When considering the modules you may wish to select, please be mindful of the fact that the information in this document is indicative. The content and assessment structure of the module may change and on occasion it may also be necessary for the module to be cancelled for a variety of reasons. Upon enrolment you will receive finalised module information to ensure your selection choices are informed and accurate.

## Contents

### Full-Year modules

<table>
<thead>
<tr>
<th>Module Code</th>
<th>Module Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>7FFLA001</td>
<td>ANALYTICAL &amp; QUANTITATIVE METHOD FOR LAWYERS (NON-LAW MODULE)</td>
</tr>
<tr>
<td>7FFLA007</td>
<td>COMPETITION LAW &amp; REGULATED NETWORK INDUSTRIES</td>
</tr>
<tr>
<td>7FFLA010</td>
<td>NEW SYSTEMS OF COMPETITION LAW</td>
</tr>
<tr>
<td>7FFLA011</td>
<td>EU STATE AID &amp; STATE REGULATION LAW</td>
</tr>
<tr>
<td>7FFLA016</td>
<td>EUROPEAN UNION COMPETITION LAW</td>
</tr>
<tr>
<td>7FFLA019</td>
<td>EUROPEAN LABOUR LAW</td>
</tr>
<tr>
<td>7FFLA023</td>
<td>HUMAN RIGHTS LAW: INTERNATIONAL AND TRANSNATIONAL PERSPECTIVES</td>
</tr>
<tr>
<td>7FFLA025</td>
<td>INTERNATIONAL &amp; COMPARATIVE COPYRIGHT LAW</td>
</tr>
<tr>
<td>7FFLA026</td>
<td>INTERNATIONAL &amp; COMPARATIVE LAW OF TRADE MARKS AND UNFAIR COMPETITION</td>
</tr>
<tr>
<td>7FFLA028</td>
<td>INTERNATIONAL &amp; COMPARATIVE TRUST LAW</td>
</tr>
<tr>
<td>7FFLA029</td>
<td>INTERNATIONAL BUSINESS LITIGATION</td>
</tr>
<tr>
<td>7FFLA032</td>
<td>BANKING LAW</td>
</tr>
<tr>
<td>7FFLA035</td>
<td>INTERNATIONAL TAX LAW</td>
</tr>
<tr>
<td>7FFLA036</td>
<td>INTERNATIONAL TRADE AND SHIPPING LAW</td>
</tr>
<tr>
<td>7FFLA040</td>
<td>LAW OF INTERNATIONAL FINANCE 1</td>
</tr>
<tr>
<td>7FFLA056</td>
<td>TAXATION OF BUSINESS ENTERPRISES</td>
</tr>
<tr>
<td>7FFLA059</td>
<td>UK COMPETITION LAW</td>
</tr>
<tr>
<td>7FFLA061</td>
<td>US ANTITRUST LAW</td>
</tr>
<tr>
<td>7FFLA069</td>
<td>EU TAX LAW</td>
</tr>
<tr>
<td>7FFLA076</td>
<td>PRIVACY AND INFORMATION LAW</td>
</tr>
<tr>
<td>7FFLA077</td>
<td>EU FINANCIAL REGULATION</td>
</tr>
<tr>
<td>Code</td>
<td>Course Title</td>
</tr>
<tr>
<td>--------</td>
<td>----------------------------------------------------------------</td>
</tr>
<tr>
<td>7FFLA079</td>
<td>LAW AND SOCIETY IN CHINA</td>
</tr>
<tr>
<td>7FFLA078</td>
<td>INTERNATIONAL PRIVATE EQUITY FINANCE</td>
</tr>
<tr>
<td>7FFLA525</td>
<td>REGULATION OF THE CONDUCT OF MERGERS &amp; ACQUISITIONS</td>
</tr>
<tr>
<td>7FFLA579</td>
<td>EU PUBLIC PROCUREMENT LAW</td>
</tr>
<tr>
<td></td>
<td><strong>Semester 1</strong></td>
</tr>
<tr>
<td>7FFLA018</td>
<td>EUROPEAN INTERNAL MARKET</td>
</tr>
<tr>
<td>7FFLA034</td>
<td>INTERNATIONAL REFUGEE LAW</td>
</tr>
<tr>
<td>7FFLA067</td>
<td>TRANSNATIONAL CORPORATE RESTRUCTURING</td>
</tr>
<tr>
<td>7FFLA081</td>
<td>TRANSNATIONAL LAW: ACTORS, NORMS, PROCESSES - FOUNDATIONS AND PERSPECTIVES</td>
</tr>
<tr>
<td>7FFLA082</td>
<td>HUMAN RIGHTS IN WAR TIMES: ARMED CONFLICT, MILITARY OPERATIONS AND POST-CONFLICT JUSTICE</td>
</tr>
<tr>
<td>7FFLA083</td>
<td>SOCIOLOGY OF LAW, LEGAL CULTURE AND TRANSNATIONAL CHALLENGES</td>
</tr>
<tr>
<td>7FFLA085</td>
<td>THE TRANSNATIONAL REGULATION OF GLOBAL NETWORKS</td>
</tr>
<tr>
<td>7FFLA087</td>
<td>TRANSNATIONAL AND INTERNATIONAL CRIMINAL LAW</td>
</tr>
<tr>
<td>7FFLA503</td>
<td>CORPORATE GOVERNANCE</td>
</tr>
<tr>
<td>7FFLA521</td>
<td>TRANSNATIONAL LEGAL FEMINISM</td>
</tr>
<tr>
<td>7FFLA527</td>
<td>GLOBAL LAW OF CLIMATE CHANGE</td>
</tr>
<tr>
<td>7FFLA530</td>
<td>CURRENT DEVELOPMENTS IN INTERNATIONAL DISPUTE RESOLUTION</td>
</tr>
<tr>
<td>7FFLA552</td>
<td>PATENTS AND TRADE SECRETS</td>
</tr>
<tr>
<td>7FFLA572</td>
<td>NEGOTIATION</td>
</tr>
<tr>
<td>7FFLA583</td>
<td>INTERNATIONAL TAX LAW: TRANSFER PRICING</td>
</tr>
<tr>
<td>7FFLA588</td>
<td>INFORMATION SOCIETY LAW</td>
</tr>
<tr>
<td>7FFLA592</td>
<td>ADVANCED MERGER ECONOMICS FOR LAWYERS</td>
</tr>
<tr>
<td>7FFLA593</td>
<td>COMPETITION ENFORCEMENT AND PROCEDURE</td>
</tr>
<tr>
<td>7FFLA600</td>
<td>INTERNATIONAL COMMERCIAL ARBITRATION</td>
</tr>
<tr>
<td>7FFLA608</td>
<td>THE LAW AND PRACTICE OF THE UNITED NATIONS: EDGING TOWARDS TRANSNATIONAL CONSTITUTIONALISM?</td>
</tr>
<tr>
<td>7FFLA612</td>
<td>PRINCIPLES OF INSURANCE LAW</td>
</tr>
<tr>
<td>Code</td>
<td>Course Name</td>
</tr>
<tr>
<td>----------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>7FFLA616</td>
<td>NEW TECHNOLOGIES, DIGITAL AGE &amp; CONSUMER LAW CHALLENGES</td>
</tr>
<tr>
<td>7FFLA618</td>
<td>EU ENVIRONMENTAL LAW</td>
</tr>
<tr>
<td>7FFLA622</td>
<td>INTERNATIONAL AND COMPARATIVE ELECTRICITY LAW</td>
</tr>
<tr>
<td></td>
<td><strong>Semester 2</strong></td>
</tr>
<tr>
<td>7FFLA063</td>
<td>WORLD TRADE LAW</td>
</tr>
<tr>
<td>7FFLA066</td>
<td>INTERNATIONAL INVESTMENT LAW</td>
</tr>
<tr>
<td>7FFLA080</td>
<td>TRANSNATIONAL AND COMPARATIVE CORPORATE LAW AND CORPORATE GOVERNANCE I</td>
</tr>
<tr>
<td>7FFLA091</td>
<td>BUSINESS AND HUMAN RIGHTS</td>
</tr>
<tr>
<td>7FFLA506</td>
<td>ACCESS TO INFORMATION: RIGHTS AND REMEDIES</td>
</tr>
<tr>
<td>7FFLA511</td>
<td>JUDICIAL PROTECTION IN THE EU</td>
</tr>
<tr>
<td>7FFLA517</td>
<td>LEGAL ISSUES IN CORPORATE FINANCE</td>
</tr>
<tr>
<td>7FFLA519</td>
<td>COMPARATIVE FREEDOM OF SPEECH</td>
</tr>
<tr>
<td>7FFLA532</td>
<td>ARBITRATION OF INTERNAL IP DISPUTES</td>
</tr>
<tr>
<td>7FFLA533</td>
<td>TRANSNATIONAL OCEANS AND MARITIME LAW</td>
</tr>
<tr>
<td>7FFLA537</td>
<td>VALUE ADDED TAX</td>
</tr>
<tr>
<td>7FFLA548</td>
<td>LAW OF INTERNATIONAL FINANCE 3 - SECURITISATIONS DERIVATIVES AND CDOS (PREREQUISITE: STUDENTS MUST ALSO TAKE 7FFLA040)</td>
</tr>
<tr>
<td>7FFLA555</td>
<td>COMMERCIALISATION OF INTELLECTUAL PROPERTY</td>
</tr>
<tr>
<td>7FFLA576</td>
<td>COMPETITION INTELLECTUAL PROPERTY AND THE MEDIA INDUSTRY</td>
</tr>
<tr>
<td>7FFLA589</td>
<td>ELECTRONIC COMMERCE LAW</td>
</tr>
<tr>
<td>7FFLA597</td>
<td>COPYRIGHT &amp; THE MUSIC INDUSTRY IN THE DIGITAL ERA</td>
</tr>
<tr>
<td>7FFLA599</td>
<td>INTERNATIONAL INVESTMENT ARBITRATION</td>
</tr>
<tr>
<td>7FFLA601</td>
<td>COMPETITION LAW IN FINANCIAL SERVICES</td>
</tr>
<tr>
<td>7FFLA604</td>
<td>CORPORATE ACTORS IN TRANSNATIONAL SUSTAINABILITY GOVERNANCE</td>
</tr>
<tr>
<td>7FFLA610</td>
<td>TRANSNATIONAL HUMAN RIGHTS LITIGATION</td>
</tr>
<tr>
<td>7FFLA611</td>
<td>INSURANCE OF COMMERCIAL RISKS</td>
</tr>
<tr>
<td>7FFLA613</td>
<td>REINSURANCE LAW</td>
</tr>
</tbody>
</table>


7FFLA614 INVESTOR PROTECTION: LAW AND REGULATION OF INVESTMENT IN THE FINANCIAL MARKETS
7FFLA615 THE UNITED NATIONS COLLECTIVE SECURITY SYSTEM: WHEN THEORY MEETS PRACTICE
7FFLA617 LAW WITHOUT THE STATE
7FFLA619 ENVIRONMENTAL LAW: CURRENT CHALLENGES
7FFLA620 LAW, ARTIFICIAL INTELLIGENCE AND SOCIETY
7FFLA621 CRYPTOCURRENCIES AND BLOCKCHAIN: TECHNOLOGICAL ADVANCES AND LEGAL CHALLENGES
7FFLA623 THE LAW AND PRACTICE OF MODERN SLAVERY
7FFLA624 LEGAL REGULATION OF ECONOMIC AND FINANCIAL CRIME

Research and Practice Modules
7FFLA903 DISSERTATION, 15,000 WORDS
7FLX001 DISSERTATION, 10,000 WORDS
7FLX005 ADVANCED EU COMPETITION LAW (MERGER CONTROL PRACTICE MODULE)
7FLX007 LAW AND NEW MODES OF GOVERNANCE IN THE EUROPEAN UNION (RESEARCH MODULE)
7FLX014 INTERNATIONAL INVESTMENT LAW AND POLICY (PRACTICE PROJECT)
7FLX017 LAW OF INTERNATIONAL FINANCE (PRACTICE PROJECT)
7FLX019 WORLD TRADE LAW AND POLICY
7FLX022 INTERNATIONAL TAX LAW: TRANSFER PRICING (PRACTICE MODULE)
Full Year

40 Credits

7FFLA001 ANALYTICAL & QUANTITATIVE METHOD FOR LAWYERS (NON-LAW MODULE)

Module Leader: Mihael Jeklic,
Teaching Team: Mihael Jeklic and Peter Stassen
Semester: Full Year
Credit Value: 40
Assessment Pattern: 100% 3 Hour Exam – Closed book
Pathway/s: Non-Law module.

Note that this is a ‘non-law’ module, which counts towards the 40-credit limit to ‘non-law’ modules that students are allowed to take.

The course highlights a number of key pieces of theoretical knowledge and analytical skills required of law school graduates in legal practice, where effective argumentation and sound legal advice often depend on basic literacy in business administration. The course complements the traditional law school curriculum with the main purpose of equipping students with the basic theoretical knowledge and analytical skills of MBA graduates who are likely to become their major clients.

The course serves as a stand-alone learning experience and as a foundation for the students interested in the business-side of legal concepts studied under corporate law, international finance, M&A, securities regulation, and competition law, as well as for students interested pursuing alternative careers in investment banking or management consulting.

The course covers:

Strategic Decision-making: Independent and inter-dependent probabilistic analysis, decision-analysis, applied game theory, and comprehensive review of behavioural decision science and recent research in behavioural economics, including the work of Nobel laureate Daniel Kahneman.
Contracting Theory: Function of contracts and key elements of effective agreements, including risk allocation and incentive analysis of most common contracts such as construction and production contracts, principal-agent contracts, sale and lease of property contracts, financing contracts, and joint venture agreements. Accounting: Double-entry bookkeeping, including construction and understanding of the balance sheet, the income statement and the statement of cash flows, and basic financial analysis. Finance: Theoretical foundations of modern financial theory, time value of money, financial valuation, risk and return, diversification, Capital Asset Pricing Model, and Efficient Markets theory and its criticism from the perspective of behavioural finance.

In addition to exposing students to descriptive theory in these fields, the module provides prescriptive training to students. For example, in the Accounting unit, the students will learn the definitions and functions of balance sheet, but will also learn how to actually construct it, record ordinary business transactions, and interpret what the various entries mean. Similarly, in Finance unit, the students will study what the time value of money is, however they will also learn how to actually discount various cash flows and value financial assets.

No prior knowledge in any of the course units is required.
The European Union has taken, and continues to take, significant measures designed to liberalise certain network-based sectors. In opening up those sectors to greater competition, the European Commission has delegated a wide range of regulatory powers to National Regulatory Authorities, who work closely with National Competition Authorities in order to achieve the optimum competitive balance most likely to be able to deliver consumer welfare. That balance is often very difficult to manage, especially the delicate matters of economic judgement that need to be made in relation to the legality of particular practices and the strategically important political initiatives that are undertaken in the affected sectors which can distort the competitive process between Member States.

The module takes an inter-disciplinary approach in exploring how the balance between law and economics on the one hand, and ex post and ex ante rules on the other, is struck, both at the theoretical level and in its practical application across key sectors. You explore legal, economic and public policy principles that affect regulated sectors, and examine the application of those principles to specific sectors such as electronic communications, media, transport (including aviation, maritime and rail) and energy (gas and electricity). In addition, specialist subjects such as financial services, water or postal services are also considered by guest lecturers, with legal and economic experts taking a series of seminars on selected high tech issues.

Recent Article 102 TFEU case-law is particularly relevant here, as are a range of Sector Enquiries that have been conducted by the European Commission (often reflected in public consultations run at Member State level). Moreover, a growing body of administrative practice in the field of merger control explores how behavioural remedies can be applied in connection with mergers in the affected sectors, and the appropriate regulatory institutions that can best assure their proper implementation.

