 1 | 8 | Analysis situational tasks | Video lecture in ZOOM |
| 15. | **Lecture 15**. Internationalisation of the Market | LO 5 | IA 5.1  IA 5.2  IA 5.3 | 2 |  |  | Video lecture in ZOOM |
| 15. | **Seminar 15.** To consider the main principles, key concepts of cross-border financial services, branches and subsidiaries | LO 5 | IA 5.1  IA 5.2  IA 5.3 | 1 | 8 | Analysis situational tasks | Video meeting in ZOOM |
| 15. | **IWST 7. Consultation on the implementation of the IWS 6.** |  |  | 5 |  |  | Video meeting in ZOOM |
| 15. | **IWS 6.** Choice of law and the global influence of English law to international finance law | LO 2  LO 3 | IA 2.2  IA 3.2 | 15 |  | Analysis | Video meeting in ZOOM |
|  | **Written Examination** |  |  | 10 |  |  |  |
|  | **RK 2** |  |  | 100 |  |  |  |

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