



ASSIGNMENT 1ST SEMESTER : INTERNATIONAL TRADE LAW I (ITL1)
INTERNATIONAL TRADE LAW 2 (ITL201)

STUDY UNITS COVERED : STUDY UNIT 7

DUE DATE : 3:00 p.m. 20 MARCH 2012

TOTAL MARKS : 100

INSTRUCTIONS TO CANDIDATES FOR COMPLETING AND SUBMITTING ASSIGNMENTS

The complete 'Instructions to Students for Completing and Submitting Assignments' must be collected from the IMM GSM office, or the relevant Student Support Centre, or can be downloaded from the IMM GSM website. It is essential that you study the complete instructions prior to beginning your assignment. The following points highlight only a few important notes:

1. You are required to submit ONE assignment per subject.
2. The assignment will contribute 20% towards the final examination mark, and the other 80% will be contributed by the examination, however, the examination papers will count out of 100%.
3. Although your assignment will contribute towards your final examination mark, you do not have to earn credits for admission to the examinations; you are automatically accepted on registering for the exam.
4. Number all the pages of your assignment (e.g. page 1 of 4), and write your name and surname, student number and subject at the top of **each** page.
5. The IMM GSM requires assignments to be presented in a typed format and on plain A4 paper. This assignment must be completed within a limit of 1500 words, excluding the bibliography. Students who exceed the word limit may find that only part of the submitted assignment will be marked.
6. A separate assignment cover, which is provided by the IMM GSM, must be attached to the front of each assignment.
7. Retain a copy of each assignment before submitting in case the original does not reach the IMM GSM.
8. The assignment due date refers to the day up to which assignments will be accepted for marking purposes. The deadline is 3:00 p.m. on 20 March 2012. Late assignments will be accepted, but **25 marks** will be deducted from the maximum mark, if received after 3:00 p.m. on 20 March 2012 and up to 5:00 p.m. the following day, after which no assignments will be accepted.
9. If you fail to follow these instructions carefully, the IMM Graduate School of Marketing cannot accept responsibility for the return of the assignment. It may even result in your assignment not being marked.

Results will be available on the IMM GSM website, www.immgsm.ac.za, on Friday, 4 May 2012.

This is an exercise in exploring and thinking about international sales contracts and how they differ from a domestic sale. This assignment is not intended to be a 20 page essay. The areas listed above can be comfortably explained and argued in a concise 5 to 6 page report within the word limit.

Remember to acknowledge all sources of information at the end of your essay. A simple listing is all that is required.

QUESTION 1 [90]

“Simply because an international sales agreement has been concluded between a South African National, whether as an importer or exporter of goods, it does not automatically mean that a dispute/s arising from such a contract is governed by South Africa Law. Whether South African courts of law have the power (the jurisdiction) to decide any disputes arising from this contract is another question altogether.” [Study Unit 7, p.152]

In a well formulated essay show that you clearly understand the following important areas in relation to international sales contracts:

- The aspects in which an international sale differs from a domestic sale
- When the acceptance of an offer becomes effective
- The passing of ownership
- The passing of risk
- The legal importance of each of the following contract clauses: Domicile of the parties, language of the contract, choice of law, arbitration, mediation and litigation, jurisdiction clause
- The purpose and function of the Convention on the International Sale of Goods (CSIG).

It will not be sufficient to merely copy from the course notes. Learners must demonstrate that they have consulted a broad range of sources including the prescribed textbook.

PRESENTATION [10]

ASSIGNMENT TOTAL: 100