The object of the module is to prepare students for the sorts of issues likely to arise in their home jurisdictions and at Community level in these areas. Most importantly, there will be an emphasis on the evolutionary aspects of policymaking and competition law enforcement in these sectors, given the varying ownership structures and rules in different jurisdictions. As this is an advanced module, previous knowledge of competition law would clearly be preferred, but is not required.

The module is taught through lectures, primarily by leading practitioners specialising in the applications of competition law and regulation to particular sectors. The lectures are supplemented by specialist seminars delivered by economists and regulators, each of whom provides an alternative perspective on the problems already covered in the lectures. You are encouraged to actively engage with the issues being addressed. At least one Moot Court will be held on a topic of interest.

A three-hour written examination will be set. You will be able to answer by focusing on two specific areas of regulation, for example energy or communications regulation (although if students prefer to discuss more areas they can), but must also be able to respond to general analytical questions which cut across various regulated network sectors.
The overall aim is to ensure that students have an appreciation of the underlying economics employed in anti-trust cases. The emphasis is on the practical application of economics rather than pure theory. On completing the module, you should have an understanding of the economics used in anti-trust case analysis and be aware of both the strengths and weaknesses in its application both theoretically and empirically. A key aim is that you will have an understanding of the economic tools used by anti-trust economists and to be able to engage in a dialogue with these economists.

No previous knowledge of economics is required. Whilst much of the technical economic literature is mathematical, the module will not require an advanced knowledge of mathematics. The approach to formal theory will, as far as possible, be diagrammatical.

Given the extent of the material that needs to be covered, the bulk of the lectures are devoted to formal teaching, however the style will be both informal and interactive, questions are encouraged. The economics will be illustrated by reference to actual cases. By its nature the module proceeds by considering a series of building blocks which together make up the toolkit typically used by economists in anti-trust cases. The slides presented in each seminar will be posted in advance on KEATS (Moodle). In addition, a discussion forum will be set up so that students can ask questions (anonymously if preferred) which will be answered prior to the next seminar and posted on KEATS.
The design of competition policy institutions influences substantive policy outcomes and impacts on the interpretation of the laws. It will also consider how the institutional structure (and independence) of competition agencies may affect how companies and their legal advisers construct their arguments and in which fora (and to whom) they should raise them.

Both terms devote extensive attention to jurisdictions that have formed competition laws as part of a larger program of economic reform to facilitate greater reliance on market mechanisms. The first part of the course will focus more closely on system and institutional design. The second part will focus more deeply on the experience of a few carefully selected jurisdictions, to include China, India, Russia, Brazil, Israel and Hungary, considering how the factors discussed in the first part have influenced the introduction and development of the competition law regime in those jurisdictions.

7FFLA011 EU STATE AID & STATE REGULATION LAW

Module Leader: Professor Andrea Biondi,
Teaching Team: Professor Andrea Biondi, Jose Buendia, Robin Griffith
Semester: Full Year
Credit Value: 3
Assessment Pattern: Exam: 100% - 3 hours
Pathway/s: CL and EL

The EU State Aid course examines the legitimate role of the state in a market economy, particularly in the form of public subsidies. It covers the rules of the Treaty on the Functioning of the European Union (TFEU) that apply to public undertakings and the assistance the State may give to private undertakings, notably Articles 107 and 108, in their political and economic context. These rules represent an increasingly important aspect of EU competition law and exist to resolve the tension between the realisation of the internal market, with the dismantling of trade barriers and the increase in competition that results, and the ability of Member States to grant aid to national undertakings or use public undertakings as instruments of economic policy. The course assumes a basic knowledge of European Union law.

7FFLA016 EUROPEAN UNION COMPETITION LAW

Module Leader: Professor David Bailey,
Teaching Team: Professor David Bailey, Dimitris Mourkas
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - 3 hours
Pathway/s: CL and EL

The aim of the module is to teach the basic provisions of EU competition law; to study the law in its economic and market context; and to consider particular business phenomena - distribution agreements, licences of intellectual property rights, cartels, joint ventures etc. - against the backdrop of the EU Treaty generally and Articles 101 and 102 and the EU Merger Regulation in particular. No previous knowledge of the subject is required. Throughout the academic year there will be a series of tutorials, given by David Bailey, which follow the course of seminars given by Richard Whish. The tutorials are intended to assist your understanding of the subject in general and its practical application to problem questions in particular. A separate tutorials handout will be provided. The teachers of this module expect a high degree of participation by all students. It is not
intended, in general, to provide lectures except where, for particular reasons, it may be helpful to do so. At each seminar, discussion will be encouraged and expected. You are required to have prepared answers to the questions asked at the end of each seminar handout.

7FFLA019  EUROPEAN LABOUR LAW

Module Leader: Professor Keith Ewing,
Teaching Team: Professor Keith Ewing, Nicola Contouris
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - 3 hours
Pathway/s: EL

European Labour Law is divided into six parts. Part One examines the historical development and evolution of European Labour Law, as well as its economic and social purposes. Part Two examines the wider international human rights context within which European Labour Law operates, including in particular the legal instruments of the International Labour Organisation (ILO) and the Council of Europe. Part Three examines the institutional competences and framework for the making of European Labour Law, and examines the role of the Court of Justice of the European Union in the development of the discipline. Consideration is also given to different ways of developing standards at EU level, by way of regulatory legislation and collective bargaining. Thereafter, European Labour Law examines selected areas of substantive law dealing with worker protection. In Part Four these include areas dealing with the position of so-called atypical workers (agency, fixed term and part time workers); working conditions (including working time and the protection of posted workers); and job security (including transfer of undertakings, redundancy and insolvency). In Part Five the focus turns to collective matters and the duty of the employer to inform and consult, including European Works Councils. Part Six deals with recent judicial decisions relating to trade union rights and considers their implications for European Labour Law as a whole. In addition to the foregoing, time will be devoted to assessing future prospects in light of the current crisis in the Eurozone. Parts One – Three are dealt with in Semester One, while parts Four – Six are dealt with in Semester Two. Two – four classes are devoted to each part.

7FFLA023  HUMAN RIGHTS LAW: INTERNATIONAL AND TRANSNATIONAL PERSPECTIVES

Module Leader: Professor Eva Pils, and Dr Octavio Ferraz,
Teaching Team: Professor Eva Pils, Dr Octavio Ferraz
Semester: Full Year
Credit Value: 40
Assessment Pattern: Coursework: 100% (70% - Essay, 30% - Mock Submission)
Pathway/s: TL and IDR

This module aims to provide students with a solid foundation in international and transnational human rights law – widely conceived as one of the most important legal fields in a global context today. We cover the core of human rights protected under international law, including civil and political rights such as freedom of speech and religion, political participation, fair trial and the right not to be tortured, and social and economic rights such as health, education, housing and an adequate standard of living. The objective is to develop, over the course of the academic year, an
analytical framework for understanding and critically analysing the international and transnational institutions and mechanisms in place for the protection of human rights, and to provide an effective preparation for the real-world challenges of transnational human rights practice.

We begin by offering an overview of the development of the idea of human rights and the international legal institutional framework for its protection, as well as its philosophical and political underpinnings and challenges to the idea of universal human rights. We then cover the practical functioning of selected human rights monitoring mechanisms with particular emphasis on their effectiveness and the political and institutional challenges and obstacles they face. This segment will constitute the core of the course and allow students to explore the foundations of human rights and their significance in concrete interpretive contexts.

7FFLA025 INTERNATIONAL & COMPARATIVE COPYRIGHT LAW
Module Leader: Professor Tanya Aplin
Teaching Team: Professor Tanya Aplin, Makeen Makeen
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - 3 hours
Pathway/s: IPIL

This module is designed to provide an international and comparative study of copyright and authors’ rights. The international Conventions (in particular the Berne Convention and TRIPs) will be examined together with the major features of copyright laws in the leading copyright systems (UK, France and the United States).

The module also has regard to special matters of contemporary interest: for example, moral rights, cable and satellite broadcasting, peer-to-peer file-sharing, software and databases. Although it would be desirable to have a prior knowledge of copyright law, it is not essential.

7FFLA026 INTERNATIONAL & COMPARATIVE LAW OF TRADE MARKS AND UNFAIR COMPETITION
Module Leader: Dr Barbara Lauriat
Teaching Team: Dr Barbara Lauriat, Frederick Mostert, David Llewellyn
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - 3 hours
Pathway/s: IPIL

An economic, historical, and comparative examination of the common law and civil law concepts of trademarks, passing off and unfair competition, with particular reference to the UK, the USA, France, Germany, and China. This module will also consider the international trade mark regimes and the role and influence of relevant conventions, agreements, protocols and treaties.
7FFLA028 INTERNATIONAL & COMPARATIVE TRUST LAW

Module Leader: Filippo Noseda
Teaching Team: Filippo Noseda
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 3 hours
Pathway/s: IBL

This module, which was introduced by David Hayton and Paul Matthews in 1995, was the first of its kind in the world and deals with trusts in an international context. Reflecting King's strong reputation in trust and comparative law, it examines the extremes to which trust principles may be pressed in the offshore world, as well as conflicts of laws issues. The module considers how different trust jurisdictions deal with selected aspects of trust law and what trust-like arrangements exist in non-trust countries. You are not required to have studied trust law formally in your first degree but will be assumed to understand trust law at the ordinary undergraduate level, or to be prepared to reach this level during the year. Students from civil law systems do take this module and do very well.

7FFLA029 INTERNATIONAL BUSINESS LITIGATION

Module Leader: Professor Jonathan Harris
Teaching Team: Professor Jonathan Harris
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - 3 hours
Pathway/s: IBL

The purpose of the module is to consider selected issues encountered in the field of international commercial litigation. The course is principally concerned with problems arising in the field of private international law or, as it is sometimes called in common law countries, conflict of laws. The course considers in detail the law relating to the jurisdiction of courts in international business litigation and the recognition and enforcement of foreign judgments. The module seeks to adopt a comparative, international approach, drawing, in particular, on the EU harmonised rules, the English common law and United States law.

The main topics for consideration are:

- Jurisdiction of courts in international commercial cases under the EU harmonised rules and the English common law; constitutional requirements in the United States; forum selection clauses; forum non conveniens; concurrent proceedings; and anti-suit injunctions.
- Recognition and enforcement of foreign judgments in commercial matters: the EU harmonised rules, the English common law and the position in the US and Canada.
This module is an introduction to some key areas of banking law. It is both practical and conceptual in nature. In its practical aspect, the module incorporates many references to the media and to real-life events. In its conceptual aspect, the module explains the main rationales for regulating banks and the pitfalls of banking regulation based on concepts such as information asymmetry, moral hazard and negative externalities.

During the first term we will focus on the regulation of banks. We will begin with addressing the question – why do we need to regulate banks and what is so special about them? We will explore the various risks that banks are facing today and the various mechanisms to manage them. Next, we will explore how we should regulate banks. We will explore the role of the Basel Committee in setting international standards for banking regulation, their effectiveness and the key drawbacks of these ‘soft law’ standards. We will emphasise the importance of macro-prudential supervision as a complement to the more traditional micro-prudential supervision and how this is reflected in the current international banking supervision standards. Finally, we will explore the legal framework in the UK for regulation and supervision of banks and how it responded to the key failures exposed during the 2007-2009 financial crisis. During the second term, we will examine the relationship between banks and their customers in English law, including the nature of the contract, duties of banks to their customers, types of accounts, methods of payments and their regulatory frameworks.

The module does not assume prior knowledge of banking, banking law or English common law.

This module considers taxation in an international context. Domestic tax systems have increasingly had to respond to globalisation so that taxation can still be viable in an environment where activities which have traditionally attracted taxation can be carried out without domestic borders to define their scope. The module will consider taxation and international law in general and then move on to looking at the ways in which domestic systems have sought to deal with double taxation where activities attracting taxation are carried out over more than one country – namely through double taxation conventions. The focus will be on the OECD Model and double taxation conventions based on this and why international business gives tax systems a problem and how this can be addressed.
A contract for the sale of goods lies at the heart of and is central to commercial law. Similarly, an international sales contract is a key international commercial transaction which often gives rise to several interrelated legal arrangements. They are the arrangements with a bank for the payment or finance of the purchase price, contracts of carriage of goods and marine insurance, covering the goods. This module examines: how these contracts are governed; the rights, obligations and liabilities of the parties to the respective contracts; and the relationship between the sales, financing, carriage and insurance contracts. The module will address these issues on the basis of English law, which is often the preferred choice of law in international trade, and the relevant international instruments.

Part I of the course will focus on the salient features of the cross-border sale of goods contracts. It will explore in detail the rules of English law (Sale of Goods Act 1979 and the common law) governing the international sale of goods contracts. The issues covered will include: the basic concepts of English law of sale of goods; the implied terms of a sales contract (such as the implied terms of quality and description of the goods); the structure of and legal issues arising from contracts incorporating such trade terms as CIF (‘cost, insurance, freight’) and FOB (‘free on board’); remedies for breach of an international sales contract. The UN Convention on Contracts for the International Sale of Goods 1980 (CISG) – a leading international sales law instrument, now ratified by more than eighty countries - will also receive a substantial amount of attention. The course will address such aspects of the CISG as the scope of its application, general provisions, rights and obligations of the seller and the buyer and remedies for breach of contract governed by the CISG.

Part II will examine the key financial instruments and methods of payment used in international trade. These instruments are used either to enable payments in the underlying transaction or to provide a guarantee in the case of a breach of the underlying transaction. The instruments covered in this course are collections, documentary credits (letters of credit) and autonomous bank guarantees. The key international instruments covered in this course have all been produced by the International Chamber of Commerce (ICC) and include: Uniform Rules for Collections (URC 522; 1995 revision); Uniform Customs and Practice for Documentary Credits 2007 (the UCP 600); Uniform Rules for Demand Guarantees (URDG 758; 2010 revision); International Standby Practices (ISP98).

Part III of the course examines legal issues arising from the need to transport the goods by sea (the main mode of transport in international trade) and how contracts for the carriage of goods by sea are governed. The issues addressed in this part of the course will be: the common rules implied in contracts of carriage; the voyage and time charterparties; bills of lading; the application of the Hague-Visby Rules, incorporated into English law by the Carriage of Goods by Sea Act 1971. The Hague-Visby Rules are an amendment to the International Convention for the Unification of Certain Rules of Law Relating to Bills of Lading (Hague Rules, adopted 1924), incorporated in a document known as the Brussels Protocol 1968. Other international conventions, such as the UN Convention on the Carriage of Goods by Sea 1978 (the Hamburg Rules) and the UN Convention
on Contracts for the International Carriage of Goods Wholly or Partly by Sea (the Rotterdam Rules) 2008, will be touched upon briefly.

Part IV will be concerned with the fundamentals of the marine cargo insurance contracts. The examination will be based on the Marine Insurance Act 1906 and the Institute Cargo Clauses and Insurance Act 2015. This part is intended to introduce students to the marine insurance contracts and aims to examine the origins, functions and role of insurance generally and of marine insurance in particular as well as their linkages with risk taking as the main catalyst for commercial ventures and economic development. The issues covered in this part will include: an introduction to the marine insurance law and practice; insurable interest in the subject-matter insured; the doctrines of utmost good faith, disclosure and representations; warranties; perils covered by the marine insurance policy; claim for indemnity.

7FFLA040 LAW OF INTERNATIONAL FINANCE 1

Module Leader: Professor Ravi Tennekoon
Teaching Team: Professor Ravi Tennekoon
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - Take Home Exam
Pathway/s: IFL, IBL

This module (together with the International Finance 2 and the International Finance 3) is focused on the major transactions carried out by investment banks, transnational banks and multinational corporations in the vast global financial markets which have developed in London, New York and Tokyo in recent years as well as in locations such as Singapore, Hong Kong, Frankfurt, Paris and Sydney. It is designed to examine the legal structures used in these transactions and the complex legal issues arising in the context of these transactions due to their transnational and multijurisdictional nature. Law of International Finance 1 is designed to cover the following major transactions * International Syndicated Loans * International Bonds and MTNs * Convertibles * GDRs. Regulatory law of the US and of the European Union which affects primary issues in the international capital markets will also be examined. The three modules on the Law of International Finance are not designed to cover domestic banking law or company law in the UK or elsewhere nor is it concerned with the law affecting international trade. The orientation of this module is entirely practical and is designed to enable you to practice as a lawyer in the global financial markets whether as an attorney in the global law firms or as legal counsel with investment banks, transnational banks and multinational corporations engaging in these transactions.

7FFLA056 TAXATION OF BUSINESS ENTERPRISES

Module Leader: Michael McGowan
Teaching Team: Michael McGowan
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - 3 hours/ part open book
Pathway/s: IBL, TAX

Taxation is a key factor in business decisions, and how to raise tax from businesses without damaging the economy is a central element in all government’s policy. In this module we will
examine the taxation of businesses under UK income tax, corporation tax and capital gains tax. We will also consider, to a lesser extent, VAT, the UK interaction with foreign taxes, and stamp duty. Although it is based around the UK tax system, the module deals with questions about the taxation of businesses that face all tax systems. Its object is to provide a solid grounding in the principles of the taxation of businesses, and the main rules will be studied in depth in the context of those principles.

7FFLA059  UK COMPETITION LAW

Module Leader: Professor David Bailey  
Teaching Team: Professor David Bailey, Christopher Brown  
Semester: Full Year  
Credit Value:  
Assessment Pattern: Exam: 100% - 3 hours  
Pathway/s: CL

This module is concerned with the control of private economic power through the competition laws in the UK. Those laws are contained primarily in the Competition Act 1998 (as amended) and the Enterprise Act 2002. The landscape for competition law enforcement in the United Kingdom has changed out of all recognition in the last few years. Articles 101 and 102 of the EU Treaty are directly applicable in the UK, and, in certain circumstances, the domestic authorities and national courts are obliged to apply them. However, there is also a substantial body of competition case-law and decisional practice in the UK. The purpose of this module is to consider the rationale, scope and application of the Chapter I and II prohibitions in the Competition Act 1998 (which broadly correspond to the Articles 101 and 102 EU). It will also examine distinct features of UK competition law, including concurrent enforcement by sector-specific regulators of the Competition Act 1998 and market investigation references, the domestic merger control regime, super-complaints, and the criminal cartel offence under the Enterprise Act. No previous knowledge of the subject is required. The module is taught in weekly seminars; you are encouraged to actively engage with the issues being addressed.

7FFLA061  US ANTITRUST LAW

Module Leader: Professor Alison Jones and Professor Bill Kovacic  
Teaching Team: Professor Alison Jones, Professor Bill Kovacic  
Semester: Full Year  
Credit Value: 40  
Assessment Pattern: Exam: 100% - 3 hours  
Pathway/s: CL

This module examines the US federal antitrust laws, the world’s oldest sophisticated competition regime. You study the core antitrust provisions, chart the evolution of the law and examine the different factors which have led the law to its current provisions. The module introduces the antitrust laws and their objectives prior to considering how they apply to horizontal and vertical agreements, unilateral conduct and mergers and how they interface with IP law. It also examines how the laws are enforced. No previous knowledge of the subject is required. The module is taught in seminars; you are expected to come to class having completed the reading and are encouraged to actively engage with the issues being addressed.
EU TAX LAW

Module Leader: Nicola Saccardo
Teaching Team: Nicola Saccardo, Professor Jonathan Schwarz, Michael McGowan, Stephen Daly
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - 3 hours
Pathway/s: EL and TAX
Pre-Requisite: Students must either be taking another tax module or satisfy the module leader that they have sufficient prior knowledge of a tax system to undertake the module

This module examines the impact of EU law on taxation in the Member States. It examines the sources of EU law and its conceptual framework; considers harmonisation measures that have impact on taxation, including the direct tax directives designed to eliminate cross-border distortions and the application of the State Aid rules to taxation; and concludes by examining the impact of the Treaty freedoms of movement on the Member States' direct taxation rules as revealed through the Courts’ case law.

PRIVACY AND INFORMATION LAW

Module Leader: Professor Perry Keller and Nora Lydon
Teaching Team: Professor Perry Keller and Nora Lydon
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 50% - 2 hours (closed book), Coursework: 50%
Pathway/s: EL and IPIL

This full year module concerns the impact of information technologies on the lives of individuals. The digitisation of information has brought about a multitude of data harvesting and processing technologies operating on a global scale. Information processing has become essential not just to finance and commerce, but also to advances in public health, education, crime prevention and economic growth. Yet, many of these benefits require significant compromises of personal privacy and informational autonomy.

In this module, you will study the legal concepts and rules used to determine the limits of informational autonomy and the legitimate uses of personal information in relation to commercial and governmental services. The module will firstly provide a thorough overview of core European laws concerning privacy and the protection of personal data, such as the General Data Protection Regulation and the forthcoming ePrivacy Regulation. Building on this foundation, the module will cover developments in data privacy in online services, employment, healthcare, and journalism as well as access to personal data by national intelligence and law enforcement agencies. It will also introduce United States data privacy law and the lawful transfer of personal data outside the EU.

EU FINANCIAL REGULATION

Module Leader: Professor Alexander Turk and Professor Takis Tridimas,
Teaching Team: Professor Alexander Turk and Professor Takis Tridimas
Semester: Full Year
Credit Value: 40
This module explores the new financial regulatory architecture of the European Union and its economic governance. This is an area, in which the EU has only recently asserted more centralised control, mainly due to the financial problems of financial institutions and Member States following the recent financial crisis. The course will discuss the evolution of financial harmonisation law in the Union, the new institutional architecture of the European Supervisory Authorities, as well as the regulatory and enforcement tools at their disposal. In addition, the module will discuss the efforts of the European Union to strengthen its economic governance, in particular within the Eurozone. It will analyse the regulatory arrangements and institutional structures within and outside EU law (Banking Union, European Financial Compact, European Stability Mechanism). Students will discuss the constitutional constraints of the system, its practical operation, and the policy choices and challenges behind the new regulatory regime. This module is of considerable practical relevance to practising lawyers in the financial services industry, but also for those who are interested in the constitutional and administrative law problems which the new regulatory regime raises.

7FFLA079 LAW AND SOCIETY IN CHINA

Module Leader: Professor Eva Pils
Teaching Team: Professor Eva Pils
Semester: Full Year
Credit Value: 40
Assessment Pattern: Coursework: 30% - 3,000 Word Response Paper, 70% - 7,000 Word Final Essay
Pathway/s: TL

This one-year (40 credits) module will provide students with a foundation in law and society in the People’s Republic of China (‘China’), as one of the most important, but also challenged and challenging, legal-political systems in the world today. Our objective is to facilitate, over the course of the academic year, a critical understanding of how law operates in Chinese society, and to prepare students for future engagement with Chinese law in various professional contexts. Specific topics to be addressed will include the role of law in Chinese history; the legacy of Mao Zedong; the post-Mao reform era and the return to power concentration under Xi Jinping; central aspects of the judicial process, dispute resolution systems and access to justice; the basic principles of private, commercial and administrative law; central issues in criminal justice; the role of civil society and human rights advocacy; and transnational aspects of rule of law development in China. A central claim underlying the design of this module is that these topics should be studied in their entirety and in context.
Module Leader: Christopher Bown
Teaching Team: Christopher Bown, Jeffery Roberts, David Winfield, David Dowling
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - Take Home Exam (3 questions - 5000 word, limit 96 hours)
Pathway/s: IFL and IBL
Pre-requisite: Eligibility test to be taken during second lecture. Unsuccessful candidates may be invited to join a waiting list in case spaces become available. Please note that there is a cap of 40 students for this module.

The aim of the course is to provide students with knowledge of the law relating to a major financing mechanism, and associated transactions, in global financial markets and which is a major practice area of the global law firms in the leading financial centres.

It is equally aimed at providing students with the analytical skills to critically evaluate the legal structures being used in a multijurisdictional context as set out in legal documentation used in the markets. Following from this, the aim is also to provide students with the practical skills necessary to structure a private equity transaction in the manner that the global law firms do in the markets and to understand the commercial and financial objectives to be achieved in the legal structure and documentation.

Please note that this module is capped at 40 students.

Module Leader: Professor Tunde Ogowewo
Teaching Team: Professor Tunde Ogowewo, Professor Djakhongir Saidov
Semester: Full Year
Credit Value: 40
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: IFL

Accountants, investment bankers and transactional lawyers are the three professional advisors that play significant roles in M&A transactions, which are increasingly becoming established features of most advanced capitalist systems. This module focuses on the routes by which outcomes (the takeover or merger) are structured and it provides a comprehensive examination of how the conduct of these transactions is regulated in the UK, especially in light of the implementation of the Takeovers Directive on 20 May 2006. It will entail the exposition of the Takeover Code’s General Principles and Rules through cases decided by the Takeover Panel, in addition to relevant judicial authorities. The study of this jurisprudence will be a major theme of the module, whilst providing a strong theoretical underpinning to the subject. Although the emphasis will be on regulation under Takeover Code (from which the European Directive draws many of its provisions) the module will also, in appropriate areas, consider different approaches to the subject under Federal and State regulation in the United States.
EU public procurement law is, in its origin, a regime concerned with establishment of the internal market. However the interests and policies involved are much broader than this as they also include issues of corruption in public spending as well as restraining barriers to trade and so forth. The regime is also directed to a range of other goals such as ensuring that the outcome of public purchasing is the most efficient, the most sustainable, the most socially responsible solution and the like.

Public procurement law in the EU is not a self-standing independent measure. It is part of the wider transnational architecture established by the World Trade Organisation in the context of a plurilateral agreement called the Government Procurement Agreement (GPA). The EU and its Member States are obliged to have in place a procurement law which complies with the detailed requirements of that agreement. The essence of the GPA is to open up competition in public procurement markets amongst those, mostly industrialised, states which are signatories to that agreement.

EU Member States have adopted different legal structures to meet these challenges. Unlike, say, competition law where there can be said to be a distinct EU competition law regime that applies to undertakings beside but separately from the national systems of competition law, EU procurement law is only a harmonised framework of law which is set out partly in legislation (overwhelmingly directives) and also in case law of the Court of Justice of the European Union. EU public procurement law is, therefore, the common corpus of EU and EU-derived law applied by each Member State. This law derives from a group of EU directives, the first of which was adopted to cover the construction sector in 1971. The legislation had the effect at the outset of harmonising the systems for the letting of public contracts around a French-style model. While, therefore, each state looks to regulate public procurement for a range of public policy reasons the EU has harmonised those regimes so that the existence of national regimes is not a barrier to the establishment of a single market. This system has particular impact upon the financial system now that the delivery of government services and infrastructure is now so often supported by private financial instruments.

We will study this body of law and the way in which it pursues the various policies involved. We will also look at comparisons with procurement systems in other systems at various points in this course and the final unit will focus particularly on this global context within which the EU must fit. Not only is it important to compare systems so as to understand their relative strengths, but as will become apparent it is increasingly important that certain aspects of the systems do function together. For instance, it is becoming an increasing matter of concern that there should be some consistency in the manner in which bodies are excluded from public bids for their misdeeds, and also that there should be some consistency in the means by which they are able to return to bidding after repairing their reputation.
This subject has become increasingly important in both practice of law and a large number of students of this module in recent years have found high quality posts in the private or public sector dealing with this area.

Students will by the end of the course have achieved a deep knowledge and understanding of:

- The risks for society of leaving public procurement poorly regulated and the diverse policy goals pursued through public procurement in different systems
- The challenges in achieving outcomes that meet financial, policy and other key requirements.
- The rules and principles underlying the EU public procurement regime and the role and significance of the different regimes covering public, utilities, defence and space sector
- The difficulties facing EEA/EU Member States in implementing and enforcing the EU system in their own national framework and the difficulties this poses for delivery of policy
- The comparison to be made between the systems applied by Member States and the EU institutions
- The significance and shortcomings of the EU model as a paradigm for procurement systems worldwide as disseminated by the WTO, UNCITRAL, Bilateral Trade Treaties, Multilateral Development Banks, Aid support

High level comparison with other comparable systems

**Semester 1**

**20 Credits**

**7FFLA018 EUROPEAN INTERNAL MARKET**

Module Leader: Professor Andrea Biondi
Teaching Team: Professor Andrea Biondi, Dr Oana Stefan
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100% - 3 hours (limited open book)
Pathway/s: EL

The concept of a common market involves the elimination of all obstacles to intra-community trade in order to merge the national markets into a single market bringing about conditions as close as possible to those of a genuine internal market’ (Schul, 1982). The module, by focusing on the development and application of the principle of free movement, assesses whether those objectives have been fully achieved. The structure is firmly grounded on the four fundamental freedoms: goods, persons, services and capital.

Each of the freedoms is thoroughly analysed with reference to the case law of the European Court of Justice and to relevant legislation. ‘Exemplary’ areas such as financial services, food law or the regulation of monopolies are also included. Particular attention is devoted to the debate on whether the same criteria and principles may be applied to the whole of the internal market and to the degree of convergence of the economic freedoms in EU law.
7FFLA034  INTERNATIONAL REFUGEE LAW

Module Leader: Professor Satvinder Juss  
Teaching Team: Professor Satvinder Juss  
Semester: 1  
Credit Value: 20  
Assessment Pattern: Coursework: 100%  
Pathway/s: TL  

This course sets out to undertake a critical review of the evolving strategies for protection of the refugees under international, regional and domestic law, with particular reference to transnational legal decisions from across the world. It will examine the origins and evolution of refugee law, who is protected by international, regional and domestic refugee law, why the protection does not extend to wider groups of people (e.g. environmental refugees) and will assess the scope and limits of refugee rights. As wars rage in the Middle East and beyond, it will consider the various legal and policy impediments to asylum-seeking, who is admitted and who is not, and how transnational developments and initiatives can assist in the protection of forced migrants. Refugees are the leading trans-border issue in the world today. Yet, there is no world refugee court that can hand down authoritative decisions on refugees. All major human rights violations, such as human trafficking, religious affiliation and conscientious objection, sexual orientation and gay rights, sexual violence and female genital mutilation, and indiscriminate attacks against civilians in 'war zones' – affect refugees and determine their numbers world-wide. Each of these issues requires transnational solutions and will be considered in this module.

7FFLA067  TRANSNATIONAL CORPORATE RESTRUCTURING

Module Leader: Professor Michael Anderson-Schillig  
Teaching Team: Professor Michael Anderson-Schillig  
Semester: 1  
Credit Value: 20  
Assessment Pattern: Exam: 70% - 2 hours (open book), Coursework: 30%  
Pathway/s: IFL, IBL, and TL  

In a world which is dominated by global trading and free movement of capital and investment it is very likely that insolvency proceedings will not be hermetically contained in a single jurisdiction. Large multinational companies will often conduct business via a multitude of subsidiaries and branches in a number of different jurisdictions worldwide. Thousands of shareholders and debt investors may be scattered around the world. Even small and medium sized companies may have had dealings with parties from other countries, or may own or have interests in property which is located in different jurisdictions. Liabilities may be owed to parties domiciled in a different country from that of the debtor; or the relevant obligations may be governed by foreign law; or may be due to be performed abroad. These situations give rise to complex issues in respect of conflict-of-laws as well as the substantive law of insolvency and reorganisation.

The module is set against this background. In the first part of the module important issues of substantive corporate insolvency law will be analysed on a functional and comparative basis, taking into account the laws of major Western economies (US, UK, Germany, France). Over the last decade the three European jurisdictions under consideration have substantially reformed their insolvency laws (Germany in 1999, UK in 2002, France in 2005 and again in 2008/09). Chapter 11 of the US Bankruptcy Code has in many respects influenced these reforms and facilitated the rise of the rescue culture in Europe. Accordingly, particular emphasis will be put on the law of corporate
reorganisation inside as well as outside formal proceedings (workouts). Despite this remarkable trans-Atlantic convergence, substantial differences remain, not least resulting from the interaction of corporate insolvency law with other areas of law such as company law, contract law and property law. We will trace these differences and try to explain them in the light of their social and economic contexts. In the second part, the module will focus on the national and international instruments dealing with the conflict-of-laws issues in transnational corporate insolvency and reorganisation: the European Insolvency Regulation, the UNCITRAL Model Law on Cross-Border Insolvency, its implementation in the UK and the US, as well as Domestic Jurisdiction in the United States. The issues of jurisdiction, recognition of foreign proceedings, judicial cooperation in concurrent proceedings and the applicable law pursuant to these instruments will be studied, both from a theoretical and a practical perspective.

