Til Bjørnar Borvik
Fra administrasjonen/CHE
Dato: 2015 04 24

Fullmaktsvedtak: JUS279-2-A Transnational Commercial Law I og korrigering av forkunnskapskrav

Administrasjonen holder på med en gjennomgang av alle emnebeskrivelser for spesialemner, og i den forbindelse ble det oppdaget en uregelmessighet i forkunnskapskravet til emnet JUS279-2-A. Emnet står oppført med følgende forkunnskapskrav i emnebeskrivelsene i FS og på nett:

- JUS279-2-A:
  - Krav til forkunnskaper: Three years of law studies.
  - Tilrådde forkunnskaper: Three years of law studies.

Uregelmessigheten ble oppdaget da emnet JUS279-2-B Transnational Commercial Law II har en at annet – og mindre krevende – krav til forkunnskaper: Three years of university studies. Good or basic active command of English is rather required. Tilrådde forkunnskaper for emnet er *Three years of law studies.*

I emnemalen for begge disse emnene som ble vedtatt av fakultetsstyret 29.4.2008[1] står begge emnene oppført med samme krav til forkunnskaper og tilrådde forkunnskaper:

- Krav til forkunnskaper:Three years of university studies. Good or basic active command of English is rather required.
- Tilrådde forkunnskaper: Three years of law studies.

Årsaken til at emnebeskrivelsen til JUS279-2-A har andre forkunnskapskrav er nok at det skjedde en feil når emnet ble opprettet og registrert i FS i 2008, hvor feil forkunnskapskrav da ble lagt inn. Registreringen av emnet i FS skjedde samtidig med registreringen av en rekke andre emner med andre forkunnskapskrav, og sannsynligvis har det skjedd en glipp og feil forkunnskapskrav blitt registrert for emnet JUS279-2-A. Deretter har denne feilen blitt videreført når emneinformasjonen i FS ble kopiert over til nye semestre.

Administrasjonen ber derfor om at emnebeskrivelsen for JUS279-2-A endres slik at riktige krevde og tilrådde forkunnskaper registreres i FS og publiseres på nettsidene til fakultetet.

Formelt:
I hht § 9 tredje ledd andre og tredje punktum i Reglement for det juridiske fakultet, universitetet i Bergen kan Studieutvalgets leder fatte vedtak "på utvalgets vegne i mindre viktige saker som ikke er av prinsipiell betydning, samt i saker hvor møtebehandling ikke kan avventes uten vesentlig ulempe for fakultetets virksomhet. I sistnevnte tilfeller skal saken så vidt mulig drøftes med minst en av studentrepresentantene i utvalget før vedtak fattes eller tilråding gis".

Saken her anses å omfattes av denne bestemmelsen idet den ikke er vesentlig og ikke kontroversiell.

[1] Se vedlegg, s. 3

Vedtak:
Forkunnskapskravet i JUS279-2-A som er registrert i FS og i emnebeskrivelsene på nettsidene korrigeres som foreslått slik at de samsvarer med kravet i emnemalen som ble vedtatt av Fakultetsstyret 29.4.2008.

Bjørnar Borvik
Visedekan for utdanning

Emnemal JUS279-2-A Transnational Commercial Law I

Emnemal JUS279-2-B Transnational Commercial Law II

Emnemal JUS279-2-C Transnational Commercial Law III

Subject	
Course title	JUS279 Transnational Commercial Law
Code	
Course title – bokmål*	JUS279-2-A Transnational Commercial Law I JUS279-2-B Transnational Commercial Law II JUS279-2-C Transnational Commercial Law III
Course title – nynorsk*	JUS279-2-A Transnational Commercial Law I JUS279-2-B Transnational Commercial Law II JUS279-2-C Transnational Commercial Law III
Course title – english*	JUS279-2-A Transnational Commercial Law I JUS279-2-B Transnational Commercial Law II JUS279-2-C Transnational Commercial Law III
Number of credits*	10+10+10
Level (BA or MA)	MA
Course leader*	Andreas Fötschl
Subject lecturer(s)*	
Contact person in the Administration (can be changed by the Admin. without a new decision)	Bitten.Lunde@jurfa.uib.no
Combines successfully with	JUS278-2-A Comparative Private Law JUS274 Comparative Company Law with Law and Economics JUS296 Dispute Resolution and Negotiations
For the subjects in the law programme:	
- Course content**	The main characteristic of this course is that it is not based on a singular national law but is supranational in its approach. Cross-border commercial transactions are increasing. Such transactions have become a common undertaking for a wide range of companies of all sizes. Cross boarder trading faces particular legal problems. One of them is the fact that the application of conflict of law rules causes a substantive amount of insecurities and thereby obstacles for business planning. The harmonization of international trade law is a way to avoid these problems. The course "Transnational commercial law" deals with that set of rules which governs international commercial transactions and is common to a number of jurisdictions. Its subjects are international instruments of various kinds: conventions, EC directives and model laws, as well as codifications of international trade usage. These rules are underpinned by the general principles of commercial law (lex mercatoria). The course is divided into three parts. The first part of the course concentrates on the history, general framework, policies and general problems of transnational commercial law. The second part of the course examines specific

