



# **GIAN COURSE ON TRANSNATIONAL COMMERCIAL LAW**

**AUGUST 1-6, 2016  
NATIONAL LAW UNIVERSITY, DELHI**

**MINISTRY OF  
HUMAN RESOURCE DEVELOPMENT, GOVT. OF INDIA**



**National Coordinating Institute  
INDIAN INSTITUTE OF TECHNOLOGY KHARAGPUR**

# TRANSNATIONAL COMMERCIAL LAW

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## OVERVIEW

Transnational Commercial Law is born out of conventions, treaties, domestic legislations and commercial customs or usages. This body of law governs international commercial transactions and it is applied to a number of legal systems. Transnational Commercial Law has to be distinguished from International Economic Law since the former focuses on private law in transactions, especially cross-border transactions, whereas the latter concerns with dealings between states. It is important to be aware of the legal principles that govern transnational commerce as such knowledge is vital for any legal professional who wishes to excel in the face of challenges of legal practice in a globalised world, where many of them will be dealing with cross-border transactions on a daily basis.

The program contents provide an introduction to three important areas of transnational commercial law: the CISG, Carriage of Goods and International Commercial Law Practice. More generally, the course aims to orient participants to sales law and arbitral aspects of international business law practice. The specific areas covered in the course, while not exhaustive, are sufficient to provide participants with an introduction to international commercial law. Additionally, since the course materials include numerous cases from different jurisdictions, arbitral award decisions and hypothetical discussion problems, the program contents also aim at familiarising students with case law analysis from various judicial bodies and jurisdictions outside India.

## COURSE OBJECTIVES

1. To provide an introduction to international business law practice;
2. To introduce participants to two important areas of transnational commercial law:
  - A. UN Convention on Contracts for the International Sale of Goods ("CISG")
  - B. Carriage of Goods Conventions;
3. To familiarise participants with the international laws and conventions that govern this area of law
4. To help participants gain an understanding of case law, through a detailed discussion and analysis of international judicial decisions and arbitral awards on the CISG.

## MODULES

The course is structured into 15 Lectures consisting of 3 lectures per day.

- Introduction: Harmonisation & Unification of Private Law and Sale Law.
- Principles of Contract formation under the CISG
- CISG rules regarding conformity of documents.
- Conventions on International Carriage of Goods by Sea, Hague, Hamburg, Rotterdam
- Indian Law on Carriage of Goods- Carriage of Goods by Sea Act 1925,
- Transnational commercial litigation;
- Types of law and rules applicable to international contracts.
- The Jurisdiction & Enforcement of Foreign Judgments

## TEACHING METHOD

The teaching method will be primarily via lecture. However, students will be expected to answer questions on the assigned readings and to engage in a discussion of the course material. In particular, the assigned readings will include court decisions, arbitral awards, and hypothetical or practical problems that the students will be expected to analyse and discuss in class.

## COURSE DURATION

1st - 6th August, 2016

## CREDITS

The course is credit based. Candidates will earn **ONE Credit** upon successful completion of this course, as per MHRD Guidelines on GIAN. Participants will have to identify a compatible course from their institution to be able to successfully transfer the credits. They will have to make arrangements to process the applications in their respective institutions.

## DEADLINES

Registration form, along with the latest CV, to be emailed to [ctcl@nludelhi.ac.in](mailto:ctcl@nludelhi.ac.in)

Last date of submission of application: **10th July, 2016.**

Short-listed candidates will be intimated by the **15th July, 2016.**

**The maximum number of participants will be limited to fifty only.**

**As per GIAN Guidelines, candidates of the host institution can fill a maximum 50% of the total seats.**

In the event that the number of applications exceed the number of available seats, selection criteria identified by the University shall be adopted to shortlist the participants.

## YOU SHOULD ATTEND IF

- Law students at all levels (BA LLB/LLB/LLM/JD/JSD/PhD);
- Faculty from law schools, universities, colleges and institutions of higher education;
- Lawyers, In-house counsels;
- Professionals from industry involved in transnational commercial law practice.

## FEES

The participation fees for taking the course is as follows:

**A. Participants from outside India: US \$250/-**

**B. Professionals/Lawyers/Non-Academics: Rs. 10,000/-**

**C. Faculty/Students from academic institutions requiring accommodation (excluding food): Rs. 6,000/-**

**D. Faculty/Students from academic institutions not requiring accommodation: Rs. 3,000/-**

**E. Faculty and Students from National Law University, Delhi: No Fee**

The above fee includes all instructional materials, classes and internet facility.

The participants will be required to **pay separately** for food/meals.

Accommodation may be provided within the University campus only in case of availability, which will be in limited numbers. Preference shall be given to faculty members and outstation candidates.

Demand draft to be made in favour of: - Registrar, National Law University, Delhi, payable at Delhi.

**Superscribe on the envelope "MHRD GIAN Course on Transnational Commercial Law"**

Venue: National Law University-Delhi, Sector 14, Dwarka, New Delhi, India – 110078.

[www.nludelhi.ac.in](http://www.nludelhi.ac.in)

## Dr. Peter J. Mazzacano

International Teaching Faculty



M.B.A., LL.M., Ph.D., (York University - Osgoode Hall Law School). Ontario, Canada.

He is the Founder and Editor of *CISG Canada*, which is dedicated to Canadian jurisprudence on the *United Nations International Sale of Goods Convention* ("CISG").

In Toronto, he has taught International Business Law at Ryerson University and served as a Visiting Professor and Adjunct Professor at Osgoode Hall Law School, York University for six years, where he taught Legal Research and Writing/ Legal Process, Civil Procedure, and International Dispute Resolution. At York University he also taught an undergraduate course on Canadian Business Law.

Peter continues to research and publish in the area of international sale of goods law.

In 2014 came the release of his book *Exemptions for the Non-Performance of Contractual Obligations in CISG Article 79: The Quest for Uniformity in International Sales Law*, (Cambridge, UK: Intersentia Publishing Ltd.).

Peter currently works in corporate law, near Toronto, Canada. In addition, he has recently taught Business Law courses at the University of Guelph and Sheridan College as an adjunct faculty member. His current academic post is as an Associate Academic in Law with the University of Derby where he supervises LL.M. student dissertations in oil and gas law, and teaches courses on Business Crime and the National and International Sale of Goods.

He can be contacted at [P.Mazzacano@derby.ac.uk](mailto:P.Mazzacano@derby.ac.uk)

## Dr. Risham Garg

Host Faculty and Course Coordinator

Dr. Risham Garg holds a Doctor of Laws (LL.D.), doctoral research degree, for his work on International Contracts. He presently teaches courses of International Commercial Laws, Bankruptcy Insolvency & Restructuring in the LL.M programme, Law of Contracts, Sale of Goods and also Private International Law.



He is continuing with the National Law University Delhi as a regular faculty member since 2009. He has previously worked as a Lecturer at the Amity Law School, (IP University Delhi) for over six years during 2002-2009. He has been a visiting faculty at the National Law University Odisha Cuttack, the Indian Law Institute, Amity Business School Noida. He has been involved in publishing and presenting research papers on contemporary issues in commercial laws and active participation in consultations in various forums. He acts as an Arbitrator at the Willem C. Vis International Commercial Arbitration Moot on the International Sale of Goods (CISG Convention) at Vienna and at Hong Kong; and also at the India rounds of the Vis Pre-Moot. He has been a Visiting Research Scholar at UNCITRAL, Vienna, Austria in 2007.

Since February 2016, he is also the Research Director of the Centre for Transnational Commercial Law at NLU Delhi.

He can be reached at,

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