7FFLA081 TRANSNATIONAL LAW: ACTORS, NORMS, PROCESSES - FOUNDATIONS AND PERSPECTIVES

Module Leader: Professor Peer Zumbansen
Teaching Team: Professor Peer Zumbansen, Farnush Ghadery, Laura Knöpfel
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 80%, Coursework: 10% - Reaction Paper, 10% - Oral Participation
Pathway/s: TL

This module is the core course for the Transnational Law LL.M Pathway. The course focuses on the Actors, Norms, Processes, and values at stake in transnational law. It discusses the various approaches to defining transnational law as a distinct field of law versus a methodological critique of law in a global context. Each session provides an opportunity to explore legal solutions to complex, border-crossing problems. It engages students in a series of presentday, case-studies taken out of legal practice in a wide range of legal areas to illustrate the degree to which established legal fields, that would normally be associated with domestic law and governmental rule-making, have begun to change under the influence of hybrid, public-private norm creation or the rise of non-state actors such as nongovernmental organisations as well as multinational corporations.

7FFLA082 HUMAN RIGHTS IN WAR TIMES: ARMED CONFLICT, MILITARY OPERATIONS AND POST-CONFLICT JUSTICE

Module Leader: Silvia Borelli
Teaching Team: Silvia Borelli
Semester: 1
Credit Value: 20
Assessment Pattern: Coursework: 80%, In-class Presentation: 20%
Pathway/s: TL

The last twenty-five years have seen an increased involvement of Western states in military operations abroad, including peace-keeping missions, military action in the so-called ‘war on terror’ and several instances of ‘humanitarian’ or ‘pro-democratic’ intervention in various parts of the globe. In parallel, as a response to abuses committed during such operations and as a result of the calls for greater accountability by NGOs and civil society, domestic courts and international monitoring bodies have progressively provided greater scrutiny of the conduct of States engaged in military
action abroad, an area traditionally thought to be mostly beyond the scope of judicial control. Over the past decade, domestic and international case law has progressively extended the scope of application of international human rights standards in order to ensure protection of individuals not taking part in the hostilities, combatants and ‘enemy fighters’, and, more recently, members of the armed forces vis-à-vis their national State.

The application of human rights standards in the context of armed conflict and related complex emergencies raises a number of challenging theoretical, moral and practical issues; the subject area is one of some complexity, located at the intersection of international human rights law, international humanitarian law, the jus ad bellum and United Nations law. It is an area which remains in a state of flux and is a particular target for strategic human rights litigation and advocacy activities by NGOs.

The module explores this increasingly important area of law and assesses the role and effectiveness of international human rights law instruments and mechanisms as instruments of protection in times of conflict. Part 1 of the module examines a range of ‘threshold’ questions, including the applicability of human rights law in times of war; the relationship of human rights law with international humanitarian law and other branches of international law, and the extraterritorial applicability of human rights treaties, Part 2 then examines, through the medium of case studies, the way in which selected human rights are applicable during armed conflict, and the remedies available post-conflict in order to ensure justice and adequate reparation for the victims of violations.

7FFLA083  SOCIOLOGY OF LAW, LEGAL CULTURE AND TRANSNATIONAL CHALLENGES

Module Leader: Professor Prabha Kotiswaran
Teaching Team: Professor David Nelken, Dr Florian Grisel
Semester: 1
Credit Value: 20
Assessment Pattern: Coursework: 15% - Reaction Paper (3 papers, 600 words), 85% - Essay
Pathway/s: TL

Transnational legal studies map the emergence of new forms of law aimed at addressing a range of complex socio-economic and political trans-border problems. These problems have emerged against the backdrop of shifts in nation states’ regulatory governance patterns wherein non-state actors play a crucial role by articulating social norms, policies and processes leading to the production of a densely plural legal field of which formal state law is only one, albeit significant, element. Socio-legal scholars engaged in the study of sociology of law, legal pluralism and legal cultures have long been preoccupied with the study of these aspects of the law within the domestic context. To elaborate, the sociology of law is the systematic, theoretically grounded, empirical study of law as embedded in society. Sociologists of law empirically examine and theorise the interaction between law, legal, non-legal institutions and social factors. Increasingly, sociologists of law also understand law sociologically so that they are not merely preoccupied with the study of law and society but of law in society. Areas of socio-legal inquiry include legal pluralism, the social development of legal institutions, forms of social control, legal regulation, the interaction between legal cultures, the social construction of legal issues, the ‘law in the books’ and the ‘law in action’,
7FFLA085  THE TRANSNATIONAL REGULATION OF GLOBAL NETWORKS

Module Leader: Dr Florian Grisel
Teaching Team: Dr Florian Grisel
Semester: 1
Credit Value: 20
Assessment Pattern: Coursework: 15% - Reaction Paper, 85% - Essay
Pathway/s: TL

The module addresses the challenges that have long been arising for national governments and international organizations in effectively regulating border-crossing activities. Taking a historical as well as conceptual perspective on both legitimate and criminal activities, we will study key areas of transnational networks and regimes in order to identify the scope as well as the limits of law in governing private transnational actors. By looking at examples of global networks drawn from the present and the past, e.g. diamond traders, merchants of the Northern Mediterranean Sea, mafias, and pirates in the early 18th century, it will become apparent how a traditional, state-based ‘top-down’ approach in legal regulation often proves insufficient.

The core reason for taking this historical-conceptual view is to critically investigate an ever faster developing reality of transnational private regulatory activity, ranging from food security to technical standards, from credit ratings to poverty levels, or from minimum capital requirements to educational standards. In view of the persisting ‘democracy deficit’ on the global level in such a wide range of hotly contested and sensitive regulatory areas, lawyers need to develop a better understanding of how transnational regimes operate, regulate and govern. For each of these global networks, the students will be asked to focus on the nature and content of the norms developed within these networks, as well as the processes through which these norms are enforced at a transnational level.

7FFLA087  TRANSNATIONAL AND INTERNATIONAL CRIMINAL LAW

Module Leader: Dr Nicola Palmer
Teaching Team: Dr Nicola Palmer
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 80% 5,000 word essay, 20% 600 word reaction paper
Pathway/s: IFL and IDR

Genocide, crimes against humanity, war crimes and the crime of aggression carry individual responsibility under international law. Crimes such as human trafficking, piracy, and terrorism have cross-border effects leading to legal responses at regional and international levels. As a result domestic criminal law must increasingly take account of both international and transnational responses to criminal activity. This module provides an in-depth understanding of international and transnational criminal law from institutional, substantive and comparative perspectives.
7FFLA503 CORPORATE GOVERNANCE

Module Leader: Professor Tunde Ogowewo
Teaching Team: Professor Tunde Ogowewo, Nigel Banerjee
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours (open book)
Pathway/s: IFL and IBL

This module examines core Company Law and the regulatory framework and practice on corporate governance – the system (structure and process) by which companies are governed (i.e. directed and controlled), and to what purpose (i.e. what overriding value is promoted). Although some commentators allude to convergence in corporate governance, no global corporate governance model exists as yet. Companies operate primarily within boundaries prescribed by national laws and regulations whilst also ensuring that they are compliant with applicable extra-territorial norms. Consequently, a key objective of this course is to examine UK corporate governance regulation, as the primary model, against the background of other models that exist internationally. Topics included are: the nature of corporate governance and foundational concepts such as corporate personality and limited shareholder liability; veil impairment and the constitutional ‘law’ of the company, directors’ duties; shareholder protection; effective board leadership; remuneration control; and shareholder engagement.

Please note that this module is not compatible with 7FFLA080 Transnational and Comparative Corporate Law and Corporate Governance I and so students would be unable to study both modules.

7FFLA521 TRANSNATIONAL LEGAL FEMINISM

Module Leader: Professor Peer Zumbansen
Teaching Team: Professor Peer Zumbansen, Farnush Ghadery, Laura Knöpfel
Semester: 1
Credit Value: 20
Assessment Pattern: Coursework: 80% 4,000 Word Essay, 20% - Participation
Pathway/s: TL

This module will introduce students to feminist legal theory and particularly to transnational legal feminism as an emerging strand of this scholarship. It will discuss how international norms of women’s rights evolved and shaped imaginaries about gender in today’s societies. This global feminist perspective will be brought into question with a focus on women’s different experiences of gender and sexuality depending upon their social, cultural, political and economic context. In particular, the course introduces students to differences between international/global feminism and transnational legal feminism, with a special emphasis on the perspectives from the Global North and South. By widening the net to go beyond mainstream feminism and challenging Western hegemonic feminist theories, this module discusses feminist theories arising from varying localities and cultures around the world, including post-colonial feminism and Islamic feminism.
7FFLA527 GLOBAL LAW OF CLIMATE CHANGE

Module Leader: Dr Leslie-Anne Duvic-Paoli
Teaching Team: Dr Leslie-Anne Duvic-Paoli, Dr Megan Bowman, Dr Emily Barritt
Semester: 1
Credit Value: 20
Assessment Pattern: Coursework: 90% - Research Essay, 10% - In-Class Assessment
Pathway/s: TL and IDR

Climate change is one of the most significant challenges of our time and has been described as a ‘wicked problem’ due to its multi-dimensional and socially-complex nature. Taught as a seminar with occasional guest lecturers, the module introduces students to the instruments, processes and actors of the law of climate change with a global focus. It includes a detailed examination of international climate law, with a particular focus on the 2015 Paris Agreement. The complexity of the challenge also requires that other legal regimes such as human rights frameworks, as well as other entities such as cities and corporate actors, make decisive contributions towards a low-carbon economy. Accordingly, this module also explores the legal and regulatory efforts of non-state actors in addressing climate change, including the increasing importance of courts. Overall, this module seeks to enable students to develop a critical understanding of the polycentric and multi-level nature of climate law.

This module is part of a reciprocal recognition programme with the Geography Department. Student’s who take this module may also take a climate-related module offered by the Geography Department, for credit.

7FFLA530 CURRENT DEVELOPMENTS IN INTERNATIONAL DISPUTE RESOLUTION

Module Leader: Dr Piero Sullo
Teaching Team: Dr Piero Sullo
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100%
Pathway/s: IDR

Few areas of the law develop as quickly as international dispute resolution. International arbitration tribunals, international courts, European courts and national courts hand down hundreds of awards and judgments a year that push the field forward. It has become both increasingly important and increasingly difficult to stay on top of the recent case law. This module will ensure that students are informed about the most significant developments in the case law in this area. At the same time they will learn how to present cases in a concise and meaningful manner to inform colleagues about recent developments, a skill that will be vital for their future work, whether in law firms, courts, or governments. In every session, students will present three cases selected by the module organisers. No presentation should be longer than 10 minutes and students will have to answer the questions posed by the module organisers and their colleagues.
7FFLA552  PATENTS AND TRADE SECRETS

Module Leader: Professor Tanya Aplin
Teaching Team: Professor Tanya Aplin, James Parish
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours (limited open book)
Pathway/s: IPIL

The aim of this module is to provide you with a detailed understanding of European and UK patent law and the UK law of confidential information (or trade secrets), with particular reference to new technologies, such as biotechnology and information and communication technologies. The key features of European and UK patent law – registration, validity, infringement, exploitation and enforcement - will be examined, taking into account theoretical, policy and practical perspectives. The module will also cover recent developments to the UK law of confidence, both in relation to commercial information (trade secrets) and privacy. It is not essential to have a prior knowledge of patent law or trade secrets.

7FFLA572  NEGOTIATION

Module Leader: Mihael Jeklic
Teaching Team: Mihael Jeklic
Semester: 1
Credit Value: 20
Assessment Pattern: Coursework: 100%
Pathway/s: IDR

The module draws upon thirty years of interdisciplinary research in negotiation from the perspectives of law, economics, game theory, and social and cognitive-behavioural psychology.

It provides comprehensive theoretical background as well as training in analytical and interpersonal aspects of negotiation. It aims to address the requirements of modern legal practice, where effective legal work often entails negotiations in complex interpersonal settings involving multiple parties and multiple issues, and where deal-making, consensus building, and problem-solving frequently take the central stage.

The module explores the Principled negotiation model developed at Harvard Law School, as well as advanced interdisciplinary theory on negotiation, including the Three Tensions model and the insights from modern social, cognitive-behavioural and psychodynamic psychology.

In addition to the intensive reading, the students are expected to negotiate complex proprietary negotiation cases on a weekly basis. Case experience is used as material for class discussion and for explication of the relevant theory.

Attendance of the enrolled students will be mandatory.
7FFLA583 INTERNATIONAL TAX LAW: TRANSFER PRICING

Module Leader: Professor Jonathan Schwarz
Teaching Team: Professor Jonathan Schwarz
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours (closed book)
Pathway/s: TAX

Transfer pricing is the single biggest issue in international taxation for multinational business and tax administrations. The aim of this module is to critically and comprehensively analyse the legal issues pertaining to Transfer Pricing and is addressed to lawyers, accountants and tax policy-makers, whether in private practice, as in-house counsel, or government employees. The course takes a practical, transactional and multi-jurisdictional perspective and examines in depth the OECD Transfer Pricing Guidelines including the rules and Commentary of the OECD Model Tax Convention together with a detailed analysis of transfer pricing disputes and practice including the expanding body of case law.

7FFLA588 INFORMATION SOCIETY LAW

Module Leader: Professor Kevin Madders
Teaching Team: Professor Kevin Madders, Professor Roger Brownsword
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours (closed book)
Pathway/s: IPIL, TL

The Information Age has transformed society. As mechanical systems powered by coal, steam and later oil and electricity gave us the Industrial Society, so now information and communication technologies (ICT) are giving us an Information Society – the society defining the 21st century.

To an extent, its law breaks down according to familiar technological systems – computers and networks. Cybercrime, specific kinds of intellectual property (e.g. open source software) and often overlooked but important technology-control regimes are thus investigated in a part of the course devoted to the computer. A part on networks in turn introduces types of electronic communications network for regulatory purposes globally and then examines in particular the EU regulatory system applicable to network and service provision.

But there are further dimensions to Information Society Law. One is the administration of “public good” resources needed for telecommunications, from internet addresses and telephone numbers to the radio frequencies used to carry information over mobile, satellite and other networks. This distinct, transnational “resources” branch of law is today recognized as becoming ever more pivotal, as society becomes more and more dependent on the resources concerned and their management.

The relationship between the Digital State and Citizen intertwines issues of technology, security and liberty. How power and interests play out in this basic relationship will affect us all into the future. The student in this part of the course will also explore a third point in what has become a societal triangle: the role of corporations that control access to services and use of data. Some of today’s keenest legal debate revolves around this triangle’s themes and we will bring it into the classroom.
In a final part of the course, we will probe into key legal challenges raised by expanding new areas such as robotics, geoinformation, cloud computing and “Big Data”.

The student taking this course will be introduced to the changing nature of law-making that fundamental information society drivers bring about and which regulate our world no less than – indeed, more profoundly than – many laws to which students are traditionally exposed. Emphasis is given to this line of inquiry across the course’s teaching. The aim is thereby to help the student acquire strategic insights that will increasingly be called for in legal practice, policy-making and scholarly contexts concerning or touched by this field.

Self-study on key issues will be encouraged during the course with this emphasis in mind.