	international trade conventions, model laws and contractual codes (for example Sales, Agency, Financial Leasing, Factoring, Assignment, interests in mobile equipment, transactions in securities). In the third part students will get basic knowledge in regard to international instruments governing transnational insolvency and international dispute resolution. The final part deals also with recurrent issues of harmonization and will bring together different elements that were taught in the former parts.
- Learning outcome**	Part I: Students will be able to explain the connection between transnational commercial law and the rules on conflict of laws, on the one side, and the connection to comparative law on the other side. Students will also gain an insight into problems within international law. The students will analyse how different branches of the law are connected together and will be able to describe how transnational law comes into existence and how it helps to bridge the gap between different legal systems. Part II: Students will be able to explain the relevant international instruments and will be able to apply them in all sorts of practical cases. They will be able to find solutions within the instruments on their own. Part III: The students will be able to explain principle problems and the most important concepts. Students will be familiar with the most important case law to theses instruments and will be able to execute further investigations on their own. The students will identify connecting factors between the different instruments and explain the practical and political problems of harmonization of commercial law.
- Literature**	Goode and Kronke and McKendrick, Transnational Commercial Law, Text, Cases, and Materials, Oxford University Press, 2007, ISBN 978-0-19-925166-7, 739 pages (without index).
Teaching:	
- teaching semester (autumn/spring)*	Autumn
- teaching methods*	Lectures
- teaching language*	English
- compulsory elements*	None
Admission/admittance regulation:	
- general admittance requirements*	MAJUR, JUSVALG, INTL-JUS
- course admission*	Ordinary; no specific admission requrements
- capacity of course participant	Not limited
- private candidate admittance*	No
Exam:	
- examination semester (Autumn/Spring)*	Autumn and spring
- type of examination * o semester with teaching o semester without teaching	 Four hour school exam Four hour school exam
- duration of exam*	
- examination language* - the exam question - the answer	 English English
- grade system*	Graded scale with 5 levels from A to E for passes and F for fail, see Section 3-1 no. 2, first sentence of *Studieplanen for masterstudiet I rettsvitenskap ved UiB.*

Remedies permitted in addition to § 3-6	None
Basic admission requirements (including language requirements):	
- compulsory*	Three years of university studies. Good or basic active command of English is rather required
- recommended*	Three years of law studies.
Academic overlap with other courses*	
Evaluation*	In accordance with general guidelines for evaluation of optional courses
Contact information* - Department/Institute/ Faculty	Contact person in the Administration: Department: **The Faculty of Law** Visiting address: Magnus Lagabøtes plass 1 Office hours: 09.00 – 14.00. Postal address: Postboks 7800 Post number and city: 5020 BERGEN Phone: + 47 55 58 95 00 Fax: + 47 55 58 95 10 E-mail: info@jurfa.uib.no Web: http://www.jur.uib.no/
Target group(s)	Norwegian students who want to pursue an international career in bigger law or consulting firms or in international companies in Norway or abroad. Norwegian students who plan to work or study abroad and want to improve their legal English.
The need for adjustment with regard to the target groups	None.
Financing of the subject	Ordinary, internal
Resources	
- course leader	Internal, Associate Professor
- teaching resources	Internal/external
- administrative resources	Internal
Relevance of the course	Cross border trading produces international business connections that are, together wit the growth of wealth on a broad basis, important for peaceful relationships between states. Since cross-border legal transactions become more and more normal it is important for society that lawyers are familiar with the most important instruments within transnational commercial law.