### 7FFLA592 ADVANCED MERGER ECONOMICS FOR LAWYERS

Module Leader: Eric Morrison, Eric.morrison@fca.org.uk
Teaching Team: Eric Morrison
Semester: 1
Credit Value: 20
Assessment Pattern: Coursework: 100%
Pathway/s: CL

This module will provide lawyers with greater insight into the economics of mergers across a number of different jurisdictions worldwide. This is an area where law and economics has evolved dramatically in recent years and where academic research into the effects of mergers have led to dramatic changes in approach in practice. The course focuses not on jurisdictional and procedural aspects of competition law merger control but on substantive assessment. It adopts a comparative approach highlighting difference in goals and economic approach and considers how academic advances have impacted no such assessment.

### 7FFLA593 COMPETITION ENFORCEMENT AND PROCEDURE

Module Leader: Renato Nazzini
Teaching Team: Renato Nazzini, Professor Alison Jones
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100% - Take Home Exam
Pathway/s: CL

Competition enforcement has undergone major reforms in the past decade, generating intellectually stimulating scholarship and challenging practical problems. In the European Union, enforcement by the European Commission and National Competition Authorities (administrative or public enforcement) changed significantly in 2004. Furthermore, competition enforcement has moved away from a purely administrative model. Alongside public enforcement, private litigation (private enforcement) is now a major feature of the system and, in some countries, including the United Kingdom, certain competition infringements are also a criminal offence (criminal enforcement). In addition, competition enforcement has a global dimension, both in terms of the scope and breadth of legal scholarship and in practice. The aim of this course is to give students the knowledge and the analytical tools necessary to understand the dynamics of public and private enforcement in the
European Union and in the global context, to deal with the complex procedural problems that arise in practice, and to form their own view on the policies and enforcement models involved.

While the main focus of the course will be on EU law, the course also aims at exploring the relationship between EU law and national law. Therefore, enforcement models in EU Member States will be discussed, with a privileged but not necessarily exclusive focus on the United Kingdom and English law. Furthermore, jurisdictions outside the EU will be considered when they have provided important intellectual paradigms for the development of competition enforcement or because of their practical importance. In both respects, the United States of America is a key jurisdiction.

7FFLA600 INTERNATIONAL COMMERCIAL ARBITRATION

Module Leader: Paul Key, and Siddharth Dhar
Teaching Team: Paul Key, Sachin Trikha
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours (closed book)
Pathway/s: IBL and IDR

This course is intended for students who are interested in pursuing a career in an international arena with a specialisation in international dispute resolution mechanisms in private practice, in house or in the public sector. The module gives students a firm grounding in international commercial arbitration covering all of the stages of international commercial arbitration proceedings from debates about the validity of arbitration agreements through to enforcement and recognition of arbitral awards under the New York Convention.

7FFLA608 THE LAW AND PRACTICE OF THE UNITED NATIONS: EDGING TOWARDS TRANSNATIONAL CONSTITUTIONALISM?

Module Leader: Ady Schonmann-Bethlehem
Teaching Team: Ady Schonmann-Bethlehem
Semester: 1
Credit Value: 20
Assessment Pattern: 100% of the total mark from a research essay of 5,000 words
Pathway/s: TL

*The Law and Practice of the United Nations: Edging towards Transnational Constitutionalism?* aims to provoke thinking about the legal foundations on which the United Nations is built - primarily its origins, conceptual and institutional structure and competence - and to familiarize students with the evolving practice at the United Nations. It locates the United Nations and the system of specialized agencies in the context of an evolving international constitutional order. The course will also address some of the systemic and strategic challenges faced by the United Nations in the evolving international legal system. It will reflect on whether the United Nations is fit to face the challenges of the next 70 years in a rapidly changing transnational world.
The first part of the course will address, by way of introduction, the origins of the United Nations, its conceptual and institutional structure, and competence. It will also consider the influence of the membership on the work of the General Assembly and the Security Council, as well as the work of the UN Secretariat and the Permanent Missions to the UN. The second part of the course will delve into some of the acute present-day issues in the workings of the UN.

The course aims to facilitate an understanding of both the theory and practice of the United Nations and should appeal to those who have an interest in working in this field, whether as academics or as practitioners. For those interested in furthering their knowledge of the United Nations following this module, there would be an opportunity to do so through the spring semester module on *The United Nations Collective Security System: When Theory Meets Practice (7FFLA615)*. Each of these modules is self-standing but would also fit well together.

7FFLA612 PRINCIPLES OF INSURANCE LAW

Module Leader: Dr Ozlem Gurses
Teaching Team: Dr Ozlem Gurses
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: IFL and IBL

Insurance law is a dynamic and exciting aspect of commercial law that all young aspiring law practitioners would benefit from developing an understanding of to underpin their wider legal studies. London traditionally is the most important insurance market that developed insurance practice and law. Today Lloyd’s of London and the London Company Market insure risks placed all over the World. This course offers an excellent introduction whether you wish to specialise in insurance law or merely to widen your understanding of a key component of commercial law. It would be very suitable for students wishing to go on to focus on any areas of law but especially commercial law.

Insurance Law is deeply ingrained in our modern society. Individuals and businesses take a number of risks every day. Travelling from one place to another, driving, working as a professional eg as a solicitor or barrister or medical doctor or a plumber, in a bigger scale operating financial institutions, importing—exporting goods all involve risks. Individuals and businesses take into account the risks involved and take out insurance against such risks. When we go on a holiday we take out travel insurance, if we take out a mortgage the bank requires us to take out a life insurance policy, when you purchase a coffee from a chain coffee shop you must know that inevitably they are insured against their liabilities eg for accidentally spilling the coffee and injuring their customers, importers of goods insure their cargoes carried from overseas countries, airline, trainline, and bus companies purchase insurance insuring their liability to passengers, shipowners purchase hull insurance against loss of or damage to their expensive ships and insurance against their liabilities to their employees as well as the companies that they trade with. The list is nearly endless, however, whether you do public or private law you must know that there is insurance behind several risks that one may encounter in a day. The English courts today discuss insurance matters every second week if not weekly. We cannot know how many major insurance or reinsurance matters are also arbitrated every day not only in London but also in all other major commercial centres. Hence, studying insurance law will not only broaden your aspect as a lawyer and as an individual but also will be very useful in your career irrespective of your profession. You will have a better understanding of
how we all do risk assessments every day and in doing so, by knowing the principles of insurance law applicable to it, how we can protect your interests at the contract making stage at the outset, or at the dispute stage by knowing your rights and responsibilities again to protect your interest in the best possible way. In order to teach insurance law broadly we offer three different insurance law courses on the postgraduate taught programmes. The first of these three courses is Principles of Insurance Law that is offered in the Autumn Semester.

This module aims at introducing the general principles of insurance law. This course is offered in Semester 1 because it lays the foundations for understanding of how specialised types of insurance contracts operate. It is fundamental for an insurance lawyer to understand the general principles before moving to the specialised types of contract such as property insurance, liability insurance or marine hull and cargo insurance. This course will start with the special procedure that the London insurance market follows in formation of insurance contracts. It will then move to insurable interest, which has separate principles in life and indemnity insurances. The duty of fair presentation of the risk (previously duty of good faith), which will follow insurable interest, is the most disputed area of insurance contract law. The construction of insurance contract terms is the most fundamental topic not only in terms of deciding the scope of the coverage that the policy provides but also whether or not non-compliance with the policy terms after the risk occurs impacts the insurer’s liability. The assured’s premium payment obligation and the role of the brokers are the further areas that this course will focus on. It is also necessary to highlight the importance of the principles of subrogation. Although an assured has an insurance policy, and by paying the premium for it he naturally assumes that when a risk occurs the insurer will compensate the loss, by reading this course, you will understand that dealing with an insurance claim is not as straightforward as it seems at first sight. By the end of the course you will have learnt how to read and interpret an insurance contract from a lawyer point of view and either as an insurer or as an assured what are the issues that require attention to assess contractual rights.

7FFLA616 NEW TECHNOLOGIES, DIGITAL AGE & CONSUMER LAW CHALLENGES

Module Leader: Dr Mateja Durovic
Teaching Team: Dr Mateja Durovic
Semester: 1
Credit Value: 20
Assessment Pattern: Coursework: 100%
Pathway/s: EL

Consumer law is becoming an increasingly important area of law. The market, technology and society are constantly evolving. Therefore, consumer law needs to adapt to new products, new markets, new technologies and the outcome of a rapidly globalised World. In order to conceptually capture these phenomena traditional legal techniques, need to be applied in innovative ways and often new legal mechanisms that better fit a new economic reality have to be developed. The rise of online trading represents a particular regulatory challenge for consumer law. Compliance with the new consumer law rules is becoming an increasingly difficult task for the businesses.

Moreover, the interrelationship of consumer law with related legal disciplines (contract law, tort law, sustainable development, competition law, human rights, civil procedure) becomes ever more
complex. The legal design of an efficient and adequate enforcement mechanism of consumer law represents an additional legal challenge.

The consumer law specialised module will allow students to obtain in-depth knowledge and expertise in key areas of consumer law, whilst at the same time honing their analytical and problem-solving skills. Based on the most advanced legal thinking and taking a global, European and national perspective, students will be equipped with the critical understanding and analytical tools necessary for applying new legal concepts and practicing law in the highly complex, sophisticated and dynamic environment of current commercial reality. This is essential for anyone who wants to fully understand the intricacies of consumer law and learn how to fully apply with consumer law requirements.

Previous knowledge of consumer law is not required, but basic knowledge of contract and commercial law is required.

7FFLA618 EU ENVIRONMENTAL LAW

Module Leader: Dr Leslie-Anne Duvic-Paoli
Teaching Team: Robert McCracken QC, James Pereira QC
Semester: 1
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours (open book)
Pathway/s: EL

EU environmental law explores the 'environmental acquis' of the European Union and how EU law in general deals with environmental problems. The European Union sets the policy agenda in many areas of environmental regulation, and is known internationally as a 'green giant'. EU law creates a unique governance framework for environmental problems, which are often transboundary in nature and thus particularly suited to a system of multi-state governance. Particularly through its court, the EU has been a forum for regulatory innovation, experimentation and progressive environmental law.

This module provides students with a thorough introduction to EU environmental law. It will explore the unique features of the making, implementation and enforcement of this body of law. The course starts with a presentation of the key principles and regulatory strategies that drive EU environmental law. It then turns the spotlight on a wide range of environmental problems from air quality to water law and nature conservation. It considers the EU law regimes relating to these problems and how they fit into EU law more broadly.

This course is taught at Francis Taylor Building (in the Temple) by two leading barristers practicing in the field of EU environmental law. Students who would like to gain further specialisation in the field are encouraged to take the complementary module 'Environmental Law: Current Challenges' in semester 2.
The course will have a strong comparative focus and will not be confined to any one jurisdiction. The course will also have a strong practical orientation and will examine specimen contracts legislation and regulations used in the industry. The course will be useful to students who wish to develop expertise in the law governing the electricity sector in developed and developing countries as well as the energy and natural resources sector more generally. The course will also lay a strong analytical and legal foundation for anyone interested in international commercial and economic transactions.

The course will examine electricity industry in developed and emerging economies and the legal, regulatory and contractual structures and financing techniques used in it. It will focus on the different ways in which the industry uses these structures and techniques to address the conflicting policy objectives it faces. These objectives include reducing the cost of power by introducing competition and price regulation; attracting capital to develop generating capacity to drive economic development; fostering the development of renewable energy to protect the environment; and incentivising developments that reinforce diversity in generation and fuel security.

The course will start by examining how, in developed economies, the market has evolved over the last 30 years from a predominantly state owned vertically integrated industry into a liberalised market with private sector participants competing in electricity generation and supply and with privately owned regulated utilities operating in the natural monopolies of transmission and distribution. It will study the objectives, benefits and limitations of this process. It will examine the legal mechanisms used to set up the new market structure and industry players, in particular legislation, regulation, grid and distribution codes, electricity trading arrangements, power purchase agreements and associated derivative contracts.

Then, the course will examine the different priorities and challenges faced by developing countries in using private sector development expertise, capital and finance to develop new power generation capacity in order to enable economic growth and development. It will do this by examining the leading role played by independent power projects in this process.

The study of independent power projects will examine how these projects are structured and negotiated, looking at power purchase agreements, fuel supply agreements, operation and maintenance agreements, licenses and ancillary agreements. It will also look at the key elements of EPC / construction agreements for power projects. It will examine the risk allocation needed to make the project bankable in the international limited recourse project finance markets. It will review briefly the key documents that are involved in a limited recourse financing. It will also examine the factors that affect the secondary market for acquisitions and disposals of interests in developed power projects as a way of attracting capital from private equity, investment and infrastructure funds into the market.

The primary focus will be on IPPs in developing economies, but the course will also highlight the differences that exist when IPPs are deployed in developed economies where a greater degree of competition in day to day generation applies.
The course will also examine how the electricity industries in developed and developing markets have responded to the drive to introduce renewable energy into liberalised and competitive markets so as to protect the environment.

The course will look at how electricity systems cope with the challenge of accommodating nuclear power generating capacity in their systems, addressing both the development of new nuclear power and the issues arising in relation to the decommissioning and storage of radioactive waste from old nuclear power stations.

Finally, the course will explore the most recent developments in the sector. These include the development of “off grid” generation, and the use of mobile phone technology to collect payment of tariffs particularly in developing economies where traditional solutions are often problematic and cannot alone meet current developmental needs. The course will also look at the future of battery storage technology, and the recent trend, particularly in developed markets, for “corporate PPAs” where major businesses and institutions take control of the sourcing of their own power needs, often for a variety of economic and environmental motivations.

Semester 2
20 Credits

7FFLA063 WORLD TRADE LAW

Module Leader: Dr Federico Ortino
Teaching Team: Dr Federico Ortino
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: IBL and IDR

This course focuses on the law of the World Trade Organization, a major component of international economic law. WTO law is a kind of constitution for international trade matters and for trade relations between countries. The WTO is a truly global institution, with more than 150 members. It is a forum for trade negotiations and developing multilateral policies on trade - not always a very successful one, witness the difficulty of concluding the Doha negotiations. But the WTO also manages an extensive set of basic multilateral agreements on trade. To do so it operates an advanced system of dispute settlement, which has created and continues creating an impressive body of case law.

In a globalized, interdependent world, trade cannot be separated from domestic policies on a variety on subjects, such as health and environmental protection, human rights, development, public morals, etc. Such policies often affect trade, and may therefore be “reviewed” in the light of WTO law.

While WTO law covers a wide range of areas including trade in goods, trade in services, trade-related aspects of intellectual property rights, trade-related aspects of investment measures, the aim of this module is an in-depth focused analysis of those key institutions and principles that are common across the various areas, such as the non-discrimination principle, public policy exceptions, proportionality principle, transparency requirements, harmonization, and dispute settlement procedures.
The module covers the key components of the public international law related to the protection of foreign investment. Reference is made to relevant customary and conventional international law (particularly bilateral investment treaties), as well as to relevant regional and municipal law. The module is concerned with the substantive normative framework of the international law relating to foreign investment (procedural aspects are addressed in the course on International Investment Arbitration). It also addresses the key legal obligations of the host State (MFN, National Treatment, Expropriation, Fair and Equitable Treatment, Transparency) as well as the legal obligations of the foreign investor. Policy considerations underlying this area of the law will also be examined.

Today, corporate law and corporate governance rules and principles are increasingly being created and disseminated through a complex mixture of public, private, state- and non-state-based norm-making processes that involve different domestic, international and transnational actors. This module provides the global framework necessary to understand this fast-evolving and largely fragmented regulatory landscape and offers to the students a deep understanding not only of the rules themselves but of the transnational political and economic conditions under which they are developing.

The module moves beyond “formal” corporate law and orthodox functional and comparative approaches to corporate law and corporate governance and adopts an analytical toolkit that encompasses a variety of direct and indirect, hard and soft, public and private, domestic or global types of norms, standards, recommendations and guidelines. Topics to be covered will vary from year to year to reflect the most recent research and policy debates, but will generally include: the social role of companies; the tension between harmonisation of national company laws and regulatory competition; the interplays between hard and soft law; the development of corporate governance codes as a form of market self-regulation (drawing on national corporate governance codes, the OECD Guidelines, codes of conduct etc.); issues of public accountability and enforcement focusing on the development of stewardship codes in developed and developing markets; board diversity (incl. women on boards); transnational actors (such as institutional investors) as object and source of transnational corporate law and corporate governance regulation.

The module exposes students to a variety of domestic, comparative and transnational bodies of law and norms and to a selection of cross-disciplinary debates that address the changing roles of corporate actors in a globalizing world. Situated in this ambiguous space between comparative law
and transnational legal pluralism, this module provides students with the knowledge, skills and critical abilities to understand the law-making processes, rules, and legal institutions that affect or have the power to affect corporate law and corporate governance beyond national boundaries. It is suitable for students interested in the transnationalization of corporate law and corporate governance from both a practice perspective and a focus on the wider debates surrounding this lively regulatory field today.

Please note that this module is not compatible with 7FFLA080 and 7FFLA503.

**7FFLA091 BUSINESS AND HUMAN RIGHTS**

**Module Leader:** Cees Van Dam  
**Teaching Team:** Cees Van Dam  
**Semester:** 2  
**Credit Value:** 20  
**Assessment Pattern:** Coursework: 100%  
**Pathway/s:** TL

Media regularly report on the involvement of companies in human rights violations, for example, disasters in Bangladeshi clothing factories such as the collapse of the Rana Plaza factory in which over 1,000 employees died; suicides at the Chinese Foxconn company where mobile phone companies had their products manufactured, and FIFA being accused of corruption and the death of scores of workers building the stadiums for the 2022 World Cup in Qatar. This module includes various case studies of companies involved in human rights violations either through subsidiaries, business partners or the supply chain.

The existing legal framework to deal with these problems is limited and fragmented. In the US, the Alien Tort Statute provides a basis for litigation but in the Kiobel case, the US Supreme Court has substantially limited the Statute’s scope. In Europe, particularly the UK and the Netherlands, companies are sued on the basis of domestic tort law, for example; Trafigura for waste dumping in Ivory Coast and Shell for polluting the Niger Delta. One of the questions addressed in this module, is what the future of US and European litigation is.

This module will also look into how the large gaps in the existing legal framework can be filled. So far, ‘hard’ law chiefly concentrates on companies’ obligations to report about their human rights impact, while ‘soft’ law issued by international institutions (including the United Nations non-binding Framework and Guidelines and the OECD Guidelines) helps businesses to respect human rights. Moreover, governments nudge companies in the right direction in the context of trade missions, public procurement and export credit conditions. Companies also increasingly regulate each other, such as investors, pension funds, banks and insurers, investing in or financing business projects (and then, for example, applying the Equator principles). Finally, companies increasingly design their own Corporate Social Responsibility policies to ensure they respect human rights. This is a fast moving area of the law that is becoming of pivotal importance for companies, governments and human rights NGOs.
ACCESS TO INFORMATION: RIGHTS AND REMEDIES

Module Leader: Professor Perry Keller
Teaching Team: Professor Perry Keller
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 85% - 2 hours, Coursework: 15%
Pathway/s: IPIL

This half year (20 credit) module concerns the strengths and limitations of the legal rights that enable access to information, which can be used to overcome the powerful legal protections that normally operate for the benefit of information owners and controllers.

This important array of access rights and associated disclosure duties include access to information through pre-litigation disclosure rules, access to information held by courts through ‘open justice’ principles, access to information held by public authorities under ‘freedom of information’ (FOI) and environmental information legislation, and access to personal information by data subjects under data protection legislation. While each access right is distinctive, they share many common features and have overlapping applications.

The module also covers the legal rights of journalists to protect their sources and the legal protections afforded whistle-blowers who disclose information in breach of legal duties.

Access to Information is designed for LLM students who wish to understand the innovative practical legal work of accessing and protecting commercial and governmental information as well as LLM students who wish to gain a broader understanding of how the different branches of information law work together as a coherent field of law. The module primarily concerns English law, however selected examples and readings taken from other jurisdictions are also included.

7FFLA519 Comparative Freedom of Speech is a suitable half year module to pair with Access to Information.

JUDICIAL PROTECTION IN THE EU

Module Leader: Professor Takis Tridimas
Teaching Team: Professor Takis Tridimas, Professor Andrea Biondi
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 3 Hours
Pathway/s: EL and IDR

This module examines the EU system of judicial protection and also seeks to explore the role of the European Court of Justice (ECJ) as an institution of governance in comparative perspective. It discusses, among others, the following: the principles of primacy and direct effect; EU competence and pre-emption as compared to the division of powers between the federal government and States in the USA; the relationship between EU and international law; the jurisdiction of the ECJ, including judicial review of EU acts, the preliminary reference procedure, and actions in damages; the general principles of law (e.g. non discrimination and due process); the protection of fundamental rights; the differences between the EU Charter and Anglo-Saxon Bills of Rights; the relationship between the ECJ and the European Court of Human Rights; the remedies for the protection of EU rights before national courts; precedent, judicial activism, and methods of
interpretation; and Brexit-related issues. The course is designed to engage with some theoretical
issues (e.g. federalism, the concept of supra-national rights, and the role of constitutional courts in
comparative perspective), and also develop practical skills, e.g. explain the procedure before the
European Court of Justice and how an action may be brought before it, by reference to case studies.

7FFLA517 LEGAL ISSUES IN CORPORATE FINANCE
Module Leader: Professor Tunde Ogowewo
Teaching Team: Professor Tunde Ogowewo, Nigel Banerjee
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: IFL

Accountants, investment bankers and transactional lawyers are the three professional advisors that
play significant roles in corporate finance transactions.

This module focuses, from a UK legal perspective, on the two main sources of corporate finance. It
deals with equity financing – the law that regulates its raising, maintenance and pay-outs from the
corporate treasury, and with debt financing – forms of debt finance and security interests. It
concludes by examining three major kinds of financial transactions that companies get involved in:
secondary issues, debt equity swaps and private equity transactions.

7FFLA519 COMPARATIVE FREEDOM OF SPEECH
Module Leader: Professor Perry Keller
Teaching Team: Professor Perry Keller
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 85% - 2 hours, Coursework: 15%
Pathway/s: IPIL

This half year (20 credit) module offers students a comparative introduction to the law of freedom of
speech / expression in the United States and Europe (including European human rights law and
national law with particular attention to English law).

The apparent stability of laws concerning freedom of expression over several decades has been
overturned by a succession of inter-linked political and technological challenges in liberal
democracies. These include popular disenchantment with the doctrinal complexity of freedom of
expression rights; the rise of online intermediaries or platforms as gatekeepers for public expression;
and the use of free speech rights as an instrument to challenge social and economic protections for
weaker parties or minority groups.

This module begins with a comprehensive introduction to the similarities and differences between
the core legal principles defining free speech rights in Europe and the United States, the leading
global models for liberal democratic rights to freedom of expression. This part will include examples
drawn from defamation, privacy and hate speech law. The module then turns in Part II to
contemporary challenges to these established principles, including the loss of defining concepts of
the media and journalism; the question of how to regulate the flow of public expression through social media; and the ‘fake news’ crisis.

7FFLA506 Access to Information is a suitable half year module to pair with Comparative Freedom of Speech.

7FFLA532 ARBITRATION OF INTERNATIONAL IP DISPUTES
Module Leader: Dr Barbara Lauriat
Teaching Team: Dr Barbara Lauriat
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% Coursework
Pathway/s: IPIL and IDR

Increasingly, international disputes involving intellectual property issues are being resolved through arbitration, despite some disapproval of the use of alternative dispute resolution for IP cases in the past. The module is aimed helping law students understand this developing situation and exploring some of the particular issues that arise from the application of arbitration as a dispute resolution process in international IP cases. Issues of arbitrability, drafting, choice of law, procedure, broader policy considerations and enforceability specific to international IP cases will be discussed. When possible, the lectures will be supplemented by short presentations from experienced practitioners. This is a specialized module; students are expected to either have studied arbitration before, to be enrolled in International Commercial Arbitration or the Introduction to the International Dispute Resolution or to engage in a series of recommended readings independently. Students need not have previously studied intellectual property law.

7FFLA533 TRANSNATIONAL OCEANS AND MARITIME LAW
Module Leader: Penelope Nevill
Teaching Team: Penelope Nevill, Alexandros Ntovas
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100%
Pathway/s: TL

The world’s seas and oceans make up 71 percent of the earth’s surface and contain 97 percent of its water. They act as a ‘carbon sink’ for around 90% of the world’s carbon emissions and play a key in climate change. They are used as both global rubbish bin and essential food source (fish account for 17% of the world’s protein intake). Around 80 per cent of international trade in goods is carried by sea; the percentage is even higher for most developing countries. They are also, in the words of former UN Secretary-General Ban Ki Moon, ‘in peril’.

Typically public international law of the sea and commercial maritime law are taught separately. This course aims to bring them together around four key substantive topics (shipping, law and order, exploitation of resources and the environment) to explain what they are, how they relate to each other across international, regional and national laws and legal systems, who the actors are, the different types of law-making and how they are being transformed by, and evolving in response to, new challenges and technology.
7FFLA537 VALUE ADDED TAX

Module Leader: Tim Brown, Tim@timothybrown.co.uk
Teaching Team: Tim Brown, Professor Jonathan Schwarz
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: EL and TAX

Value Added Tax is an increasingly important tax in the UK and throughout the EU. Not only does it generate a large amount of revenue for governments, its character as a European tax makes for interesting case law and controversy within domestic systems. This module considers the nature of VAT as a tax and considers the system of VAT as implemented in the UK. It considers the various elements of the tax and how the tax has developed in response to EU movement and pressure. As well as gaining a comprehensive understanding of VAT in the UK, the aim of the module is to provide you with the tools to be able to comprehend other systems of VAT in Europe and also to understand why what seems like a simple tax has proved so complicated in the EU.

7FFLA548 LAW OF INTERNATIONAL FINANCE 3 - SECURITISATIONS DERIVATIVES AND CDOS (PREREQUISITE: STUDENTS MUST ALSO TAKE 7FFLA040)

Module Leader: Professor Ravi Tennekoon
Teaching Team: Professor Ravi Tennekoon
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - Take Home Exam
Pathway/s: IFL and IBL

This module is intended to be taken only in conjunction with International Finance 1 and will be taught as an adjunct half-module. It will be useful if you are interested in a career as a lawyer in global investment banking in the financial markets and will seek to provide in depth coverage of the law and legal issues in derivatives and credit derivatives the most modern and complex of financial transactions which have seen an explosive growth in the past few years – estimated to be 200 trillion dollars by the Economist. It will also cover asset securitisations including loan securitisations as well as synthetic structures using credit derivatives. The orientation of the module will be strongly towards the students wishing to practise in this field. The module will be taught in the second semester after you have obtained a grounding in International Finance 1.

7FFLA555 COMMERCIALISATION OF INTELLECTUAL PROPERTY

Module Leader: David Llewelyn
Teaching Team: David Llewelyn, John Hull
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: IPIL
Today, intellectual property rights (IPR) are potentially valuable assets. You look at ownership, commercialisation and value protection through dispute resolution and the licensing of patents and know-how, trademarks and copyright, as well as hybrid areas such as merchandising. Covered are: introduction to IP law; patents; know-how and trade secrets; plant varieties; copyrights; trademarks; registered and unregistered designs; IP due diligence in M&A transactions; IT/IS; IP valuation and taking security over IP; the internet and IP; antitrust and IP; protecting value.

7FFLA576  COMPETITION INTELLECTUAL PROPERTY AND THE MEDIA INDUSTRY

Module Leader: Andrea Appella
Teaching Team: Andrea Appella, Professor Alison Jones
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours, open book
Pathway/s: CL and IPIL

On this module, students will study the application of the EU competition law and intellectual property law (with particular emphasis on copyright) on various sectors of the media industry (sport, music, movies, broadcasting, online and publishing).

By the end of the course, students will be in a position to demonstrate the following:

- An understanding of the key features of the various sectors of the media industry and its value chain, the relevant framework for intellectual property protection/licensing and for competition law intervention.
- The ability to critically assess the case-law arising from the application of competition rules to concrete cases in the media industry (investigations and mergers).
- An appreciation of current policy and legislative interventions on the Digital Single Market, in particular the interaction between competition policy/law and intellectual property protection on the development of the media industry

7FFLA589  ELECTRONIC COMMERCE LAW

Module Leader: Professor Kevin Madders
Teaching Team: Professor Kevin Madders, Professor Roger Brownsword
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 85% - 2 hours (closed book), Practical Project: 15%
Pathway/s: EL, IBL

This course examines the law and policy governing the development of e-commerce by primary reference to the European example. Under what is today the flagship Digital Single Market Strategy, EU law in this area is widely considered to lead the world, thanks to a forward-looking framework aimed at facilitating the uptake of electronic transactions. We shall examine its legislation especially in terms of its implications for the business itself as the reference point for analysis.

Starting with the foundations of e-commerce part of the course, we shall first explore the place of e-commerce in the economy and business models. We shall then outline the general framework
governing electronic transactions including the Electronic Commerce Directive and other legislation. We shall thereafter consider key legal usages from practice such as e-procurement, adaptations to agency such as escrow, and modes of intellectual property licensing, all of which are applicable in Europe and other parts of the world.

We shall in the next part of the course discover particular instruments available for use in e-commerce that have been introduced under EU legislation such as electronic money and trusted third party authentication, and we shall compare these instruments to alternatives generated by the market such as Bitcoin and PIN codes.

We shall then turn to the central instrument for e-commerce, the domain name, and associated legal issues related to the website and e-mail. This part’s content will include:

- discussion of the .eu Top Level Domain (TLD) system – which aims at creating, alongside the euro, an everyday manifestation of EU identity – in comparison with legal arrangements applicable to other TLDs such as .com
- an examination of domain names dispute resolution, which will include in-class debate of significant .eu and .com and other TLD cases in which Prof. Madders was himself arbitrator
- assessing the impact of key EU online commercial communication and data protection requirements, especially in light of the GDPR and the new ePrivacy Regulation.

**Risk and its mitigation** form a last taught part of the course. Discussion here includes EU information security requirements – an emerging branch of law in its own right – and review of EU competition law as applied to software-based services. New EU measures on online dispute resolution for consumers and aspects affecting international trade will be introduced, as well as aspects of freedom of speech and online criminal and tortious liability that an e-business may need to consider.

From the above it will be seen that, taking EU e-commerce law as its point of departure, this course encompasses a significant part of internet law viewed internationally.

The course’s focus on the business in the internet is reinforced by inclusion of an assessed practical project to develop an e-business concept that runs throughout the teaching semester. Through it, students taking this course will have a chance to “learn by doing” in a way designed to stimulate their acuity and resourcefulness in identifying and addressing legal issues, but also the student’s communication skills, potential for teamwork, and business acumen – all valued ingredients, whether in legal practice, other professional contexts, or academic life.

The practical project format has been a popular feature of the course over the years and often a reason for students to take it. Student feedback has helped to refine it and it is relied upon pedagogically by linking aspects of the law studied in class to aspects raised by projects.

Finally, self-study is encouraged on topical subjects, such as on significant new legislation or policies or on developments that challenge traditional conceptions of commerce and the law.
This module concerns the music industry and copyright law in the digital age. Given the cultural and economic significance of the music industry, music copyright issues are arguably the most pressing of the day in contemporary intellectual property law. Up until 1999 the music industry had enjoyed a period of growth that had lasted for the best part of a quarter of a century. Since 1999, the music industry has endured around fifteen years of uninterrupted decline. Some would have us believe that online piracy is responsible for this downturn. However, more nuanced explanations suggest that there are other factors at play that need to be considered. Whatever the reality, it is inarguable that the digital revolution has changed the face of the music industry and raised a myriad of questions about the music industry and the role of the players within it.

When we refer to the term “the music industry,” although convenient, it is in effect an umbrella term that covers several distinct music industries whose interests in practice might occasionally coincide but are never totally homogenous. For organisations within the music industry it has often proved useful to portray themselves as representing a broader spectrum of the music industries than they actually do. It is the differing interests and tensions between entrenched incumbent interests, new entrants to the market and end users that underpin this module.

In this module we will look at the challenges raised by digitisation and the Internet on the production, distribution, exploitation and consumption of music and examine both the legal and technological responses to these challenges through the lens of key players in the music industry, namely, artists, composers, publishing companies and record companies. Music trade media and academic journals of an inter-disciplinary nature have in recent times seemingly become a battlefield for music ideology, much of the commentary concerned directly and indirectly with the disruptive technology of digital technology and the Internet. To put the digital era into context, we will cover the origin and development of music copyright. In particular we will examine what lessons can be learnt from history, since it will be seen that problems caused by sheet music piracy faced by music publishers in the nineteenth and early twentieth century mirror those faced by the music industry today. In order to assess the nature of the digital disruption, we will examine: the traditional music industry value chain and the rights that underpinned this value chain and how these rights have been challenged and the legal responses and strategies employed to combat these challenges.

The key areas that we will explore are: (i) disruption of the traditional music value chain; (ii) increased artistic interaction with pre-existing cultural artefacts through the practice of digital sampling; and (iii) unauthorised file sharing. We will also consider the ways in which creation and dissemination of music are linked through practices of contract law by examining the contractual relationships between recording artists and record companies and between songwriters and music publishers. With the emergence of music subscription services, there has been a shift in the recorded music business model from payment of a fixed royalty per unit sale to a far from transparent royalty for the streaming of a recording. At a time when revenues from recorded music are in decline, we will examine the effect of this development.

For the most part, the module will focus on UK law and, where relevant, US law.

Prior knowledge of copyright law is a prerequisite to study this module.
7FFLA599  INTERNATIONAL INVESTMENT ARBITRATION

Module Leader: V.V. Veeder, Sam Wordsworth, and Ceyda Knobel
Teaching Team: V.V. Veeder, Sam Wordsworth
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours (closed book)
Pathway/s: IBL and IDR

This course is intended for students who are interested in pursuing a career in an international arena with a specialisation in international dispute resolution mechanisms in private practice, in house or in the public sector. The module gives students a firm grounding in international investment arbitration covering international investment disputes under ICSID, and other procedural rules from a procedural as well as a substantive standpoint. The course also gives the students an overview of bilateral and multilateral investment treaties, their structure and content. The weekly lectures are given by well-known practitioners with very many years’ experience in this field, both in terms of arguing and deciding investment arbitration cases (whether arising under an investment treaty, a contract, or under a domestic law). There is also series of accompanying tutorials given by a small team of well-established practitioners, who explore further with the students the issues that have been the subject of the lectures. A high level of participation is welcomed in the lectures as well as the tutorials.

7FFLA601  COMPETITION LAW IN FINANCIAL SERVICES

Module Leader: Fabio Falconi
Teaching Team: Fabio Falconi, Professor Alison Jones
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: EL, IFL, IBL, and CL

The financial industry plays a crucial role in the UK economy. Financial products and services are diverse and highly regulated and present a number of features which may make financial markets working not as well as they should, in the interests of consumers.

Following the financial crisis, regulation in the sector has become stricter and so has the application of competition laws, and not only in the State aid field, where since October 2008 EU governments’ support of banks in distress resulted in more than 400 decisions involving about a quarter of the EU banking system by assets. The increasingly central role of financial services in the enforcement priorities of the competition authorities at EU and UK levels is reflected in numerous cartel, abuse of dominance and merger control cases as well as a considerable number of market investigations/studies.

This module will provide students with an in-depth knowledge of the main dynamics affecting the application of competition laws in financial services assessing banking, insurance, capital markets and payment systems cases and market investigations.
The imperative to move to a low-carbon economy and more sustainable existence calls for the most significant market and economic transition in modern history. It requires multi-sectoral mobilisation, beyond nation states and international law. Specifically, it invokes action by corporate actors not only as regulated entities but also as quasi-regulators; a sector that includes private finance actors – banks, insurers, institutional investors – and consideration of their increasingly important role in an evolving transnational ‘sustainability’ governance framework. Yet, since the recent global financial crisis, their role in society and the notion of ‘value’ has been contested. Are these actors ready and able to self-regulate for economic and also societal benefit? How do they contribute to systemic sustainability issues – for better or for worse? What are their motivations and capabilities that might be harnessed by government regulators and civil society? What are the legal, institutional and behavioural limits to doing so?

The course will consider regulatory and governance frameworks that apply to ‘borderless’ sustainability problems such as climate change and biodiversity depletion. These include selective governmental responses as well as corporate soft law initiatives such as the UN Principles of Responsible Investment (for investors) and the Equator Principles (for banks).

The theoretical component of the course comprises two waves. The first wave, which we investigate at the front-end of the course, focuses on constructivist legal theory and ethics in international relations to elucidate shared understandings and also challenges associated with governance frameworks for sustainable development. The second wave focuses on regulatory theory using corporations, with particular focus on private finance actors, as the subject of investigation to identify and evaluate motivations for private ‘green’ governance. This wave is conceptualised using micro (intra-organisational), meso (inter-organisational) and macro (socio-cultural) lenses to provide theoretical insights about the internal and external influences on corporate behaviour.

The intellectual challenge for LLM students will be to think about different public and private regulatory approaches and how to critique them in the context of complex sustainability issues like climate change. The global and comparative aspect of the course should also provide a platform for students from different legal systems to share their knowledge and experiences concerning the governance of environmental problems and climate change in particular. Moreover, this module provides students with an opportunity to critically interrogate whether, and to what extent, common themes can be discerned from corporate interaction with sustainability issues in order to re-imagine a framework that appreciates the challenges of transnational regulation while also providing normative guidance.

Syllabus components:

- Constructivist legal theory and sustainable governance: from independent to interdependent thinking using biodiversity and climate change as case studies.
- Investigating the systemic link between financial stability and environmental sustainability.
- Understanding why companies go green: comparative regulatory theory approaches.
- Private finance actors in sustainable governance: theory and empirical evidence.
- Corporate law and sustainability: levers and limits.
- Voluntary corporate behaviour (including corporate social responsibility): levers and limits
- Market-based policy instruments as regulatory responses to climate change.

This module is part of a reciprocal recognition programme with the Geography Department. Student’s who take this module may also take a climate-related module offered by the Geography Department, for credit.

7FFLA610 TRANSNATIONAL HUMAN RIGHTS LITIGATION

Module Leader: Tim Otty and Silvia Borelli
Teaching Team: Tim Otty, Silvia Borelli
Semester: 2
Credit Value: 20
Assessment Pattern: Coursework: 100%
Pathway/s: TL and IDR

Modern transnational human rights litigation cuts across traditional distinctions between jurisdictions and between national, European and international sources of the law and presents a number of challenges, pitfalls and opportunities to the practitioner. Strategic litigation of human rights violations plays a crucial role not only in ensuring that victims of human rights abuses obtain redress for the harm they have suffered, but also in ensuring that governments are held accountable for their actions and that the “right to the truth” of victims and society at large is effectively realised. The class will present students with case studies, including cases as diverse as the “war on terror”, human rights claims arising out of conflicts in Chechnya and Iraq, constitutional challenges to the criminalisation of homosexual conduct, and challenges to criminalization of human rights defenders in Latin America. Students will study how these cases were litigated and why they were litigated in a particular way, developing an understanding of the practical aspects of transnational human rights litigation.

The module will draw on the experience of the instructors, who are, respectively, a leading human rights barrister with extensive experience of litigating international human rights cases in a variety of fora, and an academic specialising in international human rights law who has extensive practical experience in assisting human rights NGOs in strategic human rights litigation.

7FFLA611 INSURANCE OF COMMERCIAL RISKS

Module Leader: Dr Ozlem Gurses
Teaching Team: Dr Ozlem Gurses
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100%
Pathway/s: IBL and IFL

Insurance of commercial risks aims at teaching individual risks that are insured by different types of insurance contracts. The ‘Principles of Insurance Law’ module, is not a prerequisite to study this option, however, it is recommended that if you study the former you can understand the latter less
effortlessly. The ‘Insurance of Commercial Risks’ course will look into the details of the policy wordings in a number of different individual types of insurance contracts that are needed by business in commercial world and individuals in their daily lives. The methodology we will follow will be consistent: In each of these types of insurance we will analyse how the general principles of insurance law apply depending on the nature of the type of insurance in question. This will require looking into the interest insured. Policies provide insured and excluded perils as well as some terms which impose some obligations on the assured to comply with after the insured risk has occurred. The interpretation of such policy terms is crucial to determine the insurer’s liability. By the end of the course you will have learnt the dramatic effect of assured’s (at any level) fraud on his claim, how to calculate the compensation that the insurer will pay, the risks covered by some major types of insurance contracts such as liability insurance generally, product liability, professional indemnity, directors and officers, motor vehicle, and employers’ liability insurance. You will then be able to assess insurance claims in almost any types of insurance, especially with respect to whether the insurer is contractually liable or not and if so, what is the amount of liability. Together with the Principles of Insurance and Reinsurance Law courses you will learn how to draft an insurance contract in a way protecting the respective parties’ interest and also how to interpret an insurance contract to find out if there is a claim worth following against the insurer. Moreover, you will learn the issues that always have to be taken into account in the stage of making a claim against the insurer.

7FFLA613  REINSURANCE LAW

Module Leader: Dr Ozlem Gurses
Teaching Team: Dr Ozlem Gurses
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: IBL and IFL

Reinsurance is not a term that we often hear in our daily lives. It is however very important for insurers to keep themselves solvent and to retain and enlarge their insuring capacity. Hence, reinsurance directly affects our ability to take out insurance contracts and for insurers to insure such risks. London insurers reinsure risks all over the World from the areas where hurricanes often occur, to where major offshore oil and gas installations are placed, where the trade of shipping is a big part of the national economy or where major natural disasters such as flooding is commonly encountered. These are only a few examples of areas where reinsurance plays some very important functions in insuring risks locally by local insurers because they can do so only with the support of the reinsurers in the background.

Reinsurance is a contract that is made between two insurers. This course’s starting point is explaining why reinsurance is needed and why it takes up a big role in the financial industry. It then moves on with the definition of reinsurance, identifying the different ways of reinsuring risks and ascertaining the contracting parties. The general principles that ‘Principles of Insurance Law’ covers apply to reinsurance as well as insurance contracts. This course looks into in detail how such principles are modified and applied in reinsurance. Special types of wording is used in reinsurance contracts such as ‘as original’ ‘follow the settlements’ and ‘follow the fortunes’. It is important to know how insurance and reinsurance contracts are interpreted in the international commercial law arena because these rules determine whether reinsurers are contractually liable to their reinsureds. Once liability at law is established, the next element of a dispute between the parties is likely to be
on the amount that reinsurers will have to indemnify. Such an amount is determined by the interpretation of the contract between the parties and also the dynamics of the reinsurance market. ‘Allocation of losses’ and ‘aggregation of losses’ are two of the tools used to assess the quantum of the reinsurers’ liability. For instance, in the context of an excess of loss reinsurance, the reinsured may want to allocate the losses paid to the assured in a way most advantageous to maximise reinsurance coverage. Aggregation may determine a number of issues between the parties, including deductibles and the maximum coverage available under the reinsurance contract. Perhaps the best known example of this is how many events occurred in the attack on the Twin Towers in New York in 2001? If there is one, the reinsurance policy limit will apply once, if there are two, the reinsured’s recovery could double. This course will therefore inevitably cover some fundamental elements of aggregation and allocation of losses in reinsurance law. It is not a pre-requisite to study ‘Principles of Insurance Law’ to study Reinsurance Law, however, it is recommended that if you studied the former, that would help you understand the latter.

7FFLA614 INVESTOR PROTECTION: LAW AND REGULATION OF INVESTMENT IN THE FINANCIAL MARKETS
Module Leader: Lodewijk Van Setten
Teaching Team: Lodewijk Van Setten, John Siena
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: IFL

Investment in financial assets, bank accounts, stocks, bonds, derivatives, structured products, etcetera, is fundamental to modern economies. It is a process that permits investor savings to be converted into funding for the real economy in exchange for an investment return, which in turn permits storage of capital for future use. The business of creating, offering, trading, transferring, and administrating financial assets is in the hands of professional financial services firms such as banks, brokers, and investment managers. Investors in financial assets, therefore, have no choice but to transact through or with these firms. The central theme that organises this module is the level of protection that financial law provides to the investor during the investment cycle against the conduct and insolvency risks inherent in the services of banks, brokers, investment managers and other financial services professionals. This is module is practical as well as conceptual. You do not need prior knowledge in the field of modern investment transactions and services.

7FFLA615 THE UNITED NATIONS COLLECTIVE SECURITY SYSTEM: WHEN THEORY MEETS PRACTICE
Module Leader: Ady Schonmann-Bethlehem
Teaching Team: Ady Schonmann-Bethlehem
Semester: 2
Credit Value: 20
Assessment Pattern: 100% of the total mark from a research essay of 5,000 word
Pathway/s: TL
The United Nations collective security system is at the centre of contemporary diplomatic, political and legal discourse. It is at the heart of the evolving discussion about the competence of the United Nations, with the role of the Security Council at the centre of the debate. There is hardly any issue today that cannot be woven into the framework of the UN collective security system, from climate change to health pandemics, from human rights and counter-terrorism to piracy and the rule of law, from peacekeeping to peace building, and international criminal justice. The Security Council is at the centre of an evolutionary, sometimes revolutionary, process of the reconstruction of the reach of the UN. This endeavour has permeated the UN system, including the work of the General Assembly, the UN specialized agencies, and beyond. It has been the driver behind the emergence of new concepts such as human security and the responsibility to protect, which walk a delicate line between law and politics.

This module will focus on deconstructing the law and policy divide at the UN. It will introduce students to the changing collective security system of the UN, looking at both law and practice. Amongst other issues, the course will examine the balance between the primary responsibility of the Security Council for the maintenance of international peace and security and the role of other UN organs; collective security challenges; the concept of human security in the work of the UN General Assembly; the evolution of UN peace and security objectives and the challenges that these pose; the Security Council sanctions regimes, including counter terrorism; and, the responsibility and accountability of the UN.

The module complements the autumn term King’s Transnational Law Institute module on The Law and Practice of the United Nations: Edging Towards Transnational Constitutionalism? (7FFLA608). Each of these modules is self-standing but would also fit well together.

7FFLA617 LAW WITHOUT THE STATE

Module Leader: Professor Thomas Schultz
Teaching Team: Professor Thomas Schultz
Semester: 2
Credit Value: 20
Assessment Pattern: Coursework: 100%
Pathway/s: TL

Most lawyers, indeed most people, think that law is necessarily something created by states. National law is created by one nation-state, international law by several. But just why? Why do we think of law as a creation of states? Can we disconnect law from states? Would this be a good idea? Does it matter that law is anything specific? Non-state actors, generally speaking, have become stronger in creating or pushing for norms. Does this – should this – mean that law, the very idea of law, will change? At some stage in the past, there weren’t any states, but surely there was law. If something similar were to happen again, what would we be calling law? Nothing at all? Just anything? When lawyers describe the law in a given field, they normally focus on legislation and cases, on state and administrative practice, on treaties and other forms of state activity. This works in practice for most people and most situations. But is it quite correct intellectually?

Please note that this module is capped at 30 students.
ENVIRONMENTAL LAW: CURRENT CHALLENGES

Module Leader: Dr Leslie-Anne Duvic-Paoli
Teaching Team: Dr Leslie-Anne Dubic-Paoli, Geert van Calster, Dr Emily Barritt
Semester: 2
Credit Value: 20
Assessment Pattern: Coursework: 90% - Research Paper, 10% - Participation
Pathway/s: EL, TL and IDR

The impact of humans on our planet has been so profound that we are now said to live in a new geological epoch characterised by global environmental change and degradation: the Anthropocene. The need for skilled lawyers who critically understand the role of law in responding to environmental problems, such as air pollution, climate change, biodiversity loss and marine degradation, is becoming increasingly important.

Environmental law is a relatively new subject and a fast-moving one. Policymakers continue to confront and revisit solutions to the complicated problems that relate to the environment, about which there is often imperfect and ever-changing knowledge and understanding. The module will explore some topical issues at the heart of this dynamic field. It will provide a forum where to interrogate recent developments in international and European law applicable to environmental protection and resource management. This will include an analysis of the role of science in environmental decision-making and dispute resolution, and how legal frameworks respond to new risks and emerging technologies, such as GMOs. We will also think about the role of the law in the transition to a low-carbon economy, looking at a combination of instruments in climate and energy law. The module will pay special attention to the recent rise in environmental litigation and dispute settlement. Finally, we will critically analyse the interactions between environmental law and other regimes, such as trade law and human rights.

LAW, ARTIFICIAL INTELLIGENCE AND SOCIETY

Module Leader: Christopher Markou
Teaching Team: Christopher Markou
Semester: 2
Credit Value: 20
Assessment Pattern: Coursework: 60% - 3,000 Word Paper, 40% - In-Class Presentation
Pathway/s: IPIL and TL

Advances in Artificial Intelligence (AI) will be among the primary catalysts of social, economic, scientific, political and legal change in the 21st century. Discussions of AI regulation have gathered force in the wake of notable performance leaps in machine learning, particularly in the domains of computer vision, natural language processing and neural networks. Given the transformative and highly lucrative potential of AI, there are concerns about how far the law can and should adapt to the profound technological changes facing society. If legal adaptation is too slow, technological change can threaten rights, stifle innovation, or potentially catalyse public, environmental and existential risks. If technological change is too fast or ill-conceived, it might be ineffectual, disrupt societal expectations, and undermine the rule of law or the public trust essential to a data-driven government.

This highly interdisciplinary module will critically examine the relationship between law and technological change, the history of AI research, its key philosophical issues and themes, the legal,
political, economic and ethical questions that underpin the current debate and forecast future challenges. Topics to be covered include: algorithmic transparency and discrimination, automation and the ‘Future of Work’, legal personality for artificial agents, AI ethics, among others. Each topic will be introduced with a lecture followed by student presentations that will serve as the basis for in-class discussion and debate.

7FFLA621 CRYPTOCURRENCIES AND BLOCKCHAIN: TECHNOLOGICAL ADVANCES AND LEGAL CHALLENGES

Module Leader: Professor Michael Anderson-Schillig, Dr Christoph Kletzer, Peter McBurney
Teaching Team: Professor Michael Anderson-Schillig, Dr Christoph Kletzer, Peter McBurney
Semester: 2
Credit Value: 20
Assessment Pattern: Exam: 100% - 2 hours
Pathway/s: IFL and IBL

The rise of crypto-currencies such as Bitcoin, and, more generally, distributed ledger technologies, has shown that we might be at the cusp of another wave of disruptive technologies revolutionising the way we do business and interact, more generally. This time around it looks as if financial transactions in general and the role of financial institutions and regulators will face some fundamental challenges. This means that a lawyer wanting to be up to speed in these fields has to understand both the basic operation of these technologies and has to also be able to anticipate the regulatory challenges these technologies pose and the way current legal regimes deal with these technologies. This module will provide a foundation in the distributed ledgers and cryptocurrencies, and its legal contexts. Following an introduction into the underlying technology, we will focus on the law and economics of cryptocurrencies and blockchain, starting with an analysis of the applicability and suitability of general commercial law concepts such as property and contract law, to then focus on the potential these new technologies hold in the realm of financial law in terms of payment systems, securities holding and trading, derivatives, securitization and Initial Coin Offerings. Throughout the module will be interdisciplinary, focusing on law, technology and economics.

The module aims to:

- equip the students with a basic understanding of the technologies behind cryptocurrencies and blockchain
- to provide students with a deeper insight into the legal and regulatory challenges that these technologies present, focussing on general private and commercial law concepts (property, contract law) as well as financial regulation (capital markets law, payment systems, derivatives, securitization, Initial Coin Offerings)
- give the students confidence to enter into an informed discussion at the intersection of law and technology on these matters.

7FFLA623 THE LAW AND PRACTICE OF MODERN SLAVERY

Module Leader: Professor Parosha Chandran
Teaching Team: Professor Parosha Chandran
Semester: 2
Credit Value: 20  
Assessment Pattern: 2 hour closed book exam: 80%, Presentation: 20%  
Pathway/s: TL

The Law and Practice of Modern Slavery” will cover the domestic, regional and international legal frameworks for the protection against trafficking, slavery, servitude and forced labour (the umbrella term for these being ‘modern slavery’). We will study the treaties and conventions and also the jurisdiction (and case law) of relevant international courts and tribunals. The module will give students a detailed insight into, and initiate discussion on, the ground-breaking cases and work that Professor Chandran has been involved in and which have set critical precedents leading to the development of law and policy on trafficking and modern slavery in the UK and abroad. The module covers leading cases emanating from the English legal system as well as EChtHR, the ICTY, ICC and other regional systems, such as the ECOWAS system in Western Africa (e.g. the Hadijatou slavery case). It will also consider legislation and international legal guidance on trafficking, from the UN amongst others. The module will provide students with the opportunity to enhance their written and oral advocacy through the lens of the law on modern slavery.

Please note that this module is capped at 30 students.

7FFLA624 LEGAL REGULATION OF ECONOMIC AND FINANCIAL CRIME

Module Leader: Dr Aleksandra Jordanoska  
Teaching Team: Dr Aleksandra Jordanoska  
Semester: 2  
Credit Value: 20  
Assessment Pattern: Coursework: 5000 word essay  
Pathway/s: IBL, IFL, TL and EL

This module examines the nature, regulation and control of economic and financial crime at the national and transnational levels. The concepts of economic and financial crime encompass diverse criminal activities that involve the intentional use of deception or dishonesty to obtain a financial gain or cause a loss to another. As shown by recent high-profile cases such as the Volkswagen emissions scandal, the LIBOR and FX benchmarks manipulation, the Panama Papers, and even the 2008 global financial crisis, financial crimes are multifaceted, harmful, and always topical.

The module explores their definition, typology, and complex nature, for example, the common abuse or misuse of otherwise legitimate occupations, practices or markets; the role of the corporate form in facilitating transgressions, and the extensive economic harms to individuals, companies, the wider economy or the state. Further, the (often) ambiguous nature of business practices that may lie on the boundaries between (i)legal and/or criminal behaviour, and the challenges of effective markets oversight and prosecution of criminal offences have led to the development of a mixture of responses (e.g. regulatory and criminal justice mechanisms, prevention and enforcement) at the national and transnational levels. The course focuses on these special challenges for an effective control by law enforcement agencies, examining the most important frameworks and mechanisms for governing financial crimes, and their practical application.
These issues are examined in more detail through a range of relevant case studies on the topics of fraud, bribery and corruption, tax evasion, money laundering, crime in the financial markets. Special focus is given to misconduct in financial markets covering topics such as the regulation of insider dealing and market abuse, market manipulation and the benchmarks rigging scandals, and the role of financial crime in the 2008 global financial crisis.

The module provides students with an opportunity to gather tools to analyse any form of economic and financial crime, and use these to question whether, and to what extent, there are common themes in the regulation of financial crime in general.

Research and Practice Modules

7FFLA903 DISSENTATION, 15,000 WORDS
7FFLX001 DISSENTATION, 10,000 WORDS

Semester: Full Year
Credit Value: 40
Assessment Pattern: Coursework: 100%

You can satisfy the writing project requirement by writing a dissertation, whereby you conduct research on an agreed research topic under the supervision of an academic staff member. You can choose either a 40-credit dissertation (10,000 words) or a 60-credit dissertation (15,000 words). An additional dissertation handbook will be made available on KEATS when you enrol.

7FFLX005 ADVANCED EU COMPETITION LAW (MERGER CONTROL PRACTISE MODULE)

Module Leader: Professor Alison Jones, and Max Kadar,
Teaching Team: Professor Alison Jones, Max Kadar, Professor David Bailey
Semester: Full Year
Credit Value: 40
Assessment Pattern: Coursework: 100%
Pathway/s: CL

This course aims to enhance students' understanding of EU merger control. It builds upon the EU competition law course, focussing in greater detail on complex procedural, jurisdictional and substantive issues raised by a merger case study. Students will analyse a full and detailed case study, and apply the law critically to the facts of the case study. In the context of a structured workshop, students will have an opportunity to discuss with experts from DG COMP and private practice the issues raised by the case study and will be required to work in teams and to make oral presentations on the questions raised. The course will be assessed by students preparing an individual written answer to the problems raised by the case study. Students wishing to take this option will be required to take the EU Competition Law course or already to have a good working knowledge of EU competition law, and in particular EU merger control.
By enrolling in this research module you join an exciting research project financed by the European Commission under an Erasmus + Jean Monnet Networks Scheme (https://www.solar-network.eu/). You will meet members of the European Network on Soft Law Research (SoLaR) and have the opportunity to discuss with them the paper you have to write for your degree at King's. This module aims to stimulate reflection and debate on the changing nature of the law at the European Union level. Through readings, class discussions, and essay writing you will assess different modes of governance in the European Union, while understanding the ways in which the classic ‘community method’ combines with new modes of governance, such as soft law and the Open Method of Co-ordination. The module aims at developing research skills, as well as at stimulating critical perspective and engagement with the academic literature. SoLaR team members will come to talk to you about their own research and share best techniques and strategies for writing academic papers. Best papers will be published on the SoLaR Working Papers Series on SSRN.

During the past decades, new governance instruments have been relied on at an increasing rate in the European Union. Soft law, framework norms, policy coordination, co-regulation, self-regulation, and network governance are now an important feature of the European legal landscape. While being adopted through flexible procedures that could ensure higher participation and openness, these modes of governance have been often criticized as illegitimate, lacking transparency, and producing rather uncertain legal effects. This module aims to enable a debate on the nature of ‘new’ governance instruments, as well as the challenges they raise with regards to rule of law values. We will look at the way in which new governance and the traditional ‘Community’ method interact, and sometimes merge, creating hybrid systems in many policy areas of the European Union, ranging from economic coordination to competition law enforcement and social policy. Such transformation of EU law is not only of theoretical interest, as new modes of governance are being relied on more and more in order to find solutions to curb the negative effects of the economic crisis and to prevent such occurrences from happening in the future. Particular emphasis will be placed on the ways in which soft law is dealt with by the administrations and courts, in order to stimulate reflection on the changes and adaptations necessary at the level of traditional institutions in order to accommodate new modes of governance.

Module Leader: Professor Frederick Mostert
Teaching Team: Professor Frederick Mostert
Semester: Full Year
Credit Value: 40
Assessment Pattern: 100% Coursework
Pathway/s: IPIL

This module aims at enhancing the student’s understanding of how the enforcement of intellectual property is applied to global intellectual property portfolios in practice throughout many jurisdictions. The module consists of detailed case-studies that are intended to give students an opportunity to analyse and discuss the law, policy, strategies and procedure and other issues relating to intellectual property enforcement cases on the world stage. During the course the students will be given some advanced reading materials, detailed case studies (describing a factual scenario and enclosing various evidentiary materials) as well as some structured teaching sessions.

Students will be expected to:

- explore cutting edge and future enforcement tools and measures such as blockchain, artificial intelligence, ‘notice and trackdown’ and digital fingerprinting in the on-line environment (no technical knowledge is required);
- critically analyse relevant government policies and processes for enforcement;
- present practical strategies and tactical implementation guidelines for their client’s case on the basis of a specific fact-pattern; and
- explore in a hands-on manner how the courts and authorities deal with counterfeiting and piracy in the modern environment such as social media and augmented reality.
- identify relevant factors, strategies, evidence and processes for international digital enforcement;

This course is taught by a series of 2-hour seminars. We will consider and look at all viewpoints of a particular issue in class and discuss the underlying fundamental legal policies surrounding the digital borderless environment in today’s legal world. The distillate of these findings will then be used to determine how best they can be into practice it the digital environment on a worldwide basis.

**7FLX014 INTERNATIONAL INVESTMENT LAW AND POLICY (PRACTISE PROJECT)**

Module Leader: Dr Federico Ortino
Teaching Team: Dr Federico Ortino, Dr Florian Grisel
Semester: Full Year
Credit Value: 40
Assessment Pattern: Coursework: 100%
Pathway/s: IBL, IFL and IDR

This module aims at providing students with the opportunity to gain a deeper understanding and knowledge of the international investment law and policy regime. Students will have to develop an awareness of the critical legal issues in the current regime, including the substantive protections afforded to foreign investors and the dispute settlement mechanisms provided by the system. Policy considerations underlying this area of the law will be examined as international investment law broadly limits States’ regulatory prerogatives in many important and sensitive economic sectors such as energy, transportation, water services. As the practice project will be different every year, during the first seminar, we will provide more details on the specific project. While strictly speaking there is no pre-requisite for the course, we strongly suggest enrolling in either the International Commercial and Investment Arbitration or International Investment Law modules.
7FFLX017  LAW OF INTERNATIONAL FINANCE (PRACTICE PROJECT)

Module Leader: Professor Ravi Tennekoon
Teaching Team: Professor Ravi Tennekoon
Semester: Full Year
Credit Value: 40
Assessment Pattern: Coursework: 100%
Pathway/s: IFL
Pre-requisite: It may be taken only by students taking Law of International Finance 1 and 3.

This module is focused on the major transactions carried out by investment banks, transnational banks and multinational corporations in the vast global financial markets which have developed in London, New York and Tokyo in recent years as well as in locations such as Singapore, Hong Kong, Frankfurt, Paris and Sydney. It is designed to examine the legal structures used in these transactions and the complex legal issues arising in the context of these transactions due to their transnational and multijurisdictional nature.

Please note that this module is capped at 40 students.

7FFLX019  WORLD TRADE LAW AND POLICY (PRACTICE PROJECT)

Module Leader: Dr Federico Ortino
Teaching Team: Dr Federico Ortino
Semester: Full Year
Credit Value: 40
Assessment Pattern: Coursework: 100%
Pathway/s: IBL and IDR

This module aims at providing students with the opportunity to gain a deeper understanding and knowledge of the world trade law and policy regime. Students will have to develop an awareness of the critical legal issues in the current regime, particularly the policy approaches and legal instruments adopted in international trade agreements for the liberalization of trade in goods and services as well as for the integration of markets. Policy considerations underlying this area of the law will be examined as international trade law broadly limits States’ regulatory prerogatives in areas such as public health, labour rights, environmental protection, public morals.

While the practice project may in principle change every year, we expect that next year the focus will be on the future UK trade policy post Brexit.

While there is no pre-requisite for the course, we suggest enrolling in the World Trade Law module.

7FFLX022  INTERNATIONAL TAX LAW: TRANSFER PRICING (PRACTISE MODULE)

Module Leader: Nadia Ali
Teaching Team: Nadia Ali
Semester: Full Year
Credit Value: 40
Transfer pricing is the single biggest issue in international taxation for multinational business and tax administrations. The aim of this module is to critically and comprehensively analyse the legal issues pertaining to Transfer Pricing and is addressed to lawyers, accountants and tax policy-makers, whether in private practice, as in-house counsel, or government employees. The course takes a practical, transactional and multi-jurisdictional perspective and examines in depth the OECD Transfer Pricing Guidelines including the rules and Commentary of the OECD Model Tax Convention and the UN Transfer Pricing Manual, together with a detailed analysis of transfer pricing disputes and practice including the expanding body of case law. Assessment is by written practice project of 10,000 words. Students will be required to produce a transfer pricing report or position paper based on a practical case study similar to those they will encounter in